

LEGISLATIVE ASSEMBLY OF ALBERTA

Monday, May 15th, 1972

(The House met at 2:30 pm.)

PRAYERS

(Mr. Speaker in the Chair.)

INTRODUCTION OF BILLS

Bill No. 59 The Hydro and Electric Energy Amendment Act, 1972

MR. WERRY:

Mr. Speaker, I beg leave to introduce Bill No. 59, being The Hydro and Electric Energy Amendment Act, 1972. This new bill and amendments thereto, Mr. Speaker, empowers the Energy Resources Conservation Board to make regulations regarding measures to be taken to control pollution, and ensure environmental conservation, subject to the approval of the Minister of the Environment. The second point, Mr. Speaker, is that the board has encountered difficulty throughout the year that they have acted with the new Hydro and Electric Energy Act in that a number of the utility firms in Alberta do not prescribe a uniform system of accounting. Incorporated into this bill is the provision that the Energy Resources Conservation Board will require public and private utilities to keep a uniform system of accounts.

The third point -- the board, being the Energy Resources Conservation Board, cannot approve construction of a hydro development until there has been, firstly, an investigation, secondly public hearings have been held, and then the Energy Resources Conservation Board must report to the Executive Council; and upon the recommendation of the board to the Executive Council, the Executive Council will then prepare a bill which is to be debated during the session of the Legislature closest to the recommendation coming from the Executive Council. So there is an opportunity for both the investigation, public hearings, and a full-scale debate in this Assembly before any future hydro developments take place within the Province of Alberta. Also incorporated in this change, the board shall refer that application or any application for a hydro development to both the Minister of the Environment and the Minister of Lands and Forests for their approval. Those restrictions that both those ministers place on the report must be incorporated both in the Energy Resources Conservation Board's approval to the Executive Council and also the bill that comes before the Legislature.

The fourth point -- the board may approve construction and operation of a power plant with the authorization of the Lieutenant Governor in Council after referral to the Minister of the Environment and make such approval subject to any restrictions that the Minister of the Environment may wish to place on that particular siting.

Fifthly, applications for a permit to construct a transmission line are referred to both the Minister of the Environment and the Minister of Lands and Forests before such approval is granted.

50-2

ALBERTA HANSARD

May 15th 1972

---

The sixth point, the board is not required to impose conditions specified by the Minister of the Environment and the Minister of Lands and Forests when the Lieutenant Governor in Council directs otherwise.

[Leave being granted, Bill No. 59 was introduced and read a first time.]

Bill No. 82 The Franchise Amendment Act, 1972

MR. LEITCH:

Mr. Speaker, I beg leave to introduce a bill being The Franchise Amendment Act, 1972.

The purpose of this act is to alter the method and timing of the legislation coming into force. As matters now stand, the legislation was passed last year. It was to come into force upon proclamation. It has never been proclaimed in force. The existing act provides that the operative date be February 2, 1972. The purpose of the amendment will be to make the operative date of legislation to be determined by legislation, and the act will still come into force on the day fixed by proclamation.

[Leave being granted, Bill No. 82 was introduced and read a first time]

Bill No. 89 The Builders' Lien Amendment Act, 1972

MR. LEITCH:

Mr. Speaker, I beg leave to introduce a bill, being The Builders' Lien Amendment Act, 1972.

The purpose of this bill is to change the existing method of calculating the hold-back insofar as lien payments are concerned. As matters now stand, there is one lien fund against which all claimants advance claims. The proposed bill will alter that to provide a fund with respect to each contract. The reasons for introducing the legislation are that at the moment, the argument is that the existing legislation slows down the flow of construction funds, and also leads to a lack of credit policing. It is my intention, Mr. Speaker, to leave the bill for second reading until the fall session so that those persons who may be affected by it will be able to make representations on it over the summer.

[Leave being granted, Bill No. 89 was introduced and read a first time.]

Bill No. 88 The Department of Agriculture Amendment Act, 1972

DR. HORNER:

Mr. Speaker, I beg leave to introduce a bill being The Department of Agriculture Amendment Act, 1972.

This is a short bill, Mr. Speaker, which will clarify the department's position in regard to the provision of grants to various associations and organizations within the agricultural industry, and will clarify also the provision of certain services that are performed by the department, and the fixing of fees for those services.

[Leave being granted, Bill No. 88 was introduced and read a first time.]

May 15th 1972

ALBERTA HANSARD

50-3

Bill No. 211 An Act Respecting Remembrance and Dedication to Peace

MR. STROMBERG:

Mr. Speaker, I beg leave to introduce a bill being An Act Respecting Remembrance and Dedication to Peace.

In regard to this bill, we seek to recapture the real meaning of Armistice Day. This bill will discourage businesses from capitalizing on Remembrance Day.

[Leave being granted, Bill No. 211 was introduced and read a first time.]

Bill No. 212 The Local Development Company Act

MR. YOUNG:

Mr. Speaker, I beg leave to introduce a bill, being The Local Development Company Act. The bill is founded on the principle that each community bears a major responsibility for its own development. To that end the residents of an area under this bill may form a development company. Not more than 25% of the shares may be owned by anyone living outside of that area, nor could more than 20% of the equity be owned by any one member. The bill would provide a vehicle to assist existing businesses -- new businesses -- which might be initiated into the community and would relate to The Alberta Opportunity Fund Act in the manner that the local development company would be able to borrow from the Opportunity Fund \$4 for each dollar of equity put up by local citizens.

[Leave being granted, Bill No. 212, was introduced and read a first time.]

INTRODUCTION OF VISITORS

MR. TOPOLNISKY:

Mr. Speaker, this afternoon it is my pleasure to introduce to you and to this Assembly, 20 members of the School Safety Patrol from H. A. Kostash School at Smoky Lake in the Redwater-Andrew constituency. In appreciation of the services rendered, the patrols are treated to a trip to Edmonton, and I commend them for their interest to see Alberta government in action. They are accompanied by their vice-principal Mr. J. Roshko, and a parent, Mr. Clarkson. They are all seated in the members' gallery and are at their radiant best. Will they please rise and be recognized.

MR. SCHMID:

Mr. Speaker, it is with great pleasure that I introduce to you, and through you, to the members of this Assembly, 30 students from Ritchie Junior High School, Grades VIII and IX, accompanied by their teacher, Mr. Hugh Ross. The students are only 30 of 250 students who took part last Wednesday and Thursday in a magnificent festival, called 'Music of the Last 30 Years'. I was privileged to attend it last Wednesday night. They did a great job. I would like them now to stand and be recognized.

MR. KING:

Mr. Speaker, good afternoon. I would like to introduce to you, and through you, to the members of the Legislature, the Grade VI and Grade IX classes from McCauley School in the constituency of Edmonton Highlands. They are accompanied this afternoon by their teacher, Miss Gardner. They are seated in the members' gallery, and I would ask that they rise and be recognized by the members of the Assembly.

50-4

ALBERTA HANSARD

May 15th 1972

---

DR. PAPROSKI:

Mr. Speaker, I understand Mr. Ray Barson, assistant principal of McCauley is also accompanying this class. I'm proud to say he was also my teacher at McCauley School.

FILING RETURNS AND TABLING REPORTS

Canada - China Air Link

MR. YURKO:

Mr. Speaker, in accord with government policy I beg leave to table the summary report of the public hearings held on the impact on the environment of surface mining in Alberta, by the Environment Conservation Authority.

ORAL QUESTION PERIOD

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Industry. Inasmuch as Canada now seems to be getting preferential treatment in a proposed Canada-China air link, has the Loughheed government made representations to the federal government to have a scheduled stopover in Alberta?

MR. PEACOCK:

I would like the hon. member, if I could, Mr. Speaker, to rephrase his question, and ask it directly -- what he is trying to get at.

MR. WILSON:

Mr. Speaker, it has been announced that the federal government has a mission in Peking at the moment, negotiating a Canada-Peking air service, and I was wondering if the Loughheed government has made representations to the federal government to determine whether or not a stopover of this service could be placed in Alberta.

MR. PEACOCK:

In direct answer to the hon. member of the Opposition's question, yes, we have. We have informed the federal government, the CTC, that we are interested in not only our services into China, but we are vitally interested in some air routes that are being opened in the bilateral arrangements with the United States on June 6th.

MR. WILSON:

Supplementary, Mr. Speaker. Has the Loughheed government determined any preference as far as benefits to Albertans are concerned as to whether Canadian Pacific Air or Air Canada get the Peking-Canada air route?

MR. PEACOCK:

Mr. Speaker, in answer to that question I think our government takes the stand that we are interested in the services that are rendered to the citizens of this province and its growth economically, and let the best man win.

May 15th 1972

ALBERTA HANSARD

50-5

-----  
International Air Policy

MR. WILSON:

One final supplementary Mr. Speaker. Has the Lougheed government made representations to the federal transport department regarding the proposed changes in their international air policy?

MR. PEACOCK:

Well, I don't know what he means by international air policy Mr. Speaker, but I know this, that the provincial government has made overtures today to the CTC and to the federal Minister of Transportation to the effect that we are most disappointed and displeased with the appointment or the decision on behalf of the Air Transport Commission to appoint Thunderbird Airlines to render service to the northern part of this province including Grande Prairie, Whitecourt, Hinton and Edmonton. We feel that in provincial services, the province itself should be part of that decision-making team and since we weren't consulted in this regard, and since Time Airways is a provincially based capitalized company of the Province of Alberta, we felt very disappointed indeed that the Transportation Commission had seen fit to make a decision in favour of an out-of-province carrier.

MR. SPEAKER:

Supplementary by the hon. Member for Lesser Slave Lake.

MR. BARTON:

Mr. Speaker, the hon. minister just answered my supplementary.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Calgary Buffalo.

Marlboro Logging Co-op

MR. NOTLEY:

Mr. Speaker, I would like to direct a question to the hon. Minister Without Portfolio, Mr. Adair. Has the government received a submission for assistance from the Marlboro Logging Co-op west of Edson?

MR. ADAIR:

Mr. Speaker, in relation to assistance, they have been receiving assistance for quite some time. The last little while we have been doing a study as to what the Co-op itself is doing and I think it can possibly be further added to by the hon. Minister of Agriculture.

DR. HORNER:

Mr. Speaker, in regard to the situation at the Marlboro Co-op, we have carried this co-operative along with, frankly, some misgivings. Because of the lack of management involved, we have attempted to get that infusion of management into the cooperative, but again against some fairly stiff resistance. One portion of the group, commonly known as the Beaverbones group, has now split up, and we are willing to continue to give them assistance and support because of their record. We are not at this time, Mr. Speaker, willing to continue the present support to the Marlboro Co-op unless there is a drastic change in management.

50-6

ALBERTA HANSARD

May 15th 1972

---

MR. NOTLEY:

A supplementary question to the hon. Minister. Is the government taking any steps to sit down with the board of directors of the Marlboro Logging Co-op at this time in an effort to work out some sort of intermediate approach with the board?

DR. HORNER:

Mr. Speaker, we did this several months ago. Both my colleagues, the Minister Without Portfolio, Responsible for Northern Development, and also the hon. Minister Without Portfolio, Responsible for Tourism in whose constituency the co-operative is situated, and in addition to that the director of co-operatives, and several people from my department, have sat down with these people. We have received some co-operation -- indeed some good co-operation -- from the management of Northwest Pulp and Power in relation to the entire management area for this co-operative. Quite frankly, Mr. Speaker, unless there is a change in attitude of some of the people who are now in charge of that co-operative the government -- or at least our department -- cannot recommend continuing support.

MR. SPEAKER:

The hon. Member for Calgary Buffalo, followed by the hon. Member for Calgary Mountain View.

Court Reporters Shortage

MR. GHITTER:

Mr. Speaker, my question is to the hon. Attorney General. It arises out of my concern that justice delayed is justice denied. I'm advised from Calgary that there is in excess of six months waiting period from the point of view of anyone wishing to obtain the services of Supreme and District court reporters at the Court House in Calgary. I'm concerned that this delay is excessive and I'm also advised that application has been made for more court reporters that has possibly been denied. I'm wondering if the hon. Attorney General is aware of the situation and if anything can be done to counteract the situation?

MR. LEITCH:

Yes, Mr. Speaker, I am aware of the situation, and as the hon. member says it is a serious one. I have had some discussions with the representatives of the Law Society about it. We are currently examining the situation and hope that we will be able to find a solution to shorten the delay between the request for discoveries and the actual discovery date.

MR. LUDWIG:

A supplementary, Mr. Speaker. Is the problem created by the government's lack of hiring enough reporters? What is the actual cause of the problem, the serious problem, he indicated?

MR. LEITCH:

Mr. Speaker, I don't know that one can say it's the problem of the lack of hiring adequate reporters. There has been a problem, I think, over the years in there not being enough reporters available. This is not a new matter by any means; it's been a continuing problem for a long time, and in fact as long as I can recall there have been discussions between the Law Society, the government and the court reporters in an effort to improve that service. It recently has become more acute than at any time I can recall in the past.

May 15th 1972

ALBERTA HANSARD

50-7

MR. LUDWIG:

Mr. Speaker, a further supplementary. What has this government done in the last eight months that will help alleviate the problem, since this is an ongoing problem?

MR. LEITCH:

Since coming into office, Mr. Speaker, I have asked my department people to again meet with the Law Society and the court reporters, because there were at that time no regular meetings going on to ascertain whether they couldn't find the solution to the problem.

MR. SPEAKER:

The hon. Member for Calgary Mountain View, followed by the hon. Member for Olds-Didsbury.

Calgary Convention Centre

MR. LUDWIG:

Mr. Speaker, I would like to address a question to the hon. Attorney General. Has he received any formal request from from the Calgary Council, to arrange for an inquiry into the convention centre operation?

MR. LEITCH:

Mr. Speaker, I did not receive any formal request. I understand one has come in and perhaps I can pass that question to the hon. the Premier.

MR. LOUGHEED:

Mr. Speaker, in answer to the hon. member's question, a letter was received from a single alderman this morning, Alderman Tom Priddle of Calgary. We reviewed the matter with various ministers and advised him that we would not be prepared in this particular case to consider any sort of a judicial inquiry unless the request for a judicial inquiry came from the City Council in Calgary.

MR. LUDWIG:

A supplementary question, perhaps to the hon. Minister of Municipal Affairs. To what extent are provincial funds involved in the convention centre, and I mean with regard perhaps to the purchase of land or any other involvement or investment as far as the convention centre is concerned?

MR. RUSSELL:

As hon. members know, Mr. Speaker, the convention centre site in Calgary was one of the last sites to proceed under the old urban renewal legislation insofar as the federal government is concerned, and the share of land purchase costs are somewhere in the nature of \$1.3 or \$1.4 million. In addition to that, of course, we are committed to supporting the construction of facilities for the Glenbow building and there will be costs involved in the relocation of the existing Treasury Branch. As far as I'm aware, that represents a total financial commitment on the site.

50-8

ALBERTA HANSARD

May 15th 1972

---

MR. LUDWIG:

Mr. Speaker, one last supplementary. Is there any liaison between the City of Calgary and the government on this particular issue? Who is responsible?

MR. RUSSELL:

There is excellent liaison. With respect to the last two items I mentioned, the first item, the land acquisition, of course, is carried out by the government's Crown agency, The Alberta Housing Corporation, and land acquisition cost-sharing is handled by that agency. Insofar as Glenbow and the treasury are concerned, there have been excellent on-going discussions over the past few months on both of those facilities.

MR. SPEAKER:

The hon. Member for Olds-Didsbury followed by the hon. Member for Drumheller.

Project Recovery

MR. CLARK:

Mr. Speaker, I would like to direct a question to the hon. Minister of Health and Social Development and ask him if he has received any request for financial assistance from an organization known as Project Recovery?

MR. CRAWFORD:

Mr. Speaker, if the question relates to an organization of that name in the City of Edmonton, a request for support has been received and it is in the course of being replied to. The letter of reply should go out today and I think, as I've done before in cases like this, the communication should in the first instance go to the applicant before I make it public by referring to it here.

MR. SPEAKER:

The hon. Member for Drumheller followed by the hon. Member for Calgary Millican.

Soft Drug Centres

MR. TAYLOR:

Mr. Speaker, may I direct a question to the hon. Minister of Culture, Youth and Recreation? Is the government financing and/or providing staff for a soft drug centre in Calgary and in Edmonton for use by, primarily, young people who unfortunately have a bad trip?

MR. SCHMID:

Mr. Speaker, not to my knowledge. A great number of activities that we have been involved in, right now are being handled, or at least endeavouring to be handled, by the Commission for Drug and Alcohol Abuse. I could, perhaps, refer this question to the hon. Mr. Crawford, who may have more answers on that.

MR. CRAWFORD:

Mr. Speaker, I don't mind adding just a little bit to it. The hon. minister did indicate the area of concern is that of the Alberta Alcoholism and Drug Abuse Commission and that is the situation. I have not covered with them all of their anticipated programs for the summer in regard to Calgary and Edmonton. I would think it is likely



May 15th 1972

ALBERTA HANSARD

50-9

that they are trying to make some provision in this regard but I have no further information on it. If the hon. member, Mr. Speaker, would like I would be glad to pursue it with the Commission and produce more information.

MR. TAYLOR:

Mr. Speaker, I would appreciate that very much and, possibly, I should ask this one question. Does the hon. minister agree that some type of centre is required for these people who are actually ill -- whether by government or private agency -- and that these sick people should not have to run around a city in an ill condition?

MR. CRAWFORD:

Mr. Speaker, I think the answer is that there are facilities to the extent they're available in the hospital system that can take some pressure off this type of illness -- a person suffering from this type of illness at a particularly bad time -- and I think the question is whether or not the hospitals are fully equipped in this regard. If they're not I would certainly agree that some further examination of it should be made, particularly as to any reasonable forecast for the summer as to whether or not this situation is likely to be handled within the system. If not, I suppose we would have to ask the Commission to take it under consideration.

MR. GHITTER:

Supplementary, please, to the hon. Minister of Health and Social Development. Are you aware of the work that the Calgary Drug Information Centre has been doing in the City of Calgary in this area for the last three years? And if so, do they receive support from the provincial government to your knowledge?

MR. CRAWFORD:

Mr. Speaker, this is an area, of course, in the transition from departmental jurisdiction to the jurisdiction of the Alcoholism and Drug Abuse Commission that relates to the priority setting by the commission this year. I'd certainly be glad to discuss that type of priority with them as I indicated in my answer to the hon. Member for Drumheller. And to the hon. Member for Calgary Buffalo I would say that I met some months ago with the people involved in the Drug Information Centre in Calgary and reviewed the type of work that they had been doing, and at that time I believe they were placed in touch with the Alberta Alcoholism and Drug Abuse Commission.

MR. SPEAKER:

The hon. Member for Calgary Millican followed by the hon. Member for Olds-Didsbury.

Basic Shelter Grant Act

MR. DIXON:

Mr. Speaker, I'd like to direct my question today to the hon. Minister of Municipal Affairs. It has to do with the Basic Shelter Grant Act that we were speaking about earlier in the session, and a number of people are inquiring, especially those over 65. Owing to the fact that the municipal tax notices will be going out shortly, I wonder if it is the government's intention to go forward with this legislation, and will it be effective this year for property owners over 65?

50-10

ALBERTA HANSARD

May 15th 1972

---

MR. RUSSELL:

Yes, it is certainly our intention to proceed this year with the legislation, Mr. Speaker. It has been a matter of some concern to me to get the bill in front of the members at the earliest possible date. I hope we will see it this week. We've taken care of the details with respect to the printing and mailing of forms, and it's the government's intention that the benefits to the senior citizens will be effective this year.

MR. SPEAKER:

The hon. Member for Olds-Didsbury followed by the hon. Member for Edmonton Kingsway.

Red Deer College

MR. CLARK:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Advanced Education, and ask him if he has received the report of the inquiry at the Red Deer College, and if he has, when will he be making it public?

MR. POSTER:

A very good question, Mr. Speaker. I have received the report. I am reading it and thinking about it, and intend to take some time to consult with several people before making any statement whatever on it.

I should say that I'd like to rephrase and restate, since the hon. member opposite appears to be upset by my remarks, that I said earlier the Red Deer College inquiry and probably the report of the commissioner, may touch upon the lives and roles of many people in that college, and I think before I make any statements publicly about that commissioner's report, I would like the opportunity of assessing that very question and discussing it with the people most affected. Then, I'll be happy to advise the House about it.

MR. CLARK:

Supplementary question, Mr. Speaker. In the course of the hon. Minister having these discussions and this consideration, will the minister also keep in mind that unless students and people in Central Alberta know the status of the Red Deer College and remove some of the problems that exist, the enrolments in that college will suffer greatly next fall, and the college already has budgetary problems?

MR. POSTER:

Mr. Speaker, my hon. friend opposite has told me something about which I am most familiar and most well-informed on, if I may be so humble.

MR. SPEAKER:

The hon. Member for Edmonton Kingsway.

Trans-Canada Markets

DR. PAPROSKI:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Industry and Commerce. I understand there were recent statistics released of the dollar value of manufactured goods coming from the east to Western Canada, and from Western Canada to Eastern Canada. I wonder if the hon. minister has those statistics in round figures? I think it would be interesting for the members of the

May 15th 1972

ALBERTA HANSARD

50-11

Assembly. And what is the obvious and not so obvious significance of these figures?

MR. PEACOCK:

Mr. Speaker, for the information of the House I presume that the hon. member is referring to the figures appearing in Alberta Business Trends, in which it indicated that some \$3 billion worth of manufactured goods moved from Eastern Canada into Western Canada, while some \$600 million of manufactured goods moved from Western Canada into Eastern Canada. I suppose the significance of it is that we in Western Canada have to get off our hands and do something about manufacturing out here. And I suppose the significant indication from the figures is the fact that most of the \$600 million that we move into the east is made up primarily of wood products and agricultural products, and there is very little secondary industry in the metal or the petrochemical industries.

MR. TAYLOR:

Supplementary, Mr. Speaker. Would the hon. minister agree that probably one of the main reasons is the high freight rate for finished products going east?

MR. PEACOCK:

Mr. Speaker, I think the hon. Member for Drumheller has hit on one of the chief components of our problem and our severe problem of developing a secondary industry base, an intensive labour base, a secondary industry in the west. Because we are land-locked we have an unfortunate situation that we have inherited since Confederation almost -- certainly since the development of the railways -- in which the rates have always been oriented to taking the raw produce into the eastern marketplace.

In the course of the last 20 years, there is a marked shift in population and potentialities in the west, into the Pacific rim areas, and therefore we have to revise, it seems to me, these inequities in transportation if Western Canada is going to survive or be competitive in the market place, and particularly in the labour intensive industries.

So, if there is one thing that we, as a government, should all put our shoulders to, it is certainly the problems that western Canada is facing in these inequities of transportation, in rail rates and air accommodation -- international as well as national -- and also other modes of transportation.

#### ORDERS OF THE DAY

#### MINISTERIAL ANNOUNCEMENTS

MR. HYNDMAN:

Mr. Speaker, on a point of order, last Friday the hon. Leader of the Opposition made a proposal regarding possible changes in the time of sitting of the House during this week. That proposal was that the afternoon of tomorrow Tuesday, private members' day, be exchanged for a government day, that the House sit on Wednesday morning and Wednesday evening, and that the House begin its evening sittings at 7:00 p.m.

The government caucus has today considered these various proposals, most of which the hon. members will note involve major changes in the hours of sitting and most of which involve a substantial abandonment, I think, of the rules regarding sitting times that we have known and which were known in March and in April, and have been unaltered for many years in the House. Bearing in mind

50-12

ALBERTA HANSARD

May 15th 1972

the fact, after careful consideration, that these changes would involve a major disruption in the schedule of the House, members on our side having had many long-standing engagements and appointments for the evening dinner hours and for Wednesday evening, and bearing in mind the fact that on Wednesday morning a number of committees are scheduled to meet, while the government is prepared to agree to exchange private members' day, Tuesday afternoon, for government business, the other proposals we do not find appropriate at this time.

MR. STROM:

Mr. Speaker, I certainly want to say that we will accept the government's proposal and are pleased to co-operate with the government in this respect. The proposals that I made the other day, are admittedly, quite a departure from procedures that we had previously followed. All I want to say is that we made them in good faith recognizing that had it been followed, it would have provided for about ten hours of additional time for government business that we do not presently have. All I can say today is that we would be prepared to look at the proposal again for following days if the Government House Leader feels that it would be necessary. In the meantime, we are prepared to accept this proposal.

#### GOVERNMENT MOTIONS

MR. HYNDMAN:

I move, seconded by the Hon. Provincial Treasurer Government Motion No. 1:

"Be it resolved that the Interim Report of the Standing Committee on Public Affairs, Agriculture and Education be now received and concurred in."

Notice of this report was given orally, Mr. Speaker, last Friday and the report, as it is briefed, I will read at this time.

"The committee recommends that this Assembly do stand adjourned from 5:30 o'clock pm. on Friday, May 19th, 1972, until 2:30 o'clock pm. on Monday, May 29th, 1972, unless the committee earlier concludes the said public hearings. The hearings will be conducted on May 23rd, 24th, 25th, and 26th, 1972, from 9:00 am. to noon, 2:00 pm. to 5:30 pm., and 8:00 pm. to 10:30 pm."

I think, Mr. Speaker, insofar as that committee dealt with these matters in some detail, and insofar as there was I believe, either a substantial or, indeed, unanimity of voting on this resolution, that nothing further needs to be said in moving the motion at this time.

MR. TAYLOR:

Mr. Speaker, I wonder if the hon. House Leader omitted to say that should the hearings end earlier than anticipated, that the House would reconvene on the week of the 25th and 26th. I thought that was in the original report, although I'm not sure.

MR. HYNDMAN:

Yes, Mr Speaker, I believe that was the case. In conversation with the Clerk of the Assembly on Friday, he indicated that by strict technical procedure, that should be deleted, because that concept was already embodied in the resolution: and also because the committee, being a creature of the House, could not order the House itself, its senior, when to come back and sit. However, that would certainly be the contemplation of the way we would move, should the hearings end prior to Thursday.

May 15th 1972

ALBERTA HANSARD

50-13

[The motion was passed without debate or dissent]

GOVERNMENT BILLS AND ORDERS FOR SECOND READING

Bill No. 1 The Alberta Bill of Rights

MR. LOUGHEED:

Thank you, Mr. Speaker. I move, seconded by the hon. Deputy premier, Bill No. 1, The Alberta Bill of Rights, for second reading.

Mr. Speaker, The Alberta Bill of Rights, proposed before this Legislature, is the first and only provincial bill of its kind in Canada. The Province of Saskatchewan has a bill of rights, which contains some provisions that deal with matters of fundamental rights and human rights. However, the Saskatchewan bill contains no provision comparable to Section No. 2 in The Alberta Bill of Rights, and has no operative clause in relationship to the question of the basic freedoms that are established in Section No. 1 of Bill No. 1.

Mr. Speaker, what is very significant about this bill, and I think not well understood, is that under The British North America Act, clearly and distinctly, the responsibility for property and civil rights is the responsibility of provincial government. And so, in undertaking the course that is implicit in Bill No. 1, we in the government are well aware that we are striking in very new ground with a very important bill. I'm sure the significance of this bill and its import is obvious to all.

If I could refer briefly, Mr. Speaker, to the Preamble of the bill. I think the Preamble is important; and because of the shortness of the bill, I hope Mr. Speaker, it will be in order for me, at second reading to deal specifically with certain provisions in the bill, because it is difficult to deal in a general sense with the principle of the bill, in second reading here, without in fact, referring in a specific way to some of the provisions. The first Preamble, of course, is something that I'm sure is accepted by all Members of the Legislature, that

"the free and democratic society existing in Alberta is founded upon principles, fostered by tradition, that honour and respect human rights and fundamental freedoms and the dignity and worth of the human person."

That casts the first framework for the bill. Secondly:

"And whereas the Parliament of Canada, being desirous of enshrining certain principles and the human rights and fundamental freedoms derived from them, enacted the Canadian Bill of Rights in order to ensure the protection of those rights and freedoms in Canada in matters coming within its legislative authority;"

Thirdly, that:

"whereas the Legislature of Alberta, affirming those principles and recognizing the need to ensure the protection of those rights and freedoms in Alberta in matters coming within its legislative authority, desires to enact The Alberta Bill of Rights."

Mr. Speaker, during the debate in the federal House on the Canadian Bill of Rights, one of the main criticisms that was presented was the fact that the Canadian bill, by its very nature, was restricted to matters that were clearly within the federal jurisdiction. Yet property and civil rights were within the provincial jurisdiction. There was some very significant criticism of the Canadian bill in terms of its import and its consequences and

50-14

ALBERTA HANSARD

May 15th 1972

---

its significance. It is well to remember that in terms of what we are doing this afternoon. That is why the preamble to the bill is framed in that direction.

The second part of the bill sets forth six human rights and fundamental freedoms. It is important to recognize, for comments I want to make in a few minutes, that there are, in fact, six:

Firstly, "the right of the individual to liberty, security of the person and enjoyment of property and the right not to be deprived thereof, except by due process of law."

That is the first one. It is identical to the right within the Canadian bill except we have deleted the phrase 'a life' insofar as that particular provision clearly is within the federal jurisdiction.

Secondly, "the right of the individual to equality before the law and protection of the law,"

Thirdly, "freedom of religion,"

Fourthly, "freedom of speech,"

Fifthly, "freedom of assembly and association,"

Lastly, "freedom of the press."

Mr. Speaker, the most important section of the bill that requires attention, in terms of every single word, is Section 2 of this bill, because the whole framework of the argument made regarding the Bill of Rights develops out of Section 2. Without it the bill is meaningless. Without an understanding of Section 2, one doesn't understand the bill, or its relationship to previous legislation, or to other legislation before the House.

Section 2 states that:

"Every law of Alberta shall, unless it is expressly declared by an Act of the Legislature that it operates notwithstanding the Alberta Bill of Rights, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared".

It is the critical section, Mr. Speaker, and in the course of my remarks, I do want to call it -- for want of a better term -- the 'notwithstanding' section.

Thirdly, Mr. Speaker, the bill defines the law of Alberta. It is important to note under that definition that it includes "order, rule and regulation". Any of those who have been familiar with the matters of regulation in government today can understand the vast scope that is involved in that particular provision.

Mr. Speaker, the history of the question of a bill of rights should be briefly reviewed. It was mentioned in 1960 that the Canadian Bill of Rights was passed. It was restricted to the federal sphere of jurisdiction.

In 1970 and 1971, I rose in my place in this House and presented a bill which, in essence, combines Bill 1 and Bill 2 presently before the Legislature. There was, of course, at that time, no opportunity for debate and no debate ensued.

In 1970 another important development occurred, for there were sceptics about bills of rights, Mr. Speaker. The sceptics said that this particular Bill of Rights, the Canadian Bill of Rights, really would not have any important impact. But the decision in 1970 of the

May 15th 1972

ALBERTA HANSARD

50-15

---

Supreme Court of Canada, in the Drybones case, Her Majesty the Queen and Joseph Drybones, very clearly assured for all, that the bill had a great deal more importance and import to the people of Canada. Because we have followed the format of the federal bill, it is equally important that we consider that this Drybones case has a bearing on what we are debating today.

The Drybones case, and I think it is important to deal with it, is that the respondent, an Indian, was convicted by a magistrate of being intoxicated off the reserve in the Northwest Territories, contrary to a section of the Indian Act of Canada. There is no reserve in the Northwest Territories. On an appeal, the respondent was acquitted, on the ground that that section of the Indian Act had been rendered inoperative by the Canadian Bill of Rights, because it infringes the right of the respondent to equality before the law. The particular section renders the respondent guilty of a punishable offence by reason of conduct which would not have been punishable if indulged in by any person who was not an Indian. And that historic decision of the Supreme Court of Canada affirmed for all the importance of the Canadian Bill of Rights and what it means.

The next step was in June of 1971, when the First Ministers of Canada met on a constitutional conference and discussed a charter. That charter was approved by the federal government and, I believe, by eight of the ten provincial governments; but not by the Government of the Province of Quebec or, officially, by the Government of the Province of Saskatchewan. And it set forth in its Part 1, certain, what are known as political rights, which appear to cover a portion of the Canadian Bill of Rights, and what is in Bill No. 1.

Mr. Speaker, before this session commenced I had a lengthy meeting with Mr. Diefenbaker, and in the course of it, he mentioned to me that I should look with care upon that political rights section in the Victoria proceedings, that in his opinion, it really didn't do what it was intended to do. I now, in the past week, have had an opportunity to do that; and I fully concur with Mr. Diefenbaker's view, because in my view the political rights contained in Part 1 are substantially weakened from the Canadian Bill of Rights, or from the provisions contained in The Alberta Bill of Rights, for two very important reasons.

The first reason is that it sets forth three fundamental freedoms. I will read them.

"Freedom of thought, conscience and religion." And I think we can take that as being comparable to the provision in the Canadian bill or the Alberta bill, with freedom of religion.

Secondly, "freedom of opinion and expression." And I think we could reasonably take that as comparable to the two freedoms within the Canadian bill, and the proposed Alberta bill, of freedom of speech and freedom of the press.

And thirdly, "freedom of peaceful assembly and of association." And we can take that as coming directly within the provisions of the freedom of assembly and association.

Mr. Speaker, there are two missing. They are the first two. "The right of the individual to liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law." And secondly, "the right of the individual to equality before the law and protection of the law." That, Mr. Speaker, the second freedom, was the very freedom of the Drybones case. And if those political rights were accepted in the way they were set forth in Victoria, quite clearly the Drybones case would have of course no effect today.

There is another more serious matter and this develops during the course of my discussions. But it is clear to me, that the operative section of the Canadian bill and of the proposed Alberta bill is simply missing from the political rights set forth in the Victoria Charter. The impact of those sections, in the Canadian bill and the Alberta bill, is to restrain government; and that is the purpose of the whole approach to these bills, and is clearly absent, in my opinion, from article 2 and article 3. In fact, there would be no obligation, even in terms of matters of the four freedoms that are set forth in the Victoria Charter, to declare in any particular legislation that it was being established notwithstanding the provisions of these political rights. And the impact of that is that, in my opinion, under the Victoria Charter a court would look at it, and if it was contrary to say the freedom of opinion and expression, the court would look at article 3, which reads:

"nothing in this part shall be construed as preventing such limitation in the exercise of fundamental freedoms as are reasonably justifiable in a democratic society in the interests of public safety, order, health or morals, national security or the rights and freedoms of others, whether imposed by the Parliament of Canada or the Legislature of the province."

Mr. Speaker, that sort of a qualification, in my humble opinion, renders ineffective these political rights. Because what it means is that a court would look at pieces of legislation that might be contrary to one of those specific freedoms discussed in Victoria and they would say; "But, there is a provision in the act that it has this public interest, and they haven't made it notwithstanding." Yet it's clear to me that by doing that, by taking that particular position, the court will find themselves facing a majority view within a democratic institution, and the majority view is such as to wipe out the impact of The Canadian Bill of Rights to all intents and purposes.

Now I realize, Mr. Speaker, that those are very strong interpretations that I am making. But I feel that the political rights contained in the constitutional conference proceedings and the proposed charter, substantially weaken The Canadian Bill of Rights and the proposed Alberta bill because they don't do what the bills are intended to do, and that is to protect the individual from the power of the state.

Mr. Speaker, I underline those remarks, because I think they are pretty serious. I would hope that we would hear debate on that particular item, because if they do that, certainly our government in any future constitutional conference would want to be fully convinced that our view is accurate.

Mr. Speaker, the next part of this bill is to compare it with Bill No. 2. Bill No. 1 The Alberta Bill of Rights restricts the power of the Legislature, in terms of imposing upon individual rights and freedoms. Bill No. 2 The Individual Rights Protection Act, deals with discrimination as between individuals. The Saskatchewan government, as I mentioned, the Ontario government, the British Columbia government and the Alberta government have all had human rights legislation, and that is within the orbit of Bill No. 2. The Human Rights Act, as it now exists in the Province of Alberta, has nothing whatsoever to do with Bill No. 1. It relates to Bill No. 2 and you will note that Bill No. 1 makes no reference to it, although Bill No. 2 deals with its repeal, and I am sure that during the debate on second reading of Bill No. 2, we will be dealing with that particular matter.

Next, Mr. Speaker, I think it's important to say what The Bill of Rights does not do. First of all, as mentioned, it is not a document designed to protect us from each other, which is the purpose



May 15th 1972

ALBERTA HANSARD

50-17

in one sense of Bill No. 2. It's not either, Mr. Speaker, an instrument to provide jobs and security. A declaration, in my view, simply won't do this. Legislation such as Bill No. 50, The Alberta Opportunity Fund, that's the sort of legislation that moves in terms of improving the lot of our citizens and their economic position. But Bill No. 1 is not an economic charter, and I think it's the worst possible deception for government to suggest you can guarantee something you know you can't deliver. I think for that reason it should be made abundantly clear that this bill deals with individual rights, and is not an economic charter in any sense, nor was it ever intended to be.

But what does the bill do, Mr. Speaker? It establishes a procedure that restrains government from attempting to deprive persons of fundamental rights, beyond what is necessary by government. What has become, perhaps, the arbitrary exercise of government power. It doesn't prevent, it restrains. The government can still do anything that it wants to do. It has the legislative power, with the concurrence of the Legislature, and it's supreme in that sense, that the Legislature is supreme. But what it must do, if it's contrary to The Bill of Rights, is bring in, in its future legislation, or its amending legislation, a provision that a particular bill operates, notwithstanding-- notwithstanding--The Alberta Bill of Rights.

I haven't any doubt in my mind, in rising today and speaking about Bill No. 1, Mr. Speaker, that that bill will be very carefully considered by our government or any future government, in terms of both public and Legislature pressure. And I'm sure that any bill introduced by government in the future years, that states that it applies notwithstanding The Alberta Bill of Rights, is going to need a very, very effective argument. I'm sure the Official Opposition, in this or any future Legislatures, would feel very, very much on their toes, in terms of assuring that when that 'notwithstanding' provision is there that it is clearly there for a valid reason.

I think that such a provision is going to make government very cautious and very careful in the future, before they bring in a provision that states 'notwithstanding The Alberta Bill of Rights'.

Now it has been argued and suggested, I believe by the hon. Member for Wetaskiwin-Leduc, that the government cannot bind future Legislatures. This is quite so. In the parliamentary system, as I mentioned, the full sovereign power is vested in the Crown, and under our present system that is within the Legislature and our own sphere of influence.

The future Legislatures in this province, Mr. Speaker, could repeal The Bill of Rights, but I very much doubt that would happen. I think, Mr. Speaker, what I've just said must cause considerable concern to any member on either side of the Legislature, when they realize what we're doing today. Because we had better be right about what we're doing. And if we're wrong, we may not be able to bind future Legislatures, but we put them into a position of attempting to repeal the Alberta Bill of Rights, and that, I think, is something that all of us should pause to consider.

It's obvious that the Canadian Bill of Rights has not in any sense of the word been challenged in the federal House of Commons, even with changes in election, in changes in government, and the many, many changes that have occurred since 1960.

Mr. Speaker, future Legislatures, as I have mentioned, can pass legislation, though, notwithstanding The Alberta Bill of Rights. But I do know that that is a very restraining factor upon government.

So this bill, Mr. Speaker, if passed through this Legislature at second reading and through committee and third reading next fall, is

a bill that will be with us a long time; and for that reason, requires the care and concern of all members.

I have been asked, Mr. Speaker, "Why enact such a bill?" When I first proposed it in the House in 1970, I was rather staggered at the degree of advice I received to drop the whole idea. I received a lot of advice not to go ahead with it. No other province had done it, was the the argument. It is going to cause embarrassment if you form the government and then have to pass legislation or regulations, you're going to have to go back and say, "Well, Mr. Speaker, we made a mistake and we should have had a notwithstanding provision in that particular bill," and that's going to focus attention upon it, so it's going to cause governments in the future some considerable embarrassment.

It's certainly going to be inconvenient for government. Every minister and every department, I know, already is concerned with it. But these reasons are the very reasons why I feel so strongly we should propose it. Because in this modern day, and in our society today in Canada, almost every facet of our life seems to be involved with government law or government regulation, so the rights of the individual needs protection from the power of the state. And the basic philosophy that I have, as a Conservative and as a Legislator is to assure that those rights of the individual -- those six rights of Bill No. 1 -- are protected.

I refer again, to the import of what I'm saying relative to the Constitution. The Canadian Bill of Rights deals with matters within the Canadian Federal jurisdiction. But this Bill No. 1 deals with matters within the provincial jurisdiction, which involves property and civil rights specifically in the Constitution. And this touches upon the Health and Social Development department, the administration of justice, the whole area of property rights, and I could go on.

So, Mr. Speaker, we accept the embarrassments that are going to be coming, the considerable inconvenience of this bill; and I've already noted the process has started, in terms of legislation.

In the course of the last four months the question must have come up dozens of times, does it offend the Bill of Rights? Is it contrary to the Bill of Rights, at the departmental level, by the Legislative Council, by the deputy ministers, by the ministers, by the Cabinet, in our caucus, and already in the Legislature? I dropped my pen three times during the course of previous debates, when somebody mentioned the Alberta Bill of Rights in areas frankly, that I thought had absolutely nothing to do with it; but it certainly got a message across to me, Mr. Speaker, that if members thought that it did involve that particular area, one can surely see how broad and encompassing it is.

Now it hasn't yet hit in the area of regulations. The hon. members on the front bench who were formerly in the Executive Council are well aware; they know what is involved in that. But we also recognize that this bill does cover matters of regulation.

One of the suggestions I proposed to the House, one I hope we can act on, is to activate the Standing Committee in a very intensive effort of law and law amendments and regulations. I'd like to see us follow the practice that I discussed with the Premier of Saskatchewan, that perhaps that committee could meet; perhaps we could look at having public accounts meetings during the fall sitting and have that committee meet extensively during the spring session, be provided with the necessary legal advice and do the role that is done in the Province of Saskatchewan with their legislators, in making constant reviews of the regulations. I think that that would be an important thing to do.

May 15th 1972

ALBERTA HANSARD

50-19

Mr. Speaker, the importance of this bill was underlined to me in a very effective way recently, when I attended here at the University, a special convocation with regard to the faculty of law.

One of the recipients of an honorary Doctor of Laws, was the hon. Mr. Justice Bora Laskin. Mr. Justice Laskin is one of the foremost legal authorities in this nation. He is a scholar and a professor who was appointed to the Supreme Court of Canada. And it was an excellent decision by the Law School here in Alberta to confer this honorary degree upon Mr. Justice Laskin. He made an address which impressed me a great deal, and I'd like to quote from a part of it that I think all of us today are very conscious about. I'm quoting from his address at that convocation.

"However we view the pace of the law, or our ultimate dependence primarily upon the Legislature to respond to social needs or social demands, there are basic values in our society which are essential to orderly and peaceful change and to the very climate of responsiveness of the political authorities that we look to the law to assure. In this area the courts have played an historic and courageous role. Chief among these values which our law has promoted and which our courts have protected, both against private and public invasion, are the political liberties of utterance, oral and written, assembly and association, conscience and religion.

Our society is anchored as well on openness of our courts, and of our Legislative Assemblies, underpinned by a universal franchise, on fair procedure before adjudicative agencies, be they courts or other tribunals which, at least, means a right to be heard or to make representations before being condemned criminally or made liable civilly. In the administration of our criminal laws, special protections have developed for an accused, such as the rule against forced confessions, the presumption of innocence, and the privilege against self-incrimination. These values are not absolutes, but a heavy burden lies on any Legislative Assembly or Court to justify any attenuation of them."

And this is the most operative part of his remarks:

"The Canadian Bill of Rights, operative on the federal level has given special sanctity to these values, short of constitutional entrenchment."

That, Mr. speaker, is what we're doing here today. The Alberta Bill of Rights, operative upon the provincial level, will give special sanctity to these values, short of constitutional entrenchment.

Mr. Speaker, how does this Bill work? In effect, it tells the courts not to attribute to the Legislature, an intention to infringe fundamental rights and freedoms unless it meets a prescribed formula. The bill in the first section is a declaration, and then in section 2, establishes an interpretation.

In this regard, Mr. Driedger, who was the Deputy Minister of Justice at the time the Canadian Bill of Rights came forth, has written in an article, with regard to the matter of binding future parliaments, to this effect:

"Granted that parliament cannot bind itself and cannot bind future parliaments; it may, nevertheless, lay down the rules that are to govern the interpretation and application of its own statutes."

The Interpretation Act is a long-standing example of this technique, and if any members want to consider the import of that, I

50-20

ALBERTA HANSARD

May 15th 1972

---

suggest they read again The Interpretation Act of our present statutes to show how a particular act sets forth an interpretation. That is what Section 2 of The Bill of Rights, in fact, does.

With regard to existing legislation, we can follow the obvious case, such as in Bill No. 34 in my opinion, and repeal it.

But frankly we haven't had an opportunity, before proclaiming this bill, to do a full assessment as to the number of acts that we now have that may be contrary to the Bill of Rights. Frankly, I don't think there are very many. There may be only two or three, but what I am not sure of and what I am sure all members are worried about is, to what extent are there significant regulations that might be contrary to the bill. Because in Section 2 there is the provision to prohibit the authorization of the abrogation of the rights unless it is specifically said that it operates notwithstanding the Alberta bill. That word 'authorize' is key, because that means you can set up a bill that permits the authorization of something by regulation, that can be contrary to these fundamental freedoms, and then it is caught within the orbit of the bill.

The next step, Mr. Speaker, is court action. The Drybones case -- and I won't go into further detail -- has set it out that it renders it inoperative. The purpose of the Bill of Rights, therefore, is to say to the courts, 'here are the fundamental freedoms we intend to protect; if we haven't done so, then you, the courts, in your interpretation -- which is certainly one of the major purposes of our courts -- you interpret our laws in that regard.'

Mr. Speaker, in terms of future legislation, obviously we will have to review every act that comes before this House, as to whether or not it affects the Bill of Rights and is contrary to it, but we are not proposing to go through the entire -- in any public sense -- the entire existing statute law. We are probably going to have to, frankly, take the cases as they arise, although a review will be made this summer, and we will welcome any comments by any members.

There has been a matter raised by the hon. Member for Olds-Didsbury in the course of debate that I think was valid. That was the concern about the matter of civil legal aid. I think that in terms of the Alberta Bill of Rights, what I have discussed with the Attorney General, is to request the Director of Civil Legal Aid to, in all cases, personally advise the Premier and the Attorney General, if any individual is turned down on any request for civil legal aid for any application that involves a dispute rising out of the Alberta Bill of Rights. Under Section 4 of the act, there is provision, of course, for the Attorney General being notified. During the course of those proceedings, the government can decide whether or not it will accept the provision as being inoperative or seek provision by way of amendment of notwithstanding approval, which we would then ask the Legislature to concur.

Mr. Speaker, as I mentioned we have chosen a form and that is why the form differs from Bill No. 145 of last year. That is as identical as we can make it within our present circumstances, with the federal bill. The purpose of that is that we have to create whatever certainty we can by establishing a situation that judicial decisions by the Supreme Court of Canada on the federal Canadian Bill of Rights can be utilized in an effective way in interpreting the Alberta Bill. I think that, for that reason, it is a worthwhile approach to follow, and that, for hon. members, may explain why we differed from the approach of Bill No. 145 of last year.

I would like to give an example of how this bill would work. I would like to refer to a press report, with reference to the hon. Member for Lethbridge East. It's a report in the Lethbridge Herald of March 21, 1972:

May 15th 1972

ALBERTA HANSARD

50-21

"John Anderson, Social Credit, Lethbridge East, has informed Lethbridge school teachers that the proposed Alberta Bill of Rights will eliminate compulsory membership in the Alberta Teachers' Association."

It goes on to say that that was his interpretation, and that he could be wrong. I think it's a very important point, and a good one to use by way of example.

Under The Teaching Profession Act, as all members know, in order to be a qualified teacher, one needs to be a member of the Alberta Teachers' Association. In my view, The Bill of Rights is not contrary to that section of The Teaching Profession Act. It would be, if, for example -- and I know that this is not or would never even be within the contemplation of the Alberta Teachers' Association -- membership in the Alberta Teachers' Association was limited to a particular religion, or a particular race or national origin were excluded, or was limited to just females. If the provisions of membership in the Alberta Teachers' Association were set up in that particular way, then quite clearly, it would be contrary, in my opinion, to The Alberta Bill of Rights. But I do not think it would be contrary, and I do not think it is now at odds, in terms of some of the studies that I've done -- I refer hon. members to a book called Peace, Order and Good Government, by O'Hearne -- that such a provision, as the required membership in the Alberta Teachers' Association, would not be contrary to the Alberta Bill of Rights, because there's no discrimination element involved in that association's bylaws that fit within the discrimination provision that are set forth in this act.

Having said that, Mr. Speaker, and I'm trying to use this as an example to show how Bill No. 1 would work. If I am wrong in that opinion, if the matter should be contested, and if the court should hold that it is true that the requirement of being a member of the Alberta Teachers' Association in order to teach, is contrary to the intent of The Alberta Bill of Rights, then the government faces a decision. It does one of two things -- it accepts the court's decision, or it comes back to this Assembly with a proposed amendment to The Teaching Profession Act, that it apply, notwithstanding The Alberta Bill of Rights. I've tried to use that as an example to show how I think the bill, in a practical sense, may or may not be operative in the future.

When we refer to being operative, I'm sorry, but I think it is necessary for hon. members to understand that it doesn't mean that a particular section or a particular act will be deemed to be repealed. It simply will be ineffective or inoperative, and it will be very similar, as some hon. members are aware, to a circumstance where there is valid provincial legislation that ceases to be operative, by reason of subsequent, and valid, conflicting federal legislation. When that case has occurred, even though there is valid provincial legislation, the provincial legislation becomes inoperative. I think it's important to point that out.

Now, Mr. Speaker, the course of this legislation is that, if concurred in by the members in second reading, we would hope, perhaps even this week, to bring it to committee for consideration and clause by clause study. It's then our intention to advertise for submissions from all who are interested, to be submitted to myself; and then in the fall I will undertake to table any submissions that I have to the members of the Legislature, when we reconvene. We would then either have third reading of Bill No. 1, or we would refer it back to committee, if the circumstances were such that members wanted to refer it back; or if, during the course of the submissions that we receive, some suggested amendments developed. You will note that the bill provides that it comes into force when it's proclaimed, by Section 5. We hope that before that, we will have completed review of all of the various existing legislation, but not regulation, by

50-22

ALBERTA HANSARD

May 15th 1972

---

early 1973, and be in a position, with the concurrence of the legislature, to proclaim it then.

Mr. Speaker, in closing, I ask all hon. members to support this bill. It is key legislation and certainly our first priority. There was no pressure on myself or my colleagues to bring this bill forward.

On the other hand, we sense in our nation, and in our society, a growing number of storms, the problems of the individual in terms of the personality of the individual relative to the state; the broadening and extensive powers of government -- big government, if you like -- and the reaction that people are having to that; the growing degree of confrontations and demonstrations that we have in our society. I am sure all members are concerned as I am, in watching the events unfold in Quebec in the last few days and the news report that we had when we sat down, about an attempted assault upon Governor Wallace in the United States. All of these things are part of our society, and the pressures and strains within our society.

Mr. Speaker, I don't think government should be reacting all the time to events. I think it is important that we, at times move ahead, anticipate events, and I think that is what showing leadership is all about.

There is no pressure on us. The members may know this, and I confirm it. To put this bill forward is strictly our own idea in terms of our forecast of the future. We are not passing it because of demands of people; we are passing it because we think the time has come, in 1972, for government at a provincial level, to show that it understands the importance of the individual, and the need for restraint upon government. At the provincial level -- that is where property and civil rights are foremost.

Mr. Speaker, I have no way of knowing how many acts are affected by this bill, how many orders or how many regulations. I know it is going to create very difficult time for our administration. We are determined, however, to be first in Canada. Perhaps it will exercise some pressure on other provinces; perhaps it will have some impact upon future constitutional talks. It doesn't strike me, Mr. Speaker, as a bill that lends itself toward amendment. So what we do on this bill now is very, very important. It also strikes me, as I have said, that we are watching something that will be with us for a long time.

The consequences, Mr. Speaker, could be great or merely significant. We have no way of knowing. I do not want to blow the bill out of proportion. I think there is a danger of doing that, but equally so, it is important that members on both sides of the House recognize the significance of what we are doing.

We are watching here, with Bill No. 1, entirely new ground for a provincial administration. We are doing so because we want to show that, so far as the society of Alberta is concerned, the rights of the individual deserve, entitle, require some protection against the abuse of the power of the state. Thank you, Mr. Speaker.

MR. TAYLOR:

Mr. Speaker, this is a point of order in connection with procedure. I don't know how firmly the hon. Premier and the government have decided on the outline of procedures, as outlined by the hon. Premier, but we would like to respectfully suggest that the bill would serve a better purpose if, (1) we had the second reading and the bill was held in Committee of the Whole, rather than proceeding through Committee of the Whole. We make that suggestion for this reason, that during the summer, representations are being

May 15th 1972

ALBERTA HANSARD

50-23

requested on the various provisions from the people at large in the province.

Undoubtedly, every MLA will want to discuss this extensively with his own constituents, organizations, etc. If the provisions in the Committee of the Whole have already been passed, it will be more difficult to discuss it with a view to carrying out the wishes of the people in the provisions of the bill. We can't see where the principles of the bill would be changed, but it would well be that some of the provisions might be changed; I don't know which ones at the present time, or if any, but if it was left open, and not carried through the Committee of the Whole, we would be in an excellent position to go to the people and say, now we want to know your thinking in regard to every one of these provisions. So we would recommend that the bill receive second reading and then be held in the committee.

There is one other point I would like to make, and that is we agree that this is a very important bill, and undoubtedly the most important bill at this session, even having regard for the Opportunity Fund, because without freedoms and rights, everything else becomes just not important. And so, we would again suggest that while every MLA will have an opportunity to hear representations from his constituents, we would again try to impress upon the government the importance of letting the people bring representations to the Committee of Public Affairs, particularly on this particular bill. This is a second point of this order which I am raising.

We are having public hearings to decide how much money we should charge on oil royalties and how to proceed with it and so on, and properly so. I would think that it is even more essential that we hold public hearings on this type of bill, and the fall session, I think would be a proper time to have one or two days in which various organizations that concern themselves primarily with rights and freedoms would be able to give the considered opinion of their organizations to all members of the Legislature.

So this point of order is really number one, we question the government to hold the bill once we have completed second reading, and secondly to have hearings for the Public Affairs Committee at the early part of the fall session.

MR. LOUGHFEED:

Mr. Speaker, I would like to speak to the point of order, with regard to the second item that the Opposition House Leader has raised. My inclination, having regard to the study that has been involved in this bill, is that it is purely the responsibility of the 75 elected legislators here; and a hearing of this nature in these circumstances, I don't think is necessarily going to be required. I am prepared to keep that matter under advisement and give it some further thought, and certainly I have committed myself that any submissions I receive on the bill will be made public.

On the first point, however, I think there is a great deal of merit in that. On reflection, one of the reasons that we felt that we would try to get it through the committee stage now, was because we felt we wanted to communicate the importance of the bill, and that the bill was moving through passage in the Legislature, and hence would encourage people to be interested in it.

On the other hand, I think the argument made by the Opposition House Leader is sound, that it may be better to leave it after the second reading stage, so that when we come back in the fall, we are dealing with a committee and entirely a first time, instead of coming back at the bill, and referring back to particular clauses.

50-24

ALBERTA HANSARD

May 15th 1972

---

So, Mr. Speaker, I would be prepared on behalf of the government, to accede to the suggestion made by the hon. Opposition House Leader on the first point and suggest to my colleagues that it be held at the second reading stage.

MR. SPEAKER:

The hon. Member for Calgary Mountain View.

MR. LUDWIG:

Mr. Speaker, I just have a few brief remarks to make in response to the principle of Bill 1. Firstly, I believe that most members will support the principle of the bill.

Secondly, I don't wish to deflate the hon. Premier when he talks about having taken a bold stride in leadership. Since he raised the issue, it must be brought to him that a bill, perhaps with a little more meaning to it than the one he presented, was brought into this House by the then hon. Member, Mr. Watkins. And with all due respect to his claim to having sort of blazed a trail, this bill almost verbatim, has been in Canada for a long time, since 1959 I understand.

Also, when the Premier says that he does not intend to blow this bill out of all proportion, that is his opinion. My humble submission is that he probably did just that, notwithstanding.

Mr. Speaker, I sincerely support the principle of the bill. But when you are trail blazing, when you are showing leadership, let's give the people the proper bill of rights. There are half a dozen or eight items that he avoided that require leadership, and that require a man to stand up and be counted, and take a bold stand and not just one of these cross-roads types of bills that will not offend anybody, but is designed to please everybody.

Nobody can quarrel with what is in there, and nobody can quarrel with my statement that every one of these rights -- freedom of religion, freedom of speech, freedom of assent and association, freedom of the press -- are entrenched rights, entrenched as solidly as any law we have, that is my submission.

But if the hon. the Premier says that he is providing leadership, I'm going to ask a few questions. Before we pass The Bill of Rights I'd like to raise a few issues that must be dealt with, things that concern me and concern a lot of people.

Has the Premier considered the issue of the right to work? I'm not taking a particular stand on it, but if you are going to provide leadership, let's cover the whole field. This bill is going to be with us a long time and I agree that it isn't amenable to amendments. Let's cover the whole field. The right to work. Has the right to rest and leisure been considered in this day and age? This is the 1970's and times have changed since the Diefenbaker Bill of Rights was passed. How about the right to maintenance in old age, and also in case of sickness and loss of capacity to work? I'm not taking a stand on this again, but these facts have to be considered Mr. Speaker, in this day and age.

When I talk about the right to rest and leisure and hours of employment, these are important factors now, because the picture is entirely changed, and it is changing rapidly. How about the right to have an education? Many people believe that this is a right, and many believe that it isn't a right. Now this is the kind of an issue where a Premier ought to take some leadership. It's controversial, but you can't be a bold trail blazer and, sort of, not rock the boat.



May 15th 1972

ALBERTA HANSARD

50-25

These are facts that concern many people, and I'm surprised that the hon. Premier stands up and says that he has provided great leadership here, but he avoided the issues that are not with us now. It's alright to tell me that 'sure we have all these powers,' I know that and the people know that. We like this kind of a bill and as I stated let nobody get me wrong, I'm supporting the principle of the bill; but I'm saying that he hasn't gone far enough. I'm looking for some real leadership. Let's deal with a couple of controversial matters.

This is just taking the Diefenbaker Bill, and then taking the Watkins Bill, amending it where it affects Alberta, and bringing it in. The Premier is very much a follower in that regard.

Then let me go on further. I believe that the rights of women have to be entrenched a little more seriously, a little more effectively than here, equal rights with men in all spheres of economic, state, culture, social, and political life. We may have this, but if we have this now, Mr. Speaker, then why omit it from the other entrenched freedoms that are enumerated here? Let's run the whole gamut. Let's enumerate all the freedoms that we have and put them in here, because if he says it shouldn't be done, then why do the four that most people know about? There might be a few of the people that don't know and it might be educational to get this thing into The Bill of Rights and do a proper job. Let's do a proper job if we are going to show leadership. That is some of the criticism I had.

I would say that the freedom of speech, the freedom of the press, the freedom of assembly, including the holding of mass meetings; and these are embodied in every bill of rights probably in the whole world. So in that regard, particularly the Russian one, if you want to be specific let's get a few more in on the list. How about the freedom of street processions and demonstrations? How about the freedom against self-incrimination? That's another good one to get going on, and let's nail this one down into the statutes so that the people know where they stand on this matter. When the hon. Premier quotes Bora Laskin -- I have a quote and I haven't got it with me at the present time -- but I reviewed the Canadian Bill of Rights very effectively a number of years ago and the then Mr. Bora Laskin -- I believe he was a professor at the time, and an outstanding lawyer and an outstanding jurist -- now wasn't too impressed as to the practical effect of the Canadian Bill of Rights.

Therefore, Mr. Speaker, I agree with the comments made by my colleague that we should deal with this bill, second reading, debate the thing and not take it to committee where amendments might be made because the hon. Premier has admitted that this is not the bill as it will be in the final stages. So why should we be amending something in committee not knowing what the recommendations and additions are going to be? We'll be wasting our time. So the sensible thing to do is to have our second reading and then wait until fall when we might have a chance to review this bill.

There are a few other items I would like to mention. The hon. Premier says that there is no pressure on him to bring this bill. Well maybe there isn't, but I feel that when a man makes a political commitment that he is going to bring a bill of rights that's sufficient pressure and I believe that he is obliged to bring it in now and he shouldn't say he is bringing it in out of magnanimity or because he feels it's timely, I believe he committed himself to do something like this about two years ago, and the pressure is there.

I say, Mr. Speaker, that I'm on record as supporting this bill in principle, but I'm also on record that it doesn't go far enough. There are a few real contentious issues affecting the rights of people that I'm of the opinion the hon. Premier would like to avoid, but I think that now he's brought this bill before the House he will

50-26

ALBERTA HANSARD

May 15th 1972

---

have to consider these points. He will have to stand up and be counted, and even if it's unpopular he will be pressured to bring in these amendments and make it a truly meaningful Bill of Rights for the future of this province.

The hon. Premier mentioned the Drybones case and I'm most impressed with that decision. But it should be brought to his mind very clearly and emphatically that in 10 years, in a country of 20 million people, that this is probably the first real indication that this bill was really practically applied to help an individual whose freedom was involved and adversely affected. So we have to bring in a bill that not only looks good and sounds good and tells us all the wonderful freedoms we have -- in fact the bill says that -- but we have to take a look at it to see whether there is any real practical purpose for a bill like this. If there isn't, let's make it practical. And so when the hon. Premier quotes the Drybones case I'd like to quote what I consider the main point in the decision in that case and here's what it says:

"If a law of Canada could not be sensibly construed and applied so that it did not abrogate, abridge, or infringe one of the rights and freedoms recognized and declared by the bill, then such law was inoperative unless it was expressly declared by an act of the Parliament of Canada that it should operate notwithstanding The Canadian Bill of Rights."

That is what this case decides and it took the Supreme Court of Canada 10 years, and a lot of litigation and uncertainty and anxiety on behalf of an individual -- an Indian who didn't know whether he had the rights or not until the Supreme Court of Canada decided. In fact, Mr. Justice Morrow ought to be commended for having made a decision in favour of the Canadian Bill of Rights and really set a new era.

But I would like the hon. Premier to tell me the number of times that Canadians did get remedies under the Canadian Bill of Rights. I think you could count them all on one hand in 12 years. So we mustn't blow the thing out of proportion with the impact that we're going to liberate the masses from oppression. Let's put it in its proper perspective and let's deal with it without too much fanfare, without too much, as I said, blowing out of proportion, and let's do a creditable job for the people of this province.

One point that the hon. Premier raised which rather amused me, was with regard to the membership in the ATA. He said that the established -- well he didn't say this but I'm enlarging on his principle -- that that is not affected. The membership in the ATA is not affected at all, although I can imagine several good reasons why a man, because of his beliefs, religious beliefs, etc. may not want to be a member. If we're going to guarantee religious freedom, we have to take this into account -- unpleasant as it might be. It might get a lot of teachers mad at us but we have to stand up as politicians and be counted, Mr. Speaker.

So there is nothing so far in this bill that anyone in the whole country wouldn't support. It's a nice popular bill. But I'm going to insist, at least from my point of view, that we get into the real issues. And when he says that the ATA -- if they discriminated against a member because of some particular reason of race, colour or creed, then that would be a violation of the Bill of Rights -- well, how on earth would that kind of legislation get on the books?

The government would legislate something that violates a person's rights, and then say, well, but the Bill of Rights will protect him. The commonsense approach is to not have anything like that on the books, and if there is, let's find it. On the interpretation of statutes, I haven't got the Interpretation Act before me, but I think it's a well established rule of law, Mr.

May 15th 1972

ALBERTA HANSARD

50-27

Speaker, that a general act, general legislation, does not override specific legislation. Maybe someone wants to quarrel with me -- they can cite their authority but I think I can back up my statements.

So, Mr. Speaker, these are just a few of the observations that I want to make, that we have to deal with whether we like it or not, and once we've opened the case for a Bill of Rights in Alberta, I am going to push for the consideration -- full consideration -- and vote on all these different matters that I raised. And this isn't all, there will be more.

Also, I would like to urge the hon. Premier that it's rather a mockery of democracy to have hearings conducted during the summer to only part of the elected members. I have just as much of a role to play in this bill and the human rights of this province as the Premier or anybody else, bar none. And not only I, but every member -- and to say anything to the contrary, it indicates that the man really doesn't believe in human rights. He believes in that bill. If he believes in human rights, we should all -- all the MLA's -- should be listening to the submissions made by many people. We'll get these submissions anyway, whether the hon. Premier thinks we ought to get them or not. But it should be done properly. It should appear that there is an interest on the part of everybody in this House to see that we come up with the best Bill of Rights possible for Alberta. That's what I'm elected for, and that's what I'm going to fight for, Mr. Speaker. Thank you.

MR. TAYLOR:

Mr. Speaker, I want to --

MR. DEPUTY SPEAKER:

The hon. Member for Drumheller, followed by the hon. Member for Spirit River-Fairview.

MR. TAYLOR:

Mr. Speaker, thank you. I would first of all like to thank the hon. Premier for the consideration he gave in indicating that he would look with favour on holding the bill on second reading. I appreciate that very much indeed, and the consideration he will give to the other point that we raised.

How important is the Bill of Rights? I think this is a question every MLA has to ask himself. And when I try to establish the answer of how important this is, I have to ask two or three questions. Is it important to the man who is appearing in court, and who feels that because of his status in life, and because of his lack of money, and lack of good clothes, and lack of counsel, that he is not getting equality? Is it important to the person who says he has no discrimination, and yet signs a petition against a negro living next door to him? Is it important to the Indian who many times is looked down upon as he walks on our streets in our cities and in our towns? Mr. Speaker, the very fact that there are inequalities today, the very fact that there are things going on that none of us appreciate, and we all try to avoid, in my mind is the real reason for establishing--or one of the real reasons for passing a bill like the Bill of Rights.

I'm not suggesting for a moment that this bill is going to solve every one of these problems, but this will at least show the people of Alberta, show the people of Canada, show the people of the world where we stand in regard to the major freedoms of the human race. And in my view these items make the bill very, very important.

The first preamble of the bill, I think, is an excellent one touching on the worth of the human person. Many people in our

society and in our province and in our country feel that they are not worth anything, that they are not valued by the community, that they can make no contribution. I like to think of the importance of every individual, that he is a human being and that he is worthy of respect. Sometimes it may be difficult to respect some human beings, but even having said that, I think this bill is so much more important because it sets out the dignity of the human being, the worth of the human being. I am glad to say too that the organization of which I am a member has as one of its basic principles, the dignity of the individual, the worth of the human individual. I am not suggesting that the Social Credit organization has any monopoly on that particular item, but we do recognize the worth of the individual and the dignity of every human being.

I secured a very definite and lasting lesson in regard to the worth of an individual when I was a young boy. We lived at the Newcastle mine some two miles out of the City of Drumheller. Every Sunday it was necessary -- I say it was necessary because it was part of our home training -- to go to church on Sunday evening. When I was walking back from church one nice summer Sunday evening with my mother, walking the tracks because there were no roads in those days, we came across an individual who was lying on the track. I was anxious to get by, I could see he was inebriated, sickeningly drunk. I said to mother, "Let's keep going." She said "No, isn't that --?" Let's call him Henry, that wasn't his name, but he was an old bachelor who lived at the old shack mine. And I said, "yes, that is him alright." She said, "Well you go right home and get your brothers and come back; we are not going to leave him lying here." The very sight of the man who had thrown up, who looked disgusting in every sense of the word -- I was all for leaving him there. But I remember the words of mother saying, "He is a human being and none of us know what we might end up, and we'd better be careful and look after him."

So I, against my will, had to go and get my three brothers and we carried this inebriated, dirty individual to his shack. There I saw my mother clean his shack and clean him as much as she could. It is a lesson that I will never forget. He was a human being and he was worthy of respect.

I remember some years later when he gave up his drinking habits, he became a well-respected man in that particular neighbourhood. I could never look upon that man without remembering that I would have left him there as something that was not worth even helping. That is a lesson that I learned and I think it is set forth in beautiful language in the first 'whereas', that the human rights "respect the human rights and fundamental freedoms and the dignity and worth of the human person."

A few years ago on my first trip from Alberta as the Minister of Highways, it was my pleasure to attend President Eisenhower's Safety Conference in Chicago. That evening Jack Douglas, who was the Minister of Highways in Saskatchewan, and I decided we would go down to skid row and see what we had heard about. When we were on the skid row area, I noticed one young man, about 19 or 20, again lying in the gutter. I couldn't help but think, remembering the incident of Henry back at the old Newcastle mine. Only here was a young man with his whole future ahead of him. As we were walking by, I felt compelled to try to help this man. Just as I was about to say to Jack, who was a humanitarian if there ever has been one in the country, "what can we do to help this chap?", I saw a lady, well-dressed, come and help him up, and with his arm around her shoulder, she took him, I suppose, to some mission or to some welfare place. I thought here is somebody who is demonstrating the worth of the human being, the worth of the human person.

Yes, the first preamble, I think, is excellently written, and is basic to almost everything else. Because if we, in our own mind,

May 15th 1972

ALBERTA HANSARD

50-29

can't respect those with whom we differ, those for whom we may not have any particular liking -- if we can't respect and help them, then we deny what we are saying in connection with these excellent words in the preamble.

I would like to commend the hon. Premier also in stressing the importance of reviewing all of our laws and regulations. I agree, particularly with our regulations.

When we were in government, we found it very difficult to get regulations prepared in time to present to the Legislature, when the legislation was there. I'm sure the present government will find this same difficulty. We may ask and request many times for the regulations, because many times the meat of a bill is contained in the regulations. I think I can speak for hon. members on this side of the House in saying that we would support fully any move to activate the law and the Law Amendments Committee, to study extensively and to constantly review the regulations. I think this is important and most essential if the aims and objects of this bill are going to be met. The preamble is certainly important, and we place the dignity of the human person as basic to all of those.

With respect to the property and civil rights, many of us, and I think our Leader on this side of the House has a number of times stressed to us -- whether he has in the House or not, I don't recall -- that our property and civil rights are enshrined in our Canadian citizenship. I think I can go along with that. I believe that as a Canadian my property and civil rights are protected through that Canadian citizenship. But I see no difficulty, and I see some merit in re-emphasizing the property and civil rights in a provincial statute. I think this is important, particularly since the BNA Act places the property and civil rights as an item for which provincial Legislatures and provincial governments are responsible.

I'd like to deal with the six human rights for a moment. I don't think, as the hon. Member for Calgary Mountain View mentioned, that there would be many who will oppose these particular rights. That may well be the case, but I think it's not a case of opposing these particular rights; I think it's not only putting them in law and making them a statute of the province, but then I think it's most important that we, as legislators, and that the government, as the government of the province, endeavour to make sure that those human rights are not denied indirectly through legislation.

That's why I like to see that word "notwithstanding" in this bill. I think it's necessary today for a government to have some restraints and some constraints. I think this is essential. The hon. Premier mentioned once or twice this afternoon about the power of big government. Human nature sometimes wants power over other human beings. We saw it in the case of Mussolini; we saw it in the case of Hitler; we've seen it in a number of other cases in the history of the world; and we see it, to a lesser degree, even in municipal and provincial politics, where some like to have power over fellow human beings. I think it is essential that there be some restraints so that we can make sure that when we are placed in positions of authority and positions of power, we use that for the benefit of the people and not for the sake of power.

Restraint in law I think is good for government. I don't think this is bad at all. I think this is an excellent part of this bill. Big business and big government need restraints, if the lowly individual is going to have his equality before the law, have his freedoms and his worth is going to be recognized. So, the 'notwithstanding' part of this bill, I think, has been excellently thought out. As the hon. Premier mentioned, this could have been left out, and probably would have relieved whatever government is in power in the next few years of a great deal of trouble, maybe sometimes of embarrassment, sometimes of difficult decisions.

50-30

ALBERTA HANSARD

May 15th 1972

---

I am glad to see it in there, because if a decision is difficult for government, it must be far more difficult and humiliating for the lowly individual who doesn't have the power and authority of government. Yes, big business and big government need some restraints; even a government that is completely humanitarian, in my view, should not object to some restraints when it comes to recognizing the freedoms of other people.

"The right to liberty and the right to enjoyment of property and the right not to be deprived thereof, except by the process of law" -- every once in a while we hear of people in Canada, and sometimes even in Alberta, who are held too long without a trial; who are not permitted to call a lawyer when they are arrested; whose rights are forgotten sometimes by the police officer in charge, even though it is recognized by our police forces and by our administrations. I think this will be emphasizing to our law enforcement agencies the importance of making sure that the rights of individuals, whether they have done wrong or otherwise, must be recognized; that they are entitled to their advocates or solicitors; that they are entitled to let people at home know what has happened; that they are entitled to counselling before they start to convict themselves. Yes, this may be the exception, but I think the exception is the thing that makes the law essential. Some people may say these may be little things. I am reminded of the saying, 'it is the little foxes that spoil the vines'. It is most essential that we correct the little things if we are going to have the type of society in this country that we all want to have.

The second one, "The right of the individual to equality before the law, and the protection of the law" -- I think this is most essential. I would like to see this written up in the halls of every courtroom and every police station in this province, that every individual is entitled to equality before the law -- every individual, the poor as well as the rich, the robber as well as the man who does no wrong, until the court is satisfied and he is convicted of the offence for which he is charged. Too many of us are wont to convict a man before he has had his hearing, before he has had his day in court. This might be human nature, but it certainly would be contrary to the way I read the rights of the individual.

"Freedom of religion" -- today I think we have won freedom of religion and freedom of speech. I hear people in our parks talking just as wildly as I heard them talking in Hyde Park during the war years when I was on leave in London. There, there is no restriction whatsoever in regard to freedom of speech.

I was standing there beside a Polish air force officer one day and hearing a chap condemning Churchill and the Churchill government and the war effort. At the same time Britishers were being killed by the bombings of Hitler and his Nazi crews, but he had the right to stand up in Hyde Park and condemn the very government that was protecting him, and the very soldiers who were trying to save him his freedom. I have heard people in this country too, talk pretty wildly, when it comes to freedom of speech. But we recognize that. And if they want to take an apple box to Churchill Square and stand up and people want to listen to them, we don't deny them that right in this country.

I remember the story that was told facetiously, I think, when the Russian leader, not Stalin, the one who came after him --

AN HON. MEMBER:

Khrushchev.

May 15th 1972

ALBERTA HANSARD

50-31

---

MR. TAYLOR:

Yes, Khrushchev, went to the United States, and was talking to the late Mr. Kennedy. Mr. Kennedy was explaining to him the difference between the society in the United States where there was freedom of speech compared to the society in Moscow Square where there is no freedom of speech. Mr. Kennedy was reported to have said to Khrushchev, "why in this country, anybody can take a soap box out there in Washington Square and stand on it and say, to hell with President Kennedy, and nothing happens!" And Khrushchev thought for a moment, and said, "Well, that is not an awful lot different from the way it is in my country, anybody can take an apple box out on Moscow Square and say 'to hell with President Kennedy', too, nothing will happen".

This shows the difference in the particular freedoms. I think we recognize freedom of religion and freedom of speech. I would like to say here, that while there has been very strong feeling in my particular riding regarding Hutterian Brethern, I have never once heard any individual say anything against the religion of the Hutterians. Never once has anyone ever questioned their right to freedom of association, freedom of religion. I am proud of that, because that is one of the things we recognize.

"Freedom of assembly and freedom of the press" -- these things are all very, very important. I would like to extend one thought, and I don't know how it could be put into this bill. So it is really a thought.

The hon. Premier mentioned that this is not an economic bill. It didn't deal with wants. I can follow that reasoning, and yet there is something in the back of my mind that makes me a little leary of this. Because I know of countries where people have used want to deprive human beings of their right to the other freedoms, the freedom of religion, the freedom of association, the freedom of equality and even the freedom of assembly. And when people use want because -- let me put it this way -- when people are hungry, they are sometimes willing to give up the things they cherish the most. This is the part that worries me.

I talk about freedom of religion. I remember the story in Harold Begbe's book that he called, 'Broken Earthenware'. I don't know how many hon. members have read that book, but it is worth reading when it comes to trying to establish the worth of individuals. It tells of William Booth, the founder of the Salvation Army, in the slums of London trying to talk religion or salvation to the people who were hungry, who were without clothes, who had no food. He found that he could get no reception, and so he thought of the idea of taking them into a place and giving them a bowl of soup, satisfying the needs of their stomachs and then talking religion to them. He found that by doing that, scores of these inebriates, and scores of these people found in the slums of London, were converted and became humanitarians and Salvation Army officers and ministers in other churches and worthwhile citizens. Because their hunger was satisfied, they could then give some thought to the finer things of life.

Food has a great deal to do with being basic to these other freedoms and I say, I don't know how some measure should be embodied in this particular bill but I think it is something we should give some very careful thought to during the summer months.

I came from a big family and I saw hunger during the depression years, as hundreds of others did. I saw my own mother go without food so we could have a piece of bread.

When I joined the air force the first poster that I saw was a picture of a happy family. There were nine or ten around the table, the same as there were in my own home; there was a turkey on the table. Perhaps some of the other hon. members have seen this poster

50-32

ALBERTA HANSARD

May 15th 1972

---

too. There, underneath, it said, "Freedom from want, that's what we're fighting for". That was part of The Atlantic Charter.

Yes, freedom from want is pretty important -- is very important. I don't know how it can be tied into this bill, but I would hope that since we have overcome many of the other difficulties -- the freedom of religion, the freedoms of assembly and speech -- that during our lifetime we will also be able to overcome this other one, the freedom from want. I would hope this, so that every individual -- whether he's in Newfoundland, or Nova Scotia, New Brunswick or Prince Edward Island, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, B.C., or the Northwest Territories or anywhere else in our country -- is not going to go hungry.

We have come a long way. Our social legislation has brought us a long way. But there are still people in our country who are going hungry and maybe this can never be completely overcome. But it's an objective worth pursuing, because sometimes we lose our other freedoms when we give way because we are hungry. Some people in other countries of the world have lost their freedoms for food. Their freedoms have been purchased by food, because their pangs of hunger, or of their dependants, were so great.

I think that we have to recognize that in this bill. Again I emphasize I don't know how to include it in The Alberta Bill of Rights. I have thought about it and it doesn't seem -- at least I have not been able to ascertain how it can be done -- so I'm not going to condemn the government for not putting it in. But I think it's something worthwhile thinking about during the summer months when we will be considering it with our people, as one of the basic freedoms affecting every man, woman and child.

The Alberta Bill of Rights, Mr. Speaker, in my view, is an important piece of legislation. It may be found wanting in years to come; it may be found inconvenient; it may point out the exceptions. Maybe we'll -- well, it will be Utopia if we are able to accomplish everything that we all envision in The Bill of Rights. But unless we have a high goal we will not reach anything very high at all. If we hitch our vision to a star we'll certainly get part way there. The closer we get to the realization of the Utopia dreamed about, I'm sure, by the hon. Premier and those who believe in The Bill of Rights -- federally and provincially -- the closer we get to that Utopian ideal, the more worthwhile the effort will be. Because we can only go up when we have high objectives such as those outlined in The Alberta Bill of Rights.

MR. NOTLEY:

Mr. Speaker, before making any comments on this bill I want to just take a moment to say how very moved and impressed I was with the comments made by the hon. Member for Drumheller. He has made one of the most excellent speeches to date in the Legislature and I commend him for it.

In looking at this bill I would first of all like to compliment the government for deciding to withhold it from committee stage until the fall. It's important that the various groups throughout the province have an opportunity, Mr. Speaker, to make submissions which, in my judgment, will strengthen the bill. As the hon. Premier himself has pointed out, what we are doing in this bill is taking an important step. In taking that step it is vital that we not only have as much discussion as possible, as much input from as many people as possible, but that we not rush into it -- that we take sufficient time to pass legislation which we can all be proud of.

[Mr. Speaker took the Chair at 4:43 p.m.]



May 15th 1972

ALBERTA HANSARD

50-33

---

The government is to be commended for recognizing that within our present constitutional framework -- with property and civil rights coming under the provincial heading, Section 92 of The BNA Act -- it's necessary for this type of legislation to be passed by the province. To the extent, Mr. Speaker, that our province is taking a lead, I commend the government for doing just that.

But I would also like to make the point that I, personally, view the long-term objective that we should aim at in this country as one of embedding in our federal constitution a bill of rights which will be part of that constitution and which will over-ride both Section 91 and Section 92 of The BNA Act. While I concur with the government's move to implement this legislation at this time, I argue quite strongly that if we really mean what we say about a bill of rights that is meaningful in this country, it's necessary that that bill of rights be entrenched in our constitution. But, at the same time, it's probably necessary to recognize from a practical point of view that it will be some time before we can, at the various federal-provincial constitutional conferences, achieve the degree of harmony necessary to entrench a meaningful bill of rights into the federal constitution of our country.

It has been said that a bill of rights is not really necessary, Mr. Speaker, because the heritage that we have -- our British parliamentary system, our concept of the rule of law, the great body of common law built up over hundreds of years -- protects the rights of the individual. In most cases this is true. As the hon. Member for Calgary Mountain View pointed out, in most cases the rights of the citizenry are adequately protected. But there are those exceptions which should concern us and which make an honest effort to introduce legislation of this nature important.

Without going into a great deal of detail, Mr. Speaker, all we have to do is look over the past 25 years in our own country. During World War II for example, the decision of the federal government to intern the Japanese Canadians, deprive them of their rights of citizenship and bring them into southern Alberta, is in my judgment one of the black marks against civil liberties in this country.

Just recently, in 1970, we had the implication of The War Measures Act which, as I see it anyway, struck at the heart of some of the basic civil liberties that should exist in a free society.

It is necessary to have a bill of rights because, as the hon. Premier has pointed out, a bill of rights will not guarantee that there won't be abuse, but a bill of rights will act as a restraining influence. It will cause government to take a sober second look and when government takes a sober second look it's often a more rational and balanced look, an examination of the facts, which will tend to guard the individual liberties of the citizenry.

Now, as has already been very eloquently pointed out by the hon. Member for Drumheller, I really believe there is a case to be made, Mr. Speaker, for going beyond the specified rights in this bill, and taking a close look at economic and social rights. I realize that it would be difficult to incorporate them in this bill, but I don't think the task insurmountable by any means. The universal Declaration of Human Rights, passed by the United Nations General Assembly, Mr. Speaker, in 1948, lists all the basic freedoms that Bill 1 enumerates, and in addition, a number of other very important economic and social rights -- the right to work, free choice of employment, the right to belong to trade unions, the right to education. I see that the hon. Minister of Culture, Youth and Recreation is here. Article 27 of the International Declaration of Human Rights states: everyone has the right to freely participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and benefits.

Now, Mr. Speaker, the argument that we cannot include economic and social rights in our provincial legislation is not really valid when we recognize the importance, the overwhelming importance of the Universal Declaration of Human Rights. As I see it, Mr. Speaker, one of the tasks for those people who are concerned about expanding the intent of this Bill 1 to include social and economic rights will be over the summer to make positive suggestions to the government as to how it can expand the scope of the legislation to make it even more meaningful than it is today.

Now one other area that, in my view, has to be examined is the question of political rights. I know that the legislation talks about freedom of speech, freedom of assembly and association, and in a general way these headings deal with political rights. But I again look at the Universal Declaration of Human Rights, Mr. Speaker, and in that document, it specifies political rights. I would suggest that one thing we might examine at the provincial level here is that of including political rights. We all know that there are many examples in Canada where the political rights of our citizenry have been infringed upon in one way or another. We have the example of the United States, where their Bill of Rights doesn't make any mention of political rights, and where during the 1950's we had the excesses of the McCarthy era. Many of the finest people in the United States lost their jobs, lost their civil liberties, because of an over-reaction to what, at that time, seemed to be a very serious threat. The point is, because the Bill of Rights in the United States did not specifically outline political rights, Mr. Speaker, many good and loyal American people lost their rights. I would like to suggest that when we examine this question in this Legislature, perhaps there is a lot of merit in pinpointing the right of every citizen in this province as to the political course of his choice.

In addition to that, I would like to add that civil servants, who are increasingly becoming a larger and larger group of people in modern society, must have political rights. We cannot indefinitely accept the proposition, Mr. Speaker, that these people are to be denied the right to participate freely and actively in the political process. I know that the legislation passed in Saskatchewan in the 1940's had some people up in arms when it was first introduced. But looking at the record of that legislation, the impact that it had on the province was desirable, and it did not in any way, undercut the efficiency and the competence and the loyalty of the civil servants. I submit that if we're going to talk about guaranteeing fundamental freedoms in our society, we must extend to those people, who carry out the public business of the province, the right to participate freely and actively in the political process.

One of the points the bill makes, and I concur with it completely, is the long-standing concept that is inherent in our British parliamentary system, that all men are equal before the law. It is important to underline and stress and to codify this principle in legislation. But, Mr. Speaker, by the same token, when we codify that all men are equal before the law, we must make sure that we have the machinery set up to ensure that, in fact, all men are equal before the law. This means, I submit, a radically improved legal aid system. I am reassured in part that the government is going to take a second look at legal aid and we recognize that acting this year may be a little premature -- as the Attorney General has pointed out, there may be some federal funding. But as a proposition -- and we are dealing with this in principle now -- it seems to me beyond challenge that if all men are to be equal before the law we must have an adequate legal aid system which is not based on the proposition that the legal system, the legal fraternity in this province, should provide charity to people, but rather is based on the fact that a legal aid system is a matter of right -- so that every man, whether he is a pauper or millionaire, can stand equally before the law. Otherwise, Mr. Speaker, this very important section of the act will not have any teeth.

May 15th 1972

ALBERTA HANSARD

50-35

---

May I make a further observation. The bill that is a companion to Bill No. 1, Bill No. 2, talks about the establishment of a Human Rights Commission. I don't intend to go into that in any detail because that really comes under Bill No. 2. But it seems to me, Mr. Speaker, that if Human Rights legislation is to have any meaning, we must make sure that the administration of this legislation is sufficiently funded so that the job can be done. I think that the commission also, when it is established, should be set up in such a way that it will take the lead, that it will be active in rooting out and destroying discrimination wherever we find it and not simply reacting to complaints. Because often, Mr. Speaker, when we have that kind of passive approach, discrimination exists much longer than it should. Indeed one thing we might actively consider is to ask this commission, once it is established, to do an evaluation in this province of the extent of discrimination in Alberta. I think it is important that we find out the truth. Truth may hurt, but it is important that we know just what the situation is.

Finally may I make just one observation about the civil service again. I talked about the need to extend political rights to our civil servants. It is also my view that our civil servants should have collective bargaining rights as well. One thing we must do when we look at Bill No. 1 is ask ourselves whether or not there is any discrimination on the grounds of race, colour, creed, or sex in our present civil service operation. If there is, Mr. Speaker, then we are honour bound as members of this Legislature, if this bill is to have any importance at all, to root out that discrimination because the place to start is not in the private sector, Mr. Speaker, but is with our own civil service which comes under the jurisdiction of this Legislature and the leadership of this government.

May I conclude, then, by saying that the bill is a worthwhile document, one which will earn, and rightly so, the support of members from all sides of this House. But I would hope that the members on the government side would not look at the points that have been raised in any partisan sense, because I think all of us are concerned about a charter of human rights in Alberta which can do this entire Legislature justice. As a consequence, the more points of view expressed, not only in this Legislature, but throughout the province, the better. Because in the process, Mr. Speaker, it will strengthen what is a good bill and make it even stronger.

MR. SPEAKER:

The hon. Member for Edmonton Kingsway, followed by the hon. Member for Highwood.

DR. PAPROSKI:

Mr. Speaker, hon. members, I as a new member of this Alberta Legislature, consider it a privilege -- and I'm here in humbleness and with pride -- that I am able to speak and make a judgment on such an important matter, being the rights and liberties of the individual and the state in our province. This is incorporated very well in The Alberta Bill of Rights. This bill is the first bill of its type in Canada. Because the Premier has covered this bill so well in his extensive overview, and in-depth penetrating remarks, it's very difficult for me to add very much. However, I will be brief and make a few comments.

Firstly, before I go on with my remarks, I would like to make a few comments regarding the statements that have been made by the Member for Calgary Mountain View. It seems quite difficult, of course, from that area, specifically -- and I don't mean the opposition as a whole -- but specifically that seat, that the 'ifs' and 'buts' and the qualifications constantly come from that one seat. When he states that the government is blowing in the wrong direction,

50-36

ALBERTA HANSARD

May 15th 1972

---

may I suggest to him that he's the one that's blowing in the wrong direction.

MR. LUDWIG:

A point of order. I said no such thing as blowing in the wrong direction at all, and the hon. member, when he makes reference to me should try to be accurate. I don't recall using those words at all -- 'blowing in the wrong direction.' I think he should withdraw that statement and make it true or not make it at all.

DR. PAPROSKI:

Mr. Speaker, I'll make a correction. He stated that "it's blown out of proportion." Well, I suggest he blows it out of proportion. I suggest to him that when he says we should be counted -- is that correct, hon. member -- well, I say we are being counted very well today, by the introduction of this bill. We're not only being counted, we're being documented. We're enunciating and we are enacting The Alberta Bill of Rights.

Now when he says that this bill does not deal with employment and has no reference to age -- and I hope that is correct, hon. member -- I suggest that you read the companion bill, which in fact, does deal with this.

MR. LUDWIG:

Mr. Speaker, again on a point of order. I don't think that I'll bother correcting the hon. member, but he's really misconstruing what I said. I'll let him do it -- it's a reflection on him. I just object to him doing that and I can't do anything about it.

MR. GETTY:

Sit down!

DR. HORNER:

That isn't a point of order.

DR. PAPROSKI:

Maybe I should suggest this point, and maybe this will be correct. The hon. member has stated that we haven't gone very far in Alberta with respect to this bill. Is that correct, hon. member?

MR. LUDWIG:

Yes, it is.

DR. PAPROSKI:

Good! Good! Well, I suggest to you that we've gone very far, because there are very few provinces, in fact, that have this, and the hon. members all here will have the opportunity to add to the basic framework and the foundation of this bill.

Now the hon. member also alludes to this as a mockery of democracy, because we have public hearings. Well, I suggest to him that most bills do not have public hearings and it's about time we did have more public hearings.

MR. LUDWIG:

Mr. Speaker, that's an incorrect statement. I did not state that it would be a mockery of democracy to have public hearings. I stated quite clearly that it would be a mockery of democracy to

May 15th 1972

ALBERTA HANSARD

50-37

restrict the public hearings to one side of the House, Mr. Speaker. I said nothing as foolish as the hon. member is saying. He ought to be corrected.

DR. HORNER:

A point of order. Mr. Speaker, surely, surely, the hon. gentlemen can't make this House believe --

MR. SPEAKER:

Will the hon. Deputy Premier please allow the member to finish stating his point of order.

MR. LUDWIG:

I did, Mr. Speaker. The hon. member is misconstruing what I said, and I think that if he keeps on doing that, we might as well bring in the transcript of what I did say. I say that he should be allowed a little bit of lee-way in misconstruing what I said, because of the very facts surrounding him -- that he's not concerned about the facts, but he can't keep misconstruing what I said. I'll have to keep getting up to correct him, if that's the way he wants to carry on.

MR. SPEAKER:

The hon. members may find that some of these disagreements are due to different choices of language. I would suggest, with respect to the hon. Member for Calgary Mountain View, that unless there is a point on which there is an outright falsification of what he said, that perhaps differences in shades of meaning might be allowed to go by.

MR. LUDWIG:

On that very point there was, in my opinion, a complete falsification of the meaning of what I said, and I intend to oppose it. It's my privilege.

DR. PAPROSKI:

Mr. Speaker, I'll proceed. The hon. member has been well redeemed by the hon. Member for Drumheller, in any case.

MR. LUDWIG:

Who will redeem you?

DR. PAPROSKI:

May I make a few comments here, as this bill touches on some common information regarding items in our community -- the citizen is equal to people who are in a particular country or province. To expand this, it actually means people of the world. To be a citizen of a country requires loyalty, respect and obedience to that country or by that province of those people.

These citizens are entitled to protection and certain benefits of that country or province. This bill, in fact, deals with that area. The citizens, from the Latin word 'civis' meaning citizens united in a community, guide the destiny of the nation. These are flowery words, and I am sure hon. members are saying in their hearts, 'so what!' Well, the meaningfulness of this statement is this, that in fact the people do have the power, and it is commonly stated here that the Assembly has the ultimate power, but this is not so. It is the ultimate power in the citizens. This bill recognizes the

individual and the community, and it offers an equation between the state and the individual.

This bill also adds to a number of other items. Canada has the eighth oldest written constitution; it has the second oldest constitution of a federal nature; it has the oldest constitution which combines federalism and responsible government. We have heard about the Canadian Bill of Rights. This bill is added to all these items I just mentioned. It has been stated, and I re-enforce, we believe in Canada, in Alberta, in rule by the law -- a fair trial, and we are considered innocent until proven guilty. But the will of the people again, I repeat, is the ultimate authority and we must not infringe on these individual liberties.

Canada is known for its diversification with respect to race, religion, colour, sex and ancestry. Now to get to the issue here in this province for perspective, we know that good citizenship means good human inter-relationship, not only between individuals but also between the individual and the state. In other words, getting along together, and this depends on flexibility and tolerance with respect to race, colour, religion, sex and national origin. This bill deals with this very well -- between the state and the individual.

The aims of Canadian society have been, and hopefully, will continue to be, to protect and assure the freedoms that so many have died for and are still dying for in some lands at this time. When people say, "Everybody would support this bill and that freedoms are so commonly known", I take exception to that because there are always people in our society who, in fact, would challenge this at the slightest opportunity. I am not suggesting in Alberta or in Canada there are many like this, but there are -- and thank God that we have rules and regulations and bills such as this to protect us and to continue to refresh our memories; also that we have enactments that will protect us further.

As has been stated, the Canadian Bill of Rights, enacted in 1960 largely due to the Right Honourable John Deifenbaker, urged legislation which has dealt with and deals with those items under the Bill of Rights within federal jurisdiction. But to extend these rights under the Canadian Bill of Rights to Alberta, this new government, by the new Premier, has extended something to the people of Alberta -- that is, the Alberta Bill of Rights. It recognizes and defines human rights and fundamental freedoms provincially, and also offers to protect by restraint, discrimination between the state and the individual in this province.

It clarifies in our province and assists in communication -- and if I may use these three words again, communication, co-operation and co-ordination -- between the individual and society. It recognizes the individual person as the most important and it assures this balance or this equation between the individual and state. It recognizes responsibility of the state -- the province -- and it is about time the state or province did have responsibility. It recognizes the individual and the state to be accountable, one to the other, and thus, we have increasing self-respect by having this type of bill.

It delineates the areas and rights and freedoms between the individual and state. It sets broadly, values and perspective which are non-discriminatory, non-prejudicial; they are not self-centred. It provides an active, moral commitment in the bill which is understandable, and allows and delineates these areas and lays the framework and baseline for values which can be built onto this.

Hon. members, I could go further and further. I submit to the hon. members that, in fact, there will be ample opportunity by future generations, and especially youth, to add to the framework of this bill.

May 15th 1972

ALBERTA HANSARD

50-39

---

I am going to conclude, because my remarks are merely repetitious if I carry on, by saying that this bill has as its prime object, the protection of the individual from the power of the state to make laws that have discriminatory aspects. It respects freedoms and liberties, and this is a fundamental building block of all law. And to clarify and to solidify, to protect and restrain, the principles of freedom, liberty and rights at the provincial level in Alberta is government for the people, and we will have this providing the Assembly agrees to Bill No. 1, The Alberta Bill of Rights.

MR. BENOIT:

Mr. Speaker, I do not know whether it was by wise design or as a result of circumstances beyond his control, but in any event, I think that the Premier has shown wisdom in keeping this bill until this late in the session before he made his remarks on the second reading, because it has cut my speech down by about 30 minutes this afternoon.

SOME HON. MEMBERS:

Hear, Hear!

MR. BENOIT:

I had a long, highly polished speech in my mind, but now I have decided I will not repeat anything that has been said, if I can avoid it, and I will expose only one aspect of the thoughts that I had in mind.

I have enjoyed this afternoon as much as any afternoon I have enjoyed in the session thus far. It is for occasions like this that I permitted myself to become directly, personally, and actively involved in provincial government. And I feel that here is the opportunity that we should avail ourselves of, to make known the purpose of government in the country in which we live. I think it is better, at least I thought it was, and I still think it is better, to get into the fray and go to work on these things from the inside, rather than to stand on the street corner and knock the governments and the civic leaders, and this sort of thing. For this reason, I became involved.

Something has been said already about the credit that somebody is going to get for the introduction of this bill; and I have a philosophy, some don't believe in it, but I think it worthy of consideration. And that is, that there is no limit to what a man can do, so long as he doesn't care who gets the credit. And I don't care who gets the credit for this bill this afternoon, so long as the basic principles that are involved are put into effect. And so with that thought in mind, I would like to suggest one or two things.

First of all, I'm completely in favour of the principle of this bill. But having said that, I want to be free to say what I want to say with regard to its background, because it is the background of this type of bill that, I think, gives it the strength that it needs.

A bill of rights, in the first instance -- I think we are all aware and will agree -- has to do with some moral aspect of life which cannot be legislated; that is why it makes it so difficult to put forth a bill of this nature, and for this reason, I was very happy to see Bill No. 2 come in. Because we all believe in the principles of Bill No. 1, but it needs something to back it up in order to give it some, as I usually say, teeth -- so that it can be implemented. We hope, as the Premier put forth so well, that we will be able to prevent some of the injustices that we are trying to circumvent by Bill No. 1, with the assistance of Bill No. 2.

50-40

ALBERTA HANSARD

May 15th 1972

---

We cannot force these things. All that we can do is give guidance and direction and hope we can persuade people to abide by this sort of thing.

Bill No. 1, The Alberta Bill of Rights, was brought to our attention, as the Premier pointed out earlier, by another bill, No. 140, last year. And before that, and I'm going back year by year now, in sequence on a number of them. I'm not including them all. Before that there was a White Paper introduced in the Legislature in 1967 which put forth the importance of human resources as compared to physical resources, and which put forth the importance of the individual and his rights, and the fact that all development of physical and material resources would be with an eye to serving the human being.

Back in 1966 there was an act respecting human rights that was passed in this Legislature, which is very well known, and which is somewhat along the same lines as Bill No. 2 which is now before us in this House. Back in 1960 was The Bill of Rights for Canadians, which was introduced into our country by the Conservative Government under John Diefenbaker. Before that, in 1948, was The Universal Declaration of Human Rights, which was referred to by the hon. Member for Spirit River-Fairview, and in which were two or three things which were mentioned this afternoon. I think that at this point I want to emphasize this; that there can be and should somehow be, in any bill of human rights, a provision made for freedom from want. The third article of The Universal Declaration says that everyone has the right to life, liberty and security of person. You can put whatever you want, by way of interpretation on that 'security of person'.

Now back in 1946, two years before The Declaration of Human Rights by the United Nations, we had The Bill of Rights of Alberta. In 1946 the Legislature, in the Province of Alberta, enacted a rather lengthy bill of human rights and this one was in two parts. The first part had to deal with the rights of the citizens, and the second part had to deal with the constitution and the functions and the responsibilities of the Lieutenant Governor in Council to make these rights of citizens work. In the rights of citizenship in this particular act, it is said that the individual, every citizen in Alberta, is free to hold and cherish his own religious convictions, that he is to have freedom of expression, he is to have freedom to assemble for any lawful purpose; and among other things that have already been mentioned this afternoon, it said that he was to be free to engage in the work of his choice.

Another article in it said that he is to be free to do, or refuse to do, any act or thing within the limitations of the laws in force in the province, provided that thereby he does not infringe upon the same right of any other citizen. Another right said that he had the right to work. Every citizen in Alberta, of not less than 19 years of age and not more than 60 years of age, is entitled as a right of citizenship to an opportunity to engage in gainful employment. Or if gainful employment is not available, to a social security pension. That age group probably would have read today from 18 to 60. He had the right to work and there was to be no discrimination against him by way of age.

There is one other aspect of a Bill of Rights that I am concerned about, before I go on to further background material, and that is the aspect of the matter of discrimination. I think that every Bill of Right should give us the privilege of discriminating. It is part of our life. There is no way that we are free, unless we have the right to discriminate, under certain circumstances. I should have the right to discriminate as to which church I attend, which political party I am affiliated with, or which nightclub I should go and enjoy myself in, and this sort of thing. And by the fact that I choose a certain one, a certain church, a certain



May 15th 1972

ALBERTA HANSARD

50-41

political party, a certain nightclub, I discriminate against others at that time, or for all time depending on how long I choose to make that particular discrimination. The right to discriminate is a right that should never be taken away from us; and so somehow, while we use these words indiscriminately, Mr. Speaker, we really are talking about freedom to make the choice that we want to make, which is, in fact, discrimination. So we ought to be careful in expressing ourselves to make certain that we don't eliminate this one freedom.

Further back, Mr. Speaker, there are a number of other bills of rights or other similar bills called by other names. But everybody is familiar with one of the earliest bills of rights, passed in 1225, called the Magna Carta --

MR. DRAIN:

1215!

MR. BENOIT:

I'm sorry, my figures are out of kilter -- alright 1215 -- it was 1225 that it was modified into what is known as its present form. I stand corrected.

This was one of the first bills of rights -- if you want to call it that -- that was primarily designed to protect the people from the government, for that was the problem of the day at that particular time. I will not make any reference to any of the details in connection with that one, except to say that all through the years, the rights and the freedom that people were given in the first instance by their Creator have, at some time or other, had to be championed and fought for and expressed. Even though we don't have to worry about it for the time being, as far as we are concerned, there can be no possible harm in putting in writing the expressions of these rights which we desire. If for no other reason than to draw attention, once again, to the fact that these rights exist, and they should be fought for and protected, and to remind us of that fact that they are here.

And so, Mr. Speaker, if I were to go back further, I could go back to what I choose to call the first real bill of rights, in which not only were the people told what to do in order to provide us with the freedoms, but also they were told how to do it. People were not only told to protect the freedom of other people, but they were told how they themselves could be free.

I refer to that most famous of all historic figures who made this statement, "You know the truth, and the truth will make you free." If the Son of God makes you free you will be free, indeed. These are the freedoms that we can enjoy and which have, through centuries, set other people free.

Therefore, what we have here before us today in Bill No. 1, is not necessarily something that is new, not even a new expression because it is almost identical to the expression used in the 1960 bill, but it is new for a province to have this type of a declaration. It does no harm whatsoever to support this kind of legislation and let people know that we're still in favour of it, and do everything we can to forward the principle that is involved in this bill.

Having said that, Mr. Speaker, I pledge myself, unless somebody says something to arouse me otherwise, to limit my statements on Bills No. 1 and 2 to this statement I've made this afternoon. Thank you.

50-42

ALBERTA HANSARD

May 15th 1972

---

MR. SPEAKER:

The hon. Member for Hanna-Oyen, unless he wishes to yield, followed by the hon. Member for Calgary North Hill.

MR. FRENCH:

I will yield to the hon. Member for Calgary North Hill.

MR. FARRAN:

Mr. Speaker, thank you very much, this is most unexpected. I didn't think that I would be called upon.

MR. SPEAKER:

Courtesy from the hon. Member for Hanna-Oyen should not be unexpected.

MR. FARRAN:

Mr. Speaker, much of our work in government is concerned with tactics -- day to day tactics -- and very little of it is concerned with the overview of strategy.

Mostly we're reacting to the problems; we're alleviating distress through reform, we're shifting according to the economic winds, we're improving laws, amending laws. We have shifts in emphasis often in search of, maybe, popularity at the polls, or of some ideological conviction, or of some pragmatic consideration. But very, very few things that come before government have much significance in the context of history. And I believe that in this bill, we have one of those few occasions when something can be looked at in the context of history.

The Right Hon. John Deifenbaker, in my view, is the greatest Canadian of our time. In 1960, he put in motion, the first Canadian Bill of Rights on a federal level, which I believe was a milestone in the context of history. Now we have another great Canadian, in my view, the hon. Premier Peter Lougheed, taking a similar step from the point of view of the Province of Alberta and giving a lead to the other provinces in Canada.

I don't agree that everybody will think this is just a milk and water repetition of entrenched rights which we have inherited through tradition. Just as Abraham Lincoln's fight for fundamental justice among American slaves wasn't universally popular, I don't believe that this bill will be universally popular, when people realize its full impact. It's likely to be challenged. Not right now -- I think that it would be a brave person indeed who would stand up and oppose the bill at this stage, and acknowledge that he was a bigot -- but when the implications of this bill are felt, some of those bigots may well come out of the woodpiles and begin to realize what this bill does to them.

I believe there is a lot of courage in this bill. I mean it's easy for people to pay homage to the golden rule, Love God, and Love Your Neighbour -- but when it comes right down to loving your neighbour in a practical way, it's not all that easy. And I think this will apply to this Alberta Bill of Rights. So I pay tribute to the hon. Premier for having brought this bill in. I don't believe it's going to be a smooth road in the implementing of it. I think it might well be a rocky road, but I'm prepared to stand in the ranks of the members, apparently on both sides of the House, behind him and to recognize that we are doing something today which will have some significance in history.

MR. FRENCH:

Mr. Speaker, I beg leave to adjourn debate.

May 15th 1972

ALBERTA HANSARD

50-43

MR. SPEAKER:

May the hon. Member for Hanna-Oyen have leave to adjourn the debate?

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, before moving adjournment, I'd like to advise the House that on Wednesday afternoon we will again come back to further debate on second reading of Bill 1, and then move into consideration of second reading of Bill No. 2. Accordingly, Mr. Speaker, I move that we call it 5:30.

MR. SPEAKER:

Does the House agree that it's 5:30?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until this evening at 8:00 o'clock.

[The House rose at 5:29 pm.]

\* \* \* \* \*  
\* \* \* \* \*

[Mr. Speaker resumed the Chair at 8:00 pm.]

GOVERNMENT BILLS AND ORDERS  
(Second Reading)

Bill No. 98,  
An Act to Amend The Appropriation (Interim Supply) Act, 1972

MR. MINIELY:

Mr. Speaker, I move, seconded by the hon. Government House Leader that Bill No. 98, An Act to Amend the Appropriation (Interim Supply) Act, 1972 be now read a second time.

[Motion being carried, Bill No. 98 was read a second time.]

MR. HYNDMAN:

Mr. Speaker, I should now like, on behalf of the government, to ask leave of the House to move at this time to the Committee stage of Bill No. 98 notwithstanding rule 59. I have discussed this matter with the hon. Opposition House Leader and have his agreement.

Accordingly, Mr. Speaker, I would now move that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole for consideration of Bill No. 98.

MR. SPEAKER:

Seconded by the hon. Provincial Treasurer, I take it.

50-44

ALBERTA HANSARD

May 15th 1972

AN HON. MEMBER:

It's got to be seconded!

MR. SPEAKER:

Having heard the motion, would all those in favour please say aye?

SOME HON. MEMBERS:

Aye.

MR. SPEAKER:

And would all those opposed please say no. The motion is carried without dissent.

[Mr. Speaker left the Chair at 8:02 p.m.]

\* \* \* \* \*

COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair.]

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order.

Bill No. 98,  
An Act to Amend The Appropriation (Interim Supply) Act, 1972

[All the clauses of this bill, the title and the preamble, were agreed to without debate.]

MR. MINIELY:

Mr. Chairman, I move that the Committee now rise and report.

MR. CHAIRMAN:

It has been moved by the hon. Provincial Treasurer that we report. Is it agreed?

HON. MEMBERS:

Agreed.

[Mr. Diachuk left the Chair at 8:04 p.m.]

\* \* \* \* \*

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bill: Bill No. 98, An Act to Amend the Appropriation (Interim Supply) Act, 1972, reports same and begs leave to sit again.

MR. SPEAKER:

Having heard the report and the request for leave, do you all agree?

HON. MEMBERS:

Agreed.

May 15th 1972

ALBERTA HANSARD

50-45

MR. HYNDMAN:

Mr. Speaker, again on behalf of the government I should like to ask leave of the Assembly unanimously, notwithstanding rule 59, to move to third reading of Bill No. 98, An Act to Amend the Appropriation (Interim Supply) Act, 1972.

MR. SPEAKER:

Having heard the motion by the hon. Government House Leader seconded by the hon. Provincial Treasurer, would all those in favour of the motion please say aye.

HON. MEMBERS:

Aye.

MR. SPEAKER:

And those opposed, please say no. The motion is carried without dissent.

CLERK:

Bill No. 98, An Act to Amend the Appropriation (Interim Supply) Act, 1972 introduced by the hon. Mr. Miniely is now read a third time.

MR. HYNDMAN:

On a point of order, Mr. Speaker, I don't believe it was read a third time.

MR. SPEAKER:

There was leave given to read it a third time.

MR. HYNDMAN:

Leave from the House has been given but I believe that the hon. Provincial Treasurer must now read it the third time.

MR. MINIELY:

Thank you. Mr. Speaker, I now move, seconded by the hon. Government House Leader that Bill No. 98 be read a third time.

[Motion being carried, Bill No. 98 was read a third time.]

MR. HYNDMAN:

Mr. Speaker, I move that you do now leave the Chair and the Assembly resolve itself into Committee of Supply for consideration of the estimates.

MR. SPEAKER:

The hon. Government House Leader has moved that I do now leave the Chair, and that the House resolve itself into Committee of Supply for the consideration of the estimates. Do you all agree?

HON. MEMBERS:

Agreed.

[Mr. Speaker left the Chair at 8:07 p.m.]

\* \* \* \* \*

50-46

ALBERTA HANSARD

May 15th 1972

---

[Mr. Diachuk in the Chair]

MR. CHAIRMAN:

The Committee of Supply will come to order. The Department of Advanced Education, page 92.

Agreed to without debate:

|                           |                        |            |
|---------------------------|------------------------|------------|
| <u>Appropriation 3001</u> | Minister's Office      | \$ 41,560  |
| <u>Appropriation 3002</u> | General Administration | \$ 206,760 |

Appropriation 3003 Minister's Committees

MR. BENOIT:

Mr. Chairman, how does this compare with previous years? Is this something new? We didn't have this appropriation last year, did we?

MR. FOSTER:

Mr. Chairman, you didn't have a Department of Advanced Education last year.

MR. BENOIT:

Did we have anything in the Department of Education that compares to it?

MR. FOSTER:

Yes, you did. You had minister's committees, but not to the amount that's listed under Appropriation 3003. That is a substantial increase over what the Minister of Education previously had. I would submit by way of comment, Mr. Chairman, there is good reason for that, and I would like to elaborate slightly.

I hope there are no more public inquiries in this province, at least in the next year, but the Byrne inquiry, I assume, will be paid from there. We are doing some work in the student finance area. I expect the expenditures will come from there. I assume that the Moir report, as and when it's received, will be paid from there. I intend to get into remarks under 'Universities,' Mr. Chairman, and at that time I will comment briefly on the re-organization we are going through in advanced education, and there will be some attendant costs relating to reorganization that I intend to recover from that vote. At the same time there are certain areas like developing a successor to NewStart, if you like, the NewStart operation, all of which requires an indeterminate amount of money, if you like, in terms of organization and structure. I would like to elaborate on that further, Mr. Chairman, as perhaps I may have leave to in my general remarks, which I intend to make under 'Universities.'

Appropriation 3003, agreed to \$ 160,000

Agreed to without debate:

|                           |              |              |
|---------------------------|--------------|--------------|
| <u>Appropriation 3004</u> | Universities | \$91,100,000 |
|---------------------------|--------------|--------------|

Appropriation 3005 Universities Commission

MR. FOSTER:

Mr. Chairman, is it correct that the Appropriation 3004 was approved?

May 15th 1972

ALBERTA HANSARD

50-47

MR. CHAIRMAN:

Yes.

MR. FOSTER:

Thank you. I would like to make a few general remarks if I may. Since you've passed 'Universities,' I want to back up slightly.

I don't, Mr. Chairman, want my remarks tonight to be interpreted in any way as my maiden speech in this House, because I don't feel like I'm a maiden. It appears that for one who -- if this is a maiden speech -- is on his feet for the first time, I seem to have had a great deal of experience, at least, having had questions put to me from the opposite side of the House.

I feel a little bit, Mr. Chairman, like the head of the Political Science Department of the University of Calgary, Dr. McKinnon, who remarked that "a politician, like a deep-sea diver, suffers the bends during rapid rises from one level of pressure and atmosphere to another." Even small rises from private citizen to mayor may bring on giddiness, while major ascents from back-bench to minister, or from minister to head of government, can cause acute distress of equilibrium. A sure cure has not yet been devised." My comment, Mr. Chairman, is that if I appear to be somewhat unstable this evening, and am a little giddy, it is because I have not yet acclimatized myself from my rise from small town lawyer in a practice of four, to the exalted office of minister of this government. I put that apology before the House at this point.

I was a little disappointed, Mr. Chairman, that I should have this opportunity to make a few remarks in this House about advanced education, and the reason I didn't want this to be taken as a maiden speech is because I have a number of remarks I wish to make, as a new member, about this House, and I'll get into that, hopefully, on second reading of my bill. I wanted to comment on some constituency matters that relate to the City of Red Deer. I specifically wanted to talk about the Council of Ministers and the Post-Secondary Education Committee of the western provinces, and at that time address a few remarks to the former minister of education who I observe is not in the House this evening, so it is perhaps appropriate that I do not make those remarks at this time.

With respect to universities, it is now past history that the enrolments in Alberta were significantly below forecasts. In fact, they were down some 8.7 per cent from projected enrolments and off 1.2 per cent from actual enrolments. As I said before, Mr. Chairman, whether this reflects a change of attitude on the part of students in this province is very difficult to ascertain at this time. Certainly we will have more information on which to base our projections after we have a look at enrolments next fall.

I might point out that the universities were paid the full operating grant of \$89.5 million last year, and that was a departure from a previous position by government, and a departure from the grant tied to enrolments alone. The former government acknowledged and agreed to move into a phase of financing based on projected rather than actual enrolments, and as a result universities were able to receive the full \$89.5 million. Had the former government -- and had we followed in proceeding by way of enrolments strictly, it would have meant that the universities last year would have received some \$7.8 million less.

Now the appropriation of \$91.1 million for next year has already been approved. I recognize that, Mr. Chairman, but perhaps it might be of interest to the House to point out that this will be allocated among the universities as follows: Alberta \$57.1 million -- these are approximate figures -- Calgary \$28.7 million; Lethbridge \$4.7 million; Athabasca \$.4 million; Banff School of Fine Arts approximately \$.1 million.

50-48

ALBERTA HANSARD

May 15th 1972

---

There has been a great deal of discussion and comment in this government and in this House, Mr. Chairman, with respect to the matter of priorities and capital expenditure. I would like to share with you for a moment the perhaps facetious comment of Stephen Leacock, when he was talking about his own priorities if he were charged with the responsibility of building a university. Stephen Leacock, in discussing this matter said, and I quote:

"If I were founding a university, I would found first a smoking room. Then when I had a little more money in hand, I would found a dormitory. Then after that, or, more probably with it, a decent reading room and a library. After that, if I still had more money that I couldn't use, I would hire a professor and get some textbooks."

I am not suggesting, Mr. Chairman, that Stephen Leacock is the person establishing priorities within the Department of Advanced Education. However, he does have something to say to all of us, I think.

This year represents the end of the five-year period in which government had agreed to pay the universities for capital development purposes some \$185 million. And, of course, we are now faced with a new capital development program which I will touch on briefly in a few moments.

The buildings completed this past year at the University of Alberta include the Law Centre, which was opened recently, a major portion of the basic Medical Sciences Building, and projects which are underway include the buildings for the Humanities, the Fine Arts, Chemistry, Education, Mechanical Engineering and Library. Now there are to be no new buildings commenced in this coming year, but funds are being provided from the vote which was just passed to provide and complete and furnish these projects, including the finishing of the basic Medical Sciences Building. In Calgary there is an addition to the Physical Education Building which I was pleased to open last year, and that addition includes an olympic-sized swimming pool. The Medical School and the Calgary Health Sciences Centre will be substantially completed this summer.

Other projects under way include an extension to the library, a Biological Sciences Building, an Earth Sciences Building, and additional floors on the Mathematical Sciences Building.

It might be appropriate for me to interject at this point, Mr. Chairman, and comment that I was concerned enough about my estimates that I took the opportunity of reading past years' estimates, the comments made by the minister and participation by the House in this particular vote. I was somewhat surprised that the vote for universities and colleges seemed to pass without too much comment from the House. This year was no exception whatever. I trust that that is not a reflection on the role of the Department of Advanced Education or its minister, so I thought I would come in at this time and subject the members of the House to my comments on universities, notwithstanding the vote may have passed, Mr. Chairman.

I intend also to deal with these problems in this House whenever I am given the opportunity and intend to say so, particularly on second reading of the bill.

With respect to the University of Lethbridge, they have moved to their own campus. A Physical Education Building will be completed this summer, and it is planned to complete this building and to move to set up several university prefabricated buildings for the use of that campus.

The Banff School of Fine Arts is presently preparing a long-range development plan which was promised for some time, but no new



May 15th 1972

ALBERTA HANSARD

50-49

---

projects are contemplated other than replacement of Chalet Number One which is being financed primarily by CMHC.

I could perhaps sum the university situation in terms of capital development Mr. Chairman by saying that there will be no new major construction, but all existing construction will be carried and completed, furnished and equipped this year. As it takes three years to design, and a year and a half to construct, any of these buildings and university campuses, it is therefore appropriate that we give some serious consideration to a new capital development program at an early date and that would be qualified only by what we learn from this year's enrolments because I think we're all very familiar, perhaps too familiar, with what appears to be the circumstances in universities in this country.

There were two policies that the Universities Commission carried out this past year, one of which I touched on, and that is that operating grants were to be paid to universities based on projected rather than actual enrolments. I have commented recently, and was reported incorrectly in one case, that we are giving some consideration, as I think we must, to changing the formula or the manner in which governments fund and finance university institutions. Obviously, it is no longer acceptable that these multi-million dollar corporations, if you will, Mr. Chairman, can be financed and expected to operate on a twelve month calendar year. I've therefore referred to the matter of the rolling budget and we'll be carrying forward some discussion with the Universities Commission on that score.

The other innovation was that the Commission now has power to regulate, control and prohibit the establishment of any faculty or school. This may be interpreted by society, Mr. Chairman, as an unwarranted intrusion into the affairs of the academic world. However, I think there is good reason for this and I expect to elaborate upon this, given the opportunity to do so on the second reading of the bill.

It is self-evident, Mr. Chairman that we have a Department of Advanced Education and two commissions. Therefore, probably following the report of the Commission on Educational Planning, we'll have to define the role and function of this department, including the authority and responsibility for advanced education and the relationships between and among both commissions. Of course, it may result in one commission, the status quo, no commissions, one department -- I mean the permutations and combinations are substantial.

Mr. Chairman, in preparation for this evening I prepared some thirty-five pages of notes, thinking that this would be my maiden speech in this legislature, I have substantially abbreviated my remarks and intend to do so for the duration of my comments. I have reserved some of my interesting and exciting comments and suggestions, that everyone is most interested in hearing, for discussion in the second reading of bill 33.

A word or two about colleges, Mr. Chairman. I would like to refer the hon. members to the annual report which was distributed some time ago and advise them if they have them with them at some time in the future, to review the historical and projected data that is located in the annual report. Those of you who come from communities primarily outside of Edmonton and Calgary will be interested, I think, in the projected growth of the public colleges as we have them in this province. Grande Prairie in the course of the next decade is anticipated to rise to an enrolment to some 1,200 students. Grant MacEwan College in Edmonton to some 8,000 students, Lethbridge College to some 2,000 students. Medicine Hat -- surprisingly, Mr. Chairman, but perhaps not so when you recognize the population in the Medicine Hat College region will remain relatively stable in the next ten years -- will have, it's projected in ten

50-50

ALBERTA HANSARD

May 15th 1972

---

years, approximately the same student enrolment in their college as they have today. There will be substantial growth in Mount Royal College to some 6,000 students, and of course, some substantial growth in Red Deer to some 2,000 students.

I will not take the time of the house, Mr. Chairman, to go into much of the information that's contained in that report as it may relate to colleges in this province, but I would indeed request that all members who are interested in advanced education, review the annual reports of the Universities and of course the Colleges Commissions.

The programs provided by the colleges in this province are basically three in nature, university transfer, academic subjects offered in all colleges, and vocational. University transfer courses are offered currently two years in Red Deer and Medicine Hat and one year in Mount Royal and Grande Prairie. There are none at the moment in Lethbridge and none in Grant MacEwan.

I would like to make a comment or two on capital development within the colleges community, Mr. Chairman. The estimates show capital development of \$7.3 million. This is not entirely correct because it is in fact \$11 million for capital development. The differential is accommodated by the fact that the Colleges Commission are carrying a surplus from last year for capital development if anyone should be concerned. The facilities in Medicine Hat are approximately complete. Lethbridge is not entirely complete. Mount Royal is still under construction and we are involved in a merger with the vocational centre down there. Red Deer College is under construction in part. Grant MacEwan is incomplete, of course, operating on satellite campuses. Grande Prairie it is hoped that Grande Prairie college will commence construction sometime this summer. The only major additions which I can foresee following 1972 will be in the area of Grande Prairie.

I would like to comment, Mr. Chairman, on the allocation of some \$11 million which is awarded to the Colleges Commission for distribution to the public colleges of this province and these are approximate figures. The funds break down, roughly, as follows: Grande Prairie \$0.7 million, Grant MacEwan \$1.2 million, Lethbridge \$2.1 million, Medicine Hat \$1.1 million, Mount Royal \$4.1 million and Red Deer \$1.9 million. Those are approximate. The final budgets have not been finally determined. There will be manpower funds which will supplement the \$11 million, part of appropriation 3006.

One comment, Mr. Chairman, on the matter of transferability in the college system. The colleges have recently worked out an agreement among all public non-university institutions in this province to the effect that transferability is no longer a problem. This is a very, very substantial achievement and one which should not go unnoticed by the student community of this province. The procedure is simple, equitable, and I think easily implemented. The basis is that the sending institution will accredit a student, and recommend that student for advanced standing and the receiving institution will accept that.

Mr. Chairman, I won't take the time of the House to go into several of the studies which have recently been completed by the Colleges Commission. I know there are several members of this House who are particularly interested in this area of advanced education and should you be interested I would be delighted to provide you with copies of these studies. I am sure you will find them very interesting.

I will abbreviate my comments further on the colleges situation, Mr. Chairman, and comment with this conclusion: a college is not, and is not intended to be, a university. Neither is it an extension of a high school. I think that is a very important point. It has a

May 15th 1972

ALBERTA HANSARD

50-51

unique identity, which recognizes that education is a life long process and it is designed to provide continuing education and opportunity for such in the communities in which these colleges are located. Sometimes I think we lose sight of that.

With respect to the Department of Advanced Education, Mr. Chairman, I again will be brief. I am very proud to have been asked by the hon. Premier to assume the responsibility as minister of this new department, and I will comment on that further. I would like to take this opportunity -- I don't know whether Bob Reese is in the members' gallery right now or not -- but I would like to point to the House that Dr. Reese, the Deputy Minister of the Department of Advanced Education, is retiring this June after many years of loyal and devoted service to government in this province. I have come to know Bob Reese well, I think, and to enjoy his friendship. I can say, Mr. Chairman, that he is a real friend of education. I have certainly appreciated his leadership and the many contributions that he has made to education in this province. I think it's probably unique, Mr. Chairman, that -- in fact I have not been associated long enough with government to know whether this is unique or not, but I suggest that it may be unique -- that one man has served as Deputy Minister of two departments in a relatively short period. I don't think there has been a history of that sort of thing in this province, although there has been in other provinces. I know that it's a unique distinction for Dr. Reese.

The Department of Advanced Education, for the members of the House, is at the moment composed primarily of the division of vocational education, the student finance branch and the area of continuing education. All of us, I think, are familiar with NAIT and SAIT and with the vocational centres around this province and to a lesser extent the CVC's located in the northern parts of the province.

I expect we will get into some discussions on those institutions particularly Mr. Chairman, so I won't take the time of the House to go into them at this point other than to say that if there are members of this House who would be interested in touring these facilities and seeing the very excellent opportunities that are provided for Alberta citizens in these institutions, please contact my office. I would be delighted to arrange a tour for the members of this House and I know, sincerely that all of the institutions would be more than delighted to have the members of this House accept the privilege of attending and seeing their facilities.

I was impressed, Mr. Chairman -- a brief aside -- by the Deputy Minister of the Soviet Republic who was here not too long ago, in her comments and the simple fact that she was aware of the international reputation of both NAIT and SAIT. I think it augurs well for the people of this province and the former government, quite frankly, for the leadership they have shown and the staff for providing such fine facilities in this province.

I'm aware, Mr. Chairman, that enrolments appear to be rising at a rapid rate in the vocational and technical area, particularly at NAIT and SAIT, in fact there was one comment, I think, in The Edmonton Journal that students were breaking down the doors. I don't think this should be interpreted as a policy of this government to de-emphasize universities, research, or the contribution of universities and colleges to society. However, I think it does recognize a student demand for opportunities in vocational and technical education, which we are going to have to ensure that we are able to offer to the students, and it's causing me, frankly, some concern at the moment.

The transfer of the agricultural and vocational colleges, Mr. Chairman, to the Department of Advanced Education, and, therefore,

into the mainstream of educational life in this province was one of the first things that was done by this government in my particular portfolio and it is, I think, a welcome move on the part of this government. I can say that this has occurred after 58 years of association by Olds and Vermilion colleges with the Department of Agriculture, and by the Fairview College and its association with agriculture since 1956.

I appreciate, Mr. Chairman, very well that the transfer of these colleges to Advanced Education has created some uncertainty and anxiety within the institutions primarily. Let me assure the House and those in those institutions that we will endeavour to work closely with the Department of Agriculture and with the Faculty of Agriculture at the University of Alberta and attempt to allay any suspicions or concerns that the people in these colleges may have. I think a time of change creates a time of uncertainty and I will do what I can to minimize that.

I might say, Mr. Chairman, as I have said before, that I am somewhat concerned about the current utilization of the excellent facilities, primarily at Fairview and Vermilion. I am determined that we discover a legitimate use or expand the use of these facilities, either within or without the educational community. I am looking forward to advice and comment and suggestion from all members in this House, and particularly I might say, Mr. Chairman, from the MLA's in this House who represent these areas. It has been my privilege to meet briefly with some of the members involved and I look forward to consulting with them further.

The uncertainty, Mr. Chairman, unfortunately must remain because we have not yet determined what the role of Advanced Education will be and, of course, are awaiting the report of the Commissioner on Educational Planning before making any firm decision. I might say, and I undertake, as I have to the staff of these institutions, that before any substantial change is made it will be fully and completely discussed with the staff of these institutions and with the members of this House who represent these areas. I don't think I can do more than that at the present time.

Shortly after I became minister of this department, Mr. Chairman, I was somewhat appalled to see in my own newspaper several advertisements by several different educational authorities all offering opportunities in continuing education. I am very pleased to say that the department has now taken the leadership to improve the communication with communities in which colleges are located to coordinate the efforts of all agencies and communities across the province which are offering educational opportunities. Meetings have been held throughout many centres in Alberta. Councils are being established voluntarily by the groups in each community who have a legitimate interest in continuing education. And the hope is that through co-operation and communication between and among all of these groups, we can resolve much of the duplication which may now exist, or may then have existed in the area of education.

A comment or two, Mr. Chairman, on the very complex and involved field of student finance. I don't know one field that has caused me more concern, than the area of student assistance and student finance. It is now just one year since government in this province moved away from a grant system in favour of a loan remission scheme, and it is probably too early to tell what the effect of this shift has been. I'm not necessarily critical of it at this time, but it is something that is occupying a fair amount of our time and attention, and one which we are going to watch very closely. The studies in Ontario would seem to indicate that the matter of student finance is not a significant factor in the life of students of advanced education institutions, nor would it be indicated by comments of students who have dropped out of our advanced education institutions

May 15th 1972

ALBERTA HANSARD

50-53

---

or, for that matter, those who register and don't show. It is certainly a factor, but not a major factor.

One of the things that really concerns me, Mr. Chairman, is that the federal government has recently raised the ceiling on student finance and it is therefore now possible -- I say possible -- for a student to qualify in time for some \$19 odd thousand of assistance. I don't know about the rest of the members of this House, Mr. Chairman, but it doesn't particularly bother me to have a \$20,000 mortgage on my house, but it frightens me to death to have a \$20,000 mortgage on my life on graduating from university or college. I'm not saying that anyone has, I'm just saying that if the system will accommodate that kind of assistance, there will be those in the system who will eventually qualify. Accordingly, the ceiling in Alberta has been reduced to \$15,000 but this is of no less concern to me.

It might interest you to know, Mr. Chairman, that the Province of Alberta awards last year -- these are grants, bursaries, scholarships, etc. -- were some \$6.2 million. This past year was down to \$700,000, and this is the first effect of the change from the grant system to the remission loan system. But lest we become too optimistic, I think we should be aware that the loans in the same period rose from some \$4.6 million to some \$9.9 million, and the remission funds which we, the citizens of Alberta, are being called upon to pay, are escalating at a dramatic rate.

Surprisingly enough, Mr. Chairman, the number of students assisted by the Student Finance Branch has gone down from some 26,000 odd students to some 24,000. We in the past year have established an appeal system with students as full members of the appeal board; we are endeavouring to reduce the lag time between the time a student applies for a loan and the time he receives notification of it, and we are presently going on computer to speed up this process even further. And, of course, as I indicated earlier, we are endeavouring to evaluate the policy and the change from the grant system to the remission system.

If I may become a bit philosophical for a moment, Mr. Chairman, in approaching my conclusion, I would like to suggest to the members of this House that the nature and the direction of advanced education in this province will be determined by several basic forces. I would like to comment on three.

One basic force is the growth of the Alberta population in the years ahead, and the rate of participation by young people in advanced education. Now if that is the basic force, as I suggest it is, there are several questions which I will put to this House, and these are questions, I think, that all of us must answer for ourselves, and surely we in government must answer for society in the course of time.

The first question I have to ask the House is do we attempt to reduce, maintain, or increase the participation rate of young people in advanced education? At the present time, of the 18 to 24 year old age group, that rate is 24%. I believe, although I haven't checked these figures, that in the United States it is 37%, but I'm not sure of that. I think that is one of the reasons that universities in this province may have well been expecting an increase in enrolment, because of the fact that the participation rate in this province is lower than the American experience.

My second question is, do we merely service this demand in increased or decreased enrollments, whatever they may be, or do we provide specific financial commitments to advanced education and let the system take care of itself? That, Mr. Chairman, is one of the basic forces.

The other basic force I think we have to consider are the institutions or the avenues to educational opportunity in this province and there are two questions I would pose. Do we control access to advanced education by quotas, by selection, or by constraint? This specific question has come up specifically, recently, with respect to foreign students or non-Canadian students. It may also come up with respect to non-Alberta students. These are topics which the universities and colleges are debating right now. Or do we increase access by establishing new institutions, by creating greater financial assistance, and by providing other services? I don't have the answers to these questions, Mr. Chairman, at least not at this time, nor do I suspect does any other member of this House.

The final basic force which I would like you to address your minds to in the months ahead, is defining the role of the advanced educational system and the individual institutions that are part of this system. The question I would pose to this House is how do we define the role? Do we as government define the role of individual institutions? Do we allocate programs and do we assume the responsibility for student quotas? Or do we maintain a free enterprise system within the educational community and merely determine financial support on the basis of enrolment? These are questions, Mr. Chairman, which I think will involve us all. Or do we allocate functions, research and community services to different systems and different institutions?

There are several considerations, Mr. Chairman, which I think confuse and blur the basic forces in the considerations which I have put to the House. I would like, now, to touch briefly on a few of them. One surely is the difficulty in forecasting skill and professional requirements in terms of designing courses and programs. And this, the hon. Minister of Manpower and Labour has touched on. Another surely must be something which I call -- and we all perhaps have a name for this -- institutional self-interest and by that I mean the inherence or inbred natural desire of every institution -- I take universities as an example -- to "mature", to grow and expand, to become the most complete university in the world. There seems to be a tendency, naturally, for all of us to want to grow and expand, and institutions are no different.

Further consideration without saying it, simply is the financial capability of government. One other is the existing governing structures of universities, colleges, and the educational system in itself, which has come under review and attack in many quarters in this world, and in a sense will be, I suspect, the subject of some comment by Dr. O'Byrne in his report. Naturally -- and this list is not intended to be exhaustive, Mr. Chairman -- there is another prohibiting factor, if I may call it that, and that is the simple reluctance to change, inherent in any group of organized people.

Mr. Chairman, I have talked about new directions and my concerns in the advanced education community in very general terms and in a very abbreviated fashion for which I am afraid I must apologize. There is obviously some considerable concern for tomorrow and I will be looking, with great interest, to the report of Dr. Walter Worth, the Commissioner on Educational Planning, and I am also giving some consideration to the draft report of the Commission on Post-secondary Education in Ontario by Mr. Douglas Wright. I know that the Wright report has evoked some response from many quarters in this country -- from all across this country, in Ontario and recently in this province -- and I am not attempting to suggest to the members of this House what the Worth report will have to say, but surely we must come to grips with some of the basic tenets of Wright's report from Ontario, however unacceptable they may be. I don't want this to be interpreted, Mr. Chairman, as a suggestion that the Wright Report in Ontario will become the bible of advanced education in this province. This is not so. All I am saying is that the Wright report, together

May 15th 1972

ALBERTA HANSARD

50-55

with such other information as we may acquire, is certainly worthy of study, consideration and debate, and I would like to conclude my remarks by merely alluding briefly to the six major points that Wright makes with respect to his report in Ontario. They are not inconsistent in many ways with some of the comments I have been making.

The first point that Wright makes is universal accessibility. He says that we have accepted the need for universal accessibility to post-secondary education at all ages, as our first principle.

Secondly, he says we have adopted the principle "that all educational services should be more and more open to the public, and, indeed, integrated with the general cultural and educational activities of the community."

Thirdly, he says, "as life-long opportunity for education becomes more a reality, there will be a need for even greater diversity of educational services than we have at present -- diversity, not only of institutions, but of admission standards, programs, length of courses, and so forth."

Fourthly, he deals with flexibility. He suggests there is simply no way anybody can establish firm and definitive guidelines for future educational services in an open and democratic society. Even if it were possible, it would be antipodal to the very ideals of openness of democracy. We must, therefore, have a post-secondary educational system which is sufficiently responsive to new social demands, yet is also prepared to abandon those that are no longer deemed necessary. I would suggest that that's very, very difficult.

Fifthly, he deals with the matter of transferability, a subject of no small concern to this government, I might say. We are convinced that even if wide accessibility and even diversity were achieved, our purpose would be defeated if there were insufficient opportunities for transfer from institution to institution, from program to program, from profession to profession. The implications of that, Mr. Chairman, are staggering.

Finally, he says, "both political principles and reality demand and recognize the public nature of post-secondary education. The fact that practically all the direct costs of education are borne by taxpayers is alone a forceful argument for public accountability. What makes the acceptance of it necessary is and must be our faith in a democratic political institution."

Mr. Chairman, in closing, I want to reiterate that it is not my intention to sell anyone the Wright report in Ontario, although I have, I think, distributed this report to all of you in this House, and I appreciate and will look forward to your observations and comments on this report, because it will be the basis of some considerable discussion, and of course following through with the Commission on Educational Planning. Thank you, Mr. Chairman.

MR. GRUENWALD:

Mr. Chairman, I'd like to take this opportunity to make a few remarks, and more importantly, ask a few questions of the minister. Having listened this afternoon to long dissertations, and very worthwhile ones, on the freedoms that we have -- the freedom to speak -- and I hope this includes the freedom and the right to attack some sacred cows that we might have in the field of education. I think this has been true through the years, and the more advanced education gets the more bureaucratic it gets and the more we see ourselves being faced with these -- as I call them -- sacred cows. I'm going to attack some of these, and maybe later on, some other bills through the House, too, having in mind that no one would dare criticize me

50-56

ALBERTA HANSARD

May 15th 1972

---

for doing that. After all, we're going to have that great freedom, which I think is good. I'm not making fun of that.

First of all, without going into a chronological order, Mr. Chairman, I would like to second the tribute that you paid to Dr. Rees. I certainly go along with that. I've worked with Dr. Rees for quite a number of years on committee work, and I find he is a tremendously fine man, a good man to work with. He knows his business. He knew education well. He was always well received by school districts, by educators throughout the province, and I think when you're losing him, you will suffer quite a great loss.

I was also interested in your remarks regarding transferability of colleges. This has been a fight for a long time, and when you followed it up and said that you didn't want colleges to become junior universities I was most pleased. This has been in the past a constant fight. People thought that because it was a college, it had to be almost affiliated with a university, and ultimately be maybe a degree-granting institution, and compete in that sense. I think that is absolutely contrary, in my estimation, to what colleges were ever started for in the first place. I think primarily they have to be terminal and vocational types of institutions, and I hope you will stick with that. If you don't, I would have to argue quite vigorously, but I don't think I'll have to, because you have already made a statement.

The one thing I think I would like to attack is this business of the Colleges Commission and the Universities Commission. The Universities Commission is something that's been going on for a long time, and as I understand it -- I'm not as familiar with the Universities Commission as I am with the Colleges Commission -- if they're intended to do the same job, then my remarks would apply the same to one as to the other. If they're going to be policy-setting groups, it just makes me wonder whether you -- and I'd like you to answer this -- feel firmly committed into the unforeseeable future, that the Colleges Commission is the way to run these post-secondary institutions?

In other words, do you think that is better than you setting up your own department, and running the post-secondary institutions in the same way as we run the I -- XII system? I think the commissions are there -- sometimes I don't know whether they are there to protect the minister, or the minister protects the commission, I don't know.

But having sat on college boards, I know that the temptation is to bypass the commission and go directly to the minister. I think this undermines the commission -- it isn't serving its purpose when this happens. At the same time, as an elected person, how can you refuse representations? I think you find yourself in a sort of a dilemma there.

I really don't think that the commissions are necessarily the best way to run post-secondary institutions, from the ministerial point of view. I really believe that if I were in the position you are, that I would prefer to run it as a department and forget about the commissions, unless I used them only for distribution of funds: that's about as far as I can see them going. I know that the universities would take great exception to that, because I say, they are great for real autonomy and they don't like to be questioned or challenged in any way whatsoever as far as the way their institutions should be run. I certainly believe in local autonomy, mind you. But I am just wondering how many levels of it we need.

I am wondering about the \$200,000 that was announced some time ago. I believe you agreed to pick up the deficit in Red Deer, because of the problems they had there -- a \$200,000 deficit. I can understand this being rather an emergent situation. You maybe had to come to the rescue there. But I would be most interested in your



May 15th 1972

ALBERTA HANSARD

50-57

---

remarks as to what is your policy in the future in this regard. Is it going to be the future policy of this government, and of your department, to pick up deficits of colleges or universities as they accrue? In other words, are you going to just do that, and at the same time, discourage good budgeting and good management of colleges. Because we are going to have some colleges who are going to do their job, but some are going to say, well, after all, if we get in the red, the government will come to our rescue. So I am just wondering what your policy is going to be, and if you are really going to let the colleges and the universities, as the case may be, know what the situation is in this regard.

Earlier in the session I think I brought to your attention the problem that I see with the regulations regarding this PEP program. I can see it as a good program to look after employment, look after training of people in the winter months, but at the same time I can see the effect that it could have because of the loose regulations -- I recognize that it has been only going for one year, but what effect will it have on the enrolment in the fall session, on the regular enrolment as opposed to what the PEP enrolments are going to be. And I think you know what I mean, I think -- I mentioned them -- you got that one.

Are you going to permit colleges, and this might seem like a strange sort of question -- if a college has a budget, and a surplus at the end of a fiscal year, will they be permitted to carry that surplus forward and use it for anything that they want to use it for, like capital development, buying land, or this type of thing, or will this surplus have to become, then, a part of the next year's budget, or turned back to the commission? This can be a problem in some of the institutions.

You did mention something also about student finance. I think this was mentioned under Appropriation 3008 and 3010. I certainly agree with you that students can borrow themselves poor. I think it is good to help them, I think it is good that money should be available for their education, but you can be too kind. I have noticed in these appropriations here, and if I took your remarks -- if I got them right -- I thought you were a little critical, that too much money was being made available, maybe through the federal channels, but I think that you have increased the appropriations here. Maybe I just missed that while I was writing here. Maybe I didn't. I see you shaking your head.

I was glad to hear you approved -- of course you do.

The schools of agriculture coming under post-secondary is something that we have been drumming for for a long time. I know, having sat on the provincial schools of agriculture for three or four years I saw no reason why that shouldn't have come under the umbrella of your department a long time ago. I am just wondering if you are giving any consideration to doing this same thing with NAIT and SAIT -- to bring them under the commission, as long as you have still got a commission? In other words, are you going to keep them separate, as you are doing now?

Also, I would be very interested to know if-- it may be difficult to tell -- does it cost more or less or the same, approximately, to educate a student in NAIT or SAIT as compared to one of the colleges for an equivalent type of course -- as many things as possible being equal? And I realize that there are a lot of things that are not equal, so you have a problem there.

I'm also interested in your remarks and of course I don't have the answers here, but in reference to control of admissions and business of foreign students and all this type of thing, I just hope that we don't panic on this type of thing, because maybe it's a problem in some parts of the province but I don't see it in the total

50-58

ALBERTA HANSARD

May 15th 1972

---

as being a big problem at this particular time. I think, and I've heard some college boards mention in certain parts of the province that even out of the province, students get a break here and I just think there should be some reciprocal arrangement so that any place in Canada -- surely there shouldn't be a penalty, they should be able to take advantage of ours. Let them move back and forth without penalty, it wouldn't bother me to see that happen at all.

You mentioned the Worth Commission. I'm certainly looking forward to that and will be looking forward to becoming involved as far as the assessment and watching what the recommendations are, and the way in which you are going to move on these reports. I hope that there will be some that will really project and that there will be some pretty brave suggestions that come out of the Report. Something as forward-looking as the voucher system or something like that might be a nice change.

Also, I'm hoping, and I have mentioned this to you before, that you will be looking at -- or I'm wondering what your position would be on the future appointment of university and college board members. I think the arrangement in the past leaves much to be desired. I think experience has shown that there are problems. I think we were being just a little too careless, let's put it that way, in the past as far as appointments are concerned.

Another concern, and I now get right down to my own constituency. At the College of Lethbridge there is little liaison between the college and the apprenticeship board. Now I know this isn't a one department problem and there has to be that liaison with the apprenticeship board. It seems to me that when the apprenticeship board requests a certain number of places for people in say, our college for example, and then when fall comes they don't provide those people, it just seems to me that there must be some responsibility on their part to pay at least a portion of the cost of those people. Because after all you need time to provide for these things. We should have six months, a year preferably, but not less than six months lead time to provide instructors and set up for the facilities that are required to look after these students.

I think this is something that is sadly lacking in the liaison between the apprenticeship board and the college boards. Now I know it's true in Lethbridge. I have no reason to believe that it would be less or more of a problem there than in other places in the province but maybe it is, I don't know, you would probably know the answer to that.

It just seems all so sad in that regard that Lethbridge students for example, again I'm being local, are allocated outside of Lethbridge, in other words why should they be sent to Calgary or Edmonton when we do have the facilities to teach them right there in Lethbridge? Now is it because they have bigger places in Edmonton and Calgary and they want to fill their space there at the expense of someone? I don't know but it doesn't go over too well. Of course we could certainly use some facilities in Lethbridge to teach third and fourth year students, which we don't do right now. Just a little equipment -- quit your laughing over there.

Now those are the main things and of course the other one -- as you know and I'm sure this is going to be a problem to you -- the science building in Lethbridge, I don't know what your plans are for that. Are you holding to the position that this has to be used for educational purposes? After all it was built with government money. I'm just wondering if you are going to allow that to stand empty and provide -- at any rate I'm now talking to the whole front row -- could you see the government providing buildings and facilities in Lethbridge when government money has been spent on a building such as that, and then duplicate it in some other place or building such for some other purpose?

May 15th 1972

ALBERTA HANSARD

50-59

There are other areas under the appropriations and I may be wanting to get up again but these are some of the concerns that I have, Mr. Minister, and you may like to comment on them.

MR. FOSTER:

Mr. Chairman, let me make it very clear at the outset with respect to the hon. member's remarks concerning the two commissions. First of all in my judgment these commissions are staffed by very, very competent people and I have no qualification about that at all. I don't want anyone to get the impression that it's my intention or the Department of Advanced Education's intention to run the universities or the colleges. I think I have responded to this before by saying that I do not want to get involved in the internal management, indoor management or personnel problems of these institutions. I think -- and this raises generally the matter of commission government -- I think generally that commissions have much to offer. They also have certain drawbacks and I'm not going to debate the merits or otherwise of commission government at this time. I quite expect the Commission on Educational Planning will have something to say about this; I have been getting input from many, many quarters on the matter of organization and structure of advanced education. These will be the commission's too, one or otherwise, and I really don't want to come down to conclusions on this point, I don't think I'm able to. I think that the department has a role to play. By department I'm talking now about the entire advanced education community in terms of co-ordinating, planning, and financing advanced education. But going back to my earlier remarks, I certainly don't intend to run the institutions at all.

The hon. member, Mr. Chairman, raised the matter of the deficit of Red Deer College of some \$200,000 and our policy on picking up deficits. I should point out to the House, that the decision taken by the Colleges Commission was a decision taken quite without reference to myself. I was never consulted about it, nor would I normally have been. Since it related to Red Deer College in a way I'm rather glad that they didn't consult me on the subject. But I think we have to cast into some perspective this business of a commission and its relationship to government. If we are going to say to commissions, "We'll provide you with X millions of dollars, and then this is how you will pay it out to these people -- dollar for dollar -- and this is where it will go", I think that we really in one sense destroy the need for a commission.

I am not up to date on the Colleges Commission policy with respect to deficit financing. It is something that is certainly of concern to me and is growing. The hon. member and I have had some discussion on this at this time and I have no answers for him. I appreciate the fact that if an institution is efficient -- and that's a difficult thing to assess -- and ends up at the end of a fiscal year with a surplus it's something of a penalty, or is interpreted as such, that their surplus should be returned to government. I consider obviously the effect this has on initiative and faculty and administration responsibility. At the same time we have to recognize that these funds are public funds and are not as a matter of right granted to an institution for whatever use they wish to put them to.

I appreciate the hon. member's remarks on the PEP program. We have discussed that before. I am also aware of the effect this has on enrolments with people who say, "Well, I'll wait for the PEP program. I'll register without charge. I'll get the benefit of the training allowances and the credits in the program." That is certainly a detrimental side-effect to the PEP program. I think there are always going to be certain detrimental side-effects to programs that involve providing educational opportunity to persons who are unemployed. But it's something that the members of the Executive Council, who are responsible primarily for the PEP program, are very conscious of and I appreciate the member bringing it up.

50-60

ALBERTA HANSARD

May 15th 1972

---

Perhaps the member's specific concerns about student finance might be raised under vote 3008. The member, Mr. Chairman, raised a very good question with respect to commission governance and the role of the institutes of technology. I know the hon. member is aware at this time that these institutes are operated, administered, and managed, if you will, by the Department of Advanced Education.

Now as we are giving some thought to the role of this department with respect to all of the institutions within the advanced education communities, one of the considerations is whether or not this department should be directly involved in the operation or administration of institutions like NAIT, SAIT, AVC's etc. There is some discussion in the House at the moment on this topic. I have received comments from many quarters in both NAIT and SAIT on this score and I wish to reassure the hon. member and the hon. members of this House and the people in the institutes as well, that before any firm decision is taken on this topic there will be detailed discussion with everyone involved. Because obviously it is a significant departure from the posture of government with respect to these institutions at the present time, and will bring about a substantial change in the role of those two institutes. If the conclusion is that they should become part of the institutions which are outside of government and therefore co-ordinated by a commission or two commissions, or whatever we end up with that will be discussed in detail with them before then.

MR. FOSTER:

I'm aware that they're not particularly excited about coming under the jurisdiction of the Colleges Commission, nor about losing their name, and I agree, I would not want to see them lose their name. They're identifiable to national organization in the sense that they are known internationally, and I refer to the Deputy Minister of the Soviet Republic who commented on this. I think that what's in a name is very important in this case.

The hon. member, Mr. Chairman, did, in fact, put his finger on a very interesting problem when he referred to the matter of the appointments to boards of governors. The hon. member, I know, is aware that we are now advertising for the communities to nominate persons to sit on these boards of governors. Quite frankly, Mr. Chairman, I regard it as one of the most important decisions this department makes, that decision being to appoint Citizen A to a board of governors. I would like to change the process as I have seen it, or the lack of it as I see it, in terms of the appointments to boards of governors, and hopefully I can so order my time and my responsibilities that I will have the opportunity of meeting personally, everyone that we recommend be appointed to any board of governors, so I have the opportunity of getting some feel for their attitudes and their ideas and their concerns. Certainly at the moment I don't know many of the members on the boards of governors. I'm coming to know them and I'm coming to know the tremendous task they have and to appreciate the job they're doing.

At the same time, if the board of governors is to be responsible for multi-million dollar operations and if, in the final analysis, government is responsible if something goes wrong -- in other words, if the buck ends here -- then I would certainly like some say in the sort of people who go on these boards and the job they do. I'm not being critical, nor do I wish to be interpreted, Mr. Chairman, as being critical of anyone on any board in this province. I'm merely saying that that decision is very, very important and I think the hon. member has raised an excellent point.

The hon. member's remarks with respect to the apprenticeship program have been discussed before and I know that Dr. Hohol and other members of the Executive Council who have concerns in that area have taken note.

May 15th 1972

ALBERTA HANSARD

50-61

---

With respect to the Science building in Lethbridge Community College, I suspect, Mr. Chairman, there may be some lack of communication on this score. I read in the Lethbridge Herald where I had supposedly instructed the college not to let those premises to anyone save government. I was interested to come across Dr. C.D. Stewart in Red Deer last Friday at a college conference and I said, "What happened? That wasn't me -- I don't recall that." And he said, "Of course not, it was an error." Maybe the hon. member is operating under the same misunderstanding. At no time have I indicated that those facilities should not be let to anyone but government. Certainly this is a decision to be taken by the board of governors of that college. I have indicated to the college that I have circulated to the Executive Council a memorandum concerning the vacancy of that building and the rather excellent facilities that are located there, in the hope that some department of government may be able to utilize that rather extensive and valuable special-purpose space. So if there was confusion, Mr. Chairman, I think the board is now settled on it. There is no confusion.

MR. GRUENWALD:

Mr. Chairman, a couple of points; I hope I didn't leave you with the impression, when I was attacking the commissions, that I didn't believe in local autonomy -- no way. If anything, I think that that probably takes away from the commissions themselves. It's just another level. This is really my concern and being a new minister I think the fact that you've got NAIT and SAIT operating as they are, not through the commission, that it should give you a good opportunity to assess the advisability of putting the colleges all under the same type of administration that you have under NAIT and SAIT or, vice versa. This is why I bring it up and I was wondering if it's possible. I realize it's difficult to do some per-student cost assessment of these institutions -- this being one of the factors and not the only one, I certainly recognize, so I just want to make sure that no one will ever think that I don't believe in local autonomy. I want every decision made locally that can be made locally and keep away from the higher levels. I believe very much in that.

A point that I didn't mention is the liaison between yourself and the hon. Minister of Education. I'm concerned and will probably discuss it briefly when the bill comes forward but, surely, there is no straight line -- you can't say, "You're in charge there and I'm in charge here." And I'm just wondering how you're going to weld the two together because, after all, there isn't any such thing as a straight cut-off from the one-to-twelve system, into the colleges, into the universities and so forth. I'm wondering how you're going to resolve these and who is going to have the final say as to what happens in some of these areas. I thought it might be rather interesting to see how you really see the two departments working, so that you can properly have liaison between the two, and so that neither one would suffer at all.

But I appreciate the remarks that you have made, and you have answered them quite well. As we go along, there will be a few other short questions I will have, but this gives me a good background. Thank you.

MR. POSTER:

Mr. Chairman, I'd like to respond to the hon. member's last point because I think it is an excellent point, and if there is confusion in his mind, there may be confusion elsewhere and I'd like to lay it to rest if I may.

I want to be very clear on this, that the Department of Education, and the Department of Advanced Education, as I see government at the moment, work hand in hand completely. So much so

50-62

ALBERTA HANSARD

May 15th 1972

---

that much of the staff of one department is in fact the staff of the other. Now at the ministerial level there is, as the hon. member may know, a Committee of Cabinet, the Education Committee of Cabinet which includes the hon. Minister of Manpower and Labour, Minister of Education and myself. I think that perhaps there can be other things done to insure the sort of communication the hon. member is concerned about. But let me assure you at the present time it is a very close relationship, and I don't really think it's a question of someone having the final say. I think, at least at the present time, we have certainly been able to work out our co-ordination and planning together.

MR. GRUENWALD:

I really meant the co-operation and liaison.

MR. FARRAN:

Mr. Minister, I don't want to delay the passing of the estimates any longer than necessary, but I just want to make one short brief point. I read a report a few months ago where the university authorities had made a rather injudicious investment with endowment funds in common stocks in that they had invested at the peak of the market, and the market had then fallen away from the '68 - '69 peak, leaving investments at some considerable book loss. I imagine the only way they can recover from such a boo-boo is to wait for the market to come back. But, while appreciating that the hon. minister doesn't want to trespass on the autonomy of these independent commissions, is there any way that you could persuade the professors of economics to not to play ducks and drakes with the endowment money, but to invest it in Alberta bonds, inasmuch as we pick up the servicing costs of their capital charges?

MR. CHAIRMAN:

Mr. Minister, would you like to have a few of the other members make their comments, and then you could reply to all of them?

MR. FOSTER:

OK.

MR. CHAIRMAN:

Dr. Bouvier and then Mr. Notley.

DR. BOUVIER:

Mr. Chairman, I'm just wondering now if we're on general comments or if we're restricted to universities, since the hon. minister took this appropriation to make his comments on?

MR. FOSTER:

I think, Mr. Chairman, we are appropriately on appropriation 3005, which is Universities Commission, if it's --

MR. CHAIRMAN:

Universities and Universities Commission.

MR. FOSTER:

That's fine.

MR. CHAIRMAN:

Do you want to?

May 15th 1972

ALBERTA HANSARD

50-63

---

DR. BOUVIER:

No, I wasn't going to speak on universities, I was --

MR. CHAIRMAN:

Fine. When it comes up. Mr. Notley.

MR. NOTLEY:

Mr. Chairman, I have three or four questions that I would like to pose to the minister of a general nature.

First of all, in dealing with the delivery of educational services, there are certain portions of the province where it makes sense to work closely with either Saskatchewan in the east or British Columbia in the west. This is particularly so in the Peace River country which is so isolated from the rest of the province. My first question to you would be: have you considered getting together with the Minister of Education in British Columbia to see to what extent the dovetailing of advanced education programs can be considered in the Peace River Bloc?

I don't really have any statistical evidence to relate to the House, but it would be my offhand estimate that there would be as many people in the B.C. and Alberta side of the Peace as there would be in the Lethbridge region of southern Alberta. If that is so, we might well, sometime down the road, and not very far down the road, take a look at a university of the North. I was very impressed three years ago, when as you recall, there was a great battle in Red Deer over the second year transfer program. The Red Deer College Board and students union prepared an excellent brief in which they argued the whole case of accessibility of university programs to young people. They made a fairly good case, to my mind anyway, that there is a relationship between the distance a person travels to university, and the likelihood of actually attending. Now of course, this is even more so in the case of the North. It's as much a problem on the B.C. side of the border as it is on the Alberta side.

So when we look at, for example, the future of a college like Fairview, perhaps we might even consider that as one of the viable options. I do know, in talking to local people in the Fairview area and also a number of the staff, that there is some concern that Fairview would become just sort of a tail of the Grande Prairie College dog, I maintain that would be unfortunate. As you know we have excellent facilities in Fairview, really some of the best in the province, and facilities which I certainly agree should be more fully utilized than they are today.

I would like your comments on the question of co-operating with the other two provinces. I gather then that this would also have some relevance in eastern Alberta and perhaps could tie in with Vermilion.

The second point -- and this again relates to universal accessibility which I feel is important. Let me explain why I feel it is important. As advanced education takes a higher and higher percentage of the budget, this year we are looking somewhere around 8 or 9 per cent of the total budget being spent in one way or another on advanced education, it seems to me that we must make sure that there is universal accessibility. This is an important principle. There should be no price tag on education.

I also accept arguments of people like Dr. Eric Hansen who maintain that money spent on education is probably the wisest investment society can make and that over the long haul, the return to society is manifold to what is actually invested in terms of public dollars. So this is one area of our expenditures where I feel

50-64

ALBERTA HANSARD

May 15th 1972

---

we have to be reasonably liberal, in perhaps some programs at the secondary level but at the advanced education level perhaps we have to watch that some of our professional people don't get carried away. But nevertheless, I think the principle of providing accessibility of service is a very important one.

Therefore, I would like your comments in a little more detailed way, on the whole question of student assistance. For example, has there been a study taken anywhere to your knowledge on what the utilization of facilities would be if we eliminated tuition fees? To what extent do tuitions fees act as a barrier to low income young people who may find that \$200 or \$300 or \$400, whatever the case may be, too big a hurdle to go to university? You have already commented on the change from the grant system to the loan remission system. I would be interested in as much detailed information as you can provide the House on that, when we get to that estimate or perhaps when you answer this particular question.

Finally, as you know, there has been a great deal of concern in the academic community over the supposed influence of foreign academics in the university establishment. I would be interested in when you feel that the Moir Report will be ready, whether you have any position on this that you can announce shortly and whether or not you feel that we should perhaps go somewhat farther on this question of scholars in our universities who come from other countries and perpetuate faculties which discriminate against Canadian scholars in the process.

I think those are the general areas that I would like your comments on, just in terms of an overall view as I see it.

I believe that expenditures that we make on education, especially higher education, are extremely prudent and wise ones and I was interested in your comments on this Ontario Report which stated universal accessibility to be the first principle. I would hope it will always be our first principle, especially when we consider that great amounts of public money are going into these institutions of higher learning. If, in any way, we place the price tag as a barrier to low income students going on, then we are indirectly discriminating against these students. In my judgment, such discrimination is wrong.

Personally, the difference between the participation rate in Canada and the United States, I think, is one that we have to take a close look at. I feel that the closer we get to this 37 per cent, probably the better off we are in society. Again, I throw this out in a general sort of way, but I don't think we can over-estimate the importance of the collective investment that we should make in education, and the benefits that the total society gain from that investment.

MR. HENDERSON:

Mr. Chairman, there are just three or four brief comments I'd like to make. They are somewhat in the form of questions. I leave it to the minister to judge which they are. Firstly, he quoted the figure of 24 per cent as the enrolment in the 18 to 24 age bracket, of Albertans in post-secondary educational institutions. I believe it was the broad term post-secondary, and not just university. You compared this to 37 per cent -- 37 per cent, was it for the U.S. figure? -- and I was wondering if the minister has any comparisons that might be a little more relevant, as far as Alberta is compared to the other provinces in Canada, and how they stack up at this present point in time.

The other thing I would appreciate hearing the minister's views on is the subject of federal government cost-sharing in some of these areas of post-secondary education. I would certainly go on record by



May 15th 1972

ALBERTA HANSARD

50-65

saying, in my mind, in some areas -- and I look particularly to the field of medical education, I feel that it's going to be increasingly essential that the federal government becomes more involved in financing some of these programs, because, as I say, we're not turning out a product that's just for the Alberta market, in fact, half of it leaves. Now that we're in Medicare, where all the employment is in the public sector that relates to medical services, it seems to me that when we look at the costs involved, and the fact that Alberta is very heavily committed towards medical education, far out of proportion to the national average, I think it can be argued quite effectively that there is the need for more federal government financial participation, even if it means that we may have to sacrifice some element of autonomy in certain areas. I don't believe it would necessarily hurt the universities as a total institution in this regard, and it may be actually desirable from both the provincial and the national standpoints. I think one has to be naive to expect the federal government to put up more money without wanting to put some more strings on it. But some of these areas, I think, should be critically examined, particularly where the employment opportunities are almost entirely in the public sector -- and I use Medicare as the most outstanding example -- where, because of the federal government's financing powers, it indirectly is influencing the major decision-making in this area of education anyhow.

The federal government's policies in the past -- I would like to refer to a health matter to some extent, but it relates to post-secondary education very closely -- we should very critically examine any of the federal government's so-called thrust programs in the educational field that relate to these areas of health services. It could very well be argued that it might be in the best interests of the province and the best interests of Canada as a whole, to see more federal involvement in some selected areas. I would like to hear the minister's comments on what the policy is, or if they're examining federal financial participation in post-secondary education in general.

One of the other things I'd like to hear the minister comment upon -- and I will say in advance, my question has some political connotations to it of a partisan nature -- we heard a lot out of the 'now' government in the last year or so, about the need for more small decentralized universities within the Province of Alberta. I think the comments of the hon. Member for Spirit River-Fairview were particularly appropriate and relevant to this subject. We also heard a lot about the ceilings on the size of the University of Alberta. I can only say that hearing you say now that we've got to wait for the Worth report before we do anything, contrasts rather sharply with the many positive statements that were being made in the political arena by the governing party in this province some few months ago. I don't intend to pursue it further and get into an exercise in rhetoric. Since the Minister of Agriculture isn't here to defend you people, I wouldn't want to take advantage of you tonight. I think the subject, nonetheless, is quite relevant. Is the government waiting for the Worth Commission before they examine this matter any further, or just what is the stand? And what is the stand on the question of the size of the University of Alberta?

The question of flexibility was mentioned so far as universities are concerned, and I would simply like to say on this count, I think it's obvious from the experience that we're undergoing relative to the decline in enrolments in universities, and the increasing pressure that's still on NAIT and SAIT, for example, the technical schools, that there simply is going to have to be more flexibility injected into the university system, notwithstanding some of the hallowed traditions that go on, that are associated with universities. And I for one, if we cannot bring this about through some basic policy of public direction through the government, would certainly favour looking more and more to the colleges to pick up some of these services, because hopefully they would have a greater

50-66

ALBERTA HANSARD

May 15th 1972

---

flexibility, and hopefully won't become so hidebound by tradition. The university system seems to me to be one of the handicaps, and I think it is in keeping with the question of flexibility you brought up relating to the Wright Report, Mr. Minister.

The question of quotas, of course, relating to flexibility -- there is nothing new and sacred about quotas. Many faculties in the university for years in this province have had quotas on them, so I think let's not get hung up on a philosophical dissertation of quotas, because there are very few classes in universities that don't have quotas on them. There have been quotas on the law faculty, quotas on the medical faculty, quotas on the dental faculty, quotas on all of them. There certainly, as I say, is nothing sacred about the question of quotas within the university system during its whole course of evolution in the province, and there certainly should be nothing sacred about that particular aspect of the university system at this point in time.

I have to look also, in relation to this, at the pressures that are coming upon the colleges -- well, we're not quite in that vote, but I'd like to bring it out at this time. I hope the minister is going to watch very closely the developments in the college system, and again I come back to my experience in the health services field, where I know there are pressures in the colleges to get into nursing programs. I use Medicine Hat as an example, where they closed the school out, and the residence sitting there empty. And then they start a college and right around, bang, they start trying to put the pressure on to get into a two year program on training nurses, in spite of the fact that there is a surplus of nurses on the market today in Alberta and in spite of the fact that the hospital division, a very few months before had closed out the nursing program. So the pressures that exist to institute new programs of that type just have to be examined very critically. Similarly in the area of NAIT and SAIT, and much of this relevant again to the health field.

It was my experience, for example, that NAIT had a program of training laboratory technicians and X-ray technologists. Through the hospitals division of the government we provided apprenticeship, or on-the-job training -- I guess apprenticeship opportunities would be the best word for it. The individual had to put so many weeks or months in, in his actual experience in the hospitals. Then, in spite of the limited demand for this type of a service in the province, SAIT soon got going and immediately a political campaign started in Calgary to open up a corresponding school, in Calgary, to do the same thing. As a consequence, I think we stopped it at the time I don't know what's happened since then, but I rather suspect it went ahead. They end up with two second-rate courses in this particular subject, one in each school, or they end up with two relatively expensive courses, that really aren't in the taxpayers' best interests.

I have already commented on the position of the second medical school within the university system at Calgary, which was brought about by one of the federal government's past thrust funds, as well as the practical politics and pressures that are placed upon the government by the communities in question. Certainly, there is no question about it, I think in total there is a lot of fat in the system which may be convenient in many cases, but I am sure this gets back to the question of accessibility of students. In many cases it would have been cheaper to have improved the financial support to students who couldn't acquire the course in the community, than seeing them go elsewhere to get it.

I think one of the biggest things that has to be examined in the university field is this prestige item. And government, I do not think, can simply leave it to the question of a commission, to set policy in these matters. Government, very clearly, has to set the policy in those particular areas.

May 15th 1972

ALBERTA HANSARD

50-67

The last comment I would like to make is on the question of accessibility. If the government are going to examine the question of financial assistance for students, certainly -- if we are ever going to equalize the educational opportunities in the post-secondary system in Alberta -- those individuals that reside outside of a community that has a university, in my mind, certainly merit priority when it comes to financial support in the realm of post-secondary education, as compared to students that have the privilege of living at home. I say this on the basis that I am sure many members have three youngsters away at university and away from home. It's fortunate at this point in time they have been able to provide this opportunity but it stands as a fact of life that the majority of the people in the province I don't think can carry that type of expense. Just the cost of room and board and maintaining students away from home is quite a problem for rural members. And I for one can't help but think that if there were going to be some changes in philosophy in the whole question of accessibility, and if this isn't examined critically -- financial support for individuals residing or coming from outside the community where the university is located -- that if they get some sort of preferential treatment, then the ongoing discussion of accessibility so far as rural versus the urban student will be somewhat irrelevant because that's one of the basic issues involved.

MR. BENOIT:

I thank you Mr. Chairman. Just a word to the hon. minister and I hope he hasn't commented on this and I missed it. I'm thinking of the relationship between the college, technical and vocational training as compared to the university. We have a decrease in enrollment in universities and an apparent increase in the other. Have we put the emphasis on the need for college training and technical and vocational training so that it has taken away from the university, or is there any relationship there in your opinion?

Mr. Chairman, I have a few remarks to make to the minister under this appropriation concerning the Faculty of Law at the University of Calgary -- [Interjection] -- I'm already being debated with a man who's talked for half an hour and I kept quiet. I would like to state that this is a very timely subject and I'm hoping the Calgary MLA's will stand up on this one and give it the proper support. When I look at the Calgary MLA's, I hope they are here, I see there are four Social Creditors in the House from Calgary and we have 100 per cent support I hope for this issue and if we look at the other side, I see the hon. minister Mr. Russell and Cal Lee and that's about 22 per cent, and so when I see the kind of support that Calgary's going to get on this issue it reminds me of a story of this general who was egging his boys on during the last world war, and when fighting got very hot, he said "Go ahead boys give it to them, I'm right behind you," and one of the boys said "How far behind?" And that's the situation here today; it appears to be that the heavyweights from Calgary on the government side are absent and this is a timely and a necessary issue -- Pardon? -- [Interjections] --

MR. CHAIRMAN:

Please continue Mr. Ludwig.

MR. LUDWIG:

We have a lot of kibitzing going on and I haven't even started yet. I think somebody ought to warn some to flee from the wrath to come if they think that I'm through with my speech.

MR. CHAIRMAN:

Mr. Ludwig, don't encourage it. Continue.

50-68

ALBERTA HANSARD

May 15th 1972

---

MR. LUDWIG:

Yes, Mr. Chairman.

First of all I want to tell you that the Faculty of Law in Calgary is being supported by a lot of outstanding people and people who are sincere about the issue, and I'll name some. They have a Steering Committee set up and the honorary chairman is the hon. C.C. McLaurin, retired Chief Justice. Chairman of the Steering Committee is Mr. W.A. Howard, Brigadier-General. Vice-chairman of the Steering Committee D.E. Lewis, Q.C. Co-Chairman, K.S. Dixon, R.J. Burns, Co-Chairmen general campaign committee, D.O. Sabey and D.C. Prowse, and the Steering Committee membership, H.B. Ballem, I.A. Blackstone, E.M. Bredin, R.J. Burns, R.V. Deyell, K.S. Dixon, J.H. Laycraft, R.A. MacKimmie, W.A. McGillivray, Chief Justice, J.V.H. Milvain and W.N. Winterton -- [Interjections] -- I have to tell the hon. minister that I was very quiet when he spoke and he was concerned that we don't mistake what he said to be his major speech and I thought we should wait and see what happens in the future, whether that was his major or if that's the best he can do, we'll wait and see.

Mr. Chairman, you know when I gave a question to the hon. minister about his position on the Faculty of Law he got up and he said "I hope that nobody thinks I'm naive enough to make a commitment on this." Well I'm going to read a letter that I have here -- [Interjection] -- Yes I will, after I read it; "The Department of Advanced Education" -- it is a letter from Mr. Jim Foster to Mr. James M. Maxim in reply to a letter that was given to him and he says:

"Thank you for your letter of January 21st relating to the establishment of the Faculty of Law at the University of Calgary, a copy which has been forwarded to my office by the Premier.

I am aware that there is some discussion in Calgary and perhaps before the Universities Commission concerning the establishment of a Law School for the University of Calgary but to date I have not received any detailed information concerning this proposal. The former chairman of the Universities Commission, Mr. Leif Erickson, requested my preliminary comment at a brief meeting some time ago and I responded by saying that I would be probably most difficult to convince, given the facilities of the Law School at the University of Alberta and our present financial situation."

Mr. Speaker, I can see here that we have an obstacle to overcome, and the obstacle is the man who should be taking some leadership in this matter. If he has not become aware of the problems and the situation concerning the faculty of law at the University of Alberta, then he should become informed. Secondly when they talk about the budget, that the hon. minister the Provincial Treasurer and all the front bench were going to trim the fat off the present budget, they should have trimmed off enough by now to have a little bit for Calgary.

I am going to read the argument from the University of Calgary on this matter. As I'm saying again there certainly isn't much, if any, support from the Conservatives on this matter, and I think that sooner or later they are going to have to account for their position on this. It says:

"On October 29, 1970, the Benchers of the Law Society of Alberta affirmed its resolution 'that the Benchers unanimously endorse the establishment of a Faculty of Law at the University of Calgary immediately'."

May 15th 1972

ALBERTA HANSARD

50-69

I believe that the hon. Attorney General is a member of the Benchers, so that perhaps we might be able to get his support.

"This resolution was endorsed at the Annual General Meeting of the Calgary Bar Association, November 16th, 1970.

On February 10th, 1971, the Subcommittee on Establishing a Faculty of Law at the University of Calgary recommended that a law school be established.

The Subcommittee's Final Report was subsequently approved by the Academic Policy Committee, General Faculties Council, and the Board of Governors of the University of Calgary, and forwarded to the Universities Commission in September 1971 where it is now under consideration."

This is now about eight months later that we are talking -- today. The argument in support of a faculty of law in Calgary is as follows:

- I. "A. The main object of the new faculty will be to ensure, by careful planning, excellence in professional legal education.  
B. Establishing a law faculty in Calgary will provide important benefits to the University and the community generally.  
C. A law faculty in Calgary can correct the financial inequity in attending law school that has been suffered by Calgary students.
- II. The cost of establishing a law faculty in Calgary is feasible.
- III. The law library in Calgary will be a valuable educational and community resource.
- IV. The faculty of law should be established at the University of Calgary by 1973."

I submit, Mr. Chairman, that if we don't get going with this project in the immediate future that it will be because of lack of support from some of the people who have paid lip service to this issue before. I'm mentioning some in the front line of the Conservative Government. I am quite confident that the Social Credit MLA's will stand and support this issue. I'm not sure about the Conservatives, but I hope that they will express their views on this, or if not, we could have a nice public forum on this issue in Calgary, which is a good place to have it.

The argument in support that a law faculty is needed in Calgary is:

1. Basically, educational excellence depends on the close interaction of teacher and student. Individualized instruction is essential in law for imparting the taught traditions of the common law, viz., skills of analysis, capacity for sound judgment, and commitment to legal ethics.
2. Initially the Calgary law school would admit 60 students. Growth over time is inevitable, but it should be orderly. A law school that grows too rapidly, or exceeds 300 to 500 students, depending on the number and experience of its teaching staff, becomes insensitive to individualized instruction.
3. The law school in Calgary would be able to draw on the expertise of members of the local Bar for teaching specialized

50-70

ALBERTA HANSARD

May 15th 1972

---

subjects, such as legal ethics, trial practice and natural resources law.

4. The Calgary Law Faculty would provide benefits to business and commerce in the city.

5. The Calgary Law Faculty would contribute to improving the practice of law in the city.

B. Without the law faculty, The University of Calgary would be less than fully developed as an advanced institution of learning for serving the community.

1. Besides complementing the University's teaching responsibilities in the liberal arts, a law faculty is needed to provide support courses in law for Engineering, Medicine, Business, Education, Fine Arts, and Environmental Design.

2. The law faculty at the University of Calgary would naturally reflect considerable interest in international commerce, natural resources law, and associated environmental problems.

3. The law school in Calgary, like law schools throughout Canada, would participate in legal aid programmes for the mutual benefit of its students and the community.

C. Calgary residents attending law school, unlike Edmonton residents, face the financial inequity of paying \$6,000 or more for living away from home for three years."

One of the main advantages in having a law school in the City of Calgary is economic. The students from Calgary who want to take law are penalized \$6,000 compared to those living in Edmonton in order to get a law course.

MR. FOSTER:

What about those in Red Deer?

MR. LUDWIG:

The cost of establishing a law faculty in Calgary is feasible.

Well, Mr. Minister, if your Premier's word means anything, you'll have a university in Red Deer and then you take up the battle for one there.

Let's deal with Calgary. Let's not deal with too many universities because you people back-pedal on your promises. Let's get this one off the ground and then see what happens further.

AN HON. MEMBER:

How about one in St. Albert?

MR. LUDWIG:

You know, instead of supporting me, the hon. members are heckling me.

"II The cost of establishing a law faculty in Calgary is feasible.

A. The space needs of the law faculty can be satisfied for the next several years by the facilities now under construction at the University of Calgary."

May 15th 1972

ALBERTA HANSARD

50-71

---

And I believe this to be so.

B. A law faculty is one of the least expensive professional schools to operate. Its only major expense is the initial funding of a law library. This \$1 million expense can be satisfied by matching grants of \$250,000 from the City of Calgary and \$500,000 from the 3 AU capital campaigns."

So the argument in favour of a law faculty in Calgary is very strongly supported in a meaningful way by the City of Calgary, by the students, by the residents, by the Social Creditor MLA's -- if we could get a couple of Conservatives behind us we might even get it.

"III The law library in Calgary will be a valuable educational and community resource.

A. A University Law Library is not only for teaching purposes. It also serves the needs of specialized research in law, especially by keeping abreast of developments in information retrieval systems.

B. The services of a University Law Library would be available to the practising bar as well as to other interested members of the community."

This is an excellent report in support of the proposed Faculty of Law and, as I stated Mr. Chairman, if we don't have one established in the near future it's because of lack of support from this present government.

I have to read into the record a revised recommendation of why this issue is so timely. One has to do with overall enrolment in the province of Alberta -- that we've reached what appears to me to be the peak enrolment in Edmonton and, rather than having lawyers come in from other parts of the province, or the world, we should provide facilities for training our own.

To substantiate this claim I'm going to read a letter that was written by three university students, Mr. Jenkins, Mr. James Maxim, and J. Elaine Howes, to Dean J.H.L. Fridman, Faculty of Law, in Edmonton:

"Dear Dean Fridman:

We would like to request some information to clarify a number of questions that the members of the Pre-Law Society have directed to us.

These questions arise from remarks made by Professor Lown to several students who had interviews with him yesterday. Professor Lown said that the number of students to be admitted to the Faculty of Law in September, 1972 would be 180; and in September, 1973, 170.

Clarification of this matter would be most helpful to members of the Pre-Law Society in planning their futures. We would be most grateful for any information that you can give us.

Thank you very much for your kind co-operation."

The reply is interesting. It was dated March 23, 1972, and it was given by E.W.S. Kane, Faculty Secretary and Associate Professor of Law in Edmonton. He said:

"Dean Fridman has referred your recent letter to me for reply. Information given you by Professor Lown is essentially correct. We are asking the Board of Governors of the University of Alberta to establish a first-year enrolment quota of 180 for

50-72

ALBERTA HANSARD

May 15th 1972

---

September of 1972. The figure arrived at for the first year enrolment is approximately the same as our present first year class and is, we believe, the maximum number we can adequately accommodate with our present staff and facilities. We would like very much to be able to bring our staff student ratio in line with other Canadian Law Schools. As matters now stand to do this we would have to reduce the size of the first year class, or add substantially to our teaching personnel. If there is no change in the situation for next year, a reduction in the first year enrolment could result however, the matter will be considered and decided upon next year."

Now this is a serious matter because the indication is very strong, and I believe it has been confirmed, that they will put a ceiling or a limit on the number of students who can be enrolled in law in the Province of Alberta, at a time when the population has been growing rapidly and the need for more lawyers in the province is quite evident. Now that is why, Mr. Chairman, this issue is timely...

MR. CRAWFORD:

There's one good one on that side Albert!

AN HON. MEMBER:

Where?

MR. LUDWIG:

Well, I'm not entirely impressed that all the brains are on that side from what I've seen today.

MR. CHAIRMAN:

Are you finished, Mr. Ludwig?

SOME HON. MEMBERS:

Agreed.

AN HON. MEMBER:

I sure hope so.

MR. LUDWIG:

What's the rush Mr. Chairman?

MR. CHAIRMAN:

I have a few more speakers.

MR. LUDWIG:

I want to give you some revised recommendations on this Faculty of Law in Calgary....

AN HON. MEMBER:

Table it!

MR. LUDWIG:

You know, when I said, Mr. Chairman, there was only 22 per cent of the Conservative candidates -- 22.2 per cent -- the other .8 per cent has just arrived -- we've just heard from him.



May 15th 1972

ALBERTA HANSARD

50-73

---

The revised recommendations: "In view of the fact that the University of Alberta law faculty reached its maximum admissions in September, 1971, it is recommended that a law faculty be established at the University of Calgary as soon as it is feasible to do so.

Beginning September 1973 (in all likelihood) a quota will have to be placed on admissions to the University of Alberta Law Faculty, and thus qualified students will be denied a legal education."

This is one of the main points that is being made, and I believe that it is worthy of consideration by all members, and support by the Calgary MLA's.

"Even if this were not so, a law faculty is needed immediately at the University of Calgary to provide service courses for the professional faculties, as well as to support the university effort in the applied social sciences.

The existing resources of the university and the Calgary Bar Association are capable of providing a substantial part of the faculty needed for beginning a law school."

I wish to stress at this point that this is not like moving a major faculty with equipment and big staff, three instructors with a dean and three professors would provide the nucleus for starting a law school in Calgary.

"The commitments of the Calgary Bar Association and the City Council of Calgary will satisfy the chief cost of establishing a law school, a law library, at a cost of \$1,000,000."

As I stated before, Mr. Chairman, there are sufficient physical facilities on the University of Calgary campus to provide the space that is needed, so you don't need any capital expenditure in that regard, except perhaps for furnishings.

"Since the University of Alberta law faculty has now reached its projected physical maximum of 500 students, there is no duplication of educational facilities."

The argument that we don't need it, it's duplication, certainly doesn't hold water any more because they have reached their limits even in Edmonton.

"Even if it had not so rapidly increased its enrolment, nearly 300 per cent over the last eight years, establishing a law faculty in Calgary still would be justified in terms of equal educational opportunity for Calgary residents. While only 38 per cent of the lawyers admitted to the practice of law in Calgary during 1960-1969 graduated from the University of Alberta law school, 83% of the lawyers in Edmonton have done so."

It's quite a glaring comparison, that we draw quite heavily from outside of the province for lawyers.

"The difference is explained by the fact that, while an Edmonton resident can live at home while attending law school, a Calgary resident has to spend at least \$6,000 for living expenses in order to attend law school elsewhere.

Assuming that the province believes in equalizing the opportunity for Calgary residents to acquire legal education, the alternative of subsidizing each Calgary law student with \$6,000 for living expenses would increase the provincial student grants 76 per cent from \$2,760 to \$4,760 yearly for such student," in order to provide equality.

50-74

ALBERTA HANSARD

May 15th 1972

---

"In addition, the space presently available at the University of Calgary is sufficient to meet the modest needs of a law faculty until the cost of constructing a law school building is financially feasible.

Thus, establishing a law school in Calgary would not only prove less costly than increasing the size of the University of Alberta law school beyond its present physical capacity of 500 students, but also would ensure against a risk of its enlargement beyond the viable size needed for quality in legal education.

The present difficulty in law graduates finding articling positions has no necessary connection with establishing a law school in Calgary. Insofar as that is a difficulty, it has been caused by existing law schools expanding their size rapidly in order to satisfy equal educational opportunity for qualified students. As long as existing law schools continue to expand, whether or not there is a law school in Calgary, the articling problem will remain."

So the argument that students can't get placed for articling does not really hold water because the supply comes in from elsewhere.

"The low ratio of lawyers to population in Alberta, especially outside Calgary and Edmonton, where there is only one lawyer for 4,500 persons (the ratio in Calgary and Edmonton is one per 900) indicates that the social need for legal services has not yet been adequately met. Moreover, unlike other professions, such as engineering, education, and medicine, legal skills are adaptable to government, business, and politics. These, as well as other legal opportunities, such as legal aid, are likely to increase in a society becoming increasingly more complex because of more urbanization and industrialization."

Mr. Chairman, I wanted to get this view on record in order that it be made clear that certainly the pressure and the agitation and the fight for a law faculty in Calgary is well under way. I would certainly appreciate hearing from the Calgary members, on the other side if they are interested at all, and perhaps from the Attorney General who is a lawyer, from the Premier who is a lawyer, and from Mr. Dickie, the hon. Minister of Mines and Minerals, a Calgary lawyer. I would like all of them to -- [interjection] you know a doctor should never, never heckle a lawyer because they always come off a poor second. But I will let you pass this once -- [Interjection] Except Dr. Horner, he doesn't stop, he sort of overwhelms you with a barrage of words that -- you can't break the sound barrier when he is heckling you.

But, Mr. Speaker, I invite the Calgary MLA's, the hon. Member for Calgary North Hill -- and there is only one left now -- and as far as I am concerned, if they don't stand up for this issue and fight for it, whether there is one in there or none, it wouldn't matter very much to Calgary, Mr. Chairman. So with those few brief remarks, Mr. Chairman. . .

MR. FABRAN:

Would the hon. member permit a question?

MR. LUDWIG:

I want to make it plain that the need for a law faculty in Calgary has been established, certainly well supported by the residents, by the Benchers, by the judiciary, by the lawyers, by Council, and I will say by the people of the city. So all we need to

May 15th 1972

ALBERTA HANSARD

50-75

do, as I stated, is get some support from the government and we will have a law faculty in Calgary.

MR. YOUNG:

Mr. Chairman, a couple of brief comments. Some of the items which I had intended to mention have already been discussed. I do want to comment on a concern which I have arising out of the change in the enrolment ratios or the total enrolment which has occurred recently in universities and relate that to a comment made by the minister -- actually I think it was a question the minister tossed out to the Assembly -- had he not tossed it out to the Assembly I would have tossed it to him -- it had to do with the rate of participation. I am concerned to see the falloff in university enrolments concerned over the long-term effect which this may have for Alberta and for Canada.

On the matter of leadership, with respect to rate of participation, I would like to suggest, as a government, we have a role to play here, so in terms of response to the question you asked, that is my particular feeling on it.

I have a further concern arising out of what I observed to be quite a variety of channels of acquiring advanced education, or advanced training for work. I am concerned in a number of respects. First of all, I note that we have university, we have college, we have vocational school. Last fall I attended a conference and Dr. Sylvia Ostry, who is quite well known for her work in Manpower, was speaking. She made the point, rather strongly, that either Canada is out of step with the rest of the world, or the rest of the world is out of step with Canada, when it comes to training people. In fact, we have concentrated far too much of it, in her opinion, in our formal institutions, removed from the workplace. She suggested that we should be taking a pretty hard look at how much training we might expect industry and the workplace to carry for us. So I toss this out as a suggestion. It's a concern of mine, too.

It's a concern in another manner, in that the Department of Labour and Manpower has some responsibilities now, in this area, and I would just beg of both the hon. ministers that this not become unco-ordinated, because I think it very easily could.

A related concern arises out of some of the federal government programs which have been instituted -- and I'll express it in the most cynical of manners -- as a sop to soak up the unemployed and to get them off that unemployment percentage figure, or to lower that figure. I'm afraid of what this may mean in the long haul, for incentive for students to continue on in a direct route through a formalized training program. I just wonder what this kind of programming does for the incentive of those students, except that it's probably on such a discontinuous, unassured basis that they may choose not to rely on it.

I have a couple of small comments to make as we hit a couple of the estimates. I have only one other comment now, and I should have made it before the hon. member left his seat, because it has to do with lawyers in Calgary -- [Interjection] Don't bother. He can read it in Hansard. My comment is to this effect. It was only about four or five hours ago, today, I believe, I listened to a very impassioned plea for more court reporters in Calgary. It seems that the lawyers we have already in Calgary are so wordy that the court reporting system is six months behind. So I really question whether we ought to have taken all of that plea as earnestly as the member would wish. Thank you, Mr. Speaker.

50-76

ALBERTA HANSARD

May 15th 1972

---

MR. STROM:

Mr. Chairman, I just wanted to make a short comment, and then ask a question. You referred to the Banff School of Fine Arts, but I don't recall the point you made. My concern is that, as you recall, this institution has had a unique position in the province. At the time of transfer to the Calgary University, there was some attempt to change it, and as a government we intervened and insisted that it should carry on with its role, as it had in the past. My question to you is, is it the government's intention to ensure that the Banff School of Fine Arts will continue with this unique role that they have had? [Mr. Foster nodded] I have my answer. Thank you.

MR. DRAIN:

Just some general questions, here. What is the loan loss ratio on student loans? That's one question.

Another thing that I'm interested in knowing is, how are the quotas set for, say, the medical profession, the dental profession and the law profession? I suppose this relates to the physical facilities that you have to handle them. Probably, I answered that myself.

Now, another question I wanted to ask. I'm now thinking about Bill No. 50, and our \$50 million allocation towards rural development. Are we developing through our post-secondary educational system, the entrepreneurs with the know-how to go into rural Alberta, who, because of this education, may have the ability to make this program a success?

Another thing I wonder about -- and I realize I tread on very dangerous ground when I talk about education, this being a subject in which I have not been particularly endowed -- however, looking at it as a taxpayer, and I have to admit that I am a taxpayer, in fact, the government insists that I be a taxpayer, whether I like it or not -- in fact, if I'm not, they write me letters -- shouldn't education be geared, one, to the demand?

Basically I would say it must be very disillusioning to young people who, because of the propaganda mill that we have had in the last eight or ten years, and certainly you could see it in our public schools, where they have it all written on the wall -- the amount of earnings that you can achieve by arriving at a certain ratio of education -- should not this, therefore, then be education geared towards the demand? And then, should there not be a relation to ability?

I would say this is another disillusionment, because, from my assessment of the university programs and so on, they are geared, or they were geared at one particular time, to a certain level of achievement. Seemingly with the broadening of our educational concept, we have made the educational facilities fit the type of students that we develop. Whether this is right or wrong, I don't know. What we have done, it appears to me, is that we have established education, and specifically university education, up to this point in time, as a status symbol.

These are some of the things that I just throw out. I certainly would like some comments on them anyway.

MR. CHAIRMAN:

Mr. Wilson.

MR. WILSON:

Mr. Chairman, I would certainly be remiss if I did not go on record as being solidly in favour of a faculty of law at the University of Calgary. Inasmuch as the Benchers of the Law Society

May 15th 1972

ALBERTA HANSARD

50-77

---

of Alberta unanimously endorsed the establishment of a Faculty of Law at the University of Calgary immediately, and this motion was also endorsed by the Calgary Bar Association, the subcommittee on establishing a Faculty of Law at the University of Calgary recommended that a law school be established. This subcommittee's final report was approved by the Academic Policy Committee of the General Faculties Council and the Board of Governors of the University of Calgary. The City of Calgary has gone on record as being in favour of a Faculty of Law at the university.

The Faculty of Law at the University of Calgary would improve the stature of that university and bring many benefits to the City of Calgary generally. A law faculty in Calgary will make it possible for many students to take law who now cannot economically afford to do so.

Legal aid has often been mentioned in this Legislature, and a Calgary law faculty would assist the community in this regard.

A law library in Calgary would assist all practicing lawyers as well as the community in general, as a resource and reference source.

If we don't establish a law faculty in Calgary by 1973, there may not even be room in Edmonton for those students who can afford to move to Edmonton to take law.

It is my understanding that the majority of new lawyers called to the bar in Calgary do not come from the University of Alberta, but the situation is reversed in Edmonton. From this I conclude that, without a law faculty in Calgary, we are discouraging Alberta students from practicing in or close to their home town, and in fact are importing lawyers to Calgary from out of the province. This policy certainly does not encourage individual achievement by students in Calgary who might well become lawyers. Calgary law students do not all go to the University of Alberta now. We are, in fact, exporting talented students to other universities and communities at extra expense to their families and themselves.

I contend equal educational opportunities are a factor. Assuming a law student lives at home in Edmonton, it now costs a Calgary student at least \$6,000 more for living expenses. In the long run, a Calgary law faculty would be much more beneficial and more economical than offering free room and board to out-of-town needy students. For example, 60 law students at \$6,000 each for three years comes to \$360,000, which is drained out of the Calgary community, which is more than the operating costs of the law faculty.

I would like to bring forth another argument, Mr. Chairman. There is one community in Calgary of approximately 3,000 families, that has between 18 and 20 per cent of the residents on welfare assistance. Approximately two-thirds of those receiving families were maintained by divorced or deserted women. Now then, this is not to suggest that these people lack natural ability, rather it would be that too many of them experience an environment that is not congruent with the one customarily expected. The chances of a student from a community like this raising \$6,000 to go away from home for a university education are indeed slim and some of them do indeed want to become lawyers.

Four years ago, no students from a high school in that community attended university. In recent years the number has been steadily climbing due to an increase in opportunities at the University of Calgary, exposure to the university environment, aware community leaders who care, and an outstanding high school staff.

Well then, Mr. Chairman, it seems to me that the law faculty in Calgary would be of considerable benefit to just that one community. I understand that it takes approximately \$1,000,000 to fund a law

50-78

ALBERTA HANSARD

May 15th 1972

---

faculty library. The city of Calgary has offered \$250,000 towards establishing such a library at the University of Calgary.

Mr. Chairman, I think that it would be fitting for me to quote from an editorial from the Calgary Herald, in part at least. It says as follows:

"Fear that a second law faculty in Alberta might lead to over-production of lawyers doesn't appear to be too valid. The development of a full-fledged law school will take time. At least five years will pass before it's first graduates enter the legal profession, and although current Alberta graduates may have had some difficulty securing jobs, there is little indication that this situation will be permanent. Indeed during the next decade the demand for lawyers, not only by the public but private business and industry is certainly to increase."

There are then, two fundamental arguments in favour of a law school in Calgary. The first, is that new lawyers continue to be needed, the second is that young people want greater accessibility to legal training in this province than is currently provided at the faculty of the University of Edmonton.

MR. HENDERSON:

Mr. Chairman, I would not want to let this opportunity pass in view of my earlier comments on this particular subject of planning and the avoidance of unnecessary duplication of services in the field of higher education.

I was hoping one of the members of Calgary's opposite side of the House would get up and support the proposition of needing a law school in Calgary so I could very appropriately say a plague on both your houses. Quite frankly I would hope the government doesn't rush into the subject of a law school. I point back to experience and commitments made by the previous administration in the field of medical education. Because of the extremely heavy commitment and the fear that we're going to -- if the financial bind gets bad enough we could -- end up with two second grade medical schools instead of one good one. I don't think this would be a service to the people of Alberta nor a service to the medical profession. I think the same thing might be said about the law schools.

Probably being a member who doesn't have a university in his constituency and probably never will have, I might be able to bring a little more objectivity to the question than the urban members. I think nothing better demonstrates the bias of all the arguments in favour of having another law school in the province of Alberta than the statement that was read into the record by my colleague, Mr. Ludwig, to the effect that one of the reasons why we need another law school is because after all lawyers are in a position to contribute much more to government than engineers are, and architects are, and doctors are, and all these professions. Well, very clearly anyone who has that strong a bias in the professional sense is completely lacking in any degree of objectivity. I suggest Mr. Chairman, that it causes me to negate the complete arguments notwithstanding some of the names that were on the lists that were read out for those favouring another law school in the province of Alberta.

I was about to say or tempted to say -- and I guess I might as well say it -- probably the last thing we need in the province is more lawyers. So that argument really just doesn't hold any water.

I would favour the second medical school, or the second law school in Calgary if those advocating were going to pay the bill. But, since they're not, I suggest Mr. Chairman, that the government I hope would apply very critical appraisal to the need for two law schools in the Province of Alberta in terms of the citizens of

May 15th 1972

ALBERTA HANSARD

50-79

-----

Alberta, not the citizens of Calgary, not the law faculty of Calgary, not the wishes of the empire builders in the University of Calgary, but what's in the best interest in the people of this province.

I felt the fairness in what I had said earlier to the hon. minister about the absolute necessity in the future of critically examining these areas of duplication. Notwithstanding the eloquent plea that came from both my colleagues on this side of the House, I would have to rise in my place and publicly disassociate myself from the expressions and opinions that they have offered, because with the problems that government faces -- this is the taxpayers of Alberta that face this question -- in my mind it overrides the question of partisan politics by a wide margin. I don't want to be critical of partisan politics -- I'm a great believer of it myself -- but on this particular case I find it difficult to follow all the weighty arguments that urge the establishment of a second law faculty within the Province of Alberta.

MR. HO LEM:

Mr. Chairman, I would like to direct a couple of comments to the hon. minister. First of all I would like to say that I support the plea of my colleagues in support of the law faculty in Calgary for a number of reasons other than the ones already recited.

As you know, in Alberta the number of high school graduates going on to university is certainly higher than any other province on a per capita basis. We feel, with this in mind, that certainly we should provide more facilities. When you consider again that in Alberta we have more export of our students graduating from Alberta going on to other universities and other places of higher learning in other provinces seeking higher education -- so having that in mind it would certainly prove that there is a great need for more facilities, whether it be in the faculty of law, medicine, or whatever courses we have presently offered in our Alberta universities.

Having said that I would like to bring your attention to some of my thoughts regarding more autonomy for institutions such as the SAIT and NAIT. I feel that perhaps we now should consider establishing local boards to run these institutions on a local level, made up of local citizens. In that way you would encourage more participation from the citizens, and in that way, of course, you get more local autonomy.

Presently, as I understand it, the department is now running these institutions and I don't think that is the real intention, nor is it policy of the government. I would certainly like to hear your comments on that.

MR. MINIELY:

Mr. Chairman, the hon. Member for Wetaskawin-Leduc has actually put it very well. It always amuses me, as a Provincial Treasurer, to watch certain members on the other side with their pet projects. Obviously they have not had to go through the exercise that the members on the government side have.

I would ask -- I was mentioning to the hon. Government House Leader and he said I would be out of order -- I was intending asking the hon. Member for Calgary Mountain View, or the hon. Member for Calgary Bow whether they would rate this as a higher priority than implementing more mental health reform, whether they would rate it as a higher priority than what was done for senior citizens? Certainly if they say we should do all, and we should do both, and we should do everything, I would ask my next question -- and I understand I would have been out of order -- would you ask us to increase taxes in order that we can implement all the pet projects that you would want implemented on the other side? When you accuse this side of not

50-80

ALBERTA HANSARD

May 15th 1972

---

supporting you or members from a particular constituency, you certainly are playing partisan politics, because you can talk all you want on the other side -- you don't have to implement it. You don't have to worry about where the money is going to come from. We have to worry about that on this side.

MR. FARRAN:

I don't think I can be accused back home of sitting on my butt and letting down the home team, so I just want to say a few words here.

I'm open to argument, but I must confess that I have detected no ground swell in my riding of Calgary North Hill which would indicate concern about a shortage of lawyers in our city. On the contrary, I've heard a few firmly expressed opinions that there may be too many. However, if a petition were presented from the men and women on the street pleading for more lawyers, I might change my mind. More astonishing things have happened. If there are some obstacles in Calgary to the proliferation of lawyers I would remind my friends on the other side of the House that every cloud has a silver lining, all blessings are mixed.

The real fundamental argument against duplication of facilities at both universities is the one advanced by the hon. Provincial Treasurer, that duplication causes increase in cost and at the moment we're trying to get maximum value for every dollar we spend. My information is that the City's rather unofficial offer of \$250,000 for a law library was not universally popular among the property owners, anyway in Calgary North Hill.

If there were a substantial endowment offered by the private sector, particularly by the profession itself, then perhaps the situation might be different and somebody could have another look at it. If there was an indication of widespread public opinion in support of a law faculty, and I can't detect it at the moment, we might have another look. I'm talking about a grass roots movement as opposed to pressure by a small group.

Now I don't think it's out of line to think of a faculty of law somewhere down the line for the University of Calgary. But for the moment, I suppose, you've got to digest the new Faculty of Medicine which is only just off the ground. We can only bite off so much you know and be capable of chewing. So I would say that we should wait for a few years and see how we get along with the Faculty of Medicine.

MR. CHAIRMAN:

Mr. Taylor.

MR. TAYLOR:

Mr. Chairman, I might say that the few words by the hon. Provincial Treasurer expressing his concern for the taxpayer were very refreshing to most of us.

MR. CHAIRMAN:

Mr. Minister, are you ready for a brief reply?

MR. FOSTER:

Mr. Chairman, I didn't realize there was a vote in my estimates for a Calgary law school but I guess there is. I think I had better get back into this before we end up debating the law school all evening.



May 15th 1972

ALBERTA HANSARD

50-81

There was some concern expressed concerning a loss in investments that one of the universities may have taken. I am aware generally, of the situation. I think the original reports on that were quite exaggerated through no fault of anyone. The Commission and the university involved can provide any interested party with the details of the situation. I don't have them at hand. If you would like them I can certainly get them.

With respect to the inquiry concerning interprovincial co-operation I said in my earlier remarks this evening that I was not going to get involved in comments on the Post Secondary Educational Council which exists in the provinces of Alberta, Saskatchewan, and Manitoba. I see now that it is appropriate that I should have because this is an excellent point and something that is of some concern to me.

I have had meetings with the ministers of both of the other provinces and have not yet talked on terms of co-operation and cost-sharing, etc., with British Columbia. Just last week I was discussing the matter of the Grande Prairie College and its relationship to B.C. with Henry Kolesar and Henry Anderson -- Dr. Anderson being the President of the College. We concluded that it would be appropriate after the House is concluded this spring -- whenever that might be -- that we should take a trip to British Columbia and talk about it.

I was hoping that some discussions had taken place on that score and I gather they have but not at this level of government and I'm anxious to do that. Certainly we have, with respect to Saskatchewan's overture into the community college area, and we are in close contact with Regina on this, particularly because of Vermilion and to ensure that we are not working at cross purposes.

I am not aware whether or not there are any studies with respect to effect on enrolment or student interest, were any government to eliminate tuition fees. I don't know, as a matter of principle, I think, personally, that a student should pay a portion of his costs. But we could debate that all night.

On the matter of cost you were referring to Dr. Hanson, and I think he is also the one who projected by 1981 education in this province could consume \$2 billion of the taxpayers' dollars. That's perhaps an irrelevant aside -- but something that frightens all of us.

With respect to the inquiry concerning the non-Canadian academic staff members at our universities, I think it is only fair that before we start passing judgments on the growth of faculties, and how that may have been influenced by certain non-Canadian people in that faculty, that we should have the facts and I am hopeful that the Moir report will provide some facts.

I don't have with me, although I am sure I can get it, the participation rates of the other provinces and I certainly agree with the hon. Member for Wetaskiwin-Leduc when he was talking about greater participation with the federal government and cost-sharing programs, particularly in special areas like medicine, and areas where we are training very expensive personnel, recognizing that universities don't respect any provincial boundaries -- much less national boundaries. And I think that the federal government has a greater role to play in funding with the provincial government. I know that my friend, the hon. Minister of Federal and Intergovernmental Affairs would agree with this, and that we are, in fact, approaching the federal government. As a matter of fact, the three ministers from Alberta, Saskatchewan, and Manitoba are approaching the federal government right now with respect to external affairs policy on non-Canadian students, and federal participation in terms of increased financial contributions to the provinces.

50-82

ALBERTA HANSARD

May 15th 1972

---

With respect to the inquiry concerning this government's policy of decentralization of universities and colleges, and in reference to comments made by 'now' ministers -- former members of the opposition -- my only observation would be, I don't think the philosophy or policy has changed, but if the academicians and educators were taken by surprise within the last year or so with enrolments, so were the politicians, and perhaps that's a convenient excuse for the moment. Needless, to say, as the House knows, I'm looking at the matter in Athabasca, and I --

MR. HENDERSON:

What is the enrolment at the university at the present time?

MR. FOSTER:

Pardon? Dr. Wyman, I think, feels that the enrolment of the University of Alberta will remain approximately the same, or 18,000, and I gather the former government said that the University of Alberta should not be larger than 25,000. I really don't know the basis for this. I think it was probably because this was decided to be the maximum that site could carry from a city-servicing point of view and other yardsticks. I don't know that there is anything magic in numbers. I don't think I am prepared to say at this point that we want to have the University of Alberta at 20,000 or 22,000. But we now, thank goodness, have a breathing space, or we appear to have, in terms of the growth of universities in this province. I think the question is well put, and something we have to consider, not unrelated to Athabasca, not unrelated to further development of other universities, not unrelated to new faculties, and I prefer to make my subsequent remarks concerning law schools in relationship to new faculties generally, rather than in the school of law, which I will.

There is, in fact, program co-ordination between NAIT and SAIT. There is a suggestion that NAIT was going off and doing one thing and SAIT was doing another, and perhaps they were working at cross-purposes in terms of the provincial scene. If the hon. member has a particular program or course in question, I'd be happy to check on it, of course. But there is in fact, program co-ordination.

A very interesting question was raised concerning the provision of equal opportunity by juggling provincial student finance, the suggestion being that perhaps students from a remote area should obtain greater financial assistance from government to take their university or college training elsewhere because students living in the urban areas where these institutions are located don't have to pay as large a portion of the costs. That is an appealing point. We may not be too far from the day, Mr. Chairman, when having decided, or having somehow arrived at a maximum for a certain university or college, the students served in the immediate community by that college may be encouraged by government to travel several hundred miles, for example, to the University of Lethbridge, to utilize those facilities, recognizing that we just cannot afford to build a college or a university in every urban area of this province. Perhaps we have to provide some incentive to students to travel elsewhere to take their university, and therefore utilize the facilities of a remote campus.

The question was raised whether or not emphasis on colleges and vocational and technical education had in some way prejudiced the universities in the province. That comes at me from a different point of view. The vocational and technical people and the colleges, I think, are the people who say that the universities have benefited to the detriment of the colleges and the vocational and technical educations. I really hadn't thought of it in those terms. The hon. Member for Pincher Creek-Crowsnest was discussing this.

May 15th 1972

ALBERTA HANSARD

50-83

---

With respect to the law school which seems to have concerned a number of members in the House, let me say that my letter quoted by the hon. member who has now left -- my 'difficult to convince' letter -- was followed by a subsequent letter which I think, hopefully, clarified the situation. It was a letter to the pre-law students of Calgary and I have talked to them -- wherein I said, and I firmly believe, that before any new faculties are established in any university in this province, obviously the Universities Commission wants to be satisfied as to the economic and academic feasibility of that move.

You may recall earlier remarks tonight when I was talking about what I called institutional self-interest, the desire for every university to grow and grow and grow and attract all the major faculties and become, in fact, the most complete university on the face of the earth, only to be followed in desire, at least, by other universities located elsewhere. I am not commenting directly on the law school at the University of Calgary, but I am adopting the philosophy of the hon. Member for Wetaskiwin-Leduc that I think the commission has got to be fully satisfied as to the academic and economic feasibility, and that we cannot go on building new faculties in universities simply because certain individuals would like them.

Much has been made, Mr. Chairman, about the Benchers' endorsement and for those of you who glibly read from a report that says the Benchers endorsed this in 1971, I would suggest you go back and talk to the Benchers. I haven't got their opinion in writing but I am in touch with the Law Society of Alberta and I would suggest that if you want to say the Benchers endorse it, if you reconfirm, because I have reason to believe that is not the case. I don't think that any further comment on the law school is necessary. It is something that is of great personal concern to me. Members of this House know that my background is law and I am not unfamiliar with what is involved in the Faculty of Law and the relevant considerations. But I am personally -- would be if it were my decision which it is not entirely -- difficult to convince on any new faculty and I think the consensus and the feeling of this House is the same.

I think one thing we have to be very careful of is to recognize -- as I said earlier -- that universities don't respect provincial boundaries. They don't even respect national boundaries. You cannot talk about the supply of a certain kind of professional in this province without knowing what kind of training facilities for that profession exist elsewhere. I think we have got to begin to think in terms of Western Canada when we are talking about graduate and professional schools.

One question was raised concerning self-government of the institutes of NAIT and SAIT. I did deal with this in my earlier remarks. I said that this is tied up in the policy decision whether or not the Department of Advanced Education should be directly involved in the operation or administration of any educational institution. At the moment we are. I don't want to make excuses but I think it is important to see what the Commission on Educational Planning has to say about this. I have some personal opinions about it. It is a subject -- that is, the self-government of those institutions -- that we are discussing at the moment and looking at. The point is well taken but it is not a decision at this stage.

MR. HENDERSON:

Mr. Chairman, I have one question the minister missed and I am particularly interested in. It is the question of 24 per cent participation in Alberta in the 18 to 24 age group. He compared it to a United States figure of 37 per cent. If the hon. minister has any figures that are up to date that compare Alberta versus other

50-84

ALBERTA HANSARD

May 15th 1972

provinces in Canada, or the national average for Canada as a whole, I would be particularly interested in having them.

MR. FOSTER:

I think I said, Mr. Chairman, that I didn't have those figures with me. I could get them if you would like -- and obviously you would like -- so I will.

DR. BOUVIER:

Mr. Chairman, since the topic I want to raise has been discussed already, I guess I will be in order if I discuss it some more. We have touched on a point that is very, very close to my heart. The hon. Member for Calgary Mountain View first raised it and he suggested that it costs \$6,000 more for a student from Calgary to attend the University of Alberta in Edmonton than it does for a student from Edmonton. I maintain that the same applies to a student in any other place in Alberta, not just in Calgary. The excuse in the past, when I raised this several times with the old administration, was that the grant system used to take this into consideration. But now we have eliminated the grant system and we are making loans. I maintain that the loans do not take this into consideration. If they make a bigger loan, you still have to repay it. Since the hon. minister said he was reconsidering this and would possibly look at it, he wasn't happy with it, I'd like to suggest that this point be kept in mind, and maybe grants could be made to students who have to travel to another locality to attend university -- not perhaps the student who leaves a city that the faculty is in to attend another city, just because he happens to like the school there better -- but in the situation where someone from the north has to come to Edmonton, or has to go to Calgary to attend school. I think that living allowance is probably the most expensive part of what the student has to pay. I can vouch for that, because I've got students in university now -- my own children -- and the biggest item is living away from home. Therefore, I think this is one item that we should certainly take into serious consideration. If we're going to make any type of grants to students it should be towards having to live away from home.

MR. DIXON:

Mr. Chairman, there are a couple of points that weren't touched on tonight, and one I'd like the minister to enlarge a little on the Garneau area here in Edmonton. Owing to the fact that it looks like our university will not be growing as fast as it has been previously, that area is beginning to look like a disaster area, if you don't mind me saying so, Mr. Minister, and I think something should be done, either to go ahead with it, or do something to brighten it up and make it part of Edmonton. Apparently, it's been going downhill ever since this major expansion project was advocated for that area, but it has slowed down, and it's quite noticable, and if you drive through there, it's not a nice sight. It could be improved on by the people themselves in the area, if they knew a little more of what the actual plans are for the rest of the houses still in the area that haven't been utilized.

While I'm on my feet, I would like to touch briefly on the proposed Calgary law faculty, because I believe you're going to have a greater pressure from young people wanting to go into the law faculty than any other faculty, because I think we're filling the field up with professional social workers, and so you're running into more people today -- young people in particular -- who wish to get into law, they claim because of their social conscience. I'm not saying that the present lawyers haven't social consciences, but I think the law for many years, was something to do with corporations and the like, and many of the younger people today, are more interested in going into law because they look upon that as an outlet

May 15th 1972

ALBERTA HANSARD

50-85

-----

that will give them extra experience to be able to defend the so-called downtrodden and under-privileged, or whatever word you want to use. But I believe we are going to have a continual pressure for more and more lawyers.

In Calgary, if I understand the argument correctly down there from the people I've talked to, the facilities are there now, because the major expenditure would be for the law library. The City of Calgary has offered to put up \$250,000 and the law profession itself claim they'll put up the other \$250,000, and so if the provincial government and the three universities' fund-raising commission could split that \$500,000, they could get the law library there at not too great a cost to the taxpayer.

I was amused at what the hon. Provincial Treasurer was saying, but I was pleased that he saw the error of the ways of the former 'now' party, because, last August there were going to be universities all over the country -- anywhere with over 5,000 population, if they were elected, and there was even one promised for his own City of Red Deer. I'm not opposed to it, if they can say they need one there, but apparently they're arguing now that we don't need it quite as badly as we did back last August and July.

Another thing we heard a lot about was universal kindergartens. Boy, that was another \$20 million expenditure that was going to be implemented immediately, and things like that.

MR. HYNDMAN:

When was that?

MR. DIXON:

That was said last year.

MR. HYNDMAN:

Where?

MR. DIXON:

On your platform.

MR. HYNDMAN:

O.K., you show me where.

MR. DIXON:

Yes, I'll be pleased to.

MR. CHAIRMAN:

Mr. Dixon, you've raised something that's not in this appropriation.

MR. DIXON:

What I'm trying to say is that the hon. the Provincial Treasurer is saying that we, over on our side of the House, are advocating a lot of expenditures because we're over on this side now, rather than over there. I'm just trying to remind the hon. members opposite that they made a lot of promises, and thank goodness they've realized that they can't do them without causing a lot of tax increase, which we tried to tell them seven or eight months ago. It's nice to see that the chickens have come home to roost.

50-86

ALBERTA HANSARD

May 15th 1972

---

MR. MINIELY:

That's sour grapes.

MR. DIXON:

That's no sour grapes at all, hon. minister. It's fact. You know, I love to remind people of what they said, and I'm pleased that the hon. minister is just like the elevator sign you see down there at Nisku. I'm always pleased. "There's joy in heaven when one sinner has repented." This is fine. What I'm trying to say is that we get so worked up and we create a certain amount of interest, and as Calgary members, I think if our constituents are anxious that something should be done, we bring it forward to this Legislature, and, of course, the government in its own good time will be the one that implements it, not us. But we shouldn't be afraid to talk about it. I think it should be looked at, and should be looked at seriously, in light of the fact that there are buildings there that could be utilized if we could see our way clear to get the law library, because Calgary uses more lawyers than the rest of the province put together. So we can use them down there.

And I love this idea of the social consciousness, because I am sure that once we get more of the lawyers that want to go in for social consciousness, well, we'll have a greater and a greater province and a greater Canada. But I just couldn't sit here in my seat tonight and not remind the hon. members opposite, after hearing the Provincial Treasurer say that we were wanting to spend a lot of money, because they were the big money spenders, not us. That's all, Mr. Chairman.

Appropriation 3005 total agreed to \$4,380,000

Agreed to without debate:

Appropriation 3006 Colleges \$11,000,000

Appropriation 3007 Colleges Commission

MR. YOUNG:

Question. I note that the allocation for grants has increased very substantially, and I assume that to be administrative charges. Is that correct? And if so, why?

MR. CHAIRMAN:

That's under Appropriation 3006? You are talking of those grants?

MR. YOUNG:

No. 3007 is the one that you are on, if I'm not confused.

MR. MINIELY:

Mr. Chairman, the reason for the increase in the appropriation -- these are grants which go to the commission as well, I understand -- is due to the increase in commission staff to accommodate the transfer of all nursing and allied health programs to the college system. Those are the notes I have.

Appropriation 3007 total agreed to \$ 315,710

MR. COOPER:

Just one brief comment on the Colleges Commission, it was my intention to ask a direct question regarding the Colleges Commission as related to the agricultural colleges. However, the minister, in his address, did answer my potential question in a general sort of

May 15th 1972

ALBERTA HANSARD

50-87

way, without saying what I would dearly love him to say, so I would just make a brief comment.

On June 10th, 1971, the Alberta Colleges Commission recommended to Cabinet that the Vermilion, Olds, and Fairview agricultural colleges be incorporated as public colleges under The Colleges Act, thereby becoming members of the Alberta public college system. This recommendation is contained in the second annual report, 1970-71 of the Alberta Colleges Commission, which the Department of Advanced Education tabled during this present session of the Legislature.

Again, back in 1968 the commission to study and report on post-secondary education made the same recommendation. These recommendations, Mr. Chairman, are the clear-cut, definite result of studies and consideration by specialists in education. I do hope that the minister will soon approve of the recommendation of the Alberta Colleges Commission.

MR. HENDERSON:

I just want to go on record on one item here, regarding the transfer of the nursing-training programs to the Colleges Commission. I would like to suggest to the present government that I think this will prove to be a mistake, because one of the real pressures and basic reasons that the nursing association really had, for wanting to see the program transferred was because as long as it remained under the Department of Health, the program was receiving some very specific direction as to enrolments and so on. Now that it has been transferred into education, it places it in the category of becoming education for the sake of education, training nurses because they make good mothers, and so on, completely divorcing it from the question of need within the Province of Alberta for this particular type of qualified person.

I suggest also that in some other areas where this trend is being reversed, it has proved to be, I think, a backward step. Because, fundamentally, the role of a nurse really boils down to the question of human relations. I don't give a damn who the instructor is, you can't learn it in a textbook. It comes from practical experience, and transferring the nursing program out of the hospitals and putting it into education, I can't accept as in the best interest of patient care basically in the hospitals. In view of the past experience I've had in this subject I certainly wouldn't hesitate to stand and say it's a mistake because just at a point in time when the government, I feel, has to assume a greater degree of responsibility in directing these areas it has abandoned responsibility in this area when it places it directly under education. And, as I say, I indeed regret to see that the government has yielded to the pressure that I know was there. If anything I think the Department of Health should have been exercising a greater degree of direction, not abandoned direction in this particular program.

MR. DIXON:

Mr. Chairman, I would like to get up and support the very thing that the hon. former Minister of Health was saying because we have a situation in Calgary where I have a number of nurses who are quite concerned. But what really gets me on my feet was last night I was talking to the chief pathologist from the Cedars of Lebanon Hospital in California, and he was telling me that it would be a mistake because he was pointing out that they were having problems in getting a certain type of hospital staff to begin with. He said you take the student nurses out of the hospitals, it's going to help compound that problem and it is better to keep them in association with the patients because the fact is that our hospitals are getting so large.

There was another point that he touched on, and this has really nothing to do with education, but he pointed out the fact that once a

50-88

ALBERTA HANSARD

May 15th 1972

---

hospital gets over 400 beds, communication really breaks down. So what I'm trying to say is this that I think it's very important that we should reconsider this problem with the nurses, and I feel they should be spending more time in hospital and less time in the classroom. It would work to their benefit and they could also get the educational qualifications just as easily in the hospital.

I too, would like to go on record as favouring no change -- at least I shouldn't say no change -- but not too drastic a change that would have the effect of taking the nurses from the actual hospital training, shorten that training period within the hospitals and make it up in the classroom -- I think it could be done just as successfully by leaving it in the hospitals as it is today. If there need to be some improvements, if they need more academic training this is fine, but I think they can get that academic training just as easily in the hospitals.

MR. FOSTER:

Mr. Chairman, I think that I have commented on this matter before when it came up by way of a question in the house and the answer to that was with respect to the past report, that this is something we were looking at, but we were certainly not committed to it and we'll be moving very slowly. We appreciate your remarks.

MR. GRUENWALD:

Mr. Chairman, I would just like to get up and disagree with both the members on this side on this whole business of the nursing program. It isn't just as simple as they say and I still believe that the province of Alberta probably will educate nursing students in colleges with less money than they will in the hospitals, plus the fact that the information that they are not getting practical training on the floor just isn't so, because they are. Not only that, the fact that they are shortening the program also, isn't so it's a different program. It's a two-year program as opposed to a three year program but it isn't shortening one. It's a whole different program completely and not many people actually understand the difference between the two-year college nursing program and the old three-year one in the hospital.

MR. HENDERSON:

Mr. Chairman, I'm pleased to hear the hon. minister say it hasn't been a final, irrevocable decision and I very sincerely urge the government to critically examine, because fundamentally it's a question of patient care in hospitals, again I don't think a college in a classroom unrelated to the hospital can really provide the training.

There's a difference in my mind between education and training and a lot of the pressure to move the program out of the hospital field into the education field is coming from those who view nursing as an end in itself, enhancing the role of a nurse in relationship to the doctor. There are people in the nursing profession who would place nurses on the same plateau within the professional realm as doctors. They are quite entitled to their opinions but that doesn't relate to the basic purpose of the nursing training programs which is to provide people qualified in patient care. I can't accept the philosophy that the human relations aspect is not essential for nursing care, and patient care has got to be handled and provided anywhere near as adequately in a college program even though there is an internship or addendum tacked on to the tail-end of the college nursing program. In my mind it's fundamentally contradictory; it just isn't there.



May 15th 1972

ALBERTA HANSARD

50-89

If one looks at nursing for the sake of nursing, or nursing for the sake of education, fine, put it in colleges. But if you are talking about qualified people for patient care within the health system, I can not see why it shouldn't stay in hospitals. My real over-riding concern is the fact that the relationship between supply and demand is being completely severed when it's transferred over to education. This is the basic concern. But I'm pleased to hear the minister say it isn't an irrevocable decision and I certainly suggest that he consult with his colleague, the hon. Minister of Health and Social Development, on this matter. It's my experience, and I have to say it quite frankly, that while the medical profession collectively, publicly go along with it, I also know from experience, from hearing the hon. minister talk about lawyers, you talk to people in the medical profession privately and they don't agree. But they don't want to find themselves in a position publicly as taking a stand against another professional group that they have to work very closely with. It wouldn't be good public relations. But as a matter of fact, you talk to just about any doctor that's in the field of hospital care and delivery of health services in hospitals, and my experience has been that they will all stand up and all say the same thing.

So I quite frankly can't place too much weight on the attitude of the medical association as a group supporting the particular action, because it just isn't backed up by consensus of opinion amongst the individual members.

Appropriation 3008 agreed to \$1,994,280

Appropriation 3009 Education of Servicemen's Children

MR. TAYLOR:

Mr. Chairman, I would just like to ask one or two questions in connection with the education of servicemen's children. I was in the House when this vote first came into being, and matter of fact urged that it come into being. But I note now the war has been over for about 25 or 26 years so that the youngest child disabled veterans or soldiers who were killed in battle would now be 25 or 26 years of age. This was primarily for high school education. My question to the hon. minister is this now being used for a university education or post-secondary education, because the amount is very little different this year from last year and I would like to know just how many persons are benefiting from this grant and how long this particular vote will continue?

MR. FOSTER:

Mr. Chairman, I don't have the details on the number of persons that are supported by this particular vote. But I share the hon. member's surprise that this amount of money should be carrying on under the former program for servicemen's children. One would have thought that it would decrease by this time, but members of my department have assured me that this is not the case. The regulations have not been changed and the formula has application as originally worded.

MR. FARRAN:

On a point of order, Mr. Chairman, I'm a disabled serviceman and I have a child of nine.

AN HON. MEMBER:

Who's the father?

50-90

ALBERTA HANSARD

May 15th 1972

---

MR. CHAIRMAN:

Please continue Mr. Minister, we will disregard these comments.

MR. FOSTER:

All I was saying was that there has been no fundamental change in the coverage in the program as far as I'm aware, and I don't have the number of persons. If you would like, I can get the information for you.

MR. RUSSELL:

There is one other problem that came up on numerous occasions during the election campaign of last summer, maybe some of the other members hit it, and that is the children of servicemen who are now in active service and the problems they face with getting moved around the country so much. I thought they made a very good case in coming to us and saying; "Look we are in the Armed Forces, it means moving around the country a lot, but it's our kids that suffer." I'm wondering because of the transfer -- either within the province or from one province to another -- has the hon. minister taken any steps, or could he take any steps with respect to talking to his fellow ministers in other provinces regarding the problems faced by particularly young children moving from one jurisdiction to another as a result of transfers? It seems to be an acute problem insofar as servicemen's children are concerned.

MR. CHAIRMAN:

You wouldn't be asking this of the Minister of Advanced Education then?

MR. RUSSELL:

No I guess I shouldn't.

DR. McCORMON:

Mr. Chairman, I think I can answer that question.

There is a standardized curriculum for all armed forces schools no matter where they are posted, whether it is Germany, Quebec, Alberta, British Columbia, anywhere, it is a standardized curriculum right straight through for the children of servicemen.

Appropriation 3009, agreed to \$ 65,900

Agreed to without debate:

|                           |   |             |
|---------------------------|---|-------------|
| <u>Appropriation 3010</u> | Students Loan Interest                              | \$1,334,600 |
| <u>Appropriation 3012</u> | Miscellaneous Grants                                | 10,000      |
| <u>Appropriation 3014</u> | Agricultural and Vocational Colleges Administration | 61,480      |
| <u>Appropriation 3015</u> | Olds College  | 1,273,690   |
| <u>Appropriation 3016</u> | Vermilion College                                   |             |

MR. COOPER:

I'm rather worried about Wages. The wages have been practically cut in half and I hope it's not eliminating something that I think it could be eliminating, the matter of numerous short courses which are held at Vermilion College. These short courses can vary from one day to one week or two weeks and I rather imagine the special teachers or instructors they bring in would be classed under this category -- they would get their salary under the heading of Wages. I wonder if the hon. minister could set my mind at rest regarding that?

May 15th 1972

ALBERTA HANSARD

50-91

---

MR. FOSTER:

Mr. Chairman, I'm not 100 per cent certain, but it seems to me that the wages apply to temporary staff and that has gone down, so there are fewer temporary staff. But the salaries are, of course, to permanent staff and that has gone up by a considerable amount. So I think there is a difference in that a number of non-permanent staff are now permanent staff.

MR. COOPER:

That is just what I'm worrying about. It's the non-permanent staff that I'm worried about. They come in for short courses, some only for one day, some for two days, some for a week, and I'm afraid they're classed as Wages and a large part of the summer program is based around these short courses. I'm afraid they're being eliminated, that's what is worrying me.

MR. FOSTER:

Mr. Chairman, I don't have the information as to the number of non-permanent staff but I could get that information and advise the member if he would like.

MR. CHAIRMAN:

Very well, is that agreed, Mr. Cooper?

MR. COOPER:

Agreed.

MR. TAYLOR:

Mr. Chairman, I wonder if the hon. minister could give us the information in connection with Appropriation 3012. This appears to be a new grant. Is there some particular reason for this grant going to St. Stephen's College only for community programs?

MR. FOSTER:

No, sir, that's not a new grant at all, Mr. Chairman. That's the same as it has been in the past year to St. Stephen's College.

MR. TAYLOR:

It doesn't show anything for last year.

MR. FOSTER:

Mr. Chairman, that was transferred over from Appropriation 1306 but it's the same amount as last year -- the same grant.

Appropriation 3016, agreed to \$ 870,410

Agreed to without debate:

Appropriation 3017 Fairview College \$ 521,130

Appropriation 3020 Private Colleges

MR. BENOIT:

Do you know if this is a new vote Mr. Minister?

MR. FOSTER:

For private colleges?

50-92

ALBERTA HANSARD

May 15th 1972

MR. BENOIT:

Yes.

MR. FOSTER:

Mr. Chairman, no this is not a new vote. I don't have the number at my fingertips of the former vote but this is the level of support to private colleges, basically three, Camrose Lutheran, Concordia College and Canadian Union College. There is a six per cent increase in the grant this year but there is no other change than that.

MR. BENOIT:

You mean six per cent?

MR. FOSTER:

Yes.

Appropriation 3020, agreed to \$  
547,280

Agreed to without debate:

|                           |   |           |
|---------------------------|---|-----------|
| <u>Appropriation 3025</u> | Continuing Education                          | \$ 33,860 |
| <u>Appropriation 3055</u> | Southern Alberta Institute of<br>Technology   | 9,380,640 |
| <u>Appropriation 3056</u> | Northern Alberta Institute of<br>Technology   | 9,850,800 |
| <u>Appropriation 3057</u> | SAIT Second Occupational Training             | 50,000    |
| <u>Appropriation 3058</u> | NAIT Second Occupational Training             | 50,000    |
| <u>Appropriation 3062</u> | General Administration<br>Vocational Training | 572,430   |
| <u>Appropriation 3063</u> | Other Vocational Training                     | 2,107,310 |
| <u>Appropriation 3064</u> | Alberta Petroleum Industry Training<br>Centre | 140,280   |
| <u>Appropriation 3065</u> | Alberta Vocational Centre, Edmonton           | 1,501,110 |
| <u>Appropriation 3067</u> | Alberta Vocational Centre, Calgary            | 1,027,610 |
| <u>Appropriation 3069</u> | Alberta Vocational Centre,<br>Fort McMurray   | 1,844,630 |
| <u>Appropriation 3070</u> | Vocational Rehabilitation                     | 1,189,460 |
| <u>Appropriation 3073</u> | Overseas Project                              | 234,390   |
| <u>Appropriation 3074</u> | Alberta Vocational Centre, Grouard            |           |

MR. BARTON:

Mr. Chairman, there are several questions that I put on the Order Paper for Motions for a Return on 190, question number 7, and I was wondering if the hon. minister could -- I ask that this be done again to the specific appropriation. The hon. Minister for Federal and Intergovernmental Affairs said that if any questions arose and the information was available, he would be free to give it to us. Since he's not here, maybe I can basically go over it. I think what I really would like to get to is participation by the federal government, because I understand that this appropriation, roughly \$740,000, will only cost the provincial government \$60,000 as their share.

MR. FOSTER:

Which appropriation?

MR. BARTON:

This one, 3074. I may be wrong now -- I'll just throw that out.

May 15th 1972

ALBERTA HANSARD

50-93

---

The next one is to expand this particular program as far as the teaching aid is concerned. There was a very successful course at Grouard, and the reason for it is that it simulates for the parent and the student the actual Grade I, and getting into the routine of the Grade I, which sometimes is a pretty hard fact of life for the Native and Metis segment of our society, where they just don't get into the groove of Grade I until possibly Grade II, so I think this program should be expanded. When you are negotiating with the federal government, I'd like to see it expanded totally through the north.

MR. FOSTER:

Mr. Chairman, the Director of Vocational and Technical Training is in the Members' Gallery, and is I'm sure taking note of the comment. Thank you.

MR. BARTON:

Just to follow it up. If I could get the question on Motion for Return for number 7, I would appreciate it too.

MR. STROM:

Mr. Chairman, maybe it's a good time for me to raise this. The hon. Member for Lac La Biche wanted me to ask the hon. House Leader if there would be any chance of holding 3075, which deals with satellite centres, because he would like to raise some questions on it. If it wouldn't create a great deal of trouble, we would like to have it held for him. Now would it be possible then to have information on this one for the hon. Member for Lesser Slave Lake as well?

MR. FOSTER:

We could do, Mr. Chairman, if the hon. Leader is willing. I would be quite happy to take notice of any questions and deal with them on second reading of Bill No. 33 if that would be useful.

MR. STROM:

Before?

MR. FOSTER:

Yes.

MR. STROM:

. . .or on the other one?

MR. FOSTER:

. . .on both if you wish.

MR. STROM:

I am not sure what the nature of the questions would be that the hon. member would raise but if it would be possible for him to raise them there, or if you can hold it, because I don't think it will create any problems, there are just some specific questions that he wanted to raise. If you will recall, he tried to raise it on the college commissions we were going through and wasn't able to get it raised at that time.

50-94

ALBERTA HANSARD

May 15th 1972

---

MR. BARTON:

Could I just follow that and give the hon. minister some of the background information? It is on the Newstart program with all these schools at Chard, Kikino, Fort MacKay and Fort Chipewyan that are sitting vacant without any program at all. I think this will give you some advance notice of it.

MR. HYNDMAN:

Mr. Chairman, I wonder if the best procedure might be similar to the estimates of the Department of Education, and that would be -- if the hon. Minister of Advanced Education is prepared to do so -- to undertake to answer any and all questions with the widest latitude when we go into the committee stage on the Department of Advanced Education Act, which covers the entire waterfront and indeed all these estimates. I think if he would agree -- I think he would for the record at this moment -- to answer any questions concerning Appropriation 3074 regarding the question just posed by the hon. member and in addition Appropriation 3075, that this would probably cover the situation.

MR. STROM:

Mr. Chairman, that sounds fine to me. I was just wondering, would you have any idea as to when this bill might come up, hon. House Leader?

MR. HYNDMAN:

I believe, Mr. Chairman, within a week. It will certainly be in for second reading within a couple of days and for committee work very shortly thereafter.

MR. STROM:

I'm quite prepared to accept it. I don't know whether this will work for the hon. member but I am prepared to accept it.

MR. HYNDMAN:

Mr. Chairman, we will do everything we can to accommodate him in terms of providing information on either of those two estimates.

Agreed to without debate:

|                           |                                    |           |
|---------------------------|------------------------------------|-----------|
| <u>Appropriation 3074</u> | Alberta Vocational Centre, Grouard | \$740,090 |
| <u>Appropriation 3075</u> | Satellite Centres                  | 412,220   |

MR. STROM:

Mr. Chairman, just while we are on this, would the hon. minister give us some information as to the status of the NewStart program?

MR. FCSTER:

Yes, Mr. Chairman, I can. I am currently holding discussions with representatives of the Indian Association of Alberta, the Metis Association, Alberta Labour people, and industry, to discuss the whole matter of family life education and education for training in the entire northern part of the province. We have had several meetings and I had another one again today. I am hopeful that before too long we will be able to put together a proposal which the Executive Council can then consider and then we will talk to the federal government about it. We are very anxious that we don't lose the facilities that the federal government has, NewStart, we are getting co-operation from the NewStart people.

My concern, Mr. Chairman, is that we devise some program which will not just zero in on one sector of the north, but which will be

May 15th 1972

ALBERTA HANSARD

50-95

capable of dealing with the entire north, although I recognize that we can only approach it piece by piece.

I don't know whether I can be more specific than that, but I can say that there are funds in Appropriation 3063 which will permit us to carry on some program as soon as we have the vehicle devised to do the job.

MR. STROM:

Mr. Chairman, I take it that the federal government is still trying to follow through with the same idea, and that is of cutting it off, are they?

MR. FOSTER:

Yes, Mr. Chairman, they are.

MR. BENOIT:

I am just wondering, there was some uncertainty as to what Appropriation 3003, the minister's committees, might do. Is there anything in any of the votes here in connection with task forces?

[Mr. Foster shook his head, indicating no.]

MR. HENDERSON:

Mr. Chairman, before we leave the appropriation, in view of the earlier statements by the hon. minister about the transfer -- and the fact that it is in the estimates -- to transfer the nursing programs from hospitals into college areas, what does this mean relative to the psychiatric nursing programs which have existed at Ponoka and Oliver for many years? Have they been phased out of those institutions and transferred or eliminated?

MR. FOSTER:

I would have to have the hon. Minister of Health and Social Development answer that.

MR. HENDERSON:

Or did they remain in the Department of Health?

MR. CRAWFORD:

Mr. Chairman, my understanding of those programs is that they remain at those institutions at the present time.

Total Income Account, agreed to \$143,017,630

Capital Account

Agreed to without debate:

|                           |                        |              |
|---------------------------|------------------------|--------------|
| <u>Appropriation 3082</u> | Grants to Universities | \$32,882,000 |
| <u>Appropriation 3083</u> | Grants to Colleges     | 7,300,000    |
| <u>Appropriation 3084</u> | Matching Grants        | 2,500,000    |
| Total Capital Account     |                        | \$42,682,000 |

MR. HYNDMAN:

Mr. Chairman, I move the committee rise and report progress and beg leave to sit again.

50-96

ALBERTA HANSARD

May 15th 1972

---

MR. CHAIRMAN:

Is it agreed?

HON. MEMBERS:

Agreed.

\* \* \* \* \*

[Mr. Speaker in the Chair]

MR. DIACHUK:

Mr. Speaker, the Committee of Supply has had under consideration certain estimates, reports progress, and begs leave to sit again.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, I move the House do now adjourn till tomorrow afternoon at 2:30 o'clock.

MR. SPEAKER:

The hon. Government House Leader moves that the House now stand adjourned until tomorrow afternoon at 2:30 o'clock. Do you all agree?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until tomorrow afternoon at 2:30 o'clock.

[The House rose at 11:15 pm.]