

LEGISLATIVE ASSEMBLY OF ALBERTA

Tuesday, May 30th, 1972

[The House met at 2:30 pm.]

PRAYERS

[Mr. Speaker in the Chair.]

NOTICES OF MOTION

DR. HOHOL:

Mr. Speaker, I should like to provide notice of motion to the extent that tomorrow, Wednesday, I intend to propose the following motion to this Assembly, seconded by the hon. Attorney General: Be it resolved:

- (1) That a Select Committee of this Assembly be established consisting of the following members:

|                          |                   |
|--------------------------|-------------------|
| Hon. Len Werry           | Mr. Graham Harle  |
| Mr. Bill Diachuk         | Mr. David King    |
| Dr. Ken Paproski         | Mr. A.H. Cooper   |
| Mr. Charles Drain        | Mr. J.B. Anderson |
| Chairman, Dr. A.E. Hohol |                   |

with instructions:

- (a) To receive representations and recommendations as to the operation of The Workmen's Compensation Act, and
- (b) That the committee so appointed do meet for the purposes afore said at the call of the chairman at such times and such places as may, from time to time, be designated by him, and
- (c) That the said committee do report to this Assembly at the next ensuing session of this Assembly, the substance of the representations and recommendations made to the committee together with such recommendations relating to the administration of the said act as to the committee seems proper.
- (2) Members of the committee shall receive remuneration in accordance with Section 59 of The Legislative Assembly Act.
- (3) The reasonable disbursement by the committee made for clerical assistance, equipment, and supplies, advertising, rent, and other facilities required for the effective conduct of those responsibilities shall be paid subject to the approval of the chairman out of Appropriation No. 1902.

INTRODUCTION OF VISITORS

MR. HARLE:

Mr. Speaker, it is a pleasure indeed to introduce to the hon. members of this Assembly a group of seven Grade V students from the Lynnwood School in your constituency, sir, the constituency of Edmonton Meadowlark. They are seated in the members' gallery and are accompanied by their teacher Mr. Matan. I wonder if they would stand and be recognized by the Assembly.

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DR. HORNER:

Mr. Speaker, it gives me a great deal of pleasure to introduce to you and to the House the Grade X Social Studies class from Barrhead accompanied by their very accomplished teacher Mr. Parmar. I would ask them to stand and be recognized by the Assembly.

MR. FARRAN:

Mr. Speaker, I would like to introduce to you and through you, a very prominent Alberta citizen, my neighbour, and the former employer of the Premier of Alberta, Mr. Fred Mannix, who is sitting in the members' gallery. Would he please stand and be recognized.

ORAL QUESTION PERIOD

Moir Report

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Advanced Education. Can the minister advise the House whether he has received the Moir report, and whether or not that report will be tabled before the end of the session?

MR. FOSTER:

Mr. Speaker, believe it or not, I have received the Moir report -- [Applause] -- even I'll clap for that! It, I believe, arrived this morning. It's in loose form, I don't know how many pages, and it's not bound. I'm having to have it put together, assembled, a number of copies made, bound, and then hopefully, I'll have a chance to read it. I hope to do that within the course of the next two or three days. Until I read it I wouldn't want to comment any further.

MR. NOTLEY:

A supplementary question, Mr. Speaker. In light of the fact that the minister has now received the entire report, will the government give any consideration to implementing the interim report which, as you will recall, Mr. Minister, dealt with what the committee alleged to be the unfair tax breaks given foreign academics and made a number of recommendations with respect to what the government should do about that. My question to you is, are you prepared to act upon the interim report, now that you've received the report in total?

MR. FOSTER:

I don't know why, but Advanced Education -- I guess like every other department of government -- receives all sorts of reports. I just finished with one of them. I'm going to get myself into another one today, and I frankly would like a little time to assess this. I haven't looked in detail at the interim report of the Moir committee, nor have I even looked at the Moir report at all. I hope to do this within the course of the next two or three days. It's extremely unlikely that any decisions in terms of action on any report, interim or otherwise, will be taken before this session is over however. But I say that without having seen either of them.

MR. NOTLEY:

One final supplementary question, Mr. Speaker. Can the minister advise the House why the report was so long in coming? It's been my understanding that perhaps the universities were not as co-operative in the preparation of this report as could be the case. Is this a fair assessment?

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MR. FOSTER:

Mr. Speaker, no. I don't really think, with great respect, that it is a fair assessment. I think that that was a consideration. The Moir committee has various reasons why it has taken them until now to have it. I certainly have been anxious, my office has been anxious, to have this report at an early date, and I know the hon. Member for Olds-Didsbury has been anxious to have it. I frankly don't know all the reasons why, and at this point it's perhaps a bit callous to say I don't care, but I'm not really concerned.

CLERK:

Government Bills and Orders for Second Reading.

MR. HYNDMAN:

Orders of the Day are next, Mr. Speaker.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

MR. LEITCH:

Mr. Speaker, I wish to advise the House that the government has today, under the provisions of The Alberta Insurance Act, cancelled the license to sell insurance held by Rocky Mountain Life Insurance Company, and has appointed what is, in effect, an interim manager of the company's business.

To explain why that action was taken, I need to review the recent history of the company. During the past two or three years, it became apparent to both the company and the provincial government that Rocky Mountain Life Insurance Company would be in financial difficulty unless it could get additional equity capital. In an effort to find a solution, the company obtained, in August of 1971, approval from the Alberta Securities Commission to sell stock in Romoco International Associates Limited. Some of the money to be raised from the sale of that stock was to be used to purchase shares in Rocky Mountain Life Insurance Company, which would have provided it with the necessary equity capital. That sale of stock was in process when we came into office in September of 1971. Had Romoco International Associates Limited been successful in raising the minimum subscription of \$1 million, sufficient money would have been put into Rocky Mountain Life Insurance Company by the purchase of its shares to restore its financial position to where it would meet the requirements of The Alberta Insurance Act. Romoco International Associates Limited had until March 31, 1972, to raise that minimum subscription. They were not able to do so, and thus on April 1, 1972, it was apparent that an alternative solution to Rocky Mountain Life Insurance Company's financial difficulties had to be found.

Mr. Speaker, Rocky Mountain Life Insurance Company is one of only a few Alberta life insurance companies. It now has about 11,000 policyholders. Nearly all of them are Albertans. For this reason it was of vital importance to the government that a solution to the company's financial problem be found which would not leave in jeopardy the interests of those policyholders.

For some weeks, along with members of my department, I have been holding extensive meetings with the officers of Rocky Mountain Life Insurance Company, the reinsurers, the creditors of that company, and other insurance companies. Initially we endeavoured to find an insurance company which would purchase the business and assume all contractual liabilities to the policyholders. Despite the fact that the creditors were prepared to reduce their claims by hundreds of thousands of dollars, we were unable to find a company willing to

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purchase the business. Within the past week or so it became clear that if the government did not become involved, Rocky Mountain Life Insurance Company would undoubtedly go into bankruptcy or receivership, resulting in serious losses to the policyholders.

The alternative was for the government to become involved in the administration of the company's life insurance business. As a result of lengthy discussions with the creditors, which included the reinsurers of Rocky Mountain Life Insurance Company, a tentative agreement has been reached whereby the creditors will reduce their claims by hundreds of thousands of dollars, and in exchange the government will administer the policies and guarantee to the policyholders that they will receive all of the benefits they were entitled to receive by the terms of their contracts.

I want to emphasize, Mr. Speaker, that such a guarantee would relate only to the policyholder's interests and not to the shareholders' interests.

While the agreement I have referred to is tentative, I have every reason to believe it will in a very short time be incorporated into formal documents, and will at that time become binding. Therefore, I am confident that we have found the solution which will fully protect the approximately 11,000 Albertans who have purchased policies from this company.

Mr. Speaker, whether this arrangement will cost the government any money depends on how many policyholders cancel their policies. That is so because the value of an insurance business is determined almost solely by the capacity to keep the policies in force for the normal term of the contract. Estimating the percentage of cancellations over the lifetime of the Rocky Mountain Life Insurance Company policies is fraught with great uncertainty. But based on what we feel are realistic estimates, we are hopeful that with the co-operation and understanding of the policyholders, there will be no loss to the government.

Mr. Speaker, in closing I would like to call for the co-operation and assistance of all members of the House in what is a difficult situation for a large number of people within our province.

MR. FOSTER:

Mr. Speaker, for the past several months the government has reviewed all capital projects initiated by the previous administration. This review has included an assessment of the plans for the proposed Athabasca University.

The Athabasca University Governing Authority was established by Order in Council in June of 1970. It was directed to bring into existence an innovative university stressing undergraduate programs in the arts and sciences. A major purpose of the province's fourth university was to provide an alternative to the University of Alberta, which under the pressure of rapidly escalating enrolments, was approaching a student population of 20,000.

The original target date for the opening of Athabasca University's doors was set by the former government for September of 1973. Since then, however, the university growth patterns typical of the sixties have changed, despite the continued increased size of the 18 to 24 year old age group. University enrolments have levelled off, for the time being at least. The fact that university attendance in the last two years has not kept pace with increasing population is complex and difficult to analyse.

The government is very interested in and approves the academic plan developed by the governing authority of Athabasca University. This plan stresses innovative instructional methods and use of

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educational technology. Further, the academic plan calls for the development of cluster colleges which encourage close faculty-student interaction and small social groupings. When the need for a fourth provincial university becomes more clearly apparent, the government accepts that the Athabasca University plan will serve as a model.

The Athabasca authority has completed the conceptual phase in the designing of physical space to accommodate the academic plan. The authority has, over the past several months, employed a consortium of architects and engineers in this project. The termination of this phase brings physical planning to a point where certain decisions on site detail planning and construction activities are necessary. Accordingly, all physical planning is suspended indefinitely.

The government is not prepared at this time to indicate a specific site for the fourth university. Nor is the government ready to make a commitment on the exact date for its opening. We prefer to wait and examine university enrolment trends for the next two or three years before making any such announcement.

On the other hand, the government recognizes that time is necessary to plan a university, particularly one which departs from traditional patterns to the extent contemplated in the Athabasca university model. The sixties saw many post-secondary institutions brought into existence under the pressure of crisis planning. With the pace of university growth brought temporarily to a halt, it should be possible to plan new universities more effectively and in greater detail during this decade.

Accordingly, we are approving in general the proposal of the Athabasca University Governing Authority to continue academic planning by undertaking a pilot project which would test in a practical setting various dimensions of the Athabasca University model. This pilot study would, in effect, be a research and development project in advanced education.

The pilot project would extend for the next four to five years. The first two years would be spent in assembling the physical material and human resources necessary to undertake the developmental study. The final three years would constitute the study proper. The project would involve a group of approximately 250 students, with the necessary academic and professional staff operating in temporary quarters. Five aspects of the Athabasca plan are to be tested, and they are; the effectiveness of an instructional resources centre for independent learning, the desirability of tutorial sessions, the feasibility of individual student programs, the possibility of developing communication skills as a basis for individual growth, and the cost-effectiveness of alternative instructional patterns.

The pilot project will also include the testing of community outreach programs similar to those being conducted by the British Open University. The details of the pilot project and its financial requirements will be referred to the Universities Commission for study and approval. While the project will be subject to continuing scrutiny, the Department of Advanced Education sees it as a feasible and realistic development study and there are several advantages.

1) The pilot project will test the Athabasca University model through direct experience with its various dimensions in a manner not unlike the use of industrial pilot projects which assess the effectiveness of planning.

2) A pilot study of this type may provide information of value to other advanced education institutions within the provincial system and to the Department of Advanced Education.

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3) A testing of new ideas in advanced education will keep Albertans informed of possible directions for change and improvement.

4) When the enrolment pressure in our university again increases, it should be possible to move from the pilot model to a full-fledged undergraduate university with reasonable speed.

QUESTIONS

208. Mr. Taylor asked the government the following question:

- (1) From whom did the government purchase the "King Air" 100 aircraft?
- (2) How many hours had been logged on the "King Air" at the time of purchase?
- (3) Did the government receive one or more independent appraisals of the aircraft prior to purchasing same? If so, could the appraisals be tabled?

DR. WARRACK:

Mr. Speaker, I move that question 208 be made a Motion for a Return, seconded by the hon. Minister of Public Works.

[The motion was carried on a voice vote.]

209. Mr. Taylor asked the government the following question:

- (1) With respect to primary highway construction, how many miles of:
  - (a) grading
  - (b) stabilized gravel base course
  - (c) soil cement base course
  - (d) asphalt surfacing
  - (e) seal coatingwere completed during the 1971 construction season?
- (2) How many miles in each of the above were committed for but not completed during 1971 and what is the estimated value of the uncompleted work?
- (3) Will the uncompleted work of 1971 have first priority in the 1972 program?
- (4) How many miles of surface oiling were completed during the 1971 construction season? If this mileage includes oiling of any highway twice during the season, please specify the highway and number of miles involved in the second oiling.

210. Mr. Taylor asked the government the following question:

- (1) With regard to Vote No. 1516, Special Contingencies, and Vote No. 1582, Secondary Roads Construction (1971 Estimates) how many miles of:
  - (a) grading
  - (b) base course
  - (c) surfacing

were completed during the 1971 construction season?

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- (2) How many miles of road in each category that were committed for in 1971 were not completed, and what is the estimated cost of same?
- (3) Will the uncompleted portions of the 1971 program have first priority in the 1972 program?

MR. COPITHORNE:

I move, seconded by my colleague the hon. Minister of Industry and Commerce that both Motion 209 and 210 be made an order for return.

MR. SPEAKER:

Having heard the motion do you all agree that Questions 209 and 210 be made Orders for Return?

[The motion was carried on a voice vote.]

MOTIONS FOR A RETURN

207. Mr. Clark proposed the following motion to the Assembly, seconded by Mr. Buckwell.

That an Order of the Assembly do issue for a Return Showing:

- (1) A copy of the Report of the Commissioner on the Red Deer College dispute.
- (2) Copies of the presentations made to the Commissioner in the course of the public hearings.

MR. CLARK:

I move Motion 207 on the Order Paper in my name.

MR. FOSTER:

Mr. Speaker, I wonder if the hon. member would consider subparagraph 2. The report of the Byrne inquiry has been tabled and frankly I'm just not anxious that copies of the presentations and tapes, etc., be made a public document. I would be happy to assist anyone with private information, but I am not prepared to recommend the release of all the presentations and tapes publicly.

MR. CLARK:

Mr. Speaker, I would be asking the hon. minister a question hopefully not closing the debate if that is in any way possible.

Really what we have in mind -- there is a copy of the written presentations and perhaps I should have included the word "written" in the phrasing of the Motion for a Return.

MR. FOSTER:

Mr. Speaker, my concern in responding to the question is that there were, of course, a great many written representations made to the commissioner. I'm under the impression that some of them were made in the hope that they would not be made public. They were for the commissioner to consider. I'm not excited about making this information public -- not that there is anything to hide -- but I would be quite happy to discuss the hon. member's requirements for information with the commissioner, and I'm sure that some accommodation could be reached.

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MR. CLARK:

Mr. Speaker, in closing the debate, in light of the comments of the hon. minister, would it be agreeable if I were to withdraw my motion and ask that it stand on the Order Paper until Thursday? In the meantime I will discuss with the hon. minister my own particular requirements and deal with it in that manner.

MR. SPEAKER:

It has been moved by the hon. Member for Olds-Didsbury, seconded by the hon. Member for Macleod that Motion 207 stand over until Thursday. Do you all agree?

[The motion was carried on a voice vote.]

GOVERNMENT BILLS AND ORDERS  
(Second Reading)

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

MR. WERRY:

Mr. Speaker, I move, seconded by the hon. Minister of Youth, Culture, and Recreation that Bill No. 59 do not be read a second time.

As most hon. members are aware the amendments to The Hydro and Electric Energy Act are the first amendments to that act. The Hydro and Electric Energy Act came into being last year when the old Power Commission was phased out and these additional functions were taken on by the new Energy Resources Conservation Board.

I think it's important to note, Mr. Speaker, that the emphasis in the philosophy in this bill change or give more adequate consideration to the environmental aspects of hydro-electric development facilities and the construction of transmission lines. In general the amendments empower the Energy Conservation Boards to make regulations to control pollution and ensure environmental considerations are subject to the hon. Minister of Environment.

I think that the most important aspect of the amendments in here is the section dealing with construction of hydro dams. As we have witnessed in the past two or three years in Canada, there have been a number of new dams that have been constructed with devastating effects to the ecology. I would like to point out Williston Lake, that backs up the W.A.C. Bennett Dam, and also the large controversy that is taking place in the Province of Quebec at this time with respect to the James Bay Hydro Electric.

The new amendments in here state that when an applicant wishes to develop a hydro development first of all he must apply to the board. The board then must conduct such studies as they deem necessary, and also hold public hearings. The board then must conduct such studies as they deem necessary, and also hold public hearings. I think this is a most important aspect in our society today that when a major hydro development is being considered the public be in on the process.

Following those two steps, if it is then deemed advisable by the Energy Resources Conservation Board that the development of a hydro project be proceeded with, the application is then referred to the Executive Council and the Executive Council must prepare a bill. That bill is then presented to the first session thereafter of the Legislative Assembly for full debate in that Legislature. So there



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are adequate checks and balances here to ensure that any future hydro development that takes place in Alberta will have input, not only from the political level and the technical level, but also from the public with respect to the public hearings.

Another change in this bill, Mr. Speaker, is that in future when any transmission lines are to be constructed by a utility firm in Alberta, application must be approved and conditions may be placed on it by both the Minister of the Environment and the Minister of Lands and Forests.

One further change in the bill is that only the Executive Council itself can over-ride the conditions that are set out on any transmission lines by the Minister of Lands and Forests or the Minister of the Environment.

The last point, Mr. Speaker, is that the new bill also provides for the Energy Resources Conservation Board to regulate a uniform system of accounts for all utilities in Alberta.

[The motion was carried, Bill No. 59 was read a second time.]

Bill No. 75 The Ombudsman Amendment Act, 1972

MR. LEITCH:

Mr. Speaker, I move, seconded by the hon. Minister of Manpower and Labour, second reading of Bill No. 75, The Ombudsman Amendment Act, 1972.

Mr. Speaker, this act contains one and perhaps two matters of principle, and two matters of clarification of existing legislation. I propose to deal with them in the order in which they appear in the bill, Mr. Speaker.

The first amendment deals with the salary of the Ombudsman and provides that effective as of January 1, 1971, his salary shall be \$28,000 per year, and effective as of January 1, 1972, his salary shall be \$30,000 per year. Mr. Speaker, I should draw to the attention of the hon. members of the House that this is an increase from \$20,000 per year, which is the sum provided for in the existing legislation. I should also mention that that legislation is now some five years old and he has not had a raise in the meantime.

Mr. Speaker, I don't think any member of this House needs to be told of the tremendous importance to the people of Alberta of the office of the Ombudsman. We have all had the opportunity of reviewing the report which he has filed with the Legislature this year and I recall that there were some 800, or thereabouts, complaints investigated by the Ombudsman during the last year and that, alone, is some indication of the importance of his office.

I would also like to draw to the attention of the hon. members that this is a little lower than the other officer of the Legislature, the Auditor, whose salary is \$34,000 per year. It is also somewhat higher than the senior deputy ministers within the government. Mr. Speaker, in my submission, this is more than justified by the importance of the office.

Turning now, Mr. Speaker, to the second amendment in the bill, this is really one of clarification. It provides for the Ombudsman to have the right to look at, and take away with him, documents from the departments of government. The need for that amendment arose because of a difference of opinion over the meaning of existing legislation. And this amendment is to clarify that portion of the legislation, to put it beyond argument, that the Ombudsman has the right to take away from the department documents which he feels are necessary for the proper investigation that he may be conducting.

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The next amendment, Mr. Speaker, deals with the matter of principle, and it provides that the government or the Executive Council cannot order any inquiry into what I may call the work of the Ombudsman, which includes his reports, investigations, and the work leading up to those reports and investigations. And I say, Mr. Speaker, that this is a matter of principle because an occasion occurred in the past when an inquiry was ordered by the Executive Council into a matter being investigated by the Ombudsman, and out of which the Ombudsman has, in fact, made more than one report to the Legislature.

In support of that change, Mr. Speaker, I would like to call to the attention of the members of the House that the Ombudsman is not an employee or officer or servant of the government; he is not an employee or officer or servant of the Executive Council; he is the servant, if you will, of the Legislative Assembly. And in my submission, Mr. Speaker, it's quite wrong in principle to leave the Executive Council with the authority to order an inquiry into a matter that the Ombudsman is investigating in the course of his duties as a servant of the Legislature.

Apart from it being wrong in principle, Mr. Speaker, it can give rise to very embarrassing circumstances to the Ombudsman, the Legislature, the Government, and anyone else involved with that investigation. Because it seems to me that when the Ombudsman makes his report to the Legislature recommending a certain course of action, if there is then outstanding a decision by an inquiry, be it a judicial inquiry or otherwise, conflicting with that recommendation, then it tends to embarrass or hamper or interfere with the work of the Legislature in considering the report of the Ombudsman.

Coupled with this change, Mr. Speaker, there is a provision for the Legislature to order an inquiry, if it deems one is advisable, into the work that has been done by the Ombudsman, or into the reports or recommendations he makes to the Legislature. And that, Mr. Speaker, seems to me to be perfectly proper, because regardless of how high the office of Ombudsman may be, it is still filled by an individual who, like all individuals, is capable of making an error or doing something wrong. And in those circumstances, Mr. Speaker, there needs to be a mechanism whereby the work he has done, or the reports he has made, may be reviewed by another body. And for that reason, Mr. Speaker, this bill provides that the Legislature can order inquiries of different kinds into matters affecting the Ombudsman.

We then come, Mr. Speaker, to a further important point in connection with such inquiries on the office of the Ombudsman, and it's the question of what, if any, information should be disclosed, or be required to be disclosed, during the course of an inquiry ordered by the Legislature. I think it is fundamental to the performance of the Ombudsman's duties that people be able to go to him in absolute confidence, that the things they tell him or the information he obtains, if that person desire it to be so, remain secret and confidential.

On the other hand, if there is no such reason for the Ombudsman not to disclose information about what he has done and how he has done it, to the Legislature, there is no reason for him not to be required to do so. For that reason, this bill provides that the Ombudsman and his staff, former and present, may be called and asked to give evidence on such an inquiry. But it also provides that the Ombudsman may, in his sole discretion, on his own behalf and on behalf of any other person of the staff, past or present, who may be called to give evidence, take the objection that the answer to any question asked of him would disclose matters of a secret or confidential nature and for that reason he is entitled to decline to answer.

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In my submission, Mr. Speaker, that amendment provides for the only body that ought to be ordering an inquiry to do so. It provides for the Ombudsman to give evidence before that inquiry, unless in his sole discretion, doing so would be disclosure of secret or confidential information.

The last point dealt with in the bill, Mr. Speaker, is not one of new principle, because there are provisions covering it in the existing legislation. Those provisions are somewhat in conflict and, for the purposes of clarity, an amendment has been added to make it clear that any report which the Ombudsman is going to make public and in which he comments adversely on anyone else, he gives to the person about whom he is going to say something adverse the opportunity to make representations to the Ombudsman affecting that comment.

MR. TAYLOR:

Mr. Speaker, I want to deal with the first principle that the hon. Attorney General mentioned that in connection with the wages or salary. I understand that the contract expires on December 1, 1972 after five full years. Is that correct?

MR. LEITCH:

My memory, Mr. Speaker, is that it is September 1st.

MR. TAYLOR:

September?

MR. LEITCH:

I think that is right.

MR. TAYLOR:

I wish to thank the hon. Attorney General for that information as I had understood it was December, but you say it is September 1, 1972.

The things I have to say, Mr. Speaker, I want to say as pertaining to the office, with no reference whatsoever to the man who holds the office. I have the highest regard for the present Ombudsman. I consider him a personal friend and a tremendous Canadian. I am discussing the matter of the position without reference to the person who holds that position.

The Ombudsman's contract was for \$20,000 per year for a year period. Consequently, I find it difficult to understand why the act is now making an increased salary over and above the \$20,000, retroactive to a period within that five-year period. If it is September 1, 1972 that the contract expires, I can see no reason for revising the \$20,000 per year during the fourth year or the fifth year. This was part of the contract and making it retroactive I think is -- well, whether it is starting a dangerous principle or not, I think it is a principle that is wrong. I would strongly recommend that the government reconsider changing the salary during the first five-year period. Any increased salary should commence from the beginning of the second five-year term and is then set out for that term of office.

The second point that I'd like to make in connection with salaries is the amount that is being recommended. Throughout the country, we ask people not to contribute towards inflation. We ask labour unions and employers to keep wages down, and then ourselves here raise the salary, not by six per cent, or ten per cent, or thirty per cent, but by fifty per cent -- up to \$30,000, commencing January 1, 1972. I have no objection to a new salary. I think that

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whatever the new salary is, it should commence on the beginning of the second five years, as I've already mentioned. But I now want to say a few words about the amount.

When we are so anxious to keep inflation within control that we ask our low paid wage earners in this country to not ask for increases, and to keep their increases modest, then I think there is an example to follow the same line of action when we get to the top of the salary schedules. I frankly can see no reason for an increase of 50 per cent, from \$20,000 to \$30,000, for the second five-year term of this office. I concede that an increase during the five-year period should be made. But if an increase is going to be made, in my view the maximum should be the six per cent that we have tried to encourage other people to stay below. Right across this country we ask the people in the low wage brackets not to go above six per cent -- many of them have settled for two per cent, three per cent, four per cent, and up to six per cent -- then we throw everything to the winds and give a 50 per cent increase to people who happen to be in high office. I don't think this is right, I don't think it's sound, and I don't think it's necessary. A \$20,000 salary is a very excellent salary, and if we want to give an increase, let's hold it to within the bounds that have been established pretty well across Canada, to the six per cent. I haven't any serious objection to providing the six per cent each year. That, I think, is being very generous, making 30 per cent over the \$20,000, which would give a \$6,000 increase, raising it to \$26,000 for the second five-year term of office. That, Mr. Speaker, is more than the hon. Premier of this province is receiving. I just don't follow the idea that the positions in our civil service are carrying as much responsibility as does the Premier of the province. I, for one, do not go along with the suggestion that we should have no bounds on these salaries for top civil servants. Certainly they are splendid people, but it's the office that we are talking about, and the office carrying a salary for a second five-year term of \$26,000 per year, I think, is a very, very fair salary, and should provide anyone with a very excellent standard of living.

So, Mr. Speaker, in the principle of the bill that makes the salary retroactive, I have to disagree with this completely. And secondly with the principle of the bill that gives such a vast increase, I must disagree also. I would suggest that the increases be kept within the same limits as the limits for university professors, and the limits for our wage earners, who are having a more difficult time to get by on \$2,000 and \$3,000 a year than any of us would have on getting by on \$20,000 or \$26,000.

MR. GRUENWALD:

Mr. Speaker, in speaking on Bill No. 75, I'd like to indicate right away that I am opposed to Bill No. 75 even in principle. Now I know that me standing up and opposing the whole concept of an Ombudsman is much like Poland trying to invade Russia, with the strength that I feel. Nevertheless, it is better to have tried and lost than never to have tried at all.

First of all, on the idea of the Ombudsman, I am not even convinced of the need of an ombudsman, actually. I think if you look at the definition of an ombudsman, it is to report grievances against the government. But if he is a government official appointed to receive and report grievances against the government -- and I am reasonably convinced that if MLA's and all elected and appointed officials do the job they are supposed to do, and if the Bill of Rights which is now coming up -- Bills 1 and 2 -- if they really work, that again will make less cause to have an ombudsman. So, anything that would enhance the position of the ombudsman, I would have to say, shouldn't be done, because I am not convinced that we need him in the first place. I know this flies in the face of almost

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everybody who is here, but nevertheless, this is the way I feel about it.

I was sorry I missed the motion where he got a five-year appointment, because I would have had to oppose that as well. I am also opposed to giving a five-year appointment or employing anyone past the age of 65. We can say that all of our civil servants have to retire at age 65. But when we take them at 64, give them a five-year appointment, give an \$8,000 retroactive pay increase, then give them a 50 per cent increase for the next five years, for the new appointment -- it seems to me to lend more importance to the Ombudsman than I can personally justify.

Not only do we give him retroactive pay, we give him a 50 per cent increase, and we excuse him from paying many of the taxes in this province when he gets past the age of 65, namely education tax and also Medicare tax. That, coupled with his pension, will leave him a very rich man, excused from paying many taxes. So there again, it gives me a real problem trying to go along with this bill. That, coupled with the fact that he is robbing younger people of this job, that if it is going to be a job, it might as well go to people who are more in need.

I think our present Ombudsman -- and again I say, much like our hon. Member for Drumheller, I don't even know the man personally, so I am not speaking against an individual, I am talking about the principle and the office itself -- I would like to see a man in this position who has done his job; he should be out utilizing our tourist and recreation and travel facilities, and creating some employment for some people, by keeping these sorts of things necessary. If we need an ombudsman, certainly we can find all kinds of people who are highly qualified, who could take the job who are under that age.

So, in summary, Mr. Speaker, I have to oppose the bill, and I make it clear that I will oppose it whether I am standing, or sitting, or writing a ballot, or whatever the case may be. I oppose it on the basis that we are not convinced of the need; I object to retroactive pay; a 50 per cent increase, a five-year appointment to someone who is 64 years old; I object to taking job opportunities from younger people. So, I would recommend, Mr. Speaker, that we give this bill a very respectful but speedy burial. Thank you, Mr. Speaker.

MR. HINMAN:

Mr. Speaker, I had my opportunity to speak when the Ombudsman was re-appointed, and I am not going into that.

I would endorse what the hon. Member for Drumheller said about salary. When this was first brought to the Legislature, the function of the Ombudsman as discussed was simply that he would be one to whom the people could appeal when they thought the actions of government had been unfair, or that they had been unfairly treated by some department of government, and that he would make some report to the government or to the Legislature. I think we anticipated that he would make the reports on an individual basis.

In the very first act we went far beyond anything that I think the members had anticipated. They went along with it because it was one of these 'do-good' things that there are a few poor people who can't get any justice. Certainly there are injustices to which people are subjected. But out of this we have created something else. We have given somebody more authority than we give a judge. There is no appeal from this fellow's decision. Clause 3 says that nobody has a right automatically to be heard by this fellow. So if somebody has a complaint and the Ombudsman says, "I don't want to hear you", he can't even get a hearing.

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I think when this was mentioned in the Speech from the Throne, I made mention of the fact that actually there has never been any need for an ombudsman if the members of this House do their duty. I have had many complaints and I have never had any difficulty in getting a hearing on a matter, getting all the information I wanted, and I think in every case, justice was done.

Now there are a few other things. The matter of documents is another instance in which we are going to choose, I presume, to say the Ombudsman is more powerful than the people who run the Workmen's Compensation Act or the Department of Health or anybody else. He can take away their documents. Now we presume that they will be in safekeeping. But I fail to see that this was a necessary clause, and I think again, it is just handing to some individual an awful lot of authority that he can abuse if he so chooses. And in the nature of things, when one man has a lot of authority, he invariably does abuse it somewhere along the way. This is something we may live to regret.

Now in the matter of inquiries, here again I recognize that he is an employee of the Legislature. But I also recognize the difficulty of getting all the information before the Legislature. I've tried it. This is a pretty big body. We don't all have the same background, we don't all have the same interest in things. I don't care what you put before this House, you can be sure that fewer than a third of the members of this House will actually read it. You see it in the bills, we read them very cursorily and then when somebody brings up a point we say, "my gosh, I didn't see that". And things do go through this House that many members don't understand.

Now I agree that perhaps if there is to be an inquiry it ought to be at the instigation of the House, and I'm not too worried about it. But mention was made of the one inquiry that did occur. Now those of you who took time, or want to take time, to read the report of that inquiry will realize that the very dangers I am talking about were inherent in it. Not anything to react too badly on this man, except to show you that you can't choose anybody who won't make some mistakes. The inquiries which this man makes are going to subject people outside to some inconvenience, and in this particular case, to quite a lot of inconvenience. It makes people outside look bad. And yet there was no way for them to be sure that he would hear all the witnesses he should have heard. This is a case where you are giving to somebody a great deal of authority.

In almost any other case somebody is the prosecution and somebody is the defendant and either one can call all the witnesses he wants and he can bring out all the information he wants, but not so with the Ombudsman. Little John Doe appears with his story. He may I suppose, bring a lawyer. He can try to tell his story, but because these are sort of private hearings, if he is turned down when he wants to get evidence in, if he wants a copy of a transcript of it, he can't get it. I simply feel that we have gone a long way too far in setting this Ombudsman up as the man who can save our citizens. Surely as a Legislature we're not going to make that many mistakes. Surely as ministers of the Crown we can see that our officials do not do that much injustice. Surely if it is the fault of legislation we can consider it and do something about it.

Now when it comes to the importance of the job, I can't recall -- and I was here at the time and I haven't found it since -- any qualifications that were required when this job was advertised. We didn't say how much education these people ought to have, we didn't stipulate that they must have legal training. There were many applicants, any one of whom probably would have done as good a job as any other. We didn't make any use of what is available in the field of psychology, industrial psychology, to try to determine whether the man we chose actually had the qualifications that this job requires, because this is in a sense a judicial job. Consequently, when we set a salary of \$20,000 we were being pretty generous.

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It is improper to offer to make wagers in the House, but I am convinced that if we had said \$15,000 we would have still had very many well-qualified applicants, particularly if we were willing to take men over 65, who would have been very happy to take this job and who probably would have done the job just as well as anybody else.

I have covered three or four things, particularly that there is no appeal, which I don't like; the fact that nobody by right has to be heard by the Ombudsman; that his salary is out of line.

Now I want to touch a new principle. We have more or less agreed on both sides of the House that in dealing with Ottawa we would like the privilege of opting out, and I would like the privilege of opting out for southern Alberta. Give us our share of the cost of the Ombudsman office and I will guarantee to settle every case that comes up to everybody's satisfaction, or to produce such a case for not doing so that you will realize the applicant had no right. I know this isn't going to make any difference on the decision of the government, but I am very sure that this is not a bill that the people of southern Alberta would go for if somebody explained the whole situation. But when you simply say to them that the government in the past has been negligent, poor fellow couldn't get a hearing; if injustices were done and he didn't have money he couldn't get justice; and if nobody tells them the other side of the story they will fall for it. It's one of these cases of what we call democratic decision, where we simply talk them into voting for something they don't know anything about.

Mr. Speaker, I am opposed to those sections of the bill that do these things. I'm quite sure that it won't make any difference, but when I go home I think I can explain to the satisfaction of my people that I tried to opt out for their benefit.

MR. NOTLEY:

Mr. Speaker, I want to first of all to say that I fully support the principles contained in Bill No. 75. I want to compliment the government on introducing them.

I have a number of observations on this matter that cause me to take this position. First of all, Mr. Speaker, I am a little concerned when I hear the discussion of the Ombudsman's salary raised in the sense that it has been this afternoon. Frankly, I feel that we have an outstanding Ombudsman in Mr. McClellan. I wonder why we concern ourselves about his age. It seems to me that one of the most foolish things we can get ourselves into is this business that a young person -- just because he is young -- is somehow qualified to do a job. I don't care if a person is 85. If he can do the job then this is what we want. I have to say this because when Mr. McClellan was appointed five or six years ago I was among those people who criticized his appointment. But as I look back over the last number of years I was quite clearly wrong. We have in Mr. McClellan a man who, in my view, just stands beyond any criticism in terms of the job he has done. We may find fault with individual reports that he has made, but in terms of his sense of public responsibility, in terms of his sense of duty, in my view, he has just been outstanding.

The question of the salary -- I am a little concerned when I hear the suggestion that perhaps we could have got an equally capable man for \$15,000. With the greatest respect for the hon. Member for Cardston, I don't think we should get into an auction mart approach here to dealing with the salary for a person as important in this province as the Ombudsman. It's my view that we should pay that person a fair salary. I don't believe that \$30,000 is an unfair salary. When you consider the tremendous job that is being done, and the work that is being done by the Ombudsman's office in perhaps providing many of our low income people with a redress of grievances

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that they wouldn't otherwise find, in my view that \$30,600 is money well spent.

I also like the principle outlined in Bill No. 75, that if there is going to be an investigation launched, that investigation be launched by the Legislature. It's very important that we recognize that the Ombudsman is the servant of this Legislature, not the servant of the Cabinet, not the servant of any other group of people but the Legislative Assembly of the Province of Alberta. If there is going to be any investigation or inquiry into his activities it should only be authorized by the Legislature itself. Frankly I think that when this is done -- if it's done -- it should be only on a very rare occasion, because if the Ombudsman is to fulfill his duties successfully, he must be in a position to be as independent as possible. He must be in a position, Mr. Speaker, to slap the knuckles of all of us on occasion, and I think that in the present occupant of the office, we have a person with that kind of courage.

The principle enunciated by the hon. Attorney General that in the case where criticism is being made by the Ombudsman that he should notify the individuals or the agencies being criticized so that they can make representations to him, is another thing that I think is reasonable, and can fully subscribe to, and will strengthen the general position of the Ombudsman in the province.

May I close by just making one final observation. It has been said by some that if you have MLA's that are doing their job it's not necessary to have an ombudsman, or with the new Bill of Rights, Bills 1 and 2, that it won't be necessary to have an ombudsman. Frankly, it seems to me that an ombudsman complements MLA's who are doing their job, and an ombudsman will complement the force and the effectiveness of Bills 1 and 2. I don't think that just because we will be dealing with these two bills at this session and passing them in the fall that we in any way undercut the need for an ombudsman.

It's necessary when you consider, Mr. Speaker, that government is growing rather large these days, and I fear this less than most of the hon. members in this House but, at the same time, I recognize that with big government it's necessary to have a citizens' defendant. It's necessary to have someone who can speak out and investigate the many, many legitimate causes of grievances which our citizens suffer. In that sense, as I see it, an excellent job has been done by the present incumbent for the last five years. I believe that the legislation that the government has presented will strengthen his position and allow him to do even a better job in the years ahead.

MR. BENOIT:

Mr. Speaker, I have just two things I want to say. The first one has to do with the comments made by the hon. Member for Spirit River-Fairview with regard to the person of the Ombudsman. I think that those who spoke previously from this side made it very plain that they were not talking about the Ombudsman, they were talking about the office of the Ombudsman. This needs to be made very clear because if I may reveal any secrets of caucus, nothing but the highest regard is held for Mr. McClellan as Ombudsman by any members on this side of the House that I know of, and I think that needs to be understood.

The second point that I have to make is the one with regard to the salary. It is surprising what comes up if you take just a few moments to do a little figuring. If the Ombudsman who was appointed, received the \$20,000 salary for three years, and then \$28,000 for the fourth year, \$30,000 for the fifth year, and then \$30,000 for the next five years, providing it stayed at \$30,000 for the next five years, under the proposed arrangement he would receive a total of \$266,000 over the ten years. If his \$20,000 salary had been increased six per cent each year, for the ten years, it would come



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out to \$264,000 at the end of the ten years, which is approximately a difference of \$2,000. Now this is something that I hadn't thought about until I was forced down to do a little thinking about it and so, overall, it comes out to about the same. Therefore, if we are looking at \$20,000 as reasonable, and thinking in terms of the six per cent, maybe the suggested arrangement is not that far out.

I just wanted to make those two comments, Mr. Speaker, at this point, not saying anything for or against the principle of the bill as it sits here, but just to think of it from that standpoint.

MR. LUDWIG:

Mr. Speaker, I certainly wish to commend the hon. members on this side of the House for having expressed their various views on the issue of the Ombudsman. I believe this whole issue is above party politics and I don't believe that even the hon. members opposite are of one mind on it -- whether they will express themselves is their own privilege. I believe this is an issue that is not a political issue. I think it is most democratic that anybody who has something to say on this, if it agrees with everybody or no one, certainly ought to be encouraged to express himself.

I agree with the hon. Attorney General that the office is tremendously important and it's too late, anywhere in Canada, to try to reverse the acceptance of the principle. I believe that we have a job now to make the office even better than it was; that is how we will be serving the public, rather than, perhaps, just letting it mark time. I commend the hon. Attorney General for bringing in these amendments. I always believed, when we brought in the act -- the original act -- The Ombudsman Act in Canada, that there would be a lot more difficulty than we experienced. It was a new field, we were breaking new ground, but part of the reason we had less trouble was because we got the right man. A good many famous ombudsmen, I believe, Dr. Hurwitz of Denmark, and the New Zealand Ombudsman, have expressed the view that the success of the office, notwithstanding that you may have good legislation, depends on the kind of man you have to be the Ombudsman. Sir Guy Powles, I believe, made that expression, and several others.

One more reason why we should commend the present Ombudsman is that he didn't have the opportunity of precedent. He had very little authority to fall back on. He could check with Sir Guy Powles of New Zealand or read some of the Ombudsman reports in the Scandinavian countries. But our situation was a bit different. So to that extent I feel that we ought to be proud of the fact that we got the right man to launch this tremendously important program in Canada, and I believe in North America.

I don't wish to get into the matter of his pay. I feel that it is all a matter of personal opinion, and the hon. members who expressed themselves, I believe quite firmly, spoke for themselves. I'm not at all interested in discussing whether his pay is too much or not.

I had the belief in 1967, when our bill came in, that there ought to be some sort of a body set up as an advisory group to the Legislature to see if they could bring in some ideas for change and reform because the Ombudsman then needed guidelines rather badly, notwithstanding that he came through so well. To have a group that is thoroughly informed on all the ramifications of this kind of an office -- it was an experiment -- and we can look back in retrospect and realize that the experiment came off rather well.

I have always gone along with the fact that we have several channels of complaints for individuals, but as government grows bigger and more complex and busier, that additional channels of complaint, of grievances against government, are definitely

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necessary. I think the majority of people now accept the principle of ombudsman as being here to stay and the spread of the idea in North America is almost unbelievable. It is spreading very rapidly as politicians recognize the need for additional channels of complaint, and not to take anything away from aldermen, MLA's or MP's, the fact that so many complaints are handled and disposed of effectively is in itself proof that we need additional channels of complaint.

I believe that one of the problems we have with the ombudsman office, and I believe that is the only time the Ombudsman got into difficulty was on the matter of jurisdiction. I believe that the Ombudsman, when he dealt with the Filipchuk Case, had there been a court remedy provided under the circumstances, he might have avoided getting involved, but you have to admire his courage for tackling an issue that was complex in facts and in law. And I read a remark from Sir Guy Poles on this issue, that he spends most of his time determining whether he should become involved in a matter when his jurisdiction is questionable. I think that is one complaint. I'd like to see The Ombudsman Act in the future, as we have the benefit of hindsight, I'd like to see the act try to define more strictly the Ombudsman's jurisdiction. This will need to be done as courts have had their jurisdiction very clearly defined in legislation.

One more point I would like to make is that the importance of the Ombudsman at the provincial level, and I was always disappointed that there was not a very serious move made to establish the office of Ombudsman at the federal level -- I couldn't get over the fact that I felt the civil service in Ottawa fought the issue, because you seldom meet a member of parliament who isn't in favour of the idea. You might have a few, but by and large, I got the impression that the majority of the members of parliament favoured the ombudsman idea, but somehow notwithstanding that backbenchers presented bills, Art Smith, Robert Thompson, and others, that the idea was never implemented. And I think it's up to the people to request their members of parliament to implement the idea, and see whether we need it or not. I believe that you might find there would be a lot more people beating a path to his door than one might imagine.

And so from that I'd like to mention that I have a motion on the Order Paper at the present time which advocates the provincial legislation in the province to set up, provide for, the establishment of an office of Ombudsman to deal with local complaints against local authorities. This is not a new idea. It is also an idea that is getting held. The same arguments are being raised when we introduced our Ombudsman in Alberta. I think that you will find, as time goes by, if the right people get behind the idea and propose an acceptable bill, that the public will support it. I am not going to discuss it now because I still have my motion and I will have an opportunity at other times to discuss this matter. But I have done, I believe, what is a fair amount of research on this issue throughout Britain and the United States and the idea is very compatible and every bit as necessary for the provision of an Ombudsman to deal with complaints against local authorities as the idea that we need an Ombudsman provincially.

So with those few remarks, Mr. Speaker, I wish to endorse the principle of this bill and the comments of the hon. Attorney General with a comment that it is just as important in the future to determine whether we ought not to have an Ombudsman dealing with complaints against local authorities as we have dealing with complaints against the central government, for the simple reason that all the rights, powers, and authority that the local authorities have stem from this Legislature. If we set up responsible groups to deal with matters of property and rights of people without affecting them directly, we ought to provide a channel of complaint over and above that which is available to residents of cities and municipalities at the present time.

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So I commend the hon. minister for his bill and his attitude towards improving this. I would like to see this same attitude prevail that we could make this an extremely important position, and if we can iron out a few of the small problems that do exist. I once again want to extend my personal congratulations to the Ombudsman for the splendid job he did in trail-blazing this important issue in North America.

DR. PAPROSKI:

Mr. Speaker, I would like to make a few comments. I will be very brief on this particular amendment, The Ombudsman Amendment Act, 1972. Firstly, I want to make it quite clear that I support the post, the function, and the principle of this particular position and also the man specifically. However, with that in mind and clearly delineated for everybody's thinking, I severely object to item eight which is, of course, the change in salary grid for this particular post. It is not specifically for this post -- and I want to make that clear -- it is for all posts with respect to top-paid senior salaried administrators. I find it very difficult to resolve in my mind, and certainly more difficult to resolve in the minds of my constituents and many other people across the province, how a government can claim on one hand to have a desire to control expenses, on the other hand raise salaries of top senior administrators. I am not discussing the lower level of the salary grid, because I think it is important to recognize and realize that a specific job requires adequate salary commensurate with responsibilities. But we are talking now at the top level senior administrative staff.

So therefore, on this basis, I know that we as a government -- and I'm sure that hon. members opposite would agree with this too -- that it is important and relevant that we attract as many competent and able men to these posts, and the Ombudsman position is no exception to this. Surely there must be some other way that we can attract these men to this specific post besides the exorbitant salary, the materialism, and so forth. I suggest that maybe the post could be made more attractive by the other fringe benefits which are the back-up personnel and the challenge of the position per se. If this is not enough, I submit that there is something wrong with our society. I say this again, to repeat it. It is not this particular salary grid for the Ombudsman per se, but all senior civil servants. We have to look at this and set a top level and say "\$25,000, is this it, or \$30,000?" and stick to it, because I can't possibly justify this to anybody outside of government and say that we have to pay these people \$35,000, \$40,000, \$45,000, \$50,000 and this includes the doctors too, incidentally. Thank you.

MR. DIXON:

Mr. Speaker, there is just one point in principle here, I'd like to speak on. I mentioned it earlier, and the hon. Premier suggested that I speak on it during the bill, rather than at the particular time I chose. I was concerned, along with some of the public, that when the Ombudsman's report was made public, one or two people who were named in that report were quoted in the press as being a little alarmed at how he arrived at the decision that he did. They stated publically that it was contrary to the facts, as they knew them. I have in mind particularly the warden at Fort Saskatchewan, where he claimed that the prisoner who said he was kept in confinement, and according to the Ombudsman he was, and then apparently the warden stated that the day following the Ombudsman's report that he had a letter from the prisoner stating it wasn't so. This is the thing that I think does harm to the Ombudsman's office. That's why I'm firmly convinced that anyone that's going to be named in the Ombudsman's report -- the Ombudsman should go out of his way to give him an opportunity to be heard. In our courts of law, as has been pointed out here earlier today, everybody is given an opportunity,

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and their day in court, to be heard. I think this is one thing that should be kept uppermost in mind, particularly with this legislation. That is the one thing that I am a bit concerned about, because over the years, the complaint that I have had has been that people have not had the opportunity that they felt they should have had to be heard. I think this is the thing that the public is concerned about. They should be able to go home at night and feel that everybody has an opportunity to be heard in this province. This is why the legislature sets up the Ombudsman.

I had a man, as late as last Saturday, complaining that he could not get a hearing from anyone, including the Ombudsman. I think at least the Ombudsman should call him into his office and say, "What is your complaint?", or someone in the Ombudsman's department. Then at least you could say that they have heard your story. Whether they take any action on it or not, that's up to the Ombudsman or a person acting on his behalf.

The other point that I'd like to touch on, and this is more of an administration principle with government. I'm wondering if the time hasn't come when the government should give serious consideration to microfilming a lot of our documents that we have. I think the principle that we're after is that the Workman's Compensation Board files be made available to the Ombudsman. Those are very personal files. The other morning I had the opportunity, along with other members of this house, led by the hon. Minister Without Portfolio, Miss Hunley, we went on an excellent tour of the Alberta Health Care Insurance centre. They showed us there how documents could be made available very easily, and very readily, and yet, at the same time security and secrecy could be guaranteed. One of the things that they stressed -- and they handle over 1,600,000 individual documents on individuals throughout our province -- the thing that they insisted on was that those documents stay in the original place where they are stored in that building. It's half the size of this room. Those are all stored there and no one takes a document from that room. They say this is one of the things that they insist on as a must. So, I can see where the Workman's Compensation Board feels just the same as the Alberta Health Care Insurance officials. They feel that their documents should not be lifted. But if the Ombudsman did want a document, under our modern technique, he could be given a microfilm copy of it, which would take care of the new sections that were touched on in this bill. But over and above that, I feel that the time has come, especially now when so many documents that we have -- ordinary paper documents that we have, and letters -- I think that it's time that the government should give greater consideration to using more modern techniques in making copies of those documents, and then destroying the originals, because we're going to have difficulty finding space for the documents; and also it's a lot more inconvenient to look up individual documents when, as it was shown to us the other morning at the Alberta Health Care Insurance centre, how easily all documents -- every individual that has written to the Alberta Health Care Insurance centre, and they have over 30,000 a day coming in there -- can be microfilmed and made available much readily and very accurately.

So I think that if the government moves further into this field, I am sure there won't be the necessity of the amendment that we are asking for in this bill, although I am not opposed to it in that sense. But I think we should insist -- and I know if I were head of the department I would insist -- that the original document stay within that department, otherwise you are going to get nothing but confusion.

Mr. Speaker, I believe that is all I have to say on this bill. I happen to know the Ombudsman personally. It is not as an individual that I am arguing that he should hear every case. I think we should make it mandatory a lot more than we do that he does hear a

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lot of the complaints that people are saying throughout our province that they cannot get a hearing.

In particular, these people who have been charged under The Mental Diseases Act, because the tendency for all of us is, if someone has had a problem with a mental disorder, the idea is to write them off, and sort of let it go in one ear and out the other. In some cases it is proved that they did have a case, and it should have been investigated. In any case, Mr. Speaker, I want to thank you for the opportunity to speak.

MR. SPEAKER:

Are you ready for the question, or does the hon. minister wish to close the debate?

DR. HOHOL:

Mr. Speaker, not at all to prolong the discussion but at least in some measure -- and I am sure the hon. Attorney General will do this in a more full fashion -- but because I feel personally so strongly about the afternoon's discussion I must participate.

In speaking about what does most damage to the office of the Ombudsman, Mr. Speaker, I would submit that this afternoon's discussion sounded to me as much about the person as the office. When you talk about \$15,000; when you talk about people coming out of university being able to do this kind of work, then I think you are also talking about the person. The frame of references in terms of whom he can see, or who can see him was set by the prior government. We will review this and if it needs expanding so be it. It could be that the municipal concept has some virtue also.

What discourages me in particular is that maybe many of us in the Legislature have lost the practice of working with the very unfortunate. My experience has been of that kind. Born and raised in the depression, and losing my father when I was a youngster during that same period, I became aware of what it was like to be poor. My life has been somewhat in dealing with people who are extremely unfortunate.

Just to give you one example of the kind of work the Ombudsman does -- instead of arguing about whether he should get the wage that he does -- I think that wages should be commensurate with the kind of responsibility that he has. The precision, the time, the care, the responsibility that he brings to each case surely warrants a discussion that leaves out the matter of money. I am not a spendthrift; it is not my background; it is not my experience; but I am prepared to recognize the awesome responsibility that he undertakes and carries to such a successful conclusion. To hear such a criticism and such a lengthy debate on money, and that anyone can do this kind of job by the then government that set up the office, has to be disappointing.

The role of the MLA and the Ombudsman is not an effective kind of analogy. The Ombudsman is full-time, and is behind. He has an incredible lot of work that takes very precise, time-consuming and painstaking work.

In the case of the Workmen's Compensation Board, let me remind the Assembly, Mr. Speaker, that there is no appeal from the Workmen's Compensation Board. When you say there is no appeal from the Ombudsman -- there isn't any except --

MR. DIXON:

Mr. Speaker, on a point of order. May I ask the hon. minister a question? Am I correct in assuming that there is no appeal, but the

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case is never closed, which is the key to the issue, that is, under Workmen's Compensation. It can always be re-opened on further medical evidence.

DR. HOHOL:

Mr. Speaker, once Section 28 of The Workmen's Compensation Board Act has been effected and utilized the case is, in fact, closed. It is open only prior to the utilization of the appeal clause so that we have other cases from which there is no appeal. But the amendments provide hearings if this is required.

I simply want to indicate my regrets that many of us who get well above \$20,000 have some feel that this office should be a missionary kind of one. I feel very much that it should be commensurate with the profound and awesome responsibility of the Ombudsman. The detail of what happened with respect to the salary will be reviewed by Mr. Leitch, but my recollection is that provision was made in the legislation for a raise in each of the last two years, certainly the last one, but that it wasn't followed through by the government. I have spent a good deal of time with the legislation here, and with the Ombudsman to review his work over the many years, and I find that it is an awesome responsibility.

Many people who are injured, for example, in the industrial accidents that would come before the Workmen's Compensation Board, maybe can't represent themselves or they can't have the support of a solicitor -- people, not generally, but in large measure, people without much education. It is people like this that in particular, the Ombudsman can assist, though, of course, here again I'm not generalizing because he can assist anyone who feels that he has a legitimate problem within the terms of reference. In seconding the motion of the Attorney General, I should like to make these comments.

MR. STROM:

Mr. Speaker, I really hadn't intended to say anything on it, but there are two points I want to make. Number one, I want to say that I am prepared to support the principle of the bill and I thought the hon. the Attorney General gave a very good explanation of the principle that was involved in it.

I was a little concerned, Mr. Speaker, when the hon. Minister of Labour rose in his place, and was a little disturbed because the Legislature, or some of the members in the Legislature, had seen fit to raise some questions about certain aspects of the Ombudsman's position. I couldn't help but sit here and think that it would be a sad day indeed if the Legislature were to establish a position that we would in fact be afraid to criticize.

DR. HOHOL:

Oh, no!

MR. STROM:

Well now, Mr. Speaker, he says, "Oh, no!" But what he did do was to rise in his place and take to task, in a very nice way -- in a very nice way, let's be fair about it -- certain statements made by certain individuals. And all I am saying, Mr. Speaker, is let's forget about this particular responsibility as far as debating it in a partisan manner, but let's remember that no position that we establish should be above the ability of anyone to mention anything about it that they want to in his place. And I for one, cannot see where it would, in any way, downgrade the position of the Ombudsman. I think that what has happened this afternoon is that there are a number of people who have risen in their place and have commended in

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very eloquent terms the work that the Ombudsman has done. And I think that we can be rather proud in Alberta that we were the forerunners in the establishment of an Ombudsman position.

I for one am prepared to support the government in anything that they may try to do that will upgrade the work of the Ombudsman in the future. I would hope that when we go through the bill clause by clause we might be able to discuss it in a very free manner, if there are any points that we would have some questions about, and that we should not at any time then consider that just because we raised some questions that we are in fact then lowering the effectiveness of the Ombudsman's position. Because, Mr. Speaker, I want to say just as clearly as I can that I know that the Ombudsman's position is here to stay, and that it will accomplish much good, and that in spite of our best efforts there are situations that will arise that can only be handled by someone who looks at it from a neutral point of view, which I am sure is the way the Ombudsman operates.

But, Mr. Speaker, again I hope that we will always exercise our right to express whatever views we have on an office that is responsible to the Legislature, but that we discuss it outside of partisan politics.

[The motion was carried without further debate, and Bill No. 75 was read a second time.]

Bill No. 82  
The Franchises Amendment Act, 1972

MR. LEITCH:

Mr. Speaker, I move, seconded by the hon. Provincial Treasurer, second reading of Bill No. 82, The Franchises Amendment Act, 1972.

Mr. Speaker, there is in the amendment at least, or in Bill No. 82 very little principle to be discussed because it merely alters the date on which The Franchise Act, which was passed last year, will come into operation.

I might say, Mr. Speaker, that that occurred because while the act was passed last year -- and I believe the original intention was to proclaim it in force in the fall, with it being effective on February 2nd -- there had not been the anticipated preliminary contacts with the people affected by this legislation by September 10th, when we came into office, to sufficiently alert them to the fact that legislation would become effective on April 2nd, nor had there been arrangements made to provide a staff within the Securities Commission to do the work The Franchise Act called for. That, Mr. Speaker, was the reason for the bill.

[The motion was carried without debate, and Bill No. 82 was read a second time.]

Bill No. 83, The Mental Health Act, 1972

MR. CRAWFORD:

Mr. Speaker, I move, seconded by the hon. Minister of Federal and Intergovernmental Affairs that Bill No. 83, The Mental Health Act, be read a second time.

Mr. Speaker, I have something in mind at the moment that I think will contribute to the mental health of all hon. members in that I've made two promises, one to myself and one to the seconder, that I wouldn't speak too long on second reading. This happens to be an area where I have had the ability, I think -- because of the Throne Speech debate and the budget debate -- to give quite a lot of time to, and have done so during the last couple of months.

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The few brief things I did want to say about it would relate to the overall impact, the manner of gauging the impact of this bill, and the manner of giving due and full consideration to the response that the bill will receive from the public and from interested groups and hon. members.

I am going to indicate that my intention is that once second reading has been completed that the matter will not be studied clause by clause until the fall. The reason for that is the rather good one that in the event that changes are recommended by any of the groups that I have suggested over the period of study that will be available during the summer, then we really should come back to it at a clause by clause stage rather than at any more advanced stage than that.

It is my hope, Mr. Speaker, that hon. members will -- as we have been invited from both sides of the House on various issues from time to time -- regard this bill in a non-partisan way. When I say that suggestions are anticipated in regard to changes, they will, indeed, be forthcoming and that they will be forthcoming in the spirit that I know motivates hon. members more than any others, and that is the desire, really, to assist in serving the public to assist in the better carrying out of objectives that are the public's and well subscribed-to objectives of all of us.

In an area such as mental health, where so much can be anticipated in treatment patterns over the years to come, I feel my request -- and that's what it is -- that reactions be provided to the bill over the summer, is even more significant than it could be in some other matters, even though many matters are, of course, of considerable importance.

The bill is a pioneering bill. We already have had some early reaction from associations and professional societies to the extent that they accept not only the bill, but the fact that it will make changes in treatment patterns to come. I think it should be emphasized that the bringing in of this bill is not a legislative exercise in any small way. It is, indeed, done with the deliberate intention that changes in the manner in which patients are treated, starting in the near future and throughout the years thereafter, will be brought into full accord with the times that we live in, and the vestiges of out-moded practices in mental health treatment will be consciously and deliberately eradicated to the extent possible and with all the speed possible.

I think it's worth remarking upon the fact -- hon. members will have had the bill in their hands for several weeks now and be familiar with the creation of the Therapists Licencing Boards as one of the potentially controversial items in the bill -- but apart from that, some other matters of significance that the bill brings to mind are the creation of the Provincial Mental Health Advisory Board and the Regional Mental Health Areas and Councils. The sections that relate to the informing of relatives in regard to the admission of formal patients and the new procedures for informing a patient in clearly understandable language of his rights in regard to his detention and treatment. Further, the ban on censorship of patient communications and rights in regard to visitors.

In addition, I think it's significant that the admission procedures themselves are being changed with particular reference to voluntary admission procedures. Perhaps one of the more significant revisions relates to the period of detention and the automatic reviews that are provided for in regard to renewing the authority on a periodic and regular basis to require a patient to remain in a mental health facility.

Mr. Speaker, those are the few remarks I wanted to make at this time. I reiterate my concern that when the bill reaches the committee study a full measure of response from all areas will have



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been received and I reiterate, my invitation to hon. members present to approach that part of our proceedings, later in the year, with a conscious effort, of course, and a desire to assist in finalizing the bill in as non-partisan a way as possible.

DR. PAPROSKI:

Mr. Speaker and hon. members of this Assembly, I'd just like to make a few points first before I get into some of the items I see as possible qualifications that could be made. I'm very pleased that the hon. minister has, in fact, indicated that the clause by clause study will be done in the fall and there will be ample opportunity for the public, in fact, to give additional input, and especially the hon. members here in the Assembly.

I think it is quite well-known by hon. members that the fear-hate complex about mental illness has developed over many, many years, and it is with us today in modern times despite the fact that we have gone to the moon and back. This is hard to comprehend by most citizens who certainly think about this for any length of time. The taboos, and the fears, prejudices, and so forth, not only hamper the therapy of mental illness, but also contribute to such an entity which I think is a mammoth problem in North America and around the world. Now we know very well that we can have a graph-like line between mental health and mental ill-health, and we know very well also that one to two out of ten people suffer from mental or emotional disorders to the extent that they require some professional attention sometime in their lives.

Now the emotional disorders of children in school groups have been estimated from some 5 to 10 per cent and if you add the various other handicap problems, the physical handicap problems of visual, hearing and so forth, this increases up to 15 per cent, and I suggest to the hon. members this is a very, very large number when you consider the population of this province. Now everybody becomes very upset and very alarmed when we have an epidemic of a physical problem, but yet we know very well that the mental hospitals on a day-to-day basis actually occupy more of the beds than all the public hospitals for other medical therapy put together.

Knowing this and knowing the fact that mental retardation in children makes up three per cent of the population, and probably is the most important chronic disability of children today, I hail this bill. I think it's very timely, and I certainly congratulate the hon. minister and the government for having brought it in because I think the intent and the way it's going to operate in the future, hopefully, is going to be a true test of this bill.

But I remind the hon. members again, despite the fact that we have this bill here now, and hopefully it will be enacted in the fall, we have people that are suffering today and require urgent support. I wish the hon. Minister of Education was here. I'm specifically referring to the Evelyn Unger School for Children with Learning Disabilities. Here is a woman in our province who is a non-professional, who has devoted her life and who is, in fact, taking care of some 100 children who have learning disabilities. These learning disabilities may be of a physical nature or a mild mental nature -- and she needs support desperately -- and I make this plea just to interject it in my discussion here today. She is taking care of 100 children now -- she is short of \$40,000 for her program on an operational basis just for this year. And for next year she requires some \$80,000 for the operation of her school and she wants to expand to a 200 pupil facility.

I suggest to the government -- again I make a public plea that this government act on this matter rapidly -- why? Because it's not only the 200 children, because there are another 10,000 children like this in the Province of Alberta, and I submit these 10,000 are

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probably here in Edmonton alone, because Edmonton makes up approximately one-third of the population of these types of problems. I can't over-emphasize this. I say it without any hesitation, and I know the government is sensitive to this area. I know the government on this side certainly has considered it, and in view of all the priorities have decided for the moment in time to postpone this. I hope their decision will be reversed very rapidly because these children represent many, many families, and a delay, as I have stated ten if not twenty times, one year's delay means three years of loss. Two years is six years of loss, and in three years you may have lost that child forever, in fact.

Now in 1918 the Canadian Mental Health Association showed the way by getting the interest of the public regarding mental health. They have developed community psychiatric interests and they emphasized the community aspect of mental health. It's interesting to note because this goes back to 1918, and after all these years, finally we are coming around to what? Another report from Dr. Blair, which is excellent, there is no question about it, and I certainly commend him on this. We have now an act, and even the Community Health Centres talked to the community centre services, not only for mental health, but for other services. So it's not really a new item, none of this is new. The point and the issue I want to make and stress here, hon. minister, and to the government, is this act will also fail like all acts fail if, in fact, it does not become operational.

So it is all very nice to have this act and I certainly say again strongly and with complete support that it is a basic act. It has the framework, it has the foundation, but it will only become functional if the community, as the hon. minister has stated many, many times, actually puts in the input, not only into the final rules and regulations of the act, but also participates in carrying out the functional aspect of this act. I know the minister has this in mind, but I only want to stress this because this is my concern, as I read most of these acts as a novice in this Legislature.

With these thoughts in mind I say again that the intent of the bill is excellent. It enables legislation to facilitate development of mental health programs at the community level equal to other health care delivery. In other words, what this mental health act is doing is admitting that health is total health. It is not physical health only. It is mental health and when you say mental health you might as well say social health, because that is exactly what it is. It is emphasizing and intending to diversify the large institutional types of mental health institutions like Oliver and Ponoka and so forth, down to the regional level or community level. Both of these statements have been made in the Blair report and I think this, again, is to be commended.

There is emphasis on team approach which is the thing for modern medicine. Anybody that denies this is in trouble, because I submit to you that modern medicine with all its complexities requires the team approach and not to have it segmented and fragmented. This team approach again then must have a mechanism. It is of no value to have team members, all hyper-specialized, in these various corners not communicating. So you must have some kind of mechanism to bring this team together to, operate, to help, to provide the service for mental health or total health or community health, if you wish. Use whatever mechanism you want to. I suggest of course -- and I am very biased on this -- that community health centres can serve as the fulcrum for this type of service, not only for physical health and social services, but also for mental health, with the MD. And again I emphasize the MD can practise where he wants to be in his respective office, but co-ordinated together with the various centres.

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Now in defining the facilities, there will be "facilities". I think this should be expanded, of course, in thinking, and I hope and I know that you, in fact, intend to do this over the summer months before you bring in the final reading of this bill. But these facilities I would submit, Mr. Minister, for your consideration, that they all be integrated as part of the hospital physical health services, as you have indicated before, and to emphasize this not be detracted from other suggestions -- in other words, what I am saying, a ward in an active hospital, integrated as part of that hospital, not necessarily a separate ward, but a separate ward if necessary for some special problems -- wards in auxiliary hospitals if you wish, wards in nursing homes, and a portion of a community health centre, if that ever comes to pass.

In other words, don't build more facilities -- and this is my recommendation -- until you have exhausted all the facilities that we, in fact, have. I submit a lot of these facilities are there and many people will say "well, the facilities are not there because we can't get our people in active hospitals, auxiliary hospitals, and so forth." Well I think the answer to that -- at least in part, because there is no concrete answer -- is to streamline the system. In other words, what you want in a health system, in the health care delivery portion of our responsibility, is some type of a system that is operational, a streamlined system that works. And when I say this you say "what are you talking about?" I mean, get the patient in the active hospital, auxiliary hospital, nursing home, in a circle into the community and back home again and keep him moving as much as possible, recognizing that we have chronic patients that will block this whole system. However, there are a lot of patients that can be moved and I submit to you that possibly 25 per cent of these patients can be moved in and out of the system so that we always have a system of continuing care with always beds available.

With respect to special care facilities, I recommend to you that, in fact, we should have special care facilities. What am I referring to here? Nursing-home type of facilities where chronic patients, moderately senile patients can, in fact, stay for the remaining years that they have to, rather than a large impersonal type of mental institution. In other words, any facility that you do intend to build in the future whether it is an alcoholic centre, or a drug centre, the mental institution for the retarded that the old Misericordia hospital has now is excellent, providing it is a de-institutionalized type. It is personal and it is part of the total system.

You have indicated that you are going to increase the psychiatric units in general hospitals, the day hospital concept near hospitals, the out-patient departments including community health and social development centres, possibly increased use of guidance clinics, and may I recommend here one more item, that is a travelling team. I think because of our wide expanse geographically that it's very valid and very important that we have travelling teams going out, not only screening our children for mental problems, but also offering various therapy, for instance, diagnosis, treatment and rehabilitation, and so forth. You have mentioned boarding homes, sheltered workshops, halfway houses -- again very good, but I emphasize again that they should be of the de-institutionalized type, the personal type.

May I say in conclusion, hon. minister, that again there are four echelons that have been described by the Blair report. These echelons are valid. The first echelon they talk about, in fact, is at the community level. Here again, this echelon at the community level is the fulcrum of activity. Here is where the medical doctor is, in his respective office, and here we need another fulcrum of activity for all of the whole system. That can be a community health centre, otherwise, you have many agencies and many boards. These are

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working together, and this is the first echelon and the most important one -- the non-hospital community facilities.

In talking about the second echelon we have the active hospitals. Again, let's not build any more active hospitals unless we absolutely have to. We could maybe expand the wards for psychiatric care. Generally speaking, by and large, the second echelon seems to be quite in order.

The third echelon of having auxilliary hospitals and mental hospitals -- you have made your comments already, you have no intention of expanding the mental hospitals as they are now, but decreasing them to the optimal size so they are functional, and I think this is an excellent idea. But let's open up some of these wards in auxiliary hospitals and nursing homes.

The fourth echelon is a new echelon, I feel, and 25 per cent of our mental problems, in fact, could be in these type of de-institutionalized institutions, if you wish, or facilities. That is, centres for alcoholics, drug problems, senile, confused, and mentally retarded children -- the severe ones, I'm talking about, not the ones that we have possibly some degree of in the Evelyn Unger School. So we're speaking of the community level, where people can understand, where people can act and respond, where the voluntary groups will, in fact, learn and be educated about the mental problem and not be detached from it because it happens to be 30 or 40 miles away from the community, which you don't want to face. Thank you.

MR. LOUGHEED:

Mr. Speaker, I'd like to say a word to the members with regard to the second reading of The Mental Health Act, 1972. I say it because I would hope that the members may recall, perhaps one year and perhaps two years from now, the remarks that I intend to make with regard to this subject. I think it's one thing to pass a piece of legislation with regard to mental health. We will welcome, as the minister has mentioned, over the course of the summer, the views of citizens, the views of the many people who are interested in this area, and of course, we'll welcome the views of the legislators on the bill as well. The bill is only one aspect of our priority, with regard to mental health.

I would like to put the members on both sides of the House on notice of what this really means. Because what it means in my opinion, in terms of budgetary commitment, is the park, the road, perhaps even the school; certainly the extra activity that you may want in your constituency is going to be judged and evaluated in relationship to this priority and this need. So this priority is not one that one can clearly pass over and quickly vote through. We mean it. We mean it in a very determined way. It's going to hurt in terms of priorities. Because today, as we all know, we can't do all the things we want to do in all the areas we want to do them. So the ministers with their pet projects, the members with their constituency desires, justified as they might be, are going to have to weigh the public merit of those proposals against the need in this province to upgrade and reform the programs and the facilities and the attitudes in terms of mental health.

The second thing I'd like to say about this area is that we can spend money, we can develop programs, we can pass legislation; but one of the keys of implementation, as the hon. minister is aware, is the degree in which we are able to involve community at large in terms of participation. I think it's there. I think there is very fertile ground for it throughout all of Alberta. We have to assure that the climate, the conditions and the arrangements are such as to have that extensive community involvement. We again should judge our progress in this area in terms of the degree of public participation we receive.

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Third and finally, I would like to suggest to members on both sides of the House that our success in terms of public acceptance of this priority in terms of budget dollars, our success in involving citizens at large in this important issue, depends upon the way in which we as legislators respond to the issue; the degree in which we as members are prepared to back up the statements we make in this House about the need for mental health reform with our own actions and our own comments, and do what we can to assure that any stigma that has in the past been attached to mental health, is in fact, eradicated from the society here in Alberta. I certainly pledge the office I hold to the maximum degree that I can do all I can to assure a greater and greater public acceptance of priority involvement by government and the people in reform in mental health. Thank you.

MR. SPEAKER:

Are you ready for the question? Having heard the motion by the hon. Minister of Health and Social Development, seconded by the hon. Minister of Federal and Intergovernmental Affairs, that Bill No. 83, The Mental Health Act be read a second time, would all those in favour please say 'aye'.

[The motion was carried without dissent, and Bill No. 83 was read a second time.]

Bill No. 84 The Child Welfare Amendment Act, 1972

DR. PAPROSKI:

Mr. Speaker, I move second reading of Bill No. 84, being The Child Welfare Amendment Act, seconded by the hon. Member for Calgary McKnight.

The majority of the proposed amendments, as I have stated before, are to define more fully and adequately the rights of children in the province of Alberta, and the protection of those rights. Secondly, it provides a new Part 5 for the service for mentally retarded children.

I would ask the hon. members if they would be so kind as to get Bill No. 84 in front of them, so I can go over it on a point form basis. Maybe this will save time in Committee of the Whole.

Point 1 in the amendment deals with special needs for children on probation. Here we are extending rehabilitation and care and appropriation of funds for the care of these children.

Amendment No. 2 increases the fine for breach of confidentiality -- and this is quite obvious here -- it increases from \$100 to \$500, and defines the term of imprisonment as 90 days instead of three months in lieu of the fine. This will go very quickly if members will follow this.

Item No. 3 in Section 16, which is the next amendment -- we add an amendment here that an apprehended child may be placed in a shelter or a foster home. Presently the act does not allow the child to be placed in a foster home, and this causes some difficulty in smaller communities where there is a foster home and you have to have this particular place approved as a shelter. This clarifies that matter, and in fact, will streamline the care of these children in some instances.

The next amendment, Section 26.1 deals with temporary and permanent wardship. Provisions have been made here for application to the juvenile court to enforce the amendments. This is to enforce maintenance and order, or the director of maintenance and recovery under The Maintenance and Recovery Act may make application to the juvenile court, and relate it to the juvenile court judge.

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Presently, the juvenile court judge dismisses the application on the grounds that the juvenile court judge could not follow the principle outlined in part 4 of The Maintenance and Recovery Act due to the fact that the judge in that part is defined as a judge of a district court. In other words, a juvenile court judge can now recover support for the child.

The next amendment, No. 5, which is Section 35 on your bill, deals with the non-ward agreements, and is very similar to the one prior to the previous amendment.

Section 36.1, clarifies the duties of the director for wardship and allows for an order to surrender the child back to the director. Here the director of child welfare may apply to a judge of the district court for an order to have a ward child returned to the director of child welfare, rather than merely a warrant calling for the arrest of the party for refusing to return the child. This also applies now anywhere in Alberta (previously it applied only to the district where the district judge had jurisdiction) and as a matter of fact even applies and can be served outside of Alberta.

The second last amendment deals with non-ward adoption. The amendments here propose the limiting of a right to reapply for order of non-ward adoption for two years from the date of hearing on the previous adoption petition, or until the judge is satisfied that the reason for refusal or the previous petition no longer exists. This increases flexibility and particularly applies to so-called non-ward adoptions, and these are adoptions involving children who are non-wards of the Crown. These children are children of divorced parents, where the parent having custody of the child has remarried and wishes to adopt the child with a new spouse. So there is increased flexibility in this area.

Now the last part is a new section. It is Part 5, Services for Mentally Retarded Children, and here it proposes introduction of Part 5 into The Child Welfare Act which would bring mentally retarded children within the ambit of The Child Welfare Act. Facilities would be designated by the Minister of Health and Social Development for the care of these mentally retarded children, and the mentally retarded children would be afforded the same protection of the Director of Services to the Handicapped. And

Again, the important issue is not only the fact that it is within the ambit of The Child Welfare Act, but this is cost-shareable. It is important to note that 21 years of age is indicated here because, in fact, under the Canada Assistance Plan, it is up to 21 years of age. It could have been lowered to 18 but, in fact, it was not because of a considerable amount of administrative difficulty at this time, and probably this should be changed at a later date. But the cost-sharing is the issue here and this will undoubtedly bring to the provincial coffers a few million dollars every year.

[The motion was carried without further debate, and Bill No. 84 was read a second time.]

Bill No. 85 The Off-Highway Vehicle Act

MR. DOWLING:

Mr. Speaker, I move, seconded by the hon. Minister, Mr. Adair, second reading of Bill No. 85, The Off-Highway Vehicle Act. A background experience in regard to motorized vehicles that do not fall into the general category of the types of vehicle used on highway transport led to the consideration that there should be some form of legislation which might enable the government and administrators to deal with these vehicles.

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The first step was to enact regulations under The Highway Traffic Act, which intended to regulate snow vehicles. The next step was the enactment of The Snow Vehicle Act in 1969 and in the meantime there was a rapid development of other types of vehicles different from snow vehicles as such, and yet not conforming to the standard motor vehicle. These were in such categories as all-terrain vehicles, amphibious vehicles, mini-motor vehicles, mini-bikes, and other vehicles of light nature. The need for regulation of these types of vehicles was realized not only in this province but also in the United States and other provinces of Canada. The problem grew to such intensity in organizations such as the Canadian Conference on Motor Transport Authorities, and the American Association of Motor Vehicle Administrators, who are concerned with this situation and were seeking some solution to deal with vehicles of this nature.

To deal with the problem in Alberta we drafted the proposed Off-Highway Vehicle Act which incorporates and absorbs the present Snow Vehicle Act and purports to take care of other vehicles that are not snow vehicles and which do not fit into the category of standard highway vehicles. The reason is the obvious fact that we now have something in the order of 30,000 snow vehicles and an estimated 60,000 that are not registered. There are in the order of 50,000 vehicles other than snow vehicles which are off-highway vehicles and there must be some method, either with this act, or down the road, whereby these vehicles can be controlled.

Another major problem is the growing number of deaths in Canada as a result of the use of the vehicles. In '67-'68 there were 35, and this total has grown to 1970-'71, 118 deaths in Canada alone. There are approximately one million of these vehicles presently in existence in Canada, and the problem of the use of them from a recreational standpoint, and for other purposes, is something that has to be controlled.

[The motion was carried, and Bill No. 85 was read a second time.]

Bill No. 86 The Securities Amendment Act, 1972

MR. KOZIAK:

Mr. Speaker, I move, seconded by the hon. Member for St. Paul, second reading of Bill No. 86, being The Securities Amendment Act, 1972.

Mr. Speaker, the length of my presentation will in no way be connected to the thickness of the bill: I will just highlight a few particular points which may be of interest to the hon. gentlemen and ladies.

First of all, the amendments to the 'definitions' section provide for easier reading. The word "advisor" replaces two other definitions. The word "dealer" replaces four other definitions and makes for uniformity with other provinces which pursue uniformity in the area of securities legislation.

Secondly, Mr. Speaker, the bill provides that the Securities Commission for the Province of Alberta is now entitled to recognize a stock exchange that operates outside the Province of Alberta. Mr. Speaker, such an amendment will permit the primary distribution of certain shares of certain companies to be made available to Alberta residents where there has to date been some impediment in this particular situation. I know of at least three Alberta companies, Mr. Speaker, whose shares might have been available to residents of the Province had Alberta had the commission of the Authority to recognize the stock exchange outside the province. These, of course, were not made available to the residents of the province because of

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the impediment which presently exists in the act, and which will be corrected by the amendment.

There is a provision, Mr. Speaker, for an appeal from a decision of Calgary Stock Exchange to the commission. The amendments to the act would permit and provide for greater information to be given to shareholders on take-over bids. The amendments would provide, Mr. Speaker, that greater and more information would be given to shareholders in terms of financial disclosure, in terms of the information that is made available on financial statements.

Generally, Mr. Speaker, it up-dates certain aspects of the act so as to make the act uniform, as I said earlier, with other provinces which pursue uniformity in this legislation.

[The motion was carried, and Bill No. 86 was read a second time.]

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

DR. HORNER:

Mr. Speaker, I would like to move, seconded by the hon. Minister of Federal Intergovernmental Affairs second reading of Bill No. 88 The Department of Agriculture Amendment Act, 1972.

[The motion was carried without debate, and Bill No. 88 was read a second time.]

Bill No. 92 The Clean Water Amendment Act, 1972

MR. COCKSON:

Mr. Speaker, I beg leave to move, seconded by the hon. Member for Smoky River, the second reading of Bill No. 92, The Clean Water Amendment Act, 1972.

As I said at the first reading, this particular bill clarifies the role of the Division of Standards and Approvals and the Division of Pollution Control, and makes it more readily possible to enforce the regulations within the act.

There are some sections in the act that have been changed. They are minor changes. There is one section that has been added which clarifies what is termed as a "deleterious substance" and it makes it possible to regulate the contaminant in water throughout Alberta.

[The motion was carried, and Bill No. 92 was read a second time.]

Bill No. 94  
Marketing of Agricultural Products Amendment Act, 1972

DR. HOENNER:

Mr. Speaker, I move, seconded by the hon. Minister of the Environment, second reading of Bill No. 94, The Marketing of Agricultural Products Amendment Act, 1972.

[The motion was carried, and Bill No. 94 was read a second time.]



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Bill No. 97 The School Amendment Act, 1972

MR. HYNDMAN:

Mr. Speaker, I move, seconded by the hon. Provincial Treasurer, second reading Bill No. 97, The School Amendment Act, 1972.

[The motion was carried, and Bill No. 97 was read a second time.]

Bill No. 99 The Legislative Assembly Amendment Act, 1972

DR. HOFNER:

Mr. Speaker, I move, seconded by the hon. Minister of the Environment, second reading of Bill No. 99, The Legislative Assembly Amendment Act, 1972.

MR. TAYLOR:

Mr. Speaker, I would just like to say a word or two in connection with Bill No. 99.

The bill provides for monthly payments of the indemnity and, in my view, this is the first step in weakening the long established principle of the payment for attendance at the Legislative session, or the indemnity for attendance at the session, and it starts to indicate that it is somewhat of a monthly payment, or wages or salary for work being done each month of the year. Everyone knows that since the beginning of the parliamentary system MLA's and MP's have worked for their constituents when the House is not in session. But the idea of the indemnity was that you're indemnified for losses or for your work while at the session. I personally disagree with a monthly payment of an indemnity. I think it starts to weaken the structure of the indemnity, and it could well lead to other complications such as 'one job'. If it becomes interpreted that MLA's are receiving a monthly wage for being an MLA, then it may well be interpreted that the MLA shouldn't be doing any other work. I don't think this was ever intended -- I think it's quite possible for MLA's to carry on their farm, their teaching, their law practice, their medical practice and so on; and they are entitled to indemnity during the session. Consequently I want to register objection to the payment of monthly indemnities, I think this is weakening the whole idea of indemnity for the session.

There may well be complications in regard to the payment of the monthly indemnity also, if it's done in that way. If it's going to be for every month following between the election and the session, or between one session and the next session of the Legislature, it may have some very great complications in regard to the payment of the sessional indemnity that is payable now at the end of a session.

I have no objection to the splitting of the amount when the session is adjourned for a few weeks or a few months; I think that is a logical thing, but that is a different principle entirely from the monthly payment.

DR. HORNER:

Mr. Speaker, I --

MR. SPEAKER:

I believe two other members still wish to speak on this.

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MR. BENOIT:

I just wanted to say very briefly, Mr. Speaker, that I agree with what the hon. Member for Drumheller has said. I'm not going to take the time of the House at this point, in anticipation of the fact that there will be other opportunities later in this session to discuss it in detail. But I think that if we change the idea from an indemnity to a salary, that it would not be in keeping with the general idea that was originally set forth. And there is much more that would be said if we're going to spend a great deal more time, and it does become a salary, then this is a different picture altogether.

But I don't agree with changing it from indemnity to salary, I don't think that is the idea that was intended, and certainly it was a sessional indemnity, it was for the time that was spent in the session, not the time that was spent outside. If the whole principle is to be changed, then we have to take a good long look at it; but if it's just changing the indemnity from annual indemnity or sessional indemnity to a salary to be spread over a year month-by-month, I think it breaks down on the principle aspect of it.

MR. DIXON:

Mr. Speaker, I'm pleased to see this bill before the House, and I just want to speak on one principle which I think this bill is going to take care of, and that is the case of an member who is elected, and he may serve from being elected, say in May of one year until January 15th of the following year, and unfortunately the hon. member passes on. There is no way that member can get one red cent for all the effort he has put in, and, of course, it's his family who suffer in the final analysis. So I'm glad the government has brought in this bill that will take care of this situation. We've had the recent situation in the hon. member's constituency of Stettler, and not too many years ago in the constituency of Three Hills, and one or two others that I could mention. We all realize, I think, when a new member comes in the House he probably works twice as hard as anyone else because he is so dedicated, and he is anxious, and he is looking forward to the session. I think in all fairness and honesty, he probably does more spadework than some of us who have been elected for a number of terms. So I'm pleased to see that this bill is going to take care of that situation, because it has always bothered me somewhat to find out that the family -- it's the only place that I know of, where the family has no recourse to getting any of the money back for the effort -- and the honest effort -- that was expended by the member who passed on prior to entering the Legislature.

MR. HARLE:

Mr. Speaker, I would like to thank the hon. member opposite for bringing that particular subject up. I think it is a matter which has received considerable discussion by the government, and is one of the reasons for the principle enunciated in the bill.

MR. STROM:

Mr. Chairman, there was one point that the hon. Member for Drumheller didn't raise that I would like to raise. I certainly appreciate that the work of the MLA's has been increasing over the years. I think those that have been around for a while recognize this to be a fact and something that we cannot escape.

But inasmuch as the government is setting up a special committee to review the salaries of the Cabinet Ministers, the Premier, the hon. Leader of the Opposition, and other offices, it seems to me that this is one item that could have been referred to the committee and in my opinion should have been referred to the committee, so that they might have an opportunity of reviewing the method of pay and making recommendations to us. This is really the only additional

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point that I want to make and I wanted to rise and make it at this point in time.

DR. HORNER:

May I close the debate, Mr. Speaker?

HON. MEMBERS:

Agreed.

DR. HORNER:

I appreciate very much the hon. Member for Calgary Millican, because, as the hon. Member for Stettler has mentioned, this is one of the things that has concerned me from the time I entered this Legislature. Certainly the House of Commons in Ottawa has been paying on a monthly basis for years and years and years, even when you only went to Ottawa for three or four months. It is on the simple premise that once you are elected you are a servant of the people. I want to suggest to the hon. members opposite that if the only time they ever do any work is when they come into the session, they might as well not come, because unless you do your homework and do some background reading, unless you know what is happening in your constituency, unless you are doing that work all the time, then you might as well not come to the session at all. I know the old story used to be, Mr. Speaker, that the former Premier, prior to the Leader of the Opposition occupying that post, used to call the boys in for six quick weeks, pat them on the back, give them a cheque, and send them home. That isn't that way anymore, Mr. Speaker. The situation is that an elected representative from the Province of Alberta starts to work the day he is elected. In my view, his salary and expenses should start to be paid then.

The argument that says that because you are getting one monthly cheque, you can't have another job is just so much hog-wash and this doesn't carry any weight whatsoever. The problem is simply one of whether or not you are going to do it in a straightforward manner by paying it on a monthly basis along with the expenses as well. I can recall very well talking to the former Member for Edson who came in on a by-election. He was an elected member, in my view, of the Legislative Assembly for almost a year, until such time as the Assembly met. It was over a year before he ever received any expense money whatsoever for representing that constituency. I suggest, Mr. Speaker, that is grossly unfair and isn't responsible whatsoever.

The hon. Leader of the Opposition says that this should be left to the committee. I disagree. I think that we as, surely, forthright people should be able to decide that kind of destiny, whether or not we are going to be paid in a reasonable way, on a monthly basis --

MR. STROM:

And the question of the indemnities?

DR. HORNER:

-- and the question of the indemnities, then, is a different matter entirely.

MR. STROM:

[inaudible]

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DR. HOFNER:

The hon. Leader of the Opposition -- I appreciate that he grew up in the Manning era. As I said, bring them in for six weeks, make them rubber stamps, pat them on the back, and give them a cheque if they are good boys. Well, Mr. Speaker, we have moved beyond that in Alberta. We have moved beyond that in the way that we conduct business in Alberta and I think that this is the first step in modernizing The Legislative Assembly Act into modern business-like terms.

MR. SPEAKER:

On the motion by the hon. Deputy Premier, seconded by the hon. Minister of the Environment, that Bill No. 99, The Legislative Assembly Amendment Act, 1972 be read a second time, would all those in favour please say aye.

[The motion being carried, Bill No. 99 was read a second time.]

Bill No. 100  
The Public Service Management Pension Act

DR. HOHOL:

Mr. Speaker, I move, seconded by the hon. Minister of Municipal Affairs that Bill No. 100, The Public Service Management Pension Act, be read a second time.

[The motion was carried, and Bill No. 100 was read a second time.]

Bill No. 102  
The Public Service Amendment Act, 1972

DR. HOHOL:

Mr. Speaker, I move, seconded by the hon. the Attorney General, that Bill No. 102, being The Public Service Amendment Act, 1972, be read a second time.

MR. DIXON:

I have a question for the minister at this point. I noticed in one of the other bills, too, where disclosing of secret information -- I was wondering if the hon. minister could give me any information as to if there has ever been a charge laid in Alberta against a Civil Servant for disclosing secret information?

DR. HOHOL:

Mr. Speaker, I wouldn't have this kind of information on hand, but I would be prepared to get it for the hon. member.

[The motion was carried, and Bill No. 102 was read a second time.]

Bill No. 105  
The Crown Agencies Employee Relations Amendment Act, 1972

DR. HOHOL:

Mr. Speaker, I move, seconded by the hon. Minister of Municipal Affairs, that Bill No. 105, being The Crown Agencies Employee Relations Amendment Act, 1972, be read a second time.

[The motion was carried, and Bill No. 105 was read a second time.]

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Bill No. 90

Investment Contracts Amendment Act, 1972

MR. LEITCH:

Mr. Speaker, I move, seconded by the hon. Minister of Manpower and Labour, that Bill No. 90, The Investment Contracts Amendment Act, 1972, be read a second time.

MR. DIXON:

Mr. Speaker, on this bill, there is just one point I'd like to touch on, and I'm sure members on both sides would be quite interested in this. I wondered if there was some way that we could clarify the position of people who have investments in trust accounts. I know the hon. Attorney General has had people saying that they would like their money back. They have the idea that they are depositors, rather than shareholders. I'm wondering if there is some way that we could spell this out on all their certificates, if they do issue certificates to them, that they are not depositors as such, they are investors. We've had complaints, and I'm sure the present government has had complaints from people who feel that because they have invested in a trust company that has gone bankrupt, they are entitled to get their money back. Of course you can explain to them that they aren't, but they still feel that they are in a different category than someone else investing in the ordinary company. I just wondered if the government had given any consideration to spelling this out more thoroughly, to let these people be aware -- especially the small investor -- that he is a shareholder and he takes a risk as a shareholder and not a depositor.

MR. LEITCH:

Mr. Speaker, I'm aware of the problem the hon. member has raised, and have given some thought to it. I must say that to this point I haven't come up with anything that I would regard as an acceptable solution. I would point out that in the prospectus, of course, which is issued at least in the first instance to raise the capital for investment in such things as a trust company, there would be a statement which, if read, would clearly indicate that there was a distinction between being a shareholder and a depositor in a trust company. So while I'm alive to the problem, I certainly haven't come up with anything like a solution. If any member has any suggestions, I'd be pleased to hear them.

[The motion was carried, and Bill No. 90 was read a second time.]

Bill No. 91

The Financial Administration Amendment Act 1972

MR. MINIELY:

Mr. Speaker, I move, seconded by the hon. government House Leader, that Bill No. 91, The Financial Administration Amendment Act, 1972 be now read a second time.

[The motion was carried, and Bill No. 91 was read a second time.]

Bill No. 103

The Municipal Taxation Amendment Act 1972

MR. FARRAN:

Mr. Speaker, I move second reading of Bill No. 103, seconded by the hon. Member for Innisfail.

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I promise I won't take more than ten minutes to skimp over these 36 amendments.

1 - A change in definition to include byproducts of natural resources in transmission lines.

2 - A change in wording redefining improvements for mobile homes.

3 - A change in wording to define parcels in respect to railway property.

4 - A change in wording to remove assessment of interest held in a forest management agreement.

5 - Limits the duties of an assessor to assessment.

6 - A supplementary role I mentioned on first reading which will allow for the taxing of new buildings during the first year of their completion, if they are completed between anniversary assessment dates. I should just add that this will be a substantial assistance to many municipalities. It can mean as much as between \$1 million and \$2 million to each of the two major cities in terms of tax revenue.

7 - A change in wording to allow prices of government land in some circumstances to be used to calculate fair market value, that is prices of either sales or purchases of government land.

8 - The elimination of a section regarding obsolescence which is redundant, because it is covered somewhere else.

9 - To extend the assessment cut-off date from October to December to coincide more with the local government fiscal year.

10 - New wording to specify that tenants of crown leases are liable for tax.

11 - New wording about railway companies reporting their land holdings to a municipality, defining the limitation on the assessment of trackage, and defining super-structure for railroads.

12 - Where exempt land is sold to someone else, taxes will be levied in the year sold.

13 - Is a rather important one, due to the erosion of the tax base in some small towns and villages, owing to excessive obsolescence being granted to line elevators. This clause will limit economic obsolescence for grain elevators to no more than 25 per cent.

14 - Is exempting land and improvements for senior citizens' homes in non-profit organizations.

15 - Is a cut-off date for assessment, again changed from October to December.

16 - Is exempting properties to be assessed and reported although exempt, so exempt properties still have to be reported to the assessment commission.

17 - Provides for a reduced assessment now allowed on summer cottages for the education levy to also apply to auxillary buildings, such as detached garages and boathouses.

18 - Allows an appeal to be made to the court of revision during January, even if the assessment noticed by some error was not mailed.

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19 - Obvious errors in assessment roles can be corrected by the assessor without need to go through a court of revision which was a lengthy procedure in the past, and also specifies that there is still the right to appeal.

20 - Another change in date from October to December.

21 - If a reassessment is ordered by the minister it applies in the year in which the original assessment was voided or nullified.

22 - Allows assessment information to be given to the assessment commissioner for research purposes. This was previously not possible.

23 - Is rewording to clarify that business tax is not payable if a person operates for less than 30 days in a year.

24 - Clarifies that the supplementary roll only applies for the period of the year during which the improvement is completed or in use.

25 - Clarifies that a council may refund all or part of taxes if a property is damaged or destroyed by fire, or otherwise.

26 - Provides that a council may cancel or refund all or part of a mobile unit licence fee on the same basis.

27 - A municipal secretary shall supply a copy of assessment particulars after payment of a fee, and a request in writing. Anybody can still inspect the roll without a fee. This is if they want a written report and a written statement.

28 - Provides for council by resolution to use two tax notices, one for education, and one for municipal purposes.

29 - Provides that provincial propaganda in the form of a leaflet need not be mailed with property tax notices as in the past. This will be some measure of off-setting any increased costs that might come from the double tax notice for education and municipal purposes.

30 - Allows discounts for mobile home licences paid ahead of time.

31 - Allows for parks and recreation facilities to be undertaken as local improvements under a local improvement bylaw.

32 - Allows for varying frontage rates for local improvements according to benefits received. Previously it had to be uniform around a block. So paving of a lane may be assessed against a new development if it causes such a paving, like a new apartment block in a residential area.

33 - Is a minor amendment in wording to clarify front foot charges for sewers. It can be on a basis on a overall charge, not necessarily on front feet.

34 - A minor amendment in wording to define that a petition has to be examined for validity without delay, and electors have a right to challenge that examination for validity within 30 days.

35 - Are the dates for effectiveness, which vary for many of these provisions. Some are going back to January 1st, and others as far back as October 30th, according to what sort of a provision it is.

I might say that the supplementary roll also has a further effect which I didn't mention on first reading. Under the present

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law, an industry cannot be charged tax until it is in production, even though its facilities may be complete. So there was a vested interest for industries not to start until November 1st of any year. It would then get a year's tax holiday. Now the supplementary roll which provides for taxing for any portion of a year during which a facility is used obviates that rather unnecessary benefit to new industry, and thus strengthens the tax rolls in the municipalities.

[The motion was passed without further debate or dissent. Bill No. 103 was read a second time.]

Bill No. 104 The Planning Amendment Act, 1972

MR. ZANDER:

Mr. Speaker, I move second reading of Bill No. 104, seconded by the hon. Member for Camrose.

Some three years ago the legislation was passed to permit what was known as specific zoning. This allowed development of a spot zoning type to an exact plan without variation. It also permitted developers who fail to obtain a spot zone from a local council, to appeal to the provincial planning board. In a number of cases, applications were made for very elaborate and dense developments on problem sites, such as hillsides and low-lying lands.

There were generally protests from surrounding residents that applications were refused on the local government level. They were subsequently approved in a number of cases by the Provincial Planning Board. Later legislation was cancelled, but those allowed remained with their permits and there was no time limit for their development. In effect it gave perpetual fishing license to promoters to go out and raise money for grandiose schemes, the value of the land having been artificially enhanced by special zoning.

There are a number of very controversial cases in both the City of Edmonton and the City of Calgary. In Calgary one was for a high development on low lying land west of the Glenmore Dam; two others were for big apartment developments on unsuitable hillsides north of the Bow River. All were objected to at a local level, none have so far proceeded with development. The government now feels that developers have had long enough, especially in view of the specific benefits conferred on them, that if they do not begin development by October 31st of this year -- considering that they have had ample warning of more than three years -- the specific zoning will be terminated. By 'development commencing' is meant that the detailed plan and application for development permit shall be made to the city Planning Commission.

MR. DIXON:

Mr. Speaker, I would like to speak on the principle of this bill, which I think is wrong. I could see if it spelt out that somebody was going to be compensated for the many thousands of dollars they are going to lose. Many of these people put in a lot of money, bought this land at fairly high prices, have done a lot of work -- some of them -- as far as getting their plans together, and then we are going to come along and just overnight cancel it.

They have many, many thousands of dollars -- it's not just a thing that is two or three thousand dollars, but some of them I would imagine are well over the \$100,000 to \$200,000 tied up in property. If the change of zone is made we could make that investment they have in land worth practically one-eighth of the value just overnight by this one bill.

We get into situations at times, yes, that we are not too happy with, but I think at the same time it's a privilege that these people



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have been granted when they went for the zoning -- they finally got approval for it -- and now we are going to turn it over. We are going to say in other words, "If you don't start building or doing something with it, we are, in effect, going to make it practically useless." Because there is nowhere that they are going to be able to sell that land or recoup their investment. I think government should tread very cautiously before they start changing these.

I would also like to point out that many times if you get a controversial issue, it may be turned down at the local level, but they come around to you or I as MLA's and Cabinet ministers and hope that the government will put it through, because really they want it, but they don't want to get into a hassle with the local people if we can take the pressure off. This has happened.

The main thing I'm concerned with is that these people have a lot of money invested, there's going to be no compensation for them for any money lost, and we are just going to cancel them out. To me it may be an unhappy situation, but I don't think that is the correct answer to it. I think we should urge them to start building and start developing, but not by cancelling them out when they have no way of going to it. The land is not doing anybody any harm if it is sitting there. There is no harm being done, and they have to abide by the city by-laws or town by-laws, or whatever it is, to keep the land in condition. If there's weeds growing on it there are ways you can get at them.

I think that we should give serious consideration before we enact this type of legislation.

[The motion was passed without further debate, and Bill No. 104 was read for a second time.]

MR. HYNDMAN:

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

MR. SPEAKER:

Does the House agree that it is 5:30?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until 8:00 p.m. this evening.

[Mr. Speaker left the Chair at 5:27.]

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

#### INTRODUCTION OF VISITORS

MISS HUNLEY:

Mr. Speaker, could I beg leave of the House to revert to Introduction of Visitors?

SOME HON. MEMBERS:

Agreed.

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MISS HUNLEY:

Mr. Speaker, I wish to introduce to you and through you to the hon. members of this Assembly, 120 students from Rocky Mountain House from the Rocky Mountain House Elementary School. With them are some of their teachers, dedicated parents and bus drivers and we are surrounded, hon. members, on both sides by them. I think they are here to terrorize the city tonight. I would like them to stand and be recognized.

Point of Privilege

MR. LOUGHEED:

Mr. Speaker, on a matter of privilege. It has been brought to my attention by members on both sides of the House who have noted the flags, of course, that have been flying at half-mast over our Legislative Building these last two days, that the Duke of Windsor, or the Prince of Wales as he was so well known in this province, played a very important part in the history of Alberta. I wanted to ask if I could have the concurrence of the Legislative Assembly to send through the Minister of External Affairs to the Royal Family the condolences of the members of the Legislative Assembly.

I have a personal footnote in that my grandfather on many occasions early in the life of this province had the Prince of Wales as his guest in his home in Alberta. I think that it is important for us to remember also, in terms of the ranching community of Alberta, the important role that the Prince of Wales played.

So I do hope I have the concurrence to send it on behalf of members of the Legislative Assembly.

HON. MEMBERS:

Agreed.

MR. STROM:

Mr. Speaker, we are certainly very pleased to be able to join with the Premier in sending this telegram to the Royal Family and the Duchess.

GOVERNMENT MOTIONS

MR. HYNDMAN:

Mr. Speaker, I move that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole for the study of Government Motion No. 1, a Resolution for a Bill for an Act being The Workmen's Compensation Amendment Act, 1972. His Honour the Honourable Lieutenant Governor has been apprised of the contents of the bill and recommends the same for consideration of the Assembly.

MR. SPEAKER:

Having heard the motion by the hon. Government House Leader, seconded by the hon. Attorney General, do you all agree?

SOME HON. MEMBERS:

Agreed.

[Mr. Speaker left the Chair at 8:05 p.m.]

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COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair.]

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order. It has been moved by the hon. minister that it is expedient to introduce a bill for an act being The Workmen's Compensation Amendment Act, 1972 -- is it all agreed?

HON. MEMBERS:

Agreed.

DR. HOHOL:

Mr. Chairman, I move that the resolution be reported.

[The motion was carried.]

MR. HYNDMAN:

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

MR. CHAIRMAN:

Is it agreed that we rise and report?

HON. MEMBERS:

Agreed.

[Mr. Diachuk left the Chair at 8:08 p.m.]

\* \* \* \* \*

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bill: An Act being The Workmen's Compensation Amendment Act, 1972 and begs to report the same.

MR. HYNDMAN:

Mr. Speaker, I move the resolution be read a second time.

INTRODUCTION OF BILLS

Bill No. 71

The Workmen's Compensation Amendment Act, 1972

DR. HOHOL:

Mr. Speaker, I beg leave to introduce a bill, being The Workmen's Compensation Amendment Act, 1972.

The contents of the bill are basically to increase certain benefits within the bill. One such is to calculate the benefits from a maximum of \$7,600, from the previous \$6,600. A second one is to increase by \$50 the maximum pension from \$175 to \$225. A third one, sir, is to increase the maximum for temporary total disability from \$40 to \$50, or alternatively, that amount of money which the injured person would be working for, which would be less than \$50 a week, in

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contrast to that amount of money that he would be receiving, which would be less than \$40 a week at the present time.

A fourth important content in the bill I propose here tonight is that the inmates of institutions -- and the institutions being defined here, Mr. Speaker, as jails and those institutions as defined as mental institutions under The Mental Health Act -- that these people receive benefits under The Workmen's Compensation Act, should the Legislature approve it, in the same way as any other person. This means then, that whether they work within the institution or outside of it, they will be subject to these benefits. Where the employer is not covered by compensation himself, he would be deemed to be covered, because the benefits then would be payable by the government. This, then, is the major content of the act to amend The Workmen's Compensation Act.

[The motion was carried, and Bill No. 71 was read a first time.]

COMMITTEE OF THE WHOLE

MR. HYNDMAN:

Mr. Speaker, I move that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole for study of certain bills on the Order Paper.

[The motion was carried.]

[Mr. Speaker left the Chair at 8:12 p.m.]

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[Mr. Diachuk in the Chair at 8:13 p.m.]

MR. CHAIRMAN:

In view of the fact that the Clerk is not here with the bills yet, I'll permit everybody to feel more comfortable at their work, contrary to the hon. Member for Calgary Mountain View's views.

MR. LUDWIG:

Do you want a quiet night tonight?

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order.

Bill No. 67  
The Legal Profession Amendment Act, 1972

[Sections 1, 2, 3, 4 and 5 (89.1 (a)) were agreed to without debate.]

Section 5 (89.1(b))

MR. STROM:

I am wondering, is it a problem within some of the municipalities where they are trying to assess a business licence to lawyers, hon. minister?

MR. LEITCH:

Mr. Chairman, I can't recall whether they actually passed a bylaw or one time threatened to do it, but it was raised within one of the municipal areas.

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MR. STROM:

The other question I was wondering about. Does it apply to other professions as well? Is the same protection accorded other professions?

MR. LEITCH:

Mr. Chairman, I am not sure I can speak for them all, but my memory is that it is in The Medical Profession Act. Generally, I think the principle is the same. Once they have acquired the right to practise their profession by passing the tests and examinations and other qualifications established by the Legislature in the various enactments, it then would be wrong in principle for a municipal body to prevent them, through the licencing power, from practising.

MR. BENOIT:

How is it possible to misunderstand The Municipalities Act? At one time, if not now, it was permitted the municipality to pass a bylaw to licence anybody in the town practising. It probably got a little too wide. This is the result.

[Clause (b), Section 6, the title and the preamble were agreed to without debate.]

MR. LEITCH:

Mr. Chairman, I move that Bill No. 67 be reported.

DR. BOUVIER:

I would like to ask a question along the same line. Could a lawyer, for instance, refuse to pay the fee of a licence that a municipality wanted to charge him? Say, if a municipal body has a licence to the effect that they have to have a licence to practise within the town, for instance, could a lawyer then in fact refuse to pay the licence under this section?

MR. LEITCH:

Section 89.1 provides that the municipality doesn't have the power to require them to have a licence, so that question would never arise.

MR. CHAIRMAN:

Does that explain it, Doctor?

DR. BOUVIER:

Many towns have a provision whereby they will charge a licence at the beginning of the year, and they deduct it from the business tax. Would this say they don't have to pay business tax either?

MR. LEITCH:

No. The business tax is an entirely different thing. This is merely a licence to practise.

MR. CHAIRMAN:

It has been moved by the hon. minister that Bill No. 67, The Legal Profession Amendment Act, 1972, be reported. Is it agreed?

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HON. MEMBERS:

Agreed.

[The motion was agreed to without debate.]

Bill No. 68 The Statutes Amendment Act, 1972

MR. CHAIRMAN:

On the second page there is a comma omitted. I notice a notation. 'The Vital Statistics Act,' instead of a period.

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

MR. LEITCH:

Mr. Chairman, I move that Bill No. 68 be reported.

[The motion was carried without dissent.]

Bill No. 81  
The District Courts Amendment Act, 1972

[Sections 1 to Section 7 were agreed to without debate.]

Title and Preamble

MR. LUDWIG:

Mr. Chairman, I have a question on this. Could the hon. minister give us any idea when this bill might be proclaimed?

MR. LEITCH:

Mr. Chairman, I have not decided on a date, but there is no reason that I can think of not to proclaim it very shortly after it is passed.

[The title and preamble were agreed to without further debate.]

MR. LEITCH:

Mr. Chairman, I move that Bill No. 81 be reported.

[The motion was carried without dissent.]

Bill No. 8  
The Wildlife Amendment Act, 1972

[All sections, the title and preamble, were agreed to without debate.]

MR. COOKSON:

Mr. Chairman, I move that Bill No. 8 be reported.

[The motion was carried without dissent.]

Bill No. 17 The Bee Act

MR. CHAIRMAN:

There are four amendments to this act, they were handed out tonight.

[Section 1 to 11 were agreed to as amended without debate.]

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Section 12

MR. BUCKWELL:

Mr. Chairman, on Section 12, could the hon. member, Mr. Appleby, tell us, if a person just has one hive of bees -- quite a few people have just one hive in their garden -- does Section 12 apply to them?

MR. APPLEBY:

This applies to anybody that keeps bees.

[Section 12 to 15, the title and the preamble were agreed to without debate.]

MR. APPLEBY:

Mr. Chairman, I move that Bill No. 17 be reported as amended.

[The motion was carried without dissent.]

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Bill No. 33  
The Department of Advanced Education Act

MR. CHAIRMAN:

We have some amendments with this, have they been circulated?

SOME HON. MEMBERS:

Yes.

[ Section 1(a) and (b) were agreed to without debate. ]

Section 1(c)

MR. CLARK:

Mr. Chairman, I just wonder if I could make some comment with regard to the amendments here we just received this afternoon. I think it's clearly understood by all members that the reason for the amendments are those which the hon. minister outlined last Friday in the Assembly. I have two or three comments after looking at the amendments.

First of all, Mr. Chairman, it seems to me that the amendments as they are proposed to us here really make the colleges second-class institutions in the post-secondary educational system in the province. The minister has the authority to cause an investigation, as far as NAIT or SAIT is concerned, to take the steps that you have outlined you propose to take as far as Red Deer College is concerned. The same thing can be said for the AVC's, for the Grouard operation, for the centre at Fort McMurray. With the amendment that is proposed here, the minister has the power, as I have said, to move in that direction as far as colleges are concerned.

I would suggest to the Assembly that we might well consider making some changes in the proposed amendments, so that in fact, the minister has the authority to do as he is doing here for all publicly supported post-secondary education institutions. And I say that basically for two reasons. One, it seems to me that we are treating colleges in a completely different way than we are treating other post-secondary education institutions in the province. If the government is sincere in what it says, and I believe it to be, about placing greater emphasis on the college system and on it becoming more of a priority area in the field of post-secondary education, as was outlined in the post-secondary education position paper about two years ago, then I don't think that colleges should be treated in this particular way.

A second reason I feel we should reconsider these amendments is that I think if all hon. members had been asked a year ago, or eight months ago, about the possibility of the kind of action that is taking place in Red Deer, we would have likely hopefully all said we wouldn't see this being a likelihood. I would hope that we would never get into a situation where we would have to take this kind of step in other post-secondary education institutions. But I do think it would be unfortunate if we had to come back to the Legislature again and make the kind of amendment that we are making here for colleges. So I suggest to the hon. minister as far as universities are concerned. And I suggest to the minister that we might hold the proposed amendment to Bill No. 33 this evening, and the government to reconsider its situation in light of the comments that I've made, so that we would be in a situation of then having the capability of the minister to deal with the situation in the manner which he feels is appropriate to all post-secondary education institutions. I, for one, would hope that the minister would never have to use this particular section again.



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But the minister and the government, regardless of who the government is, would have been in a rather more difficult situation had the Legislature not been in session at this particular time. The avenue the minister has chosen to use in this case would not be open to him had we not been able to have an amendment brought in at this particular time. So I would sincerely and genuinely ask the government to reconsider this and make it applicable to all post-secondary education institutions. I hope we'll never have to use it again. But in the event that we do, then the legislation is there, and I think it would be a reasonable addition to The Department of Advanced Education Act.

MR. FOSTER:

Mr. Chairman, I very much appreciate the observations made by the hon. Member for Olds-Didsbury. I must admit frankly that I flirted with the suggestion the hon. member makes, and would agree in principle that the areas of advanced education should be treated equally on the one hand and on the other.

However there is this rationale to it, with respect to the colleges in the sense, first of all, that they differ from the department. The hon. member pointed this out. The institutions which he referred to in the first case, Mr. Chairman, are institutions which are wholly operated and managed by the department. One extension from government is the college system. The second is the university system. I'll deal with the college system.

In the college system, government appoints the majority of the persons who are the governing authority of that institution. In other words, government appoints five of the eight members of the board of governors -- the majority. If something goes wrong, presumably government should be in a position to remedy that situation and move in an administrator such as we had proposed in Red Deer.

The university system, Mr. Chairman, is somewhat different and I think causes me to want to take a long look at this over some period of time. In the university system, we do not appoint a majority of the board of governors. We appoint merely five of the 16 members of the board. That is not, in corporate language, control, Mr. Chairman. I have some sympathy for what the hon. member says but I don't think it is necessary or appropriate that we go that far at this time. I agree that in principle it is not a situation that we would want to move into unless there is a fire. On the other hand, the traditions in the university system are much more firm and the management capability in one sense, perhaps is that much better than the college system.

MR. CLARK:

Mr. Chairman, if I could just respond to the comments made by the hon. minister. First of all, Mr. Minister, if you don't make the change at this particular time, and after one or two or three or four years down the road would you feel it is the right thing to do at that time? We will all be accused in this Legislature, rightly or wrongly, of trying to single out the university community at that particular time and this would add a great deal of pressure to whoever the Minister of Advanced Education is at that particular time.

The second point is this. It is true that the government appoints five of the eight members of the boards of governors, and five of the 16 members of the boards of governors in the universities, but on the other hand, Mr. Minister, this Legislature yearly appropriates something like 87 per cent of the operating costs, or at least over 80 per cent of the operating costs of both the universities and the colleges. From a corporate standpoint, the

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legislation does not provide for the control in the manner that it does for colleges, as far as universities are concerned. Certainly when you get down to the problem of where are the funds coming from, this Legislature is asked to appropriate them, and over the past number of years one of the questions that I have sometimes had is the small amount of consideration which is given to that very large amount of money that does go to the universities. That is with no disrespect to the universities; it is a tradition which has developed here.

So I would ask once again, Mr. Minister -- with all due respect, you talk about flirting -- that you might at least take the night to think about it, because I think an excellent case can be made for doing it up this time. Some time down the road I think it will be a horse of a different colour, a much more difficult situation, and it seems to me in light of the fact that this Legislature does appropriate the funds, in light of the fact that ultimately this Legislature has not only legislative responsibility but fiscal responsibility in providing the funds, the case can be well made.

MR. FOSTER:

In my remarks earlier concerning Bill No. 33, I know I indicated that this bill should not be taken as the final position of government vis-a-vis the advanced education institution. This is a holding situation, if you will, until the role of the department with respect to the institutions is clarified. I expect that will follow on the heels of the receipt of the report by the Commission on Educational Planning. At that time we are going to have to decide -- I think I used the expression, fish or cut bait -- in our relationship with universities in particular. Do we, in fact, avoid the commission form of government which has been the situation in the past? Does government become much, much closer to universities? We will use them as an example. And is that relationship very close? I think government is moving in that direction across this country. I think government is moving in that direction in this province, but I am not in a position to judge that. I agree with the hon. member that these are public funds and that the people's representatives have a right to move in in a circumstance where there is a fire. I don't quarrel with that. But I would like to leave this option open for the moment until we decide what the role of this department is, and what relationship we have, as government, to the entire advanced education community, recognizing that in time probably all those institutions which are in the department today will be outside and independent.

I'm grateful, frankly, for the suggestion that universities be included in this, because I can see some reason for it. But I think until we have determined the relationship of government to universities -- and this will come, I suggest, in the course of next year -- at that time I think we make these kinds of decisions. And if we don't do as the hon. member has suggested, then I think we have to devise some other kind of machinery to accommodate the sorts of concerns I think we all have.

Now I may be interpreted as back-peddalling, Mr. Chairman, but I'd like to proceed with this proposal for the moment, recognizing that this is not the end of the question by any means.

MR. CLARK:

Mr. Chairman, there are just two comments, and I suppose they are restating what I've said already, but Mr. Minister, if next year you bring an amendment in which would include universities and treat them the same way we're treating colleges with this amendment, you, sir, would be looked at askance by the university community across the province. They would say, "Why are you doing this at this time, and what's the particular reason for doing it?" It seems to me, now

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is the appropriate time, when we can say, "We're treating all post-secondary educational institutions the same."

That's really the second point I want to make, that if we're really serious about saying, "Yes, more students are going to the colleges now, and more students are going to NAIT and SAIT," then let's not have two kinds of institutions. Let's not have those kinds of institutions where if necessary, the government in an emergency basis can step in, and then let's not have the kind of institutions where we have said, "well, for a year we're going to sit and wait and see." Because in a year or two, if you feel it is appropriate, it will be very, very difficult, and I speak with just a small little bit of recollection of some of the pressure that -- with all due respect -- the university and academic communities are able to muster on occasion.

MR. FOSTER:

Mr. Chairman, I don't want to belabour the point, but this is a very, very important point and highly significant, and I want to come back to some comments.

If we arrived at that position, Mr. Chairman, in the next year or so, I will greatly appreciate the support of the hon. member opposite, in fact the hon. members opposite, should we come down to this. I interpret that we would have that. I would like -- if I can use education jargon for a moment -- to follow Dr. Byrne's collegial model, rather than his bureaucratic model of administration. In this case, I have spent some considerable time discussing this entire matter with the colleges, with the Colleges Commission, with the presidents of the institutions and with the boards of governors. There has been very little reaction across this province about this very significant move. The reason for that is, Mr. Chairman, that a great deal of ground work has been done in explanation and discussion. We come here with everyone understanding the circumstances. That work, Mr. Chairman, has not been done with respect to the universities in this province, and before I were to move into a position suggested by the hon. member opposite, I would want very much to have sat down with the Universities Commission, the universities, and discuss this in some detail with them. Mind you, at that point, if my decision and this government's decision were that universities should be included in this, I recognize that there would then probably still be considerable pressure. I'm not afraid of making decisions, but if decisions are made, I want them to be made on the basis that this government has consulted with the entire community, explained the rationale -- we may not agree. That's fine, but at least there has been consultation. That has been done with respect to the colleges. It has not been done with respect to the universities. With great respect, I would rather not move that quickly in that area without performing that courtesy, which I think is quite important if we are to retain the confidence of the academic community.

MR. CLARK:

Mr. Chairman, round seven! I have sufficient confidence in the minister that between now and when this House adjourns -- if the rumours I hear out back are true that the Assembly may adjourn next week -- that between now and then, if he took it upon himself, he could have the kind of meaningful consultation with the universities. So I don't think that's a strong reason for not wanting to go ahead at this particular time. I would have to say to the minister that if you choose not to go ahead with this move at this particular time, the situation could be considerably different one, two, or three years down the road. Because if you don't have the flexibility we have here, you and I both know, you would have had -- with all due respect -- even more problems at Red Deer, carrying out the

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recommendations of the Byrne report had we all not been quite windy and the House still been in session.

[Section 1(c) as amended was agreed to without further debate.]

[Sections 2 to 5(g) were agreed to without debate.]

MR. CHAIRMAN:

Section 6 -- we have an amendment but we have what is on the bill first.

[Section 6(1) for the amendment were agreed to without debate.]

MR. FOSTER:

Mr. Chairman, this could be handled in one or two ways, with great respect. Either the printed bill should read and you should go all the way through sub-sections 1 to 5, and then proceed with the printed amendment, and the printed amendment could be changed in numbers.

MR. CHAIRMAN:

Fine. I will do the bill first, and then move to the amendment.

[Sub-sections 2 to 5 were agreed to without debate.]

[All clauses of the amendment were agreed to without debate.]

[Sections 7 to 15 and the title and the preamble were agreed to without debate.]

MR. FOSTER:

Mr. Chairman, before I move that this bill as amended be reported, I would like to answer a question that was raised by one of the hon. members opposite -- I have forgotten whom -- on my estimates concerning the servicemen's children, and the number of students who were involved in that program.

In 1971-72, Mr. Chairman, there were 353 students. That is down from 468 in 1966-67. The reason the amount of money appears to be roughly the same over the last five years is that the average monthly award has been creeping up slowly. I think it may have been the hon. Member for Drumheller who asked.

Mr. Chairman, I move Bill No. 33 as amended, be reported.

[The motion as amended was agreed to without debate.]

Bill No. 37

The Hospital Services Commission Amendment Act, 1972

[Section 1 to Section 2 Clause (a) were agreed to without debate.]

Section 2 Clause (b)

MR. TAYLOR:

Mr. Chairman, I'm not going to make any long speech but I would just like to reiterate once again that I think it's a mistake to mix up legislative and administrative functions. In my view these should be kept separate, and it's in the interests of the people of the province to keep them separate.

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MR. BENOIT:

Mr. Chairman, those are my sentiments too.

[Subsection 6 to title and preamble were agreed to without debate.]

MR. CRAWFORD:

Mr. Chairman, I move that Bill No. 37 be reported.

[The motion was carried without dissent.]

Bill No. 38  
The Treatment Services Amendment Act, 1972

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

MR. CRAWFORD:

Mr. Chairman, I move that Bill No. 38 be reported.

[The motion was carried without dissent.]

Bill No. 40 The Weed Control Act

MR. CHAIRMAN:

There was only one amendment, I trust you have it circulated?

[Section 1 to Section 11 were agreed to without debate.]

Section 12

MR. RUSTE:

On Section 12, what is envisioned here on these types of sites where they dispose of these in municipalities?

MR. MOORE:

Pardon me?

MR. RUSTE:

What have you got in mind for disposal site as far as municipalities go?

MR. MOORE:

Mr. Chairman, the reason that that particular section is included in the act is that in a number of municipalities farmers and people who are cleaning seed are dumping weed seeds in creek banks and other water areas where they would spread very rapidly, and it was felt that it was necessary to insist that they dispose of their weeds in the proper place. Therefore, it was also necessary that the municipality be required to supply a disposal site. It was felt that in most cases, particularly in rural municipalities, that disposal site would be the normal disposal site that they used for ordinary refuse, and that would be sufficient to handle weed seeds.

MR. RUSTE:

There is no danger then of dumping -- shall we say the weed seeds -- in the nuisance ground and their being spread around by birds, wind, and so on to adjacent parcels of land?

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MR. MOORE:

No, once again with the proper sanitary land-fill type of arrangement that is provided for under the legislation that the hon. Minister of the Environment is in control of. Those provisions with regard to the exact type of disposal site required will be part of the regulations that will be attached to the act, that will be made out of Section 45 where the Lieutenant Governor in Council will make regulations on that.

Section 14

MR. D. MILLER:

There is one question I would like to ask. On these sanitary land-fills is it necessary under this condition for weed control, so that it won't infect the environment, that it be covered daily -- almost instantly? I don't think they make that practice of covering it daily.

MR. MOORE:

Mr. Chairman, in the old Noxious Weeds Act, there were no provisions whatsoever for any type of disposal and it was felt that if you insist that farmers and other people who were cleaning weed seeds were required to dispose of it properly there should be a place provided to dispose of it. Now, I questioned how this would work and it has got to conform to regulations that are drawn up by the Department of the Environment, and under the regulations attached to this act it will be done by the department or the Executive Council.

Your comments in respect to having the weeds covered so they're not tracked around by birds and that sort of thing certainly should be taken into consideration and I will make a note of that, as I'm sure the hon. Minister of Agriculture will, as well as the Minister of the Environment, and try to ensure that the situation is taken care of. It may be that there may be a requirement for burning or some other thing prior to disposing of the weeds.

[Section 14 was agreed to without further debate.]

Section 15

MR. BUCKWELL:

Mr. Chairman, I don't know if this is the right section -- Section 15 -- but I would ask the hon. minister regarding the hauling of hay from one part of the province to another. This has caused trouble in the past where, actually, sow thistle got started in the south during the 20's -- it came in from Manitoba and northern Alberta -- but this is one area where, by checking the weeds in hay as it's growing, sometimes some of this hay that is hauled contains quite a few weeds. I suppose this would be contained in the regulations would it?

DR. HOEFNER:

I hoped to cover that regulation. I would hope that in the future, down the road, that in a forage bank operation we'll be going to cubing and pelletizing of hay which will reduce that fairly substantially. I always wondered where we got all that sow thistle in the north and now I know where it came from, from the south.

[Section 15 was agreed to without further debate.]

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Section 16

MR. ZANDER:

Mr. Chairman, in Section 16, and I believe that refers back to Section 29 and the problem that municipalities have in the areas where there is considerable amount of Crown lands. I notice in Section 29 and Section 16 where the owner is unknown and, of course, in the case of the Crown, we have a lot of Crown land adjacent, especially to rivers and streams, and also land that has been on a homestead lease and has reverted back to native grass and is completely covered with sow thistle and Canadian thistle which are noxious weeds. My question is this; in what part of this act do we find where a municipality is compensated for the destruction of weeds on Crown land? I don't find it in the act.

MR. MOORE:

Under Section 29 of the act it reads:

"This Act binds the Crown except that recovery of any expenses incurred by an inspector are only recoverable" etc., etc.

That actually provides for a recovery of expenses incurred by a municipality on Crown land exactly the same as if that land was owned by an individual.

MR. ZANDER:

In other words then, you would have to incur costs to collect from the Crown?

MR. MOORE:

This is correct, yes I am advised by legal counsel when we were working on the drafts of this act that that is the only manner in which you can actually collect from the Crown.

MR. ZANDER:

Surely in this area when we have a local government which finds itself in the position where it has to spend thousands of dollars, and this has happened in the county that I come from in the western portion, where we literally had to spend thousands of dollars to clean up a mess on Crown lands, and we would then have to go to court to prove the Crown was negligent in order to collect. I think there must be other ways and means that a local government certainly it doesn't have to take action in the courts of law to collect money from the Crown on work that it does in destruction of weeds.

MR. MOORE:

Mr. Chairman, in The Noxious Weeds Act which this act is replacing, there were no provisions whatever to collect from the Crown. Now this provision, Section 29 is in here only if, in fact, the Crown refuses to pay, then you have Section 29 by which you can collect through a court. Now it would be anticipated that the Department of Agriculture or the Department of Lands and Forests, or whoever might be in control of that property, would recognize and make compensation to the municipality without going through the provisions that are provided for in Section 29. But it is there just in case there is a problem wherein an agency of the Crown does not want to compensate the municipalities for the work they have done. So that is exactly the thing that you have requested.

MR. ZANDER:

Mr. Chairman, I know from past experience that we did get paid from the Crown, and even if that section wasn't in, the bill was submitted to the Department of Agriculture, and after a considerable length of time the municipality, got paid. But I think after we met

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out, that they were concerned about Section 29, because, in other words, if the Crown felt that it had no obligation, it would have to go through a due process of law to collect its costs, whereas this has not been the case before.

MR. MOORE:

Well, Mr. Chairman, there probably is a misinterpretation because of the way Section 29 is worded. Now it says, "expenses incurred by an inspector are only recoverable by action in the court." Now it means only recoverable in a certain court, but it doesn't mean that the Crown will not pay those expenses to the municipality.

AN HON. MEMBER:

I hope you're right!

MR. RUSTE:

In Section 16(1) it goes on to say, "an inspector who finds noxious weeds or weed seeds on land that is unoccupied", and then you get back to the definitions under '1' where it says, "occupant means a person occupying or having the right to occupy land." Now is there such a thing in the province that there is land that comes under the classification of unoccupied?

MR. CHAIRMAN:

Mr. Moore -- it's 16(i).

MR. MOORE:

I don't understand.

MR. RUSTE:

My question is, is there such a thing as land in the province that is unoccupied?

DR. HOFNER:

A lot of it.

MR. MOORE:

Generally speaking, Mr. Chairman, I would presume that would refer to Crown lands. There again that would be the responsibility of the Crown.

MR. ZANDER:

No, Mr. Chairman, we have a lot of farmers --

MR. CHAIRMAN:

Mr. Zander, let's finish up with Mr. Ruste here.

MR. RUSTE:

All the land that is in the province, whether it can be privately held or it is held by the Crown, is held by somebody -- so it must be -- according to this definition of occupant, somebody who has control over it. That's the question, and what I'm saying is that there is no such thing actually as unoccupied land.



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DR. HORNER:

Well, Mr. Chairman, unoccupied in the sense that there is nobody living on it, or that the owner may be, I was going to say displaced, but not in the country even, then it's the responsibility of the local government, whether it be an ID or the Crown or the municipality or county, to do the clean-up or whatever is required and charge it against the property, if it's patented land, and if it's Crown land, then, of course, the Crown consents.

MR. TAYLOR:

Mr. Chairman, I wonder if I could add that in my improvement district, ID 7, the biggest problem with weeds is unoccupied lots, people move away, they live somewhere else, and the people around complain continually that what's the use of them cleaning out their weeds when there is nobody who cleans out the unoccupied lots. And I think this is a very important section.

[Sections 17 to 18(2) (a) to (b) were agreed to without debate.]

Subsection 3

MR. RUSTE:

Mr. Chairman, on this one here to in the last part of Section 3, it says, "in a growing crop without causing damage to the crop." Now wouldn't it be in keeping with recommended use or something like that so that you don't get into the argument about causing damage? I mean some of these things are pretty technical that they use, I mean some of these things are pretty technical that are used, the selective herbicides and so on, and if you have the clause in there in keeping with recommended use, it might prevent disagreements later on.

MR. MOORE:

We did spend a lot of time with that particular section. The definition of a selective herbicide, of course, is one that will not, in fact, destroy the crop, but only the weeds that are causing the problem there. But we did add, at my insistence, "without causing damage to the crop" because we didn't want to provide legislation where the weed inspector could go out and completely kill 20 acres of a growing crop. It is possible, under another section of the act, to do it without notice, if it is determined he can't serve notice within 72 hours. So we felt some protection was needed in there with respect to the odd occasion where, in fact, an inspector may get carried away and completely destroy 20 acres of crop.

MR. BUCKWELL:

Mr. Chairman, I believe that "without damage to the crop" you are leaving yourself wide open. Did you ever see a farmer get 10 per cent hail damage and try to claim 50 per cent? This is exactly the same. If he can find 10 per cent damage he is going to be happy. But if you have used recommended, according to recommended practice, you get away from this idea of damage.

DR. HORNER:

A selective herbicide means the same thing.

[Section 18(3) was agreed to; Sections 19 to 31 were agreed to without debate.]

Section 32

MR. RUSTE:

Mr. Chairman, on this one, I would just like to ask about "no person shall move or cause to move any machine or vehicle, if such

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movement is likely to cause the spread of noxious weeds." We see now these automatic bail racks. Some of them are self-propelled to travel 30 or 40 miles per hour. What do you visualize here in trying to control that type of an operation? Because these present operations will move many miles and this is the way the haying is being done in many areas.

MR. MOORE:

If they are in an area where, in fact, one farmer may have some very serious noxious weeds that a lot of the other farmers don't have, then I would think that that section should be strictly enforced so that, in fact, someone who has an automatic bale carrier doesn't spread weeds onto many miles of adjoining roadways or farms. I don't think the inspectors are going to be so tough on it that they are going to be restricting the movement of hay during the haying season in an area where there is a weed that is a common problem, you might say, to everyone. It is a matter of how the inspectors interpret it and I think they would use a fair degree of judgment in allowing farmers to put up their hay.

MR. RUSTE:

Then it gets down to the fact, though, that it is possible an individual may have two parcels of land, maybe we will say five miles apart or whatever the distance may be, it is possible that he may be denied the right to use equipment of this type to move it back and forth.

MR. MOORE:

Yes, if he is moving badly infected hay that contains serious noxious weeds and spreading them onto adjoining landowners that don't have those kinds of weeds, it is quite possible he could be curtailed. That is one of the things that we have to have in order to get on top of the weed problem in Alberta, and it is a very serious problem as you all know.

[Section 32 was agreed to; Sections 33 to 48 were agreed to without debate.]

Section 49

MR. RUSTE:

Mr. Chairman, on this whole bill, is there any thought of taking this into the Department of the Environment, as we have The Agricultural Chemical Act? To me, the two of them work very closely together. The same people work with them.

DR. HOFNER:

I just don't agree, Mr. Chairman. The Agricultural Chemical Act has side effects that are beyond what we are talking about in this act. We have representation in regard to the Advisory Committee on Agricultural Chemicals, and I don't see any problem there whatsoever. I just don't think it's valid.

MR. RUSTE:

Yes, well the point I wanted to make was that the same people, basically, will be working with many parts of The Agricultural Chemical Act, as they do with this. I would certainly hope this stays in the Department of Agriculture, as I had hoped the other would have stayed with it.

[The title and the preamble were agreed to.]

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MR. MOORE:

Mr. Chairman, I move that the bill, as amended, be reported.

[The motion was carried without debate.]

Bill No. 44  
The Alberta Housing Amendment Act, 1972

[All the clauses were agreed to without debate.]

Title and Preamble

MR. DIXON:

Mr. Chairman, I wonder if the person I should ask would be the minister, rather than the sponsor of this bill? Maybe I could do it in Public Accounts Committee tomorrow. It's regarding the forms that Alberta Housing Corporation, or agencies acting on their behalf, use in the low rental field. They claim the forms violate The Landlord and Tenant Act, where they can raise the rent with less notice than is required under The Landlord and Tenant Act. I wonder if this particular situation was happening. Maybe I could ask it tomorrow in Public Accounts Committee?

MR. RUSSELL:

Mr. Chairman, I'll try and get the answer to that for Public Accounts Committee. This is the first time I've heard that complaint. One complicating factor there, with respect to notice of change of rents of course, is that the rent is geared to income, and the tenant is obliged to report a change of income, because it affects his subsidy. But I'll try and get that answer for you tomorrow.

MR. DIXON:

The other question -- this won't happen too often, but it does happen -- was that some of the couples -- a couple of course can only have a one-bedroom apartment -- I've had one or two of the senior citizen married couples come to me and say that their husband or wife, whichever the case may be, could stay with them if they could have that extra bedroom. It's a case where some particular type of ailment they are suffering from requires the two bedrooms, and they can't qualify. They would be quite willing to pay the extra difference, but they can't qualify because of the fact that unless there are more than two dependants, they can't have more than one bedroom. We can also touch on that tomorrow morning, but I'd like you to get that for me.

MR. RUSSELL:

I think we're maybe getting some of the same mail, because that's a situation in Calgary. The facts of the situation are that there is such a waiting list for one-bedroom apartments that they are giving priority to married couples that can stay in the one bedroom. In the cases where the one partner is sick and requires a separate bedroom, they are asking them to go to a nursing home.

MR. STROM:

I may be missing something here, but is there some time limit about living in a mobile home to make it qualify, or is this section here that refers to a mobile home now qualifying?

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MR. RUSSELL:

That's more a cross reference, Mr. Chairman, because they refer to mobile homes in mobile home parks. The corporation is now going to directly finance the development of mobile home parks, so you have to define a mobile home.

[The title and the preamble were agreed to.]

MR. DOAN:

Mr. Chairman, I move that Bill No. 44 be reported.

[The motion was carried without debate.]

Bill No. 46  
The Public Lands Amendment Act, 1972

[Sections 1 and 2 were agreed to without debate.]

Section 3

MR. RUSTE:

On this, could the hon. minister outline what the fines are under the offence in 52, and then indicate whether or not there are any pending to be charged under this section?

DR. WARRACK:

Answering the last question first, the answer is no. Regarding the first question that was asked, the Bill No. 46, The Public Lands Amendment Act before us will make The Public Lands Act read precisely as it did prior to Bill No. 66 being passed last year.

MR. RUSTE:

What are the plans for this amendment?

DR. WARRACK:

The penalties that would be in regard would be precisely the same as they were a year ago prior to Bill No. 66 being passed.

[Section 3 was agreed to without further debate.]

[Section 4, the title and the preamble were agreed to without debate.]

DR. WARRACK:

Mr. Chairman, I move that Bill No. 46 be reported.

[The motion was agreed to without debate.]

Bill No. 47  
The Alberta Income Tax Amendment Act, 1972

[Sections 1 to 4(a) (3) (a) were agreed to without debate.]

Section 4(a) (3) (b)

MR. STROM:

Mr. Chairman, I understand that the 36 per cent is to bring in the same amount of money as the 33 under the federal changes in income tax law.

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MR. MINIELY:

Mr. Chairman, in reply to the hon. Leader of the Opposition, the calculation of the tax is now based on the federal tax, where before it was a combined federal and provincial tax. They used to have an abatement system where they calculate the total, what they call 'basic tax', and then abate 28 per cent to Alberta, then Alberta applied a 33 per cent rate on the taxable income. Now, with the new tax reform, all that is calculated is the federal tax, and the provincial tax is calculated as a percentage of the total federal tax. It is equivalent to exactly the same yield as was the case under the old act. The percentage is changed, but it is the same total dollar tax yield as existed before.

Mr. Chairman, there is an amendment to The Alberta Income Tax Amendment Act on Section 5.

MR. DIXON:

While we are on this subject, about a year ago the hon. Premier was mentioning publicly that Alberta was the highest taxed income tax-wise of any province in Canada. I had my accountant make me up a brief. His brief and what was said by the hon. Premier did not jive. He claimed we were not the highest taxed income tax-wise in Canada. I wonder, now that we have the hon. Premier in the House, maybe I could tell my accountant how he arrived at it.

MR. MINIELY:

About that time, Mr. Chairman, I was working with the hon. Premier and he was not saying that; he was saying "one of the higher tax rates." We certainly do not have the lowest income tax rate in Canada by any stretch of the imagination.

Section 4(a) (3) (b) was agreed to without further debate.]

[Section 4(b) to Section 4(b) (d) were agreed to without debate.]

MR. BUCKWELL:

Mr. Chairman, how do Roman numerals i, ii, and iii get little dots on top of them?

MR. CHAIRMAN:

I don't know. Why don't you ask me about 11:00 o'clock tonight? We will all have dots by then.

[Clause (d) to title and preamble were agreed to without debate.]

MR. MINIELY:

Mr. Chairman, I move that Bill No. 47 as amended be reported.

[The motion was carried without dissent.]

Bill No. 48

The Livestock Brand Inspection Amendment Act, 1972

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

MR. J. MILLER:

Mr. Chairman, I move that Bill No. 48 be reported.

[The motion was carried without dissent.]

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Bill No. 50  
The Alberta Opportunity Fund Act

[Section 1(1)(a) to Section 1(1)(d) were agreed to without debate.]

Section 1(1)(e)

MR. WILSON:

Mr. Chairman, would the hon. minister be good enough to tell us when he expects this company to be in operation?

MR. PEACOCK:

July 1st, covered by the amendment.

MR. WILSON:

I notice, Mr. Chairman, that the amendment states that they expect the act to come into force on July 1st, but my question was, when does he expect the company to come into operation? Do you expect the company to start functioning July 1st?

MR. PEACOCK:

Absolutely.

MR. WILSON:

OK, then Mr. Chairman, perhaps the hon. minister could tell us what are the expected operating costs, annually, of this company?

MR. PEACOCK:

Well, we don't anticipate any costs.

MR. WILSON:

You expect the company to operate without any overhead, is that right?

MR. PEACOCK:

We have an organization called the ACC which now operates -- it's a self-funding organization generating its own return.

MR. WILSON:

So then the total amount of money that this act covers would be available for loans and none of it would be used for overhead or operating costs -- right?

MR. PEACOCK:

We said that in the second reading of the bill.

[Section 1(1)(e) to Section 2(3)(a) agreed to without further debate.]

Section 2(3)(b)

MR. WILSON:

Mr. Chairman, could the hon. minister advise if existing businesses or commercial operations would qualify for loans or guarantees? Or is it just new ones?

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MR. PEACOCK:

No, no, existing corporations or companies or extensions to them, as well as new.

MR. WILSON:

Could the hon. minister advise if there are safeguards built into a situation where a business or a commercial operation has a slow repayment loan at the bank, in the mind of the banker, and that he and the banker would get together and make application for an increased loan to the company? I can envision situations whereby it could well be that somebody has a \$40,000 loan, say, with the bank and he's having difficulty repaying it on time -- the bank manager calling him in and suggesting that if he had another \$10,000 he could probably operate much more efficiently and the banker saying to the fellow, "Why don't you apply for a guarantee from this company?" and then getting his slow loan off the books. What kind of safeguards do we have to prevent such a situation?

MR. PEACOCK:

Well, I think the same safeguards as a bank has and the same safeguards as ACC has now, qualified personnel within the department, and a reporting system. I don't know how you can safeguard against something that is hypothetical, and if you're suggesting that, you know, it's still determination of a person's judgment in relation to the facts that are before him, and that's how you judge a loan.

MR. WILSON:

Well I'm not sure that the minister fully appreciates the situation I was trying to raise, Mr. Chairman, but I would be most concerned that we would not want to get into a situation where we were taking slow loans off the bank's books and putting them into guaranteed loans, and I was just wondering if there is any specific safeguards that you envision to prevent this situation arising?

MR. PEACOCK:

We have more safeguards than you would have in a chartered bank or the ACC as it exists today. If the company is viable and there is indication of good management, and the circumstances would suggest that in this particular circumstance, the slow loan that you are talking about, or a circumstance of it, has been due to no fact or fault of the judgment or the ability of management, then there might be a considered judgment of extending them the loan. If that wasn't the case, then the loan would be rejected. It's on the same concepts and principles -- and that isn't the intent of this bill anyway.

MR. LOUGHEED:

Mr. Chairman, I'd like to say a word with regard to this matter. If there is any thought by the hon. Member for Calgary Bow that we are going to create the sort of a corporation that is going to be tied together by bureaucratic strings and red tape, then he is sadly mistaken. That is not the sort of organization that is going to be developed. It's going to be an organization that I hope will be a bit free-wielding. I hope that it will have a really strong exercise of judgment, that it will be able to recognize, where there are needs not being met by conventional areas. It will make mistakes, and there isn't anybody in this Legislature voting for this bill that doesn't recognize that the company will make mistakes. But one of the keys of this bill is that the maximum loan is limited \$500,000, so the mistake is, of course, not of the magnitude of the mistakes that may have been made in other provinces. But any idea to establish a company and put the sort of so-called safeguards that are

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implicit behind the hon. member's question, is not the intent of the company. If it is, frankly the company won't work.

MR. WILSON:

Mr. Chairman, I can appreciate the hon. Premier's sentiments but certainly I don't feel I would be doing my job adequately if I didn't raise areas that I see could develop into problem areas. And I'm sure the banks in Alberta have more money in loans that they would like to have guaranteed by the province already on the books than this act would provide for. I just want to make sure that this fund will not be used to guarantee existing loans for the bankers.

MR. LOUGHEED:

Well, Mr. Chairman, there is a distinct difference between saying, write a safeguard in, or provide a safeguard, in drawing to the minister's attention a caution that may be required. I well accept what the hon. member is saying, that this is an area of concern, of caution, that the hon. minister should be made aware of and that the hon. member has a responsibility to bring forward, and that the hon. minister then has the responsibility to pass on to the directors. There is a difference between raising an item of concern and caution, and any suggestion that we start to draft rules and regulations for the company that preclude against such a thing happening. If it is, in my experience with government operations of this kind, it simply won't work.

MR. BUCKWELL:

I might ask the hon. Premier, is there any connection between Bill No. 50 and Bill No. 73 other than, say, consultation services or liaison? There would be some, say for feedmills or --

MR. PEACOCK:

Yes, I think there is a cross-over between the two bills. One carries on where the other leaves off, in essence, because we in Bill No. 50 go from processing on.

MR. BUCKWELL:

Let's say for example then, in this bill, say feedmills or alfalfa mills, and things like this could be built? In consultation --

DR. HOBNER:

There's close co-operation and co-ordination.

MR. PEACOCK:

In answer to the concern that the hon. member from Calgary is showing in regard to safeguards and further to the comments that the Premier has made in support -- in coming to my defense on the bill -- allow me to suggest that there is no way that we can write in and cross t's and dot i's with everything that is going to safeguard every loan that we make. If we do, we might as well forget the loan to begin with because there will be no need of it -- if there wasn't a purpose behind taking up the slack where the chartered banks left off and where the needs of the entrepreneurs and the type of small business in Alberta that we are trying to develop.

[Section 2(3)(a) was agreed to; Clauses (b) and (c) were agreed to without debate.]



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Section 3

MR. WILSON:

Mr. Chairman, inasmuch as the minister has announced that this Alberta Opportunity company is going to be in operation on July 1st, when can we expect an announcement as to who the board of directors will be?

MR. PEACOCK:

Mr. Chairman, when I say July 1st the act comes into force, then we would like and hope to have the board announced prior to that. That is as far as I can tell you at that time.

MR. NOTLEY:

Mr. Chairman, may I ask just one question of the hon. minister? This is picking up a statement that the hon. Minister of Agriculture said. I am not sure if I heard him correctly or not. Is the board of directors under this Alberta Opportunity Fund to contain some of the people who will be directing The Agriculture Development Act? To what extent will there be crossed boards of directors?

MR. PEACOCK:

One.

MR. NOTLEY:

One member?

[Subsection (1) was agreed to.]

Subsection (2)

MR. WILSON:

Mr. Chairman, the minister tells us the managing director's position has been or will be advertised?

MR. PEACOCK:

We have an organization that is already in existence with a very able person and we will certainly be reviewing, and have been reviewing for a considerable length of time, the constitution of this board. We will be ready to announce it as we mentioned previously, we think by July 1st.

MR. TAYLOR:

Mr. Chairman, I wonder if I could just make one quick suggestion. With the Alberta Opportunity Fund now being added to the work of the Alberta Commercial Corporation, it appears to me that while you do have very able personnel in that branch, it is going to be a pretty heavy load. I had given some consideration some time ago about separating the stock advance group and the surplus machine group and making it a separate branch under the deputy minister and adding to that the purchase of new equipment. That branch also has very able personnel. Now they handle the surplus equipment but they don't have the story of the equipment right from the time it is purchased. I think it could become a very valuable branch if it had the control of this equipment, the purchase and the sale of the surplus equipment. I would simply make a recommendation that the minister look into the possibility of doing that and possibly taking that load off the Alberta Commercial Corporation.

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MR. PEACOCK:

I appreciate the comments from the hon. Member for Drumheller. We have been giving some thought and consideration to that particular phase that you are talking about.

MR. SORENSON:

Mr. Chairman, I would like to ask a request of the hon. minister. I have had this thought for some time. I wonder if I could request that the first loan be made to a town in my constituency? I think we know what Alliance needs and perhaps Hardisty, the east-central industrial committee. But I have 12 or 15 towns, the largest one is around 1,000 in population. Each one of them is healthy and kicking, and mostly kicking. They certainly want to get in on something like this and I certainly support the bill. I do hope that in this next year we will see it working in my constituency.

[Section 3(2) was agreed to; Sections 3(3) to 6 were agreed to without debate.]

Section 13(1)

MR. WILSON:

Mr. Chairman, would the minister be good enough to give us a couple of examples of the types of businesses that he envisions would qualify for loans for research under this section.

MR. PEACOCK:

An example is, today we're trying to attract a sophisticated electronic industry into the Province of Alberta; a print-out for meters, digital application, and this is the kind of research we would be considering for this particular section. In other words, in the electronic field, and possibly in the pharmaceutical field.

[Section 13(1) to (3) agreed to.]

Section 13(4)

MR. WILSON:

Mr. Chairman, assuming that one of those mistakes occur that we've been advised are a distinct possibility, what would it be the intention to do with any business that you would acquire through default of the company borrowing the funds? You show here you can take franchises for security, and you end up with some business. It could well be that you would be on a temporary basis, at least, I would envision -- in competition with the private sector. I was just wondering what your plans would be when you do acquire a business and you are in competition with the private sector. What do you plan to do with it? What are your plans to get rid of it?

MR. PEACOCK:

I hope that never happens, but if it does, we have in the department, as you appreciate, some management skills. We would anticipate taking the business and having a look at it and seeing whether it could be made viable. If it could we would move it off into the private sector, and allow it to be absorbed by existing private sector companies.

MR. DIXON:

Mr. Chairman, just a question or two I'd like to ask the minister. Would this bill -- suppose the native people decide, as they have in the odd place -- to go into business, would they be able to take advantage of this bill?

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MR. PEACOCK:

Certainly. We're not discriminatory. They are Albertans. As long as they conform to the principles of this bill, in relation to the capital investment, fine.

MR. DIXON:

Mr. Chairman, the reason I asked you that question, though, is, could you apply this act to these people when they are wards, more or less, of the federal government, rather than the provincial government? Would we run into conflict with this? Apparently they haven't got the power under the provincial act.

MR. PEACOCK:

Well, if they are Treaty Indians, I appreciate that you've got a problem and that you'd have to look at this, but as long as they are citizens of Alberta and are free to act on their own behalf, why there is no problem.

I might point out, just in comment, that this bill certainly can't be the "be all and end all" of all that is required in covering a \$50 million fund, but it does cover some of the problems that all of us have experienced. This is all we're trying to do in this bill.

[Subsection 5 was agreed to, Section 14 to Section 15 were agreed to without debate.]

Section 15 (1)

MR. LUDWIG:

Mr. Chairman, I would like to make a few comments on this section. I believe there was some misunderstanding as to the fact that in criticizing Section 15 I may have created the impression that I am opposed to the bill. I have made it quite clear that I support the principle of the bill, but I'm not quite impressed with the fact that private enterprise government, at least one that pays lip service to the private enterprise, needs Section 15. There are other ways of getting around it. I think if this was a socialist government and they put in that kind of section maybe in anticipation of taking some industry over if they didn't like the profit it made, or if they didn't like that the fact it was competing with something the government didn't like, then you could understand it. This section has no place in legislation in this province. The hon. minister made a very well taken comment a few days ago -- I believe it was in Calgary or elsewhere in the province -- that businessmen don't trust politicians. I can say that this government during the short period in office, hasn't done very much to encourage faith in politicians. In fact the contrary is very true.

There are other ways of dealing with what is intended by Section 15. The hon. Premier says that he expects it to be a free-wheeling kind of a company, and has visions of what he would like it to be. But that isn't enough. You are setting up a section that small business ought to distrust. It's no use doing things if politicians will suspect you of doing something, and then we are not going to do it. If you are not going to do it don't have the section.

This is the greatest attraction for a real build-up of bureaucracy that there ever has been in this government. You may deny it, but I'm going to read Section 15 just to point out what I mean. It says here: "Subject to the provisions of this act the company may do all or any of the following -- engage the services of any bank -- buy, sell and deal in any goods, wares merchandise or natural products either by wholesale or retail or both."

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Now why on earth does a government company want to go into the retail business, or the wholesale business if it's a free enterprise government? I don't understand this, and if you should explain it to me that we might be taking companies over that get into trouble, that's understandable. It's being done today, but why should a government corporation take them over and run business in competition with other people that borrowed money from it, or who set up business on their own initiative? You can set it up by setting up receivership, or engaging someone else to do this, but this section has no place -- if you have any claim to recognition as a free enterprise outfit -- this is a real bit of socialistic legislation. You can deny it all you like.

When the government sets up authority for itself to go into business, and then says they are not going to do it, somebody is misleading the people. If you are not going to do it, don't get it on the books. If you must, then you can come and ask for legislation. If you expect a crop of failures and you must, go into business you are going to have a pretty big corporation in due course. You would be in competition with other businesses, which is contrary to anything we ever stood for, and I believe contrary to anything the Conservatives ever preached. You might deny this, but it's in here, and if anybody here tells me -- if the government had to foreclose a business -- that you can't handle it only through the corporation, then I think that you haven't explored the alternatives. But this is not keeping with the theory of private enterprise in any stretch of the imagination possible.

I think the hon. minister ought to explain and if he has trouble realizing that you can deal with a company that has been foreclosed or taken over by receivership or by some other means, or even letting a trust company handle it, or somebody else, rather than create the distrust that will happen if, for instance, I was in some manufacturing business in competition with another company that got a loan from the government, you foreclosed, you took over in default, you have to make that company go and you are competing with me. How on earth would you expect me as a businessman of free enterprise to trust the government?

I think that the hon. minister understands exactly what I mean. I would like to know what other alternatives he considered before he put that section in, because frankly I don't like that section.

MR. PEACOCK:

Mr. Chairman, to the hon. Member for Calgary Mountain View, I might suggest that when I suggested about business's relationship with government I also conversely suggested government's relationship with business. There are certain responsibilities when you loan money. The hon. Member for Calgary Bow mentioned a little earlier what about safeguards? This is only allowing us the latitude of moving in and taking over something we have advanced.

We have had an example in this House today of a company you have backed, that the private enterprise themselves wouldn't take it out of the hole. So, what are you going to do? This is the safeguarding you are going to do with this section.

MR. LUDWIG:

Mr. Chairman, the hon. minister's explanation simply verifies what I said, that but for the fact that this legislation isn't in effect, we would be in the insurance business. We would have to make it go somehow, and even if we lost money it would be competing. That is the very thing that the businessmen aren't going to trust about this government. Certainly, you say we could be in the insurance business, because look what happened. We could be in the logging business; we could be in the processing business; we could be in the dairy business. Yes, and monkey business too.

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Furthermore, you think people don't trust politicians -- they don't trust bureaucrats either. This is a natural attraction for bureaucrats. So I think the Conservatives talk out of one side of their mouths and act differently. They are competing. They have set up the possibilities -- and I am mostly amazed, because the top free enterpriser in that whole front row is the the hon. minister Mr. Peacock. Here he negates everything he ever stood for, and he sets up a little chance to get into a little bit of business. He says the railway business. I meant monkey business too -- so Mr. Peacock, it is now your turn.

MR. FARRAN:

Here we are again. The hon. Member for Calgary Mountain View really makes me laugh, because the previous government conducted the Alberta Commercial Credit Corporation, which was mainly in the business of financing inventory. They would buy stuff from the carload lot, and then sell it out in the small package, which is exactly the sort of enterprise that is covered by this clause that he is objecting to. They have been doing it for years.

MR. LUDWIG:

Mr. Chairman, that is his explanation. That isn't what the hon. minister said at all. The hon. minister said that we might have to go into business. I think this Legislature ought to take a good look at itself. We have only one NDP member here. But I wouldn't blame him if he brought this in; that is what he stands for. What do you people stand for?

MR. WILSON:

Mr. Chairman, in this Section 15, I share many of the concerns of the hon. Member for Calgary Mountain View. For example, what is to stop some administration down the road from deciding that because the government uses a lot of automobiles it will go into the retail automobile business, and go into competition with existing automobile companies in the province, go into the newspaper business -- and that would be a sad one I would think -- go into the office stationery and furniture supply business.

It seems to me that when -- from all of the catcalls coming from the other side I thought they would have recognized that they are setting up a company that they don't have any control over. They get a report once a year, and she's off and running. It isn't just something that they are going to be controlling on a day-to-day basis. I would think that the hon. members opposite who are making the remarks would have realized that. I cannot see why it is essential for the government to have such wide ranging privileges for this company to go into competition with the private sector in any field anywhere in the province at any time that they want, with no recourse to the Legislature whatsoever.

MR. PEACOCK:

The hon. member's remarks just amaze me, after having answered a few moments ago the question of "What are you going to do about controls?" Then he turns around now and says we will get into trouble if we put in the controls. And he says, "Why have you got them there?"

The problem we are facing here -- and I quite agree that maybe this bill -- and maybe there are areas that can be better written -- but I don't know how at this time and place.

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MR. LUDWIG:

A question to the hon. minister on Section 15. Have you explored other means of taking care of what is intended under Section 15 and what are the alternatives, if any, because I could suggest a few?

MR. PEACOCK:

Suggest them.

MR. LUDWIG:

One is that if you must take over a company for default, under a loan, it happens now if a company has to go bankrupt it goes into receivership. That would be a much preferable way than to have a company get into business. How are you going to get out of business once you get into it if civil service feels, for instance, that it isn't time to unload it? As long as you have taken over a company and you're operating it, whether you agree or not, you're competing with private enterprise, and that's the last thing I expected from the Conservatives. I've said before that these men are Conservatives by inheritance, not by conviction, and you know what I mean now.

[Section 15-1 to Section 15-10 agreed to without further debate.]

Section 15-11

MR. LUDWIG:

Mr. Chairman on Section 15-11, "purchase or otherwise acquire shares in the capital stock of any corporation" -- can the hon. minister give us an example of how he might want to get into business through this corporation by purchasing stocks in some other corporation, for instance?

DR. HORNER:

Take off shares in the Alberta Resources Railway.

MR. LUDWIG:

The hon. second-class Premier Lougheed was in Grande Prairie and said that that railway has great possibilities -- of course he didn't say that elsewhere as yet.

DR. HORNER:

It's under new management and has a new engineer now.

MR. CHAIRMAN:

Did you wish to answer Mr. Ludwig?

MR. PEACOCK:

Yes I think so because I think it's worthy of my -- [Laughter] -- I think there are many cases where we would take maybe a position of stock in a company that was of a development-style of company as a security against maybe an advancement on the R and D loan, and then as the company got going and paid off its loan in terms of whatever the capital stock might be. So I think there are many areas where you can do this in as a security.

MR. LUDWIG:

Mr. Chairman, if a corporation will own equity or own shares in a corporation, how can the hon. minister tell us that he will not be competing with private enterprise? He's contradicting himself and I

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don't think anyone on that side would stand up and say they have any intention whatsoever of competing with private enterprise, and still they're doing it. The hon. minister admits it.

The problem is, are we free enterprise or are we getting a little bit into what the socialists would want to see happen?

[Section 15-11 to Section 17(2) agreed to without further debate.]

Section 17(3 as amended)

MR. LUDWIG:

Could the hon. minister explain the real purpose of that amendment that was just brought in?

MR. PEACOCK:

Mr. Chairman, the recommendation came from the Auditor General of the province because it questioned his authority, frankly.

[Section 17 agreed to without further debate.]

Section 18

MR. WILSON:

Mr. Chairman, could the hon. minister advise if these regulations are now prepared?

MR. PEACOCK:

No they're not.

MR. WILSON:

When do you expect they will be, Mr. Minister?

MR. PEACOCK:

Certainly before July 1st.

MR. CLARK:

Following that along; on a couple of occasions I've asked the hon. minister if, in fact, he could have the regulations to us before this time. He assured me he couldn't, but in the course of our conversations, and just so we clearly understand one another, we have discussed the implementation of this particular legislation as it affects a development co-operative, and I use the example of Olds, because last year that was the only way that they could incorporate. So there is no misunderstanding, as long as the co-operative itself is involved in a building, or acquiring of land, a guarantee loan could be -- I don't say will be -- but could be available to the co-operative. Now that's a fair assessment of our discussion today, is it not?

MR. PEACOCK:

In answer to the hon. Member for Olds-Didsbury, that's a fair assessment, and it's covered. If he would refer to Section 2(5), and that would cover what he is talking about.

[Sections 18 to 21 were agreed to without debate.]

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Title and Preamble

MR. BUCKWELL:

I'd like to ask the minister -- this is something I mentioned the other day -- like Bill No. 73, it's sort of taking drastic measures under drastic conditions. Is the hon. minister willing to take any input from this side of the House or business to help him out in making decisions?

MR. PEACOCK:

Mr. Chairman, certainly. Certainly!

MR. TAYLOR:

Mr. Chairman, I'm wondering if the hon. minister is giving consideration to the preparation of some type of pamphlet. I don't know about the other hon. members, but I'm starting to get inquiries from various towns and villages and I'm wondering -- we can send them the act -- which is good, and I'm wondering if the hon. minister intends to set out a brochure advising towns how they may apply and so on.

MR. PEACOCK:

Well, Mr. Chairman, the hon. Member for Drumheller -- we have discussed it in the department -- we haven't done anything about it as yet, but we want to do this. We want to include Bill No. 50 on a condensed summary, and Bill No. 73 and whatever federal programs are involved in the particular areas, and whatever other programs that we have, so that we can transmit this information to all and sundry, and at least have better communication if we possibly can than we have had in the past.

[The title and the preamble were agreed to without debate.]

MR. PEACOCK:

Mr. Chairman, I move Bill No. 50 be reported.

[The motion was carried without dissent.]

Bill No. 53

The Federal-Provincial Farm Assistance Amendment Act, 1972

[Sections 1 to 3 were agreed to without debate.]

Title and Preamble

MR. BENOIT:

Mr. Chairman, I was really concerned about the wording here. Now I know that it doesn't -- Bill No. 53?

DR. HOFNER:

Yes -- this is Bill No. 53 we're on.

MR. BENOIT:

Yes. The wording here bothers me. I know it's not really intended the way it sounds, but when you start to organize and use workers -- now all the rest of the details in there -- we're talking about credit and insurance, and possibly machinery and this sort of thing. But when you start using people -- organizing and using people -- it doesn't sound so hot. And I don't know whether you can change that or not.



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DR. HORNER:

This relates to the Federal Manpower programs that we hope to incorporate into the agricultural sector. As I've mentioned many times, we're very keen to get additional manpower programs and develop in the future apprenticeship courses in relation to some specialities in agriculture. This allows us to play a far greater role in relation to the federal manpower courses and is the kind of verbiage that the legal people want in relation to the federal program.

MR. STROM:

When we looked at it and it said, "use of workers for farming." Would the hon. minister care to explain just what he has in mind?

DR. HORNER:

Perhaps some apprenticeship programs where jointly we may pick up part of the cost in relation to say a dairy person spending a year on a dairy farm learning the dairy industry and government taking a gradually decreasing portion of the pay of that particular person on the farm. In other words, this helps the farmer to get some help. It also gives some very needed training in some of these specialty areas.

MR. STROM:

Mr. Chairman, I take it that this is a continuation of some work that has been done in this area, a very limited amount. There is another problem that has been bothering farmers for a long time and it is purely and simply the availability of help. Is any of this factor tied in to it? I am wondering if the minister could maybe give us some information as to how he might tie in the availability of help for farms, because everywhere I go this is a real problem. The common complaint is that they will tell me, you are providing assistance in welfare, workers just simply are not available. Do you have a proposal that you think may resolve it?

DR. HORNER:

We hope to develop with the hon. Minister of Manpower and Labour programs in which -- frankly, I'm sure the hon. Leader appreciates the position that people would rather stay on unemployment insurance, for instance, than go to work on a farm. This is one of the things that you run into and it has been traditional. One of the reasons, of course, is because a farmer hasn't been able to pay high enough wages, that the job status isn't there. So there are two areas here that I think we can work on, and that is to upgrade the status of the job by a real apprenticeship course, by upgrading the amount the farmer can pay by getting some federal help, and jointly helping to pay the cost of training these people, and at the same time getting additional help for the farmer.

I appreciate what the concern is. We will be looking at all of these areas in an effort to upgrade the status of the job, rather than the hired-man name, that we develop a situation so that people will be interested in doing farm work, farm management work, particularly related to specialty areas. I think this is one of the ways to get people back into the labour force in agriculture.

MR. STROM:

Do the row crop workers come under this section here?

DR. HORNER:

There is another section as my hon. friend appreciates, in regard to provision of housing and so on for transient workers. I think we discussed that in my estimates in regard to the sugar beet areas particularly. But that isn't what we are talking about here.

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Mr. Chairman, I move that Bill No. 53 be reported.

[The motion was carried.]

Bill No. 56  
The Co-operative Marketing Associations Guarantee  
Amendment Act, 1972

[Sections 1 to 4(a) were agreed to.]

Section 4(b)

MR. DIXON:

Mr. Chairman, I would just like to get a little more information from the hon. minister on this. You are adding the word "water" under the utility end of it. I just wondered what are your plans on that? Are you going to extend these types of main lines that we have running from Edmonton to Redwater, or is this strictly to the rural area, I mean the farming area? The reason I am asking, Mr. Minister, we have a situation in Calgary in the hon. Premier's constituency where the people in the small holdings are anxious to get the water supply in that particular area and the city doesn't, of course, want to put it in. Would that take care of that type of situation?

MR. TOPOLNISKY:

It would take in small holdings adjacent to the cities.

[Section 4(b) was agreed to; title and preamble were agreed to without debate.]

MR. TOPOLNISKY:

Mr. Chairman, I move that Bill No. 56 be reported.

[The motion was carried.]

Bill No. 57  
The Energy Resources Conservation Amendment Act, 1972

[All clauses, the title and the preamble, were agreed to.]

MR. GETTY:

Mr. Chairman, I move that Bill No. 57 be reported.

[The motion was carried without debate.]

Bill No. 58  
The Department of Federal  
and Intergovernmental Affairs Act

[All clauses were agreed to without debate.]

Title and Preamble

MR. STROM:

Mr. Chairman, has the Ottawa office been staffed as yet, or is it still operating with just the two stenos?

MR. GETTY:

Still with the two ladies, Mr. Chairman.

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MR. STROM:

Will you be getting more people there shortly, or have you made up your mind as to how you want to staff it?

MR. GETTY:

No, we have not made up our minds yet, Mr. Chairman. We are finding some advantages with the new department. In some cases we do not need the person in Ottawa, and yet there are times when it would appear to us that there would be an advantage to have him there. Frankly, we have not yet decided which would be the best.

MR. BUCKWELL:

Mr. Chairman, as the Minister of the Environment is going to be away for, I understand, about a month, has the Minister of Federal and Intergovernmental Affairs got the irrigation studies all ready to sign?

MR. GETTY:

They are almost ready to sign, Mr. Chairman. In the absence of the Minister of the Environment, there is still some work to be done on them between the Minister of Agriculture and myself.

[The title and the preamble were agreed to.]

MR. GETTY:

Mr. Chairman, I move that Bill No. 58 be reported.

[The motion was carried without debate.]

Bill No. 63  
The Department of Highways  
and Transport Amendment Act, 1972

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

MR. COPITHORNE:

Mr. Chairman, I move that this bill be reported.

[The motion was carried without debate.]

Bill No. 69  
The Alberta Health Care Insurance Amendment Act, 1972

[All clauses were agreed to without debate.]

Title and Preamble

MR. DIXON:

Mr. Chairman, before we take the vote on this, I would ask a question, probably to the hon. Minister of Federal and Intergovernmental Affairs rather than to the hon. Miss Hunley, because it has to do with federal participation in the plan.

Has the federal government recently been in touch with the provincial government regarding staying in the Medicare plan as far as their cost-sharing agreement is concerned? Has there been any recent correspondence with the federal government?

MR. GETTY:

I am not sure, Mr. Chairman, if there has been some correspondence within the last day or two. Other than that, no, not

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of a negotiating or official nature. There is lots of correspondence between the hon. Minister of Health and Social Development's department and the federal government but those are on details.

If you are talking about whether there are more recent negotiations on opting out of the Medicare or their getting out -- no. It is going to be a matter for discussion at a federal-provincial meeting. It will be a subject at the Premiers' meeting when they meet in Halifax. It is a major matter which is not going to be resolved easily.

MR. DIXON:

I was wondering, what is the government's stand? Do you favour the federal government staying in as they are now?

MR. GETTY:

Our stand is one that we favour the federal government providing the tax dollars, but leaving the administration of the plan with the province. That is the stand that we have. As you know, that has not been met with wholehearted enthusiasm by the federal government.

[The title and the preamble were agreed to without debate.]

MISS HUNLEY:

Mr. Chairman, I move that Bill No. 69 be reported.

[The motion was agreed to without debate.]

Bill No. 70

The Health Insurance Premiums Amendment Act, 1972

[Sections 1 to 4 were agreed to without debate.]

MR. CHAIRMAN:

Section 14, sub-section 1. The only correction is after the words 'when a person,' the comma should not be there.

[Section 5 was agreed to.]

Section 6

MR. DIXON:

Mr. Chairman, on this point -- and I am not suggesting we make an amendment to the bill at this particular time -- but I am concerned with a group of people who, I think, should be given consideration by the hon. minister and the department.

There are the group of people who retire early through the Canada Pension Plan because of physical or mental disabilities -- in other words they take their pension earlier. They have all passed the means test and most of them would be assisted to a greater extent -- I know a lot of them could qualify now under the subsidy -- but we are giving the subsidy to people over 65 in many cases who could well afford to pay for it. I have had a number of letters from people who are taking advantage of the clause under The Canada Pension Act where they can retire early under a pension if they are not able to carry on working.

We were very generous in granting people over 65 free medicare premiums, but we let some large corporations out of making payments on behalf of these people. I guess there is no way we could work it where we could still get the money from those type of people. I have had in brought to my attention, and I was thinking of the case of

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Imperial Oil -- all to their credit -- where they assisted their pensioners who had retired by paying part of their premium. Now Imperial Oil will not have to pay their portion of the premium because we are giving everybody over 65 free medicare.

The reason I'm up on my feet basically is that I would like the hon. minister to consider this other group of people who, I feel, are worthy of consideration and action at a later date.

MISS HUNLEY:

I think it was on Friday when I gave my speech on second reading. I did comment on the people that were causing me genuine concern over their inability to make payments. I have a plan half formulated but it's not ready for suggestion at this point, but it will take care of all those who are having a problem in meeting the premiums.

[Sections 6 to 9, the title and the preamble were agreed to without further debate.]

MR. WILSON:

Mr. Chairman, just on the point that the hon. Member for Calgary Millican brought up, does the minister have any idea how much money was being paid on behalf of retired employees by their former company? How much money did we give away -- in effect -- do you have any idea?

MISS HUNLEY:

No, Mr. Chairman, I don't. I don't know whether it is even available through the records that they keep. They might be able to pick it out of the computer but we don't have it at this time.

Mr. Chairman, I move that Bill No. 70 be reported.

[The motion was carried without dissent.]

Bill No. 72  
The Milk Control Amendment Act, 1972

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

DR. HOFNER:

Mr. Chairman, I move that Bill No. 72 be reported.

[The motion was carried without dissent.]

Bill No. 73  
The Agricultural Development Act

[Sections 1 to 13 were agreed to without debate.]

Section 14

MR. BUCKWELL:

Mr. Chairman, on this section dealing with the buying of land by the Corporation, I would like to ask the hon. minister what they intend to pay? Do they pay a fair just price or the market price, allowing that there is a difference?

The second thing is, what does the Corporation intend to do with the land? To me they have three alternatives; either to sell it, to lease it, or to rent it. Now, if they have these alternatives, why

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doesn't the purchaser or the seller have the same prerogatives? And if they can't either sell, or rent, or lease, what is going to be done with this land?

DR. HORNER:

Mr. Chairman, the hon. member is quite right. Those are the three prerogatives. I can assure him and the House, generally, that we don't intend to be in the land business and in every case that we can we will try and work out the arrangements so, in fact, there is an arrangement between buyer and seller.

As the hon. member also appreciates, there has been a consolidation program underway for a number of years under ARDA -- a variety of programs -- and the land is then given to the Department of Lands to look after and they either sell or lease the land.

As I mentioned the other day in second reading, we would in certain cases, perhaps buy the land and then make some arrangements to lease it back with an option for the operator to buy. In other words, try to re-establish these people in farming.

In essence, I would think that the primary listing of land and the primary acquisition of land would be undertaken through the Farm Credit Corporation, rather than through our act. But there will be occasions when we will get hold of the land, or it will come to us. We would make it available to other farmers in the area at the earliest opportunity on either a straight sale or a lease option basis.

MR. BUCKWELL:

Again, Mr. Chairman, to the hon. minister. Say you bought a section of land at \$100 per acre -- no, you wouldn't pay that high -- I'm concerned when you say "the Corporation shall fix the repayment term on loans which shall not exceed 40 years." By the time a fellow has repaid a loan over 40 years at, say, seven per cent or eight per cent, he's paid \$100 for the land. DR. HORNER:

Yes. This, of course, is to give us some flexibility. One of the things that many people feel -- and it is certainly true -- is that rather than extending the term of loan -- and under the old Farm Purchase Act this was limited to 25 years -- we're extending the ceiling. That gives the corporation that flexibility to make 40 year loans. It became feasible to do so.

MR. BUCKWELL:

Basically you're looking at locking at say, quarter-sections, half -- say, not much more than half-sections?

DR. HORNER:

Yes, the limits that we're thinking about now are in the area of \$60,000. The old limit was \$50,000 in total assets and \$25,000 in acquisition. We're going to bump that, of course, because of the natural increase in values. But we're certainly not getting into the large land schemes and we will not be in that area.

[Sections 14 to 16 were agreed to without further debate.]

#### Section 17

MR. BUCKWELL:

Mr. Chairman, for farmers, say 55 years of age, physically handicapped. Does this mean that there are some in this House who

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are getting near 55, and are we physically handicapped because we're here?

DR. HORNER:

Some are!

[Section 17 to Section 27(7) were agreed to without further debate.]

Section 27(8)

MR. CLARK:

Mr. Chairman, would you go back to Subsection 8 for just a moment. I believe it was Friday when the hon. minister indicated to the House that he was going to do some scrutiny -- he wasn't going to do it -- but the department was going to do some scrutiny on these guaranteed loans as far as Cabinet is concerned. I think this is a wise move as I see the Guaranteed Loan Program, and I agree with it, and have supported it, coming from my particular area.

But there is the problem of the people who may well take advantage of the loans. One may be people, who if they are getting into the business, have poor facilities to start with. In addition to that, with all due respect, they may not be the people who are the best judge of cattle -- and I use that in a broad sense. Thirdly, they'd likely have more difficulties in looking after the cattle than people who are pretty well-established in the business and who have had some experience. So keeping those three reservations in mind, I'd be interested if the hon. minister would just briefly outline how he sees this supervision being implemented.

DR. HORNER:

Well, Mr. Chairman, we intend to appoint a supervisor in both north and south in regard to the beef cattle loans. At the same time we hope to be able to take advantage of the Feeder Association people, or the supervisors in the area, to assist us in this area until we can establish further control. We're concerned about facilities, we're concerned about the type of cattle they buy, we're concerned that they have the necessary feed and so on to care for the cattle after they have them. We're going to be moving relatively slowly in that area so that those three conditions that the hon. member mentions are fulfilled. We want to see that the people who take advantage of the loans, in fact, establish themselves to give themselves better income down the road.

MR. CLARK:

On Friday when you were discussing this area on second reading, you gave some indication that you were going to make it at least advisory and possibly mandatory that people taking out certain programs from the department would have to take the farm management courses. For what it is worth, I think it would be a rather shrewd move on behalf of the government if you tied -- pardon?

MR. GETTY:

Another shrewd move.

MR. CLARK:

No, the first one -- [laughter] -- but it would be at least a better move. Let's put it that way then -- if you thought seriously of tying some kind of farm management program, at least credit management program, to these people who are getting involved in this the first time around.

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DR. HORNER:

I can assure the hon. member that if he knows Walter McNary at all, who is now head of the Farm Development section of my department, that he is very high on the question that any of these loans should be tied to educational courses. I can assure the hon. member that this will happen. There is a memorandum going out to all members of the Legislature asking for their assistance in establishing the advisory committees in each of the areas and I would hope that they would get back to me with that information in the near future so that we can go ahead.

[Section 27(14) was agreed to; Sections 27(15) to 31 were agreed to without debate.]

DR. HOFNER:

Mr. Chairman, I move that Bill No. 73, The Agriculture Development Act be reported.

[The motion was carried.]

Bill No. 74 The Alberta Art Foundation Act

MR. CHAIRMAN:

There is an amendment here, isn't there?

MR. SCHMID:

Mr. Chairman, may I explain the amendment. Section 2 would amend by striking out Subsection (4) "that MLA's would be eligible to be on the board", and Section 3 by just adding "for the benefit of the public generally, the donators of the Art Foundation Act could deduct their donations from the federal income tax." Therefore, I recommend this amendment.

[Sections 1 to 2(2) (b) were agreed to without debate.]

MR. SCHMID:

-- on the time suggestion of the hon. Member for Calgary Millican.

MR. CHAIRMAN:

Very well, we have no approval to that.

MR. BENOIT:

Mr. Chairman, if that is removed then Subsection (5) should be renumbered (4).

MR. LUDWIG:

Mr. Chairman, I would just like to clarify the sudden change of heart on this. A member of the Legislative Assembly is not eligible to be appointed. Now he is removing that and an MLA is. What was the reason for your change? Apparently you made it very positive that one cannot sit and you reversed yourself. What is the reason behind this sudden reversal?



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MR. SCHMID:

In all deference to the hon. members on the opposite side, Mr. Chairman, I am quite sure that sometimes they have terrific opinions also. This is in concurrence with your opinion of the hon. Member for Calgary Millican. He suggested this and I thought maybe it was a good idea.

MR. LUDWIG:

This is the excuse that they are using, that they want to change on suggestion of this side. But they are rather reluctant to accept any suggestion from this side. Why this one all of a sudden?

SOME HON. MEMBERS:

No, no.

MR. CHAIRMAN:

Very well, Section (5) renumbered to Section (4).

[Section 2(c), 2(4), 2(5) was agreed to; Sections 4 to 11, the title and the preamble were agreed to without debate.]

MR. SCHMID:

Mr. Chairman, I move that Bill No. 74 be reported.

[The motion was carried without debate.]

Bill No. 78  
The Agricultural Societies Amendment Act, 1972

[All clauses, the title and the preamble, were agreed to.]

DR. HORNER:

Mr. Chairman, I move that Bill No. 78 be reported.

[The motion was carried without debate.]

Bill No. 79 The Alberta Labour Amendment Act, 1972

MR. CHAIRMAN:

Have you got the amendments?

[All clauses, the title and the preamble, were agreed to as amended.] DR. HOHOL:

Mr. Chairman, I move that Bill No. 79 be reported as amended.

[The motion was agreed to without debate.]

MR. HYNDMAN:

Mr. Chairman, I move that the committee rise and report.

MR. CHAIRMAN:

It has been moved by the hon. minister that the Committee rise and report. Is it agreed?

HON. MEMBERS:

Agreed.

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MR. CHAIRMAN:

Before I buzz the speaker, I have two messages here that were passed to me, about two committees for tomorrow. I will take the liberty of announcing them now.

The Law and Law Amendments committee will meet in this room tomorrow at 8:30 a.m. However, the Committee on Privileges and Elections scheduled for tomorrow morning, May 31st, is cancelled due to the conflict.

MR. CHAIRMAN:

Hon. members will please don their jackets. Somebody has got to fetch the Sergeant at Arms.

MR. GRUENWALD:

Mr. Reid has gone home; he is ill so you will have to get someone to put the Mace up.

[Mr. Chairman left the Chair at 10:55 p.m.]

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[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following: Bill Nos. 67, 68, 81, 37, 44, 46, 48, 53, 56, 57, 58, 63, 69, 70, 72, 73, and begs to report the same.

The Committee of the Whole Assembly has had under consideration the following: Bill Nos. 8, 17, 33, 38, 40, 47, 50, 74, 78, 79, and begs to report same with some amendments.

MR. SPEAKER:

Is it the wish of the Assembly that the reports be received?

HON. MEMBERS:

Agreed.

MR. LOUGHEED:

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

MR. SPEAKER:

The hon. Premier moves that the House adjourn 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 Head Page escorted Mr. Speaker from the chamber with the Mace; the House rose at 10:59 p.m.]