

LEGISLATIVE ASSEMBLY OF ALBERTA

Wednesday, May 2, 1973

[The House met at 2:30 o'clock.]

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 25 The Cemeteries Amendment Act, 1973

DR. PAPROSKI:

Mr. Speaker, I beg leave to introduce Bill No. 25, being The Cemeteries Amendment Act, 1973. The principle intentions in these amendments are to enable a cemetery which was not being maintained to be liquidated and either sold or taken over by a city or municipality. This would be done without the necessity of moving the bodies to a proper or another burial ground.

I feel that this will alleviate grief and distress of relatives and friends of those who have passed on.

[Leave being granted, Bill No. 25 was introduced and read a first time.]

MR. CRAWFORD:

Mr. Speaker, I move that Bill No. 25, The Cemeteries Amendment Act, 1973 be placed on the Order Paper under Government Bills and Orders, seconded by the hon. Mr. Yurko.

[The motion was carried.]

Bill No. 51 The Planning Amendment Act, 1973

MR. GHITTER:

Mr. Speaker, I beg leave to introduce a bill, being The Planning Amendment Act, 1973, Bill No. 51. The general principle of this bill, Mr. Speaker, is to allow amendments to the present Planning Act which would permit certain requests from the City of Calgary in order to meet their immediate planning needs.

The bill allows the Lieutenant Governor in Council to establish any part of Alberta as an airport vicinity protection area, where the establishment of the area is in the public interest for the purposes of promoting the health, safety and general welfare of users of land situated in the vicinity of an airport.

The bill also provides, Mr. Speaker, for certain clarifications with respect to the zoning provisions presently contained in the present Planning Act and also allows the municipality to acquire land within a proposed subdivision in addition to the reserve for the purposes of public parks, school sites and public recreation areas.

Mr. Speaker, in conclusion I should add that this bill, an amendment to The Planning Act, should be regarded as an interim measure, pending the presentation to this Legislature of a new proposed planning act as has been discussed by the Minister of Municipal Affairs.

[Leave being granted, Bill No. 51 was introduced and read a first time.]

MR. RUSSELL:

Mr. Speaker, I would like to move, seconded by the hon. Minister of Industry and Commerce that Bill No. 51, The Planning Amendment Act, 1973 be placed on the Order Paper under Government Bills and Orders.

[The motion was carried.]

INTRODUCTION OF VISITORS

MR. LEITCH:

Mr. Speaker, it is my pleasure to be able to introduce today some 160 students from St. Matthew School in the Calgary Egmont constituency.

I understand, Mr. Speaker, that the arrangements for this large delegation to attend were made by one of their teachers, Mr. Dave Beatty, who is also here. I'd ask them now to stand and be recognized.

MR. CLARK:

Mr. Speaker, I'd like to introduce to you and through you to the members of the Assembly a group of students from Carstairs. They are accompanied by parents, Mr. and Mrs. Floyd Beckner and Mrs. Joyce Ing. The number isn't nearly as large as those introduced by the hon. Attorney General, but let me say that the quality is equally high. I invite them to rise and be recognized by the members of the Assembly.

FILING RETURNS AND TABLING REPORTS

DR. HORNER:

Mr. Speaker, I'd like to table returns to Motions 182 and 219.

ORAL QUESTION PERIOD

Royal Alex Nurses' Strike

MR. HENDERSON:

Mr. Speaker, I'd like to address a question to the Minister of Manpower and Labour. I wonder if the minister could advise the House as to the status of the bargaining situation at the Royal Alex Hospital?

DR. HOHOL:

Mr. Speaker, negotiations are continuing today with the assistance of a mediator from the staff of the Board of Industrial Relations. These mediation discussions began yesterday and are continuing from about noon today. It's my understanding as of a few minutes ago that they are in session at the present time.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. Minister of Health and Social Development. Can the minister advise the Assembly whether it is true that the Hospitals Commission will not approve an increase of more than six per cent in the global budgeting for the Royal Alex Hospital in wages?

MR. CRAWFORD:

Mr. Speaker, I have dealt with the question of global budgeting on several occasions in previous question periods. But in short summary the situation is that the Hospital Services Commission makes available an overall budget to each hospital in the province and does not attribute specific items in specific amounts.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. Minister of Health and Social Development. In light of the statement by the chairman of the board that since the province is assuming 100 per cent of the hospital costs they should

assume the bargaining, is the government giving any reconsideration to the possibility of province-wide bargaining for hospital employees in this province?

MR. CRAWFORD:

Mr. Speaker, I think something should be pointed out which was not carried in some of the recent public references to the subject. The Alberta Hospital Association performs a very valuable and useful service on behalf of hospital boards generally in carrying out negotiations on behalf of over 50 hospitals in any event in the province. I believe their good offices are available for that purpose. The answer to the question, therefore, is that at the present time the government does not propose to enter directly into that sort of situation.

MR. SPEAKER:

The hon. Member for Cypress, followed by the hon. Member for Taber-Warner.

Rapeseed Processing Plants

MR. STROM:

Mr. Speaker, I'd like to address my question to the hon. Minister of Agriculture. Yesterday, in reply to a question of mine in regard to the checking of viability of rape plants, he replied that there were several rape plants within the constituency of Cypress. I'm wondering if he could advise me where these are located? If the hon. minister would like, I would read to him from Hansard what he has said. It's very, very clear, Mr. Speaker, that he stated that there were several rape plants in Cypress and I'm very anxious to know where these are located.

DR. HORNER:

Mr. Speaker, I haven't had the chance to peruse Hansard for yesterday. But the words I used, very clearly, were that there were several plants that had been assisted in the constituency of Cypress.

MR. STROM:

Mr. Speaker, in order to make sure that we are not misleading the House, I'm sure the hon. minister would like to correct the impression that was left in Hansard. I do not want to take the liberty of reading it but if you would wish to turn to page -- it's not listed here in pages -- but it's in the questions of yesterday where, in direct reply to my question in regard to feasibility of rape plants, the statement was made by the hon. minister that there were several in my constituency which I was not aware of. Would he then please advise the House that there are no rape plants in my constituency of Cypress at this time?

DR. HORNER:

If it will make the hon. member happy, Mr. Speaker, as far as I am aware there are no rapeseed crushing plants in the constituency of Cypress.

MR. SPEAKER:

The hon. Member for Taber-Warner, followed by the hon. Member for Macleod.

Government Documentary Films

MR. D. MILLER:

Thank you, Mr. Speaker. I have a question for the hon. Minister of Culture, Youth and Recreation. Would the hon. minister give consideration to any incentive for the production of heritage and Travel Alberta motion pictures?

MR. SCHMID:

Mr. Speaker, the hon. member asked an excellent question. In fact, we have just completed a film on an isolated Indian settlement in the north of Alberta. Maybe film, especially the type he is referring to, may be short clips and I would have to go into that and report as soon as possible.

MR. D. MILLER:

A supplementary question, Mr. Speaker. My question goes a lot farther than does the one that is produced. I mean a continuing production operation. Is the hon. minister aware of the dearth of quality short subject entertainment --

MR. SPEAKER:

The hon. member is now making a statement in the House. If he wishes to rephrase that into a supplementary, perhaps it might be heard.

MR. D. MILLER:

Is the minister aware that there is a terrible dearth of quality productions for --

MR. SPEAKER:

The hon. member's second version is indistinguishable from the first.

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

MR. NOTLEY:

Mr. Speaker, I believe the hon. Member for Macleod was recognized.

MR. SPEAKER:

Yes, I'm sorry. The hon. Member for Macleod, followed by the hon. Member for Spirit River-Fairview.

Agricultural Development Corporation

MR. BUCKWELL:

Mr. Speaker, my question is to the hon. Minister of Agriculture for more clarification. In the new guaranteed loans under the Agricultural Development Corporation which have a maximum of \$50,000 and part of the interest is guaranteed by the government, has the government set a limit on this guarantee in total?

DR. HORNER:

Yes, Mr. Speaker, as I have announced before in the House, under this general overall guarantee the banks have accepted a 25 per cent cumulative guarantee quite similar to the provisions of the federal government in the Farm Improvement Loan Act. We do have arrangements as well, Mr. Speaker, where the credit risk is greater, where the farmer can then appeal to the local agricultural development committees. On these we will provide 100 per cent guarantee, provided it is approved by the local committee.

MR. BUCKWELL:

A supplementary then, Mr. Speaker, on this \$50,000 maximum, are farmers still to be encouraged to make applications to borrow under this guaranteed program?

DR. HORNER:

Mr. Speaker, this is part of the program that has been ongoing and as a matter of fact, to try and rather speed up the process and put a variety of types of loans under an umbrella -- the cattle loans, dairy loans and to include in the operation the necessary operating funds for other types of farmers, particularly the hog producers in Alberta.

MR. RUSTE:

A supplementary question to the minister. Will this \$50,000 be the limit and we will say that somebody has taken it out to that amount, then you get the maximum for the natural gas and the ARDA improvement help? Can that be added on above the \$50,000?

DR. HORNER:

The range improvement program is part of the \$50,000, the natural gas has nothing to do with the \$50,000.

MR. BUCKWELL:

A further supplementary, Mr. Speaker, for clarification. There are two types of loans, one is through the Agricultural Development Corporation itself

and this is to help the little fellow. Then there are other loans the government is guaranteeing, the total loans up to \$50,000. Now is there any maximum you have set on that guarantee or can farmers still borrow under this program up to \$50,000?

DR. HORNER:

As long as there are funds available under the Agricultural Development Corporation, we will continue to make direct loans. Our concern at the moment is that the avalanche of applications -- and we are running out of the allocations from the Provincial Treasurer for this year's budget, or we will run out and so we have been taking some steps to cooperate with farm credit corporations, also talking to the financial institutions in an effort to make available to farmers additional amounts of credit for both the intermediate term and the longer term, and these are pretty essential.

MR. SPEAKER:

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

Cosmopolitan Life Assurance

MR. NOTLEY:

Thank you, Mr. Speaker. I would like to direct this question to the hon. Attorney General. Can the Attorney General advise the House whether he has had an opportunity to meet with the committee of aggrieved shareholders of Cosmopolitan Life Assurance as well as PAP Holdings?

MR. LEITCH:

Yes, Mr. Speaker, I am pleased to be able to say that I met with a delegation from that committee this morning.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the Attorney General advise the Assembly whether it is true that a warrant has been issued for the arrest of one Albert Jaasma, the President of the Cosmopolitan Life Assurance Company?

MR. LEITCH:

Mr. Speaker, there were charges laid some time ago under the securities legislation, which is provincial legislation, and it is my information that as a result of those charges a warrant was issued.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the Attorney General advise the House whether he has had an opportunity to meet with British Columbia officials to see if Mr. Jaasma can be returned to Alberta under Section 144 of the their Securities Act which authorizes the government to return someone wanted in another province?

MR. LEITCH:

Mr. Speaker, I haven't met with officials of the British Columbia government on that question, and I doubt that that would be an appropriate thing to do. I am advised that members of the Securities Commission have considered the section to which the hon. member refers.

MR. NOTLEY:

A supplementary question, Mr. Speaker. In view of the allegations by the aggrieved shareholders that there has been a swindle of some \$5 million, can the Attorney General advise whether the government is prepared to make legal aid available to the aggrieved shareholders should they pursue civil action?

MR. LEITCH:

Mr. Speaker, I was delighted to be able to review that matter with the representatives of the shareholders with whom I met this morning. I suggested that they do consult with the Legal Aid committee which has the responsibility of deciding in what circumstances legal aid certificates should be issued. I

suggested that they meet with that committee to discuss the possibility of getting the appropriate legal aid certificate.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Attorney General. Mr. Speaker, have the legal aid people made assistance available to groups up until now?

MR. LEITCH:

Mr. Speaker, I am not sure I can answer that question. I know it is something that has been under consideration by the Legal Aid committee from time to time. In addition to that, Mr. Speaker, I must say that I am not at all sure that a group of shareholders in these circumstances would fall within what has been normally considered a group in the Legal Aid committee's considerations as to whether to issue legal aid certificates to groups.

MR. CLARK:

One more question --

MR. SPEAKER:

The hon. Member for Olds-Eidsbury with a supplementary and then we will go onto another topic for the time being.

MR. CLARK:

Mr. Speaker, a supplementary question to the Attorney General. I would like to ask the Attorney General, Mr. Speaker, if he agreed this morning to the request from the aggrieved shareholders that a judicial inquiry be held to look into the whole matter?

MR. LEITCH:

No, Mr. Speaker, I wasn't able to agree to that request. We did discuss the concerns of the shareholders in these various companies and I did discuss with them the government's difficulty in calling at this time, a judicial inquiry when we had an investigation continuing, which has been going on for some lengthy period, into the possibility of laying criminal charges. I explained my view that it would be inappropriate for the government to call a judicial inquiry while they were in the process of contemplating criminal charges, because inevitably the judicial inquiry would get involved in the areas covered by the potential criminal charges, as well as the people involved with potential criminal charges.

I am sure that the hon. members who have just been asking questions on this subject would be the first to raise an objection -- incidentally it is a valid objection, one I share -- if while we were contemplating such criminal proceedings we got underway a parallel proceeding through a judicial inquiry which would involve, as I mentioned earlier, the calling of those people and the introduction of evidence that might well be relevant to the criminal proceedings.

I should, Mr. Speaker, quickly distinguish that situation from the one where, as a result of a judicial inquiry, information indicating a criminal offence comes to light which was not earlier considered by the police or the department, because in those circumstances clearly it would be quite proper, following the judicial inquiry, to institute the appropriate criminal proceedings.

MR. SPEAKER:

The hon. Member for Highwood, followed by the hon. Member for Lethbridge East.

Communal Property Advisory Committee

MR. BENOIT:

Mr. Speaker, my question is to the hon. Minister of Municipal Affairs and pertains to the special advisory committee on communal properties. I would like to ask the minister, Mr. Speaker, if the government considers the committee now full size or whether it anticipates increasing the personnel of the committee and representation on it?

MR. RUSSELL:

Mr. Speaker, we have had representation from the Western Stock Growers Association pointing out the suitability of appointing membership from that organization to the committee. It's our intention to ask them for a nominee and appoint the member.

MR. BENOIT:

A supplementary, Mr. Speaker. Is the minister prepared at this time to supply members with the guidelines or terms of reference under which the committee works or have those been worked out yet?

MR. RUSSELL:

It's my recollection that those were tabled earlier in this session at the time the committee was established. But I could check, and if they were not certainly there is no problem in releasing them. They were also contained in a news release, a copy of which I think all members obtained.

MR. SPEAKER:

The hon. Member for Lethbridge East, followed by the hon. Member for Sedgwick-Coronation.

Hospital Operating Deficits

MR. ANDERSON:

Mr. Speaker, my question is to the Minister of Health and Social Development. Has the government established a policy regarding the orderly appeal of hospitals to the provincial government concerning operating deficits?

MR. CRAWFORD:

Mr. Speaker, the policy has been in effect for some time and it has been well known to all boards. The procedure is that any board that wishes to appeal in respect to the amount of its budget first of all appeals to the executive committee of the commission. If there's no arrangement in regard to the changes, if any, which are to be made and no mutuality of agreement at that point, then an appeal may be made to the full commission.

I might add that in the past year there have been some such appeals and it's been found that although appeals occur at all in the minority of cases when they do occur, the way it has been worked out it has been generally quite amicable.

MR. ANDERSON:

A supplementary, Mr. Speaker. Has the government reached a decision regarding an appeal of the Lethbridge Municipal and Auxiliary Hospital and Nursing Home District Board requesting an additional \$80,025 to reduce the anticipated deficit of \$140,540 of the Lethbridge Municipal Hospital?

MR. CRAWFORD:

Mr. Speaker, I would have to check with the Alberta Hospital Services Commission and see if that appeal has been dealt with.

MR. SPEAKER:

The hon. Member for Sedgwick-Coronation, followed by the hon. Member for Olds-Didsbury.

Smoking Hazards

MR. SORENSON:

Mr. Speaker, my question is to the Minister of Health and Social Development. Is the province conducting any studies into smoking tobacco and its effects on one's health, specifically as it relates to lung cancer or heart disease?

MR. CRAWFORD:

Mr. Speaker, the province as such hasn't taken any responsibility for conducting that particular type of research although I would hazard a guess that a number of researchers at one or another of the universities have probably involved themselves in that over a period of years. I think it is as a result of that, for example, that the federal government moved a couple of years ago to cause warnings to be placed on packages of cigarettes.

MR. SORENSON:

A supplementary to the minister. Has the hon. minister given any consideration to the creation of smoking sanatoria where tobacco addicts may be committed or go voluntarily and remain until the habit is kicked?

MR. CRAWFORD:

Mr. Speaker, no.

MR. SORENSON:

A supplementary to the minister. Is the hon. minister aware of the five-day plan conducted by a group, namely the Seventh Day Adventists, and if so, would the hon. minister advise the House as to the merit of the plan?

MR. SPEAKER:

Clearly this is a matter of opinion which, at the moment, is apparently outside the scope of government policy.

MR. SORENSON:

Thank you, Mr. Speaker. A supplementary to the hon. Minister of the Environment. In your travels around the province checking on pollution, has the hon. minister encountered any traces of tobacco smoke in the air, or juice in the soil, and are the tons of discarded butts around the countryside in your opinion litter, or an enhancement of the environment?

MR. COOKSON:

A supplementary, Mr. Speaker. I wonder if we could have the Assembly declare a sanatorium against smoking, especially during Committee of Supply?

[Laughter]

MR. BUCKWELL:

A supplementary, Mr. Speaker. Could the hon. Minister of Health and Social Development advise us if the government would go into this study of tobacco with full clarity, knowing that the three MDS on the government side are addicted to tobacco?

MR. SPEAKER:

Perhaps we could emerge from the smoke and hear from the hon. Member for Olds-Didsbury.

If there is time, perhaps we could revert to this topic.

Colleges Programs

MR. CLARK:

Mr. Speaker, my question is to the Minister of Advanced Education. I would like to ask the Minister of Advanced Education whose responsibility it is in the department to decide where new programs are allocated between NAIT and SAIT and the agricultural-vocational colleges?

MR. FOSTER:

I guess, in the final analysis, Mr. Speaker, it is my responsibility.

MR. SPEAKER:

The hon. Member for Calgary Bow, followed by the hon. Member for Little Bow.

Housing in Fort McMurray

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Municipal Affairs. Can the minister advise if the provincial government plans to go into the land development business for single family housing in Fort McMurray?

MR. RUSSELL:

I think I have indicated, Mr. Speaker, that there is substantial land assembly and development being carried out under the Alberta Housing Act by the Alberta Housing Corporation.

MR. WILSON:

A supplementary, Mr. Speaker. Does the government plan to restrict the development operations of Athabasca Realty, a subsidiary of Great Canadian Oil Sands Limited, operating in Fort McMurray?

MR. RUSSELL:

There are no restrictions insofar as any developers are concerned, Mr. Speaker, so long as they conform to the general guidelines for the development of the town of Fort McMurray.

MR. WILSON:

A supplementary, Mr. Speaker. Can the minister advise if government-developed lots in Fort McMurray will be sold on a subsidized basis?

MR. RUSSELL:

I don't know what the member means by a subsidized basis, Mr. Speaker.

MR. WILSON:

A supplementary, Mr. Speaker. Can the minister advise if the lots developed by the Alberta Housing Corporation will be sold for less than cost?

MR. RUSSELL:

That is not the intention at all, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Little Bow, followed by the hon. Member for Calgary Millican.

Alberta Development Corporation

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Agriculture. Could the minister advise me as to when he will be giving an answer or reply to Question 231 which refers to loan applications to the Alberta Development Corporation?

DR. HORNER:

Mr. Speaker, if the House would allow me to table it now, I can do so. It arrived on my desk just as I was getting up to table returns.

MR. SPEAKER:

I take it the hon. minister has the consent of the House.

HON. MEMBERS:

Agreed.

Agricultural Development Corporation Loans

MR. R. SPEAKER:

Mr. Speaker, a supplementary question to the minister. What has the minister done to expedite the processing of applications to the Agricultural Development Corporation so that vendors or purchasers can proceed with spring seeding? At the present time the vendor or purchaser is not sure as to who should do it as they are waiting for approval of their applications.

DR. HORNER:

Well, Mr. Speaker, if I could have your indulgence, because I have answered this question several times in the past two weeks.

Because of the overwhelming response to the programs that we have put out through the Agricultural Development Corporation and because of the necessity of restricting our lending policy because of the amount of money that is available, there has to be a screening process on the applications that are made.

We have attempted, as a matter of fact, by the use of winter employment funds to expand our staff to do the credit counselling required in the rural areas and to expand our staff in the head office, temporarily located in Edmonton, to speed up the processing of these loans. This has speeded up substantially in the last month. Again, I would caution hon. members that I will be putting out a statement with regard to the guidelines on lending in relation to the corporation's activity. Those farmers who can ordinarily go to ordinary financial institutions should be encouraged to go there and to the Farm Credit Corporation because we just don't have the financial funds to make loans to everybody who might like them.

MR. R. SPEAKER:

Mr. Speaker, a supplementary question to the minister. Because of the early seeding in Southern Alberta, would the minister consider placing the applications from Southern Alberta on a higher priority list?

AN HON. MEMBER:

No way.

DR. HORNER:

Mr. Speaker, we're trying to get priority to all farmers in Alberta and will continue to do so.

MR. SPEAKER:

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

Imported Plants

MR. DIXON:

Mr. Speaker, my question today is to the Minister of Consumer Affairs. It is regarding complaints about ads appearing in the local papers recently offering for sale imported trees, shrubs and plants. People who are buying them apparently are experiencing a very poor growth rate because these trees are not native to our province. I was wondering if the department has investigated this matter?

MR. DOWLING:

Yes, Mr. Speaker, I did receive notice from the hon. member regarding the ad he is now questioning. It appeared in the Edmonton Journal in particular, and the advertisement stated that a number of varieties of trees and so on would be available at reduced rates. The Botany Department of the University of Alberta advises me that MacIntosh apples, Bartlett pears, Yellow Transparent apples, Forsythia and Bridalwreath Spirea and others in the ad were not particularly hardy for Alberta's climate.

We have followed this up with a note to the advertising people, indicating we felt they weren't really doing their job from the consumer's standpoint.

They indicated they have replaced these trees up to three years after they were planted. So we are still following it up with additional letters.

MR. SPEAKER:

The hon. Member for Drumheller, followed by the hon. Member for Medicine Hat-Redcliff.

Edmonton Airport Terminal

MR. TAYLOR:

Thank you, Mr. Speaker. I have a question for the hon. Minister of Industry and Commerce. Is the provincial government contributing to the cost of the construction of the new proposed terminal building at the Industrial Airport in Edmonton?

MR. PEACOCK:

No, Mr. Speaker.

MR. TAYLOR:

A supplementary, Mr. Speaker. Has there been an application from the City of Edmonton for financial assistance?

MR. PEACOCK:

Not directly, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff, followed by the hon. Member for Spirit River-Fairview.

Lethbridge Rapeseed Case

MR. WYSE:

Yes, Mr. Speaker, I'd like to direct my question to the hon. Minister of Agriculture. It's regarding the Wheat Board's victory over the Alberta Grain Commission in the rapeseed case at Lethbridge last week. Will the government be using public money to appeal other cases such as this?

DR. HORNER:

Mr. Speaker, of course, I appreciate that the hon. member doesn't appreciate the significance of the decision by the district court judge in Lethbridge in relation to the upsetting of the original conviction of the farmer from the Trochu area. But for the information of the House, the district court judge has upset the decision of magistrate's court, and ruled and acquitted the farmer.

He has also set a particular precedent which is important and I would bring it to the hon. members' attention. That is that the Wheat Board must separate their quotas in relation to rapeseed vis-a-vis rapeseed going to crushing plants and rapeseed going to the ordinary elevator trade. This is, I think, an important precedent for us in Alberta.

MR. WYSE:

A supplementary question, Mr. Speaker. Did the Alberta Grain Commission succeed in getting a decision on provincial jurisdiction as they were seeking?

DR. HORNER:

Well, Mr. Speaker --

MR. SPEAKER:

If the judgment is out the hon. member must interpret it himself or seek legal assistance elsewhere.

MR. RUSTE:

A supplementary question to the minister. Is this covered then in the new information brochure that came out by the Canadian Wheat Board to the effect that as a new feature, producers will no longer be required to make a separate assignment for any rapeseed, flaxseed, or rye that they may wish to deliver to a crushing plant or distributor?

MR. SPEAKER:

Order please. The hon. member's inquiry concerning a pamphlet which emanated from farther east should be directed farther east.

MR. RUSTE:

Well, Mr. Speaker, on a point of order. The minister answered with reference to a decision and I'm asking if this decision as announced by the board carries out what the court had ruled.

MR. SPEAKER:

The hon. member is still asking for an interpretation and I'm convinced that this is not the place to ask for that interpretation.

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

Rapeseed Processing Plant

MR. NOTLEY:

Thank you, Mr. Speaker. I'd like to direct this question to the hon. Minister of Agriculture and by word of explanation. Since the feasibility study on the rapeseed plant in the Peace River country tabled in the House contains no recommendation as to site location and in view of the fact that the Alberta government is making a very substantial guarantee, can the minister advise the House whether the government is satisfied that the feasibility study as to site conducted by the promoters is sufficient to protect the public interest?

DR. HORNER:

Yes, Mr. Speaker.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the hon. Minister of Agriculture advise the Assembly whether he has had an opportunity to peruse personally and examine the feasibility study conducted by the promoters?

DR. HORNER:

Again, Mr. Speaker, we're repeating questions asked yesterday which I answered in some detail. We have satisfied ourselves in the department that the site the business people have chosen is acceptable to us. Again I'd like to say to my hon. friends in all rural areas of Alberta, if we continue to fight among towns with regard to sites of processing plants, all we'll do is hurt one another.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the hon. Minister of Agriculture advise the Assembly whether he had any discussions with the principals as to site location before his announcement in the Legislature?

DR. HORNER:

No, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Wainwright --

MR. HENDERSON:

Mr. Speaker, might I ask the Deputy Premier and Minister of Agriculture if his studies have indicated that there is room for at least two or possibly more rapeseed crushing plants in the Peace River area?

DR. HORNER:

Our studies indicate, Mr. Speaker, as I tabled in the House that there is room, depending on the size of the plants proposed, for two crushing plants in the Peace River country.

If my hon. friend would like some additional information, we think there is room for another one in east central Alberta, one perhaps in central Alberta, and one in mid-northern Alberta.

MR. HENDERSON:

A supplementary, Mr. Speaker. Was the hon. minister not aware of the fact that I was trying to give him the opportunity to clarify his statement?

MR. SPEAKER:

The hon. Member for Wainwright, followed by the hon. Member for Calgary Bow.

Smoking Hazards (Cont.)

MR. RUSTE:

Mr. Speaker, my question is a supplementary question to the Minister of Health and Social Development, dealing with the program the Member for Sedgewick-Coronation raised about kicking the smoke habit.

My question is, is not a life saved or at least prolonged by not smoking just as important as a life saved by a highway safety program or other similar programs?

MR. SPEAKER:

Order please. The hon. Member for Calgary Bow, followed by the hon. Member for Little Bow.

Convicted Drivers' Licence Plates

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Highways. Can the minister advise if his department is planning to introduce legislation that would require persons convicted of second drunken driving or drugged driving convictions within a certain number of years to use special coloured licence plates for a specified period of time?

MR. COPITHORNE:

No, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Little Bow, followed by the hon. Member for Drumheller.

Mental Health Legislation

MR. R. SPEAKER:

My question is to the Minister of Health and Social Development. Mr. Minister, through Mr. Speaker, when can we expect an announcement from the minister concerning the enactment of sections of the mental health legislation that refer to regional mental health councils?

MR. CRAWFORD:

Mr. Speaker, I think either during the subcommittee stage or at the estimates stage, a little bit earlier I indicated that I thought the provincial advisory council and to a large extent the various regional councils, although there could be one or two not ready for it by that time, could be resolved by the end of the year.

MR. R. SPEAKER:

Mr. Speaker, a supplementary. How many of the regional mental health coordinators have been appointed at this time?

MR. CRAWFORD:

Mr. Speaker, I don't have the exact figure in mind. There have been several.

Guidance Clinics

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Mr. Minister, is it true that the psychiatrists at Calgary at the guidance clinic, two of them -- the one in Red Deer and the one in Edmonton -- have resigned?

MR. SPEAKER:

Scarcely a supplementary question. Perhaps we could --

MR. GRUENWALD:

Mr. Speaker, a supplementary question to the minister regarding regional health coordinators. Could the minister tell us, do they need special qualifications, and if so what, as far as academic background and this type of thing?

MR. CRAWFORD:

Mr. Speaker, that's the sort of question I would ask the hon. member to place on the Order Paper. There were published terms of reference when the positions were advertised, but I don't have the details in mind.

MR. SPEAKER:

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

Rural Gas Policy

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Minister of Telephones and Utilities. Does the hon. minister have an objective in connection with (a) farms and (b) others that do not now have natural gas that will be served with natural gas within the next two years?

MR. FARRAN:

Mr. Speaker, the success of the plan depends entirely on the initiative of the farmers and other rural dwellers in taking up the grant offers of the government contained in the guidelines of the rural gas plan. We expect this year that some 25 gas co-operatives will commence and next year some 35 and in following years about 50 a year.

MR. SPEAKER:

The hon. Member for Olds-Didsbury.

Guidance Clinics (Cont.)

MR. CLARK:

Mr. Speaker, a supplementary question to the Minister of Health and Social Development. Mr. Minister, is it true that two of the psychiatrists at the guidance clinic at Calgary and one of the psychiatrists at the guidance clinic in Edmonton have resigned?

MR. CRAWFORD:

Mr. Speaker, it has come to my attention that two psychiatrists in Calgary have resigned from government employment. Whether both were with the guidance clinic or not -- one certainly was -- I do not remember. One has resigned in Red Deer, and I have no information in regard to anyone having resigned in Edmonton.

MR. R. SPEAKER:

Mr. Speaker, a supplementary. Could the minister elaborate on the reasons these psychiatrists have left their employ?

MR. CRAWFORD:

The reasons are theirs and not mine.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

Public Disclosure of Interest

MR. LOUGHEED:

Mr. Speaker, shortly after assuming office in September 1971, I asked for and received from all members of the Executive Council a statement of assets and liabilities. At about the same time I enquired as to whether the previous government had any policy whatsoever on this matter relating to either senior civil servants or members of the Executive Council, and was informed no such policy existed, or had ever existed except for a public statement by former Premier Manning some years ago to the effect that members of the Executive Council should not indulge in business activity which could create possible conflicts with their public responsibilities as ministers. There has up until now in Alberta been no public disclosure by ministers of their land holdings or other business interests.

Last fall, due to an apparent conflict of interest by an Ontario cabinet minister, the Premier of Ontario announced by ministerial statement a direction to his ministers to make a public disclosure of their personal interests on a basis outlined in that statement. I mentioned during our fall session last year that although there was no particular reason or call for similar action in Alberta, I nevertheless felt the approach had merit because it would assure the public that there would be full public knowledge of a minister making or participating in a government decision which might conflict with his personal interests. It also appeared from assessing the Ontario incident that such public disclosure would significantly reduce the probability of a minister inadvertently making a decision involving a proprietary or business interest with which he or she was involved.

Since then, I have been assessing the nature of such disclosure that would best serve the people of Alberta. I came to the conclusion, a few months ago, that it would be desirable if such a statement were expanded to include also, at the same time, a similar position of disclosure by our senior public servants. Unfortunately, this caused some unexpected complications because a number of the public servants had assumed their positions without any requirement that public disclosure of personal interests would be a term of their employment. I am hence somewhat concerned at this date about adding an entirely new factor to their employment relationships with the government.

I am still not fully satisfied with this situation and so my statement today regarding the senior public service must be taken as an interim position pending further discussions after the spring session with senior members of the public service. However, I did not want to further delay this matter and so I wish to issue a statement on public disclosure of interest.

Whereas it is desirable that the people of Alberta be informed of ministers' property interests to ensure that they will be aware of any possible conflicts between a minister's obligations and duties to the public and the minister's personal interests, I have directed that all ministers shall file on or before July 1, 1973, with the Clerk of the Legislative Assembly a statement, which will be available for public inspection, showing:

1. A legal description of all land in Alberta, including mineral rights, in which they or their families have any direct or indirect interest, whether as owner, lessee, mortgagee, unpaid vendor, shareholder of a private company or otherwise.
2. The names of all private companies doing business in Alberta in which they or their families have a financial interest.
3. A description of all proprietorships and partnerships doing business in Alberta in which they or their families have an interest.

Ministers will keep the above statements up to date by filing amendments at the time of any additions or deletions. The phrase "their families" in this statement means the minister's spouse and minor children.

In addition, ministers shall not own, directly or indirectly, shares in any public company whose business might be materially affected by the decisions of the Government of Alberta. Ministers have, however, the option of establishing a trust upon the condition that the minister exercise no influence whatsoever over the investment or management decisions of the trust and with all such decisions to be at the discretion of the trustee. If that is done there shall be no restriction on the trustee's right to purchase shares.

These disclosures and restraints are over and above those contained within The Legislative Assembly Act which, among other things, governs dealings between members of the Legislative Assembly and the government.

In addition, senior civil servants who occupy positions where their private business interests might lead to an apparent or actual conflict with government activities will be required to disclose to the Premier, through the minister to whom they are responsible, their personal interests so that the government would be aware of any possible conflict of interest.

I have examined the Legislative approach in the Province of British Columbia, the approach in other areas and the moves within the Province of Ontario and feel that this statement is the best possible statement for the people of Alberta and its government.

[Applause]

Federal Government Green Paper on
Telecommunications Policy and Regulation

MR. FARRAN:

Mr. Speaker, I have a short statement to make. Mr. Speaker, a green paper entitled Proposals for a Communications Policy in Canada was released in March by the hon. Gerard Pelletier, Minister of Communications in the federal government. This lengthy document is held out as a basis for dialogue with the provinces and with the industry and does not purport to be a firm position of the Government of Canada.

The main themes of this paper appear to be a concern for a cohesive Canadian communications network and the rationalization of various regulatory activities of the federal government. The position of the provinces will be discussed at a meeting of provincial ministers in Calgary this month. It is expected that provincial-federal meetings on this subject will be held in the fall.

Alberta is anxious to cooperate in any developments in the telecommunications industry that are in the interest of all Canadians. At the same time, our objective will be to ensure that our right to complete jurisdiction within the borders of Alberta is respected. We are confident that the Government of Canada is equally conscious of these principles on which our federation is based.

The Government of Alberta recognizes that this province is a link in the country-wide communications chain, even while in many respects it is an autonomous link. Alberta is prepared to cooperate in an overall national plan that recognizes provincial rights and objectives as well as the appropriate federal interest.

[Mr. Speaker left the Chair.]

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COMMITTEE OF SUPPLY

[Mr. Diachuk in the Chair]

Department of Manpower and Labour
Administration

MR. DIACHUK:

The Committee of Supply will come to order. The Department of Manpower and Labour, Appropriation 1701, page 82.

MR. CHAMBERS:

Mr. Chairman, Subcommittee D has under consideration Vote 17, the Estimates of Expenditure of the Department of Manpower and Labour and begs leave to report the same. I therefore move, seconded by the hon. Dr. Hohol that a sum not exceeding \$31,102,969 be granted to Her Majesty for the fiscal year ending March 31, 1974 for the Department of Manpower and Labour.

MR. CHAIRMAN:

Moved by Chairman of Subcommittee D and seconded by the Minister of Manpower and Labour:

Resolved, that the amount not exceeding \$31,102,969 be granted to Her Majesty for the fiscal year ending March 31, 1974 for the Department of Manpower and Labour.

MR. CLARK:

I would like to question the minister with regard to Vote 1712 on the matter of the Board of Industrial Relations. The point was raised last night and the minister didn't respond at the end of second reading of the bill. I would like the minister now to comment on this point of the board's involvement on both sides of the argument.

DR. HOHOL:

Mr. Chairman, if I understood the hon. member's question accurately, yesterday he was inquiring about the board in terms of its function in the collective bargaining procedure on the one hand and on the other its quasi-judicial responsibility, if I am accurate.

I think the hon. member makes a point that it will need to be examined down the road. How far down the road is difficult to say. As the industrial relations system becomes more refined, as Alberta becomes more industrialized, I think the principle suggested by the hon. member is sound.

Not unnaturally, the chairman of the board and I spent an hour together last night following the second reading of Bill No. 35 and we discussed this point openly and frankly. I would now respond in this way. While the two functions are very separate, they may present the kind of problem that the Member for Olds-Didsbury described yesterday. However, I should like to point out that I don't honestly feel that at the present time there is a conflict of responsibility or of interest.

Let me point out in brief that the collective bargaining involvement of the Board of Industrial Relations is, in the main, in the area of conciliation when we have members of the board as conciliators in a dispute.

Secondly, Mr. Chairman, the other step in the collective bargaining process with which the board members -- and I would want to distinguish very carefully and properly, Mr. Chairman -- the board members individually sitting on conciliation boards as being mediators in a dispute as they are today at the Royal Alexandra Hospital dispute from the board, as a quasi-judicial board, sitting on hearings of application for certification or revocation of a certificate or any other hearings that fall within the ambit of the Board of Industrial Relations.

So then, to summarize, Mr. Chairman, my response is that at the present time, because one function of the board is court-like, quasi-judicial with respect to hearings, it is so different from the collective bargaining procedures with which they are involved, and there are only two: those of conciliation and mediation. I don't see a conflict of interests or of responsibility.

Secondly, in summary, I say that the member brings to the attention of the House and the minister, a proper question that we will examine and report on from time to time as we may feel that progress should be reported, and that changes might be made in some years down the line depending on how we move in this area.

MR. CLARK:

Just following along with the minister's comments. The minister has outlined the situation well as I understand it. But really in fact, we have the Board of Industrial Relations and the members who sit on that board dealing with

the questions of certification. Really it is a quasi-judicial board. But when we get involved in mediation and conciliation, the people take off their hats on the board and they go in as individuals and do the mediation and conciliation work. On a number of occasions they are doing mediation and conciliation work for the groups who have been involved in the wrangles when they had their other hats on on the question of certification.

I think the minister has outlined the case well. Secondly, I really had hoped that when we had the new Labour Act coming forward at this time we would have taken that bold step forward and separated the two.

I will just make one other comment here to emphasize the point I made last night. I'm not being critical of the people on the Board of Industrial Relations; we have been quite fortunate in this province. But better to make the move now than do it in one, two or three years down the road as the result of the kind of thing we had on the front steps yesterday.

The last point I want to make is, Mr. Minister, in the course of the briefs which were presented to you about The Labour Act, did the Alberta Federation of Labour or other groups ask that the two functions, the quasi-judicial board and the other arrangement with the fellows with their hats off performing the mediation and conciliation function, be separate and the people on the board not be involved in both?

DR. HOHOL:

Mr. Chairman, again I would respond in two ways. First, the hon. member has refined his points from last night a little bit by describing in detail how this switch of hats occurs and that assists in responding and agreeing that the more activities these people are involved in at the conciliation and mediation level and also in accrediting and withdrawing certificates and other kinds of hearings, the more the probability increases that they will deal with the same people in the second case as they dealt with in the first. In that case there could be some difficulty for a member. So I accept the more refined proposition as well as the initial one.

The second response I would make to the hon. member would be as follows. Conciliation and mediation, Mr. Chairman, are very difficult kinds of enterprises and activities as the hon. member can see. Not that many people, with all respect to the many people involved in collective bargaining, have the capacity to mediate. The capacity to mediate and conciliate is a difficult and a complex one. I would say to the member and to the House, Mr. Chairman, that we have a shortage of these people. You will recall from my remarks last night that we are increasing the scope of eligibility for conciliation for this very purpose which the member indicates, to enlarge the number of people involved. It results in two things. First, we can hold more hearings. Secondly, it decreases the probability of a person rushing into his office and figuratively, if not literally, taking off one hat and putting on another and going off to another meeting. Also, as I indicated last night, it does add different kinds of background and expertise to the process of conciliation.

Whether one could have made that refined and bold step, as the member put it, in Bill No. 35 is a judgment decision. We felt that we would have to develop more conciliators and more mediators before we could take that step. The intention is to increase the staff capability in this area. Because as industrial developments get refined and increase and as large projects come to Alberta -- and this is the way the province is going to go in large measure in the secondary industry supporting primary industry -- we will need a much larger staff. I think the point will come when the activities of large corporations will require many hearings before the board. Consequently, we will have a good deal of collective bargaining to engage in. So it is very likely that the two operations would have to be separated.

MR. CLARK:

Mr. Chairman, would the minister respond to my second question: that is, didn't the Alberta Federation of Labour ask that the two functions of the board be separated?

DR. HOHOL:

Mr. Chairman, I took so much time to answer the first that I forgot the second.

Mr. Chairman, I would really have to go to the files or the summaries of the submissions to make sure that I gave a proper, that is to say, an accurate

answer. At the present time I will say this, to the best of my recollection -- and the hearings were held last spring -- there was no request for this. But to make sure, I will put a caveat on the answer and have the submissions reviewed, and if the occasion arises or not I will make it a point to inform the hon. member and anyone else, or possibly the House when I have occasion.

To the best of my recollection, there was no request for it. What there was a request for, is to increase the board in number of people so that hearings don't back up, and also to decrease the authority of the board in certain areas.

Those two come to my mind right off because they were made several times.

MR. YOUNG:

Mr. Chairman, very briefly on this particular point, it seems to me from some years of experience in this area and having appeared before the Board of Industrial Relations on more than one strained occasion on behalf of various groups, that the real conflict as it could occur at the present time relates specifically to the resolution of the labour relations aspect of the board functions.

I don't really believe there is much opportunity for conflict arising out of certification, but there is in the resolution of ongoing labour disputes of a bargaining nature and the potential charge of unfair labour practice by one party or the other. This is a possibility, but it is one that we have, fortunately, not had to face up to. It is one, I do believe, that does need some attention, but at the same time I would say that parties in the circumstance usually do not expect to aggravate the situation where one or the other is clearly labeled as having been indulging in an extremely unfair labour practice.

It may be tried but realistically I don't think it would be likely that the board's authority in that respect would be challenged. However, it is a possibility and is one that does need some attention in my view, at least down the line a bit. But I would submit that it is not an immediate or acute problem, and I think this is what the hon. member has suggested too, but rather one to which we should pay attention.

MR. RUSTE:

Mr. Chairman, to the minister. During the consideration of the estimates of the Provincial Treasurer, I asked the question I am going to ask; he referred it to your department.

It deals with the rotation of field personnel. I think there are three points here I would like to have your comments on.

In moves such as this, you have the actual moving costs of the furniture and so on. Secondly, you have the possible sale of a house, the salesman's commission, the loss that there may be, there may be a credit on the other side of course, but at least the commission. Then there is a third one that when they move from the house they have had for a certain time, they move into a new district where there may be higher interest rates. Are all these things going to be taken into consideration in settling with a staff member who is asked to move?

DR. HOHOL:

Mr. Chairman, I haven't the criteria with me, not having anticipated the question. I can't be specific with respect to the third criterion which the hon. member read out. With respect to the first two, going by recollection of a document which I helped prepare, I would say that those two would be considered.

There was a third criterion and I believe it had to do with special and unusual circumstances, Mr. Chairman, that if there were conditions which were beyond the usual and were the kind that might normally inhibit movement of a staff member, but one which is desirable in terms of staff development, then this clause or criterion would be used to attempt to adjudicate a totally fair move for the staff member. But I think in all fairness I have to take a caveat in criterion number three because I don't think that it was part of the consideration.

MR. RUSTE:

Then further to that, could you supply us with the criteria as you have them at the present and give consideration to some --

DR. HOHOL:

I'm sorry -- yes I would. I'll see that each member of the House has one in his mailbox.

MR. DIXON:

Mr. Chairman, there are about three points I'd like to touch on briefly while the minister's estimates are before the House.

One is 1705, Building Inspection. I'm always one who is opposed to another group of people being set up when I feel in many cases it can be handled a lot easier at the local level because most building permits --

MR. FARRAN:

Mr. Chairman, could I have the permission of the Member for Sedgewick-Coronation to light my pipe?

DR. BUCK:

No, emphatically no. The answer is no.

AN HON. MEMBER:

We want cigars.

MR. CHAIRMAN:

Sorry, Mr. Farran, that's no point of privilege. You've interrupted Mr. Dixon.

SOME HON. MEMBERS:

Impeach him. Throw him out.

MR. DIXON:

Mr. Chairman, before I was so rudely interrupted, I wonder if the minister could enlarge a little bit -- I notice there is \$90,000 set aside for building inspection and I'm wondering if the government couldn't give consideration to -- I realize of course they are after uniform building standards throughout the province. But our major cities and most of the other municipalities, a lot of them at least, have their own building inspection branches. Nothing is worse, I don't think, to industry or individuals than to have about four different inspectors running around. One day the provincial inspector shows up and he's inspecting the building, the next day the municipality shows up and they're inspecting the building, the next day the Workmen's Compensation Board. It really gets them frustrated and these people just wonder what is going on with the taxpayers' money.

I noticed in the plumbing section, there is an increase there of 36.3 per cent. I feel there should be some effort made to consolidate these actions so that we either allow the municipalities to do it, or the province take it over and do it themselves rather than having a series of people going in.

The other question is regarding 1714, the Human Rights Commission. I wonder if the minister could clarify for me as to an individual case such as the hon. Member for Drumheller received from Mr. Davy. Could he take his case to the Human Rights Commission before he goes to, say the Ombudsman, or asks for a judicial inquiry or anything else? I was wondering with this new change, would MLAs who have people who claim that their rights have been abused in some way -- could this be done under this new department or at least this larger vote? It has only been in operation I realize for a short time. But I just want clarification if it comes under 1714 and whether the Human Rights Commission would have any authority to recommend that this be rectified if it proves that it is an abuse. Because it may assist the individual who is complaining regarding his rights being abused under The Mental Diseases Act or under any other act of government.

The other was in 1745, The Public Service Management Pension Act. We have The Public Service Pension Act and The Public Service Management Act. I would just like to know who are the actual people that would be covered under 1745, because you would think that 1741 would cover most of the employees. Is this a special group? Really, what I'm asking you is, for example, if someone had a contract with the government for a two-year period, such as we had I think in

the publicity branch with Mr. David Wood, would he come under this pension plan? Is this basically what this is for?

The other and final question, it's only a minor one, but I was quite interested in the very large increase in the civil service nurse activities, 151 per cent. I was wondering, does that come about because of more fringe benefits that have been covered under the new contract? That is, pardon me, Mr. Chairman, 1769. It's for the civil service nurse. I was wondering has there been an increase of an extra nurse or two? Or what was the idea of that? You would think with having Alberta Medicare a lot of that could be covered. We still seem to be spending a great deal of money in the health field and we sometimes wonder if it couldn't be covered under the present Alberta Health Care plan? Because every resident of Alberta is entitled to service under the Alberta Health Care plan; yet we, as the government, and other organizations continue to put money into this other health field.

DR. HOHOL:

Mr. Chairman, with respect to Appropriation 1705, Building Inspection. The hon. member, from my experience working for and with school boards in this province, assessed the situation very accurately. We were frequently and regularly frustrated by any number of inspections during the progress of the building or construction phase of a school.

The objective in No. 1705 is ultimately to establish a uniform building code for Alberta. The building industry was very supportive, I was going to say, but lacked the initiative.

I should like to recall, because this is important information, Mr. Chairman, that in 1969 the government of the day had first examined in a serious way the matter of a uniform building code for Alberta. They took a significant step with respect to this topic. The government of the day appointed a committee of people from industry, from the Department of Municipal Affairs and from the Department of Labour and Telephones as it was at that time. That committee submitted an initial report to the then government, and subsequently reconvened after it met with the new Minister of Municipal Affairs.

The joint judgment was that the committee should continue its work. Subsequent to that, Mr. Chairman, this committee of building people, other specialists, people from the two departments of government submitted to the Minister of Municipal Affairs an excellent document with respect to building standards in Alberta.

Mr. Russell and I met with this committee and reviewed the report and its recommendations in detail. It was the common set of recommendations which included these two recommendations: one, that there be a uniform building standard for Alberta the objects of which would be two, first to avoid the kind of circumstance that the hon. member described in posing the question and second, that safe, reasonable, fair and equitable standards prevail across the province for all builders and all kinds of buildings.

A second recommendation of this committee was that the inspection services for such a uniform building standard code for Alberta be lodged in the Department of Manpower and Labour because that is where we have inspection services at the present time, for example, elevators and theatres and all kinds of inspections.

So then to conclude this particular appropriation, the \$90,000 is intended to initiate the act which we will introduce for first reading during the spring sitting before we adjourn for the fall session, at which time we will hopefully conclude the rest of the readings of that particular bill. In the interim we hope to get assessments, criticism, recommendations and so on from municipalities, builders, clients, the public generally and, indeed, the Legislature. That is the point of 1705.

Likely because we have decided to move the bill over to the fall, the \$90,000 will not be needed in which case clearly it won't be spent. But initially, anticipating to move it right through the House in the spring, we thought we'd set up a director and a staff to initiate the building standards. However, we felt in all fairness it should stay over to the fall.

MR. DIXON:

Mr. Chairman, to the minister, while he's on this subject -- because it's quite a burning issue at the present time in Edmonton with the city council trying to enforce the sprinkler by-law suggestion apparently they have

postponed. What liaison has there been with the City of Edmonton regarding this problem which could result in quite expensive building costs if the by-law is passed? Let me put it this way: is the City of Edmonton holding off their by-law for the reason that they may want to wait until your building inspection bill is passed -- the uniform bill?

DR. HOHOL:

Mr. Chairman, I don't know for certain the official position of the city council on this. I should like to make two points. First, the fire chiefs of the province, under Alberta statutes are associated with the chief fire commissioner or chief fire marshal or commissioner for the province. Through that kind of relationship there is close cooperation and close work between the municipalities, in particular the large urban ones, and the provincial government through its fire marshals' branch.

Our people and theirs are in pretty continuous contact on this and other matters to attempt to service builders and their clients in Edmonton. It would appear that they are delaying that particular difficult decision one way or another, but I don't know for certain they are. They haven't indicated that they would wait until we passed the bill.

I might mention, while we are discussing this appropriation, that it is our intention to take the National Building Code with appropriate modifications, amendments and such additions or deletions as would accommodate effectively and properly the conditions and circumstances in building in Alberta. That is how we intend to develop the Alberta uniform building standards.

MR. BUCKWELL:

I want to ask the minister while we are talking about this standard building code, would this apply to the mobile homes? We are getting quite a number of builders in Alberta and I really don't know if some of them measure up to standards or not.

DR. HOHOL:

It's a very significant and important question and the reply is, yes, it will, Mr. Chairman. But it does recall to mind that there will be some exemptions, possibly farm buildings. It will have to meet common-sense, reasonable, safe standards, but not those of, say, residences in the city or an urban centre which have certain other conditions which those on the farm may not. So it will have exemptions, but not the mobile homes.

MR. LUDWIG:

Mr. Chairman, I'd like to draw the hon. minister's attention to Vote 1705. I'm rather surprised to see this vote in this department. I know that the inspection services division may have something to do with inspecting a building, but we do have the Department of Public Works with a tremendous inspection staff now. It would not be difficult to coordinate this thing, but here we're setting up a new branch.

It's an indication that the government is not too concerned about saving \$100,000 here and there. It doesn't take long to save \$1 million. So they are setting up a new branch starting off with \$90,000. If they succeed in setting up a new branch you start the whole ball rolling again. You have a section set up and somebody needs a secretary, they need more space, and before you know it they have another little bureaucratic empire, so \$90,000 is just a down payment on the whole thing. It is really sloppy budgeting on the part of the government, because here, just very innocently, "building inspection" -- they have building inspectors in the government, experienced and set up with space and staff and everything. If it is that difficult to coordinate, then I believe there is something wrong in all the talk about coordinating the activities of the government.

I know the minister mentioned that this may not materialize. But the time to kill it is now, not after you have an empire and no minister is then big enough to fire anybody. So this is not good planning, this is not in the interest of the public, this is something that's just another little layer of fat beginning to form up on this government's policies and this government's attitude toward spending.

So let's get rid of 1705; it has no meaning. You've got a good inspection service right now in the government and it can be improved maybe with the addition of one liaison man, or if the work is increasing, one more man in DPW.

It's just as easy to phone the DPW as it is to phone somebody in your own department. These kinds of things are the kinds of issues that I believe the opposition ought to be alert to and not wait till next year when you've got the whole thing going, you've got somebody set up and a staff growing and everybody on the government side knows exactly what happens.

I would like the minister to respond why, and on who's recommendation or pressure was this little budget, \$90,000. I think that's just a down payment. The worst is yet to come as far as I am concerned on items like this.

DR. HOHOL:

Mr. Chairman, certainly value judgments inevitably are made about appropriations and the hon. member has made his. I have to say in all seriousness that whether it were in the Department of Public Works or in the Department of Manpower and Labour or some other department the intent and the fact of the new legislation would not be met with one additional inspector.

I point out to you, Mr. Chairman, that what we have in Alberta at the present time is municipal people and provincial people and, in some cases, the federal people who do inspections in the field of buildings.

Now one of the things we hope to do is to move the inspection of buildings within municipalities to municipalities. However, the inspectorate staff at the municipal level will have to get training, if I can use that term, and assistance in the interpretation of the intent, the spirit and the fact of the bill, and the code and its standards and how to apply them. So we are not speaking of one person under any circumstances and Appropriation 1705 calls for a director and support staff for three months of operation in 1974. We feel the heavy planning and the work with the municipalities and with other departments of government will occur in those three months preceding the 1974 appropriation. So this nucleus will be as the minister says -- except that I put a different meaning on it -- this has to do with the safety of people, proper standards for the province and the province will have to meet this kind of responsibility when it undertakes it in a serious way and to do that it will need a competent staff to train and to work and provide assistance to municipal people who will in fact be given the responsibility delegated from the province to conduct this kind of service in the municipalities.

So one can make a judgment as to which department, that's one thing, and we accepted the recommendation of a very excellent report and we accepted most of the recommendations, if not all of this particular committee and that is why it was placed with other kinds of inspection in this particular department.

But there is no intent to empire build. This is a service for the people of Alberta that we feel is a proper one and which, I remind you Mr. Chairman, the 'then' government also felt constrained to, and properly so, and I commend it for its examining this problem as early as 1969 and initiating the committee of which I speak.

MR. LUDWIG:

Mr. Chairman, the minister didn't attempt to rebut my allegation that there is probably a cheaper way and just as effective a way of setting this thing up without another branch. And then as time goes by as the ministers defend the recommendations of the civil servants in due course this is growing and we could even end up with another department, not just many little branches all over the place.

I would like to point out, Mr. Chairman, one other glaring thing about the budget in many departments is the travelling budget. Once again we have a tremendous increase in travelling. And it is all right. People like to travel, see the province. They may as well, it creates some revenue some place I think. But \$487,000 again for travelling in this department -- and my figures are just rough and are subject to correction. But roughly, I would say there is a 25 per cent increase in travelling. I am of the opinion that last year's budget was an increase in travelling. Everybody is going to be on the move and I suppose the only thing you can say about this travelling budget is that it is very small compared to that of the Department of Agriculture. There they have \$1.5 million and I am sure they can pad it out to spend it all, but it doesn't mean that it is good management or good government.

So I am taking issue with the fact that \$487,000 is there because the civil service went and convinced the minister that they need that much. I am not saying that they have to stay put but half a million dollars here, a million and

a half there, it all comes from the taxpayers. So there has to be some attitude that somebody is concerned about a dollar being a dollar.

I am not saying that you are going to waste it, but when you get a budget on an appropriation like this easily, the civil service will see to it that they spend it. Because if they don't, the next year they will get less and that has seldom happened. This is almost like army budgeting. Ask for much more and then they won't cut you down. If they cut you down you will still get what you want. This is where I feel that there is a lack of real scrutiny, lack of attitude, a real Scotsman's attitude that a buck is a buck no matter where it is being spent. So we are rather loose with our budgeting here, too much travelling budget in all of the departments.

Another thing that concerns me, Mr. Chairman, is that the total budget for Manpower and Labour is decreased by about 6 per cent. It is minus 6.2, the decrease in the budget. Then when you take the inflationary increase you are looking at about 8 per cent roughly here and there. So you are looking at a real decrease of about 14 per cent in the overall budget.

Every section, every vote here is an increase but the main decreases are in manpower under Apprenticeship Training and Manpower Division. I am wondering whether some way or another the spending that was to have been done here was transferred some place else because that appears to be the case. In the minister's budget almost every other vote has a substantial increase, some as high as 177 per cent on a small figure, but that is where the big drop is.

I wonder if the minister could explain where these responsibilities were shifted to, because of the decrease in one case of 66 per cent and in one case just a slight decrease in Apprenticeship Training.

DR. HOHOL:

Mr. Chairman, I will attempt to deal with those questions and then in all fairness return to several appropriations discussed previously by Mr. Dixon and with respect to -- I'm sorry, I was listening and I didn't catch the first question. Oh, on travel.

MR. LUDWIG:

I didn't pose a question. I merely criticized the spending in travelling. I did not pose a question. I just merely felt that this is pretty generous all round.

DR. HOHOL:

Let me comment nevertheless, Mr. Chairman, because I am in substantial agreement that travel, like other expenditures, has to be scrutinized. I just want to share with you the system that we use.

One is that the budget for travel in our departments, dealing very specifically now with my own department, has to be ascertained to the best of the ability of the people in the department in advance and these figures have to be summarized and submitted to me prior to budget. I also approve them personally later on. If the discussions of the travel forms are necessary with the members who intend to travel or the deputy or the assistant deputy ministers or chairman of the board are such that lead me to feel that the program is not worthwhile, there simply is no travel.

On the other hand we have a new division in the Department of Manpower and Labour and that is the one that has to do with manpower. Clearly we have to do a great deal of liaison work in cooperation with the federal government. This is the main area of travel in the area of manpower. At the same time there are things like inspection standards, labour standards and all kinds of activities having to do with labour relations generally. Conferences are held across the nation on safety and the whole gamut of very important topics to our people in the province. There is a virtue in travel that shares points of view, scholarship and problems. So I would have no difficulty in defending this appropriation.

I would remind you, Mr. Chairman, that in addition to travel for the Department of Manpower and Labour, as indeed in many other appropriations but certainly in this one, it also includes travel for the public services commissioner's staff, for the staff of the pensions people. If you move your appropriations one page back you will see there are other services for which the appropriations of this department have to support including those two I mentioned.

With respect to transfers I would like to indicate these briefly and then return to questions posed before that.

If we begin with Appropriation 1703 I would indicate that in the 1972-1973 estimates ten people in last year's estimates were in our amusements branch estimates. During the course of last year part of the functions of The Amusements Act were turned over to the hon. Minister of Culture, Youth and Recreation. With that responsibility seven people were transferred from my department to the hon. minister's department. Three of the ten remained in my department as the Theatre Inspection Branch, which became Appropriation 1704 in the 1973-74 estimates.

Now continuing with Appropriation 1703, Mr. Chairman, the 1973-74 estimates include the research section of the General Administration along with Appropriation 1718 as it appeared in 1972-73 estimates as Manpower Programming. This is the key question of the last speaker. That appropriation, Mr. Chairman, was set up in our budget last year to organize and initiate the manpower division of the Department of Manpower and Labour. That has been done and accordingly the appropriation is no longer required because it is now operational. The residue of staff and support money for it that might have been in that appropriation, had it been continued this year, is under Appropriation 1703 in the Planning Secretariat. So that particular appropriation was dropped because it had an interim service or function to develop the manpower section of the Department of Manpower and Labour.

MR. TAYLOR:

Mr. Chairman, I want to deal with just one aspect of the provincial building code which I think is a very excellent idea. I believe that Alberta is just the fourth or fifth province to adopt the national building code and I think this is going to be very helpful in the province when we have a provincial building code.

There is just one point I want to mention on it. I would hope that in the actual building code there will be a provision for items concerning the handicapped. So many times this is left to the judgment of people who are building and in many, many cases it is forgotten, not deliberately, but simply forgotten. Consequently, those who are in wheelchairs or those who are handicapped in other ways have a most difficult time making use of the services.

I noticed in the Hudson's Bay store in Vancouver that in the basement, at least, there is a ramp going to the washrooms for those who are in wheelchairs. On other floors there are a series of steps which make it most difficult for persons in wheelchairs to use those facilities.

Some of our cities and towns are now putting in ramps so there is no step-up on curbs. In our buildings -- there are so many buildings today which a handicapped person just can't use because there is no thought given to the facilities that would make it possible for a wheelchair or people who are handicapped in other ways to make use of it. There are a great number of ways in which those in wheelchairs can be helped and there are some ways in which those who are blind can be assisted in these buildings, the danger minimized and services made much more readily available to them.

So I would urge the hon. minister that in the provincial building code there be a section dealing with provisions in public buildings, highrises, et cetera in order to make it possible for people in wheelchairs and people who are handicapped in other ways to make use of those services.

DR. HOHOL:

Mr. Chairman, I simply want to comment in a positive way. Having in different and quieter times done a great deal of work with the handicapped and other school students with handicaps, I certainly appreciate the point. I went through the national building code some months ago and, to the best of my recollection, there is not a section. However, as I say, we will add, delete, modify and amend in such ways as will meet the needs of Albertans.

Just thinking out loud, this could likely be covered by a clause that indicates that regulations shall be such that this matter is attended to. If you and the House would permit me, Mr. Chairman, to return to several questions posed by the hon. Member for Calgary Millican.

The first one had to do with building inspection. That is reasonable. Was the next one to do with the Theatre Inspection Branch? No, the Human Rights.

MR. DIXON:

Yes, the Human Rights. And I wonder, Mr. Chairman, just before the minister answers that, because it has to do with the former teachers who received a pension based on the 1970 cutoff. The hon. Minister of Education has pointed out the reason for the discrimination between lady teachers -- the pioneer teachers in the province -- getting a lower pension than male teachers who retired at the same time and worked for the same period of time. The reason was that the life expectancy of a lady teacher is longer and therefore the pension is less. We are still getting letters and I received one as late as today, still complaining and saying it is really a violation. As this lady points out here:

The lawyer has explained to me the function of The Individual Rights Protection Act in removing discrimination and has suggested that female teachers who suffer discrimination should be protected by this Act.

This is the type of case I want to talk about. This is where you would take a case as was often mentioned by the hon. Member for Calgary Buffalo when he was speaking on his bill and also the concern that he had for people under 25, how their rights may be affected.

Of course, we're getting into another field again now. But there is considerable interest in Canada at the present time in particular with juveniles. They're beginning to question how juveniles who come at cross purposes with the law are being dealt with and whether they are really getting their rights under the laws of our province and of Canada. I was wondering if the Human Rights Commission is the place where we should take a lot of these to now rather than trying to go through the Ombudsman and everyone else?

MR. GHITTER:

I think I should respond to that because I too have received a considerable number of comments such as have been raised by the hon. Member for Calgary Millican.

I believe that many Albertans don't really understand what is contained in that legislation. Maybe it's our fault in a sense in not communicating it sufficiently to them. I think a lot of people cry and state the provisions of The Individual's Rights Act where there really aren't provisions to protect the situations that you raised.

I know the hon. member is very familiar with the comments within the Act itself as to equal rights for men and women in employment practices. But then you get into a situation when women who are pregnant, for example, have their employment terminated because of pregnancy and they say: we're being discriminated against because, in fact, we are women and are pregnant. The male population never seems to suffer from the same dilemma.

As a result it seems many individuals when they are in trouble are feeling they are raising the discrimination flag and we don't have legislation to cover it. I think the examples that the hon. member has raised are areas that are really not covered by legislation. Possibly this Legislature can well consider the expansion of that legislation at the later time, as we have well debated, as the hon. member mentioned, the under 25 categories as another example.

But I do think that many Albertans don't really as yet comprehend the restrictions within the human rights legislation. It is our job to present that to them and I thought I might add that, Mr. Chairman, by way of explanation to assist the hon. minister. Not that he needs any.

MR. CHAIRMAN:

Ready for the question?

MR. RUSTE:

Mr. Chairman, we get --

MR. CHAIRMAN:

Just a moment, Mr. Minister wanted to reply to Mr. Dixon.

DR. HOHOL:

Thanks kindly. I think we should in all fairness deal with questions placed some time ago. These have to do with appropriations 1741 and 1745, having to do with pensions. I should like to point out to you, Mr. Chairman, and the Assembly that in the spring of 1972 we introduced first and last reading and the others in between to The Public Service Management Pension Act.

Now to reply to the hon. member's question as to the meaning of this, The Public Service Pension Act presently covers employees, the term usually used is "in scope", meaning covered by the collective agreement between the the Government of Alberta and the Civil Service Association of Alberta.

Now 1745 intends and does, in fact, provide a pension act for management people and there is a definition clause which defines the level which management covers. Now what happened then, Mr. Chairman, is that some of the people who were in management and who were covered by The Public Service Pension Act were moved under The Public Service Management Pension Act.

Now the reason we did this and this has found real favour with the people covered by the Act, is that it gives us a great deal more flexibility in terms of transferability, of portability, the capacity to exchange benefits with the federal government and with the private sector in fact. So it makes it possible to attract executive people who are already proven executive people. It has the benefit for people in middle years to gain government service, if that is their objective and they meet the requirements of the needs of government. This is important, because people at 45 or 40 or over 45 had difficulty, because of pension provisions, being employed by government. This removes that because under The Management Pension Act an executive can buy into the pension plan the years he would need for a pension plan that could mature at age 60. So this is the major feature.

On the other hand, I think it is fair to point out, Mr. Chairman, that the other aspect of this is that if a person wants to leave the government service or if it is a mutual kind of circumstance, then the matter of pension can again be bought out, as well as bought in on entry, and this provides a flexibility in pensions at the executive level that both the employee and the government find favourable.

Now with --

MR. DIXON:

Mr. Minister, while you are on the subject, this is my concern because it looks to me as if we are setting up two types of institutions within our civil service. You have the regular civil services as you and I have known it for years. But I am just wondering if this isn't going to turn to being a politically appointed type of civil service and they are going to get a special deal as to what our ordinary civil servants have had over the years because I can see where you are going to run into trouble and jealousy within our own ranks. You are going to have one section of our civil servants treated differently from the others.

Am I correct in assuming that most of these under 1745 are people who have been recently appointed, within the last two years to fairly substantial positions within this government and therefore you are taking care of them because of the fact that they have just started and may have been in the age category that wouldn't qualify them for the first?

But correct me if I am wrong, I think we've already got protection and did have over the years for people who joined the civil service at a later date. They couldn't take full advantage of all the opportunities that were afforded if they had started earlier. But if a man started after, I think it was the age -- maybe Mr. Henderson or someone who was in the cabinet can remember it -- but it seems to me there were two stages, one for the regular young person who starts and if a man started a little later, maybe even on a temporary basis, he could qualify. So we have always had the two.

But you seem to make a distinction here now with the public service management pension. I can see our running into all sorts of difficulties if we are going to run two kinds of civil servants, one in a special category and one in the ordinary type of civil servant.

DR. HOHOL:

Mr. Chairman, I wish I could, on the spot, invent a word that says you're right and you're wrong, but I haven't got the word so I will have to try to explain as best I can. That is to say, the hon. member is right in what he says, except that what he says is part of a larger proposition and that proposition is simply this: that the definition clause in a management pension act is the deciding factor along with criteria that describe a manager in the sense of management or supervision.

So the hon. member is correct when he says new people brought in and appointed over the last two years are in that plan. But not correct if we were to say that is the only group because by definition many people who were in management in The Public Service Pension Act were transferred and that group includes the recent appointees. But the recent appointees are a very small proportion of the number of management people we have in the various departments of government who are under The Public Service Act.

I might say that we also have, as it says here, The Local Authorities Pension Act, we have several. By and large the benefits are not dissimilar. They are by and large the same.

The main point of 1745 is to give both government and executives the capability, the zone of tolerance to more readily get together if government and the applicant are the kind who fit job specification on behalf of the applicant. Very often management people had difficulty in entering the government service because The Public Service Pension Act did not accommodate the matter of years.

MR. DIXON:

Just so I can be sure that I'm getting this correctly, you hire people, let's say on a four-year contract. Now how would they fit into this? Would they have to buy their way in or buy their way out just like the ordinary -- in other words, they can just be appointed for a certain length of time and they automatically come under this plan if they wish to?

DR. HOHOL:

I would have to check, but I think I'd be accurate in saying that if a person is appointed for a specific job, say on a contract, he would not be covered. He would not want to be. He would come for a specified period of time, it might be two months, six months or two years. I think there is a sort of guideline limit on how long people might get appointed on a contract basis so they would not have access to the management plan. But if a person were to be hired permanently, but in being hired permanently there are only six years of service, then the hon. member is accurate. He could buy into the pension plan and have full pensionable years of service at the end of six years, assuming, say, he were 54 at the time of hiring and intended to terminate his employment at 60, or the same kind of calculation if he were retiring at age 65 and taking it back four, five or six years.

MR. DIXON:

Mr. Minister, I appreciate the fact a man who was 54 and was going to be hired -- what I'm after is a man who says I'm willing to work for you for a two-year period, which is a short period or a four-year period, and he wants to end his services at that time or have an option. I'm not talking about the man who starts at 54 and knows he'll be through at 65.

How do we take care of those people? I can't see why we can't be all under the other vote because what do you do in the case of a man working for a municipality such as the City of Edmonton? He is a commissioner. He would be in management and comes under a plan. Why couldn't we do that? Why do we need to set up a public service and management pension act when we could put it all under the one, because you have management at these other levels where we're guaranteeing pensions?

DR. HOHOL:

Well we're into the area, I think, of some value judgments with respect to the topic. I suppose we are in the area of respecting each other's judgments. I think that, not I think -- I know that the vesting period is now ten years and we're considering a change to five years. Most of these pensions are partly funded and partly non-funded. The minimum years of service is ten years. We are intending to make a change there also to five years.

On the matter of two years or less, I would really have to inspect the Act, both the one under 1741 and the one under 1745. But I would just give this opinion that even if a person had entry into The Pension Act for two years of service -- and I would tend personally to agree that he might -- to buy into it, even if the vesting period were reduced to five years from ten, might be at some considerable cost, and then the individual would have to make that value judgment as to whether he wanted entry or he didn't.

MR. RUSTE:

Mr. Chairman, to the minister. I'm sure that he has received several representations. This would be under Vote 1748 dealing with Workmen's Compensation Board pensions. It's a pretty broad area in this field. Certainly as I understand it, the last increase here was in 1969 for widows' pensions and so on. This is what I'm relating to -- when you consider the increased cost of living since that time.

One instance I was familiar with was a widow whose husband was killed in an accident. She took over and served as mother and father to her family. I understand at the present time she is getting the equivalent of \$1,320 a year. When you consider that in light of what we are getting as MLAs, around \$1,125 a month, she is looking after three dependants among whom there are teenagers now. She's been a widow for some time.

Certainly when you look at it in the light of a mother and three dependants at \$265 a month, I was just wondering if the minister has some answer for this. When you consider that there is food, clothes, utilities, school supplies, Medicare, repairs, maintenance and other incidental expenses, certainly I think many people on welfare are getting payments in excess of this. I believe foster parents are receiving more than this and I have seen studies indicating that a parent with three children should receive somewhere in the area of \$428.

So I think in the light of words expressed to me in a particular case such as this, that pensions for widows are disastrously low and outdated. I wonder if the minister has any response that we can bring back to people in conditions such as these at this time.

DR. HOHOL:

Mr. Chairman, I sincerely agree with the hon. Member for Wainwright that that is a fact. The pensions are too low. This matter along with other matters was and is the consideration of the special select committee on workmen's compensation. It is the intention of the committee to file its report, Mr. Chairman, before the spring session adjourns.

In the report we have certain recommendations. I do not want to interject myself as minister in one role in the way of the select committee which makes its report directly to the Legislature. So if the hon. member will accept the answer that widow's pensions along with other benefits under the Act are too low for the reasons that he in particular mentions, the irrevocable rise in the cost of living while the pensions are fixed, and secondly that the special select committee is dealing with this and will report to the House this spring.

While I am on my feet, Mr. Chairman, for the information of the hon. Member for Drumheller and the Assembly, my colleague the hon. Minister of Public Works passed a memorandum to me which says that there is Appendix 5, and I recall it, of the National Building Code that deals with modifications for the handicapped. I recall this appendix, it wasn't in the body, but I do recall Appendix 5 and this is already used in all contracts for public buildings built by the provincial government. I thought I would give you this information.

MR. RUSTE:

Mr. Chairman, just further to appreciate the comments made by the minister. Surely with the increased income we are getting from royalties and some of these things I think there should be some way that we can compensate. These people are in a pretty sad situation. We know how the dollars fly and here they're on fixed incomes. They've got responsibilities. Certainly many of these parents, whether a mother or father, have a responsibility to the family and they are looking after it. If they don't we're going to end up, as the public, looking after their children some place.

MR. LUDWIG:

Mr. Chairman, one item brought to the attention of the Assembly several times during the session was the matter of employing people of 45 years and

over. I understand that some kind of group or body was to be set up by the Department of Manpower and Labour to perhaps help stimulate interest in this particular area in the private sector of employment, that is industry, retail outlets, et cetera.

I wonder whether this body has been set up, whether it is fully staffed, where are the offices, if any, and whether the government has taken a particular lead in this regard. It is very little to ask the industry to hire people 45 and over when the government could not show it fully intends to exploit this issue and do everything possible to give some priority to this idea. And it is a good idea. But it is one thing to talk about -- [Inaudible] -- concern and another thing to do something about it. I believe that the minister should give us some idea as to what has happened, whether directives have gone out from cabinet to all the departments to place emphasis on this.

If the government can show leadership in this regard then perhaps industry will feel that it maybe is a good thing to do. And I don't mean just with exceptions here and there, but a general trend to assure those people who are out of work when they are 45 or over that they are no longer handicapped, because that it is a form of discrimination perhaps worse than any other form of discrimination we are fighting. But I would like to know whether there is a trend, whether anything can be done, whether legislation could perhaps, be enacted that would not give an employer the excuse, well, it is a matter of pension and we don't want to start with somebody. Have we legislation on the books that encourages industry to say we don't want to do this because it is against our policy because of legislation?

I think this is a field that ought to be exploited in a meaningful way. There is nothing more phoney than to hear a politician get up and say "I am concerned." Well, who isn't? I haven't heard anybody who wasn't concerned, but is he concerned enough to translate his concern into some action? That is a test because politicians will pick up popular issues and they will be concerned, but it doesn't do the man who needs a job -- he is over 45 -- it doesn't do him any good if he can't get a job whether someone is concerned or not. He can't buy groceries with somebody else's concern.

I would like the minister to give us an indication as to what is in fact happening or what can happen, and if it hasn't happened, to urge the government to look in this direction. I know that there are only so many jobs to go around but the people who have children, the people who have obligations and perhaps have not had the benefit of retraining, as some of the younger people do now, perhaps this is an issue where we should be concerned in a meaningful way, Mr. Minister.

DR. HOHOL:

Mr. Chairman, I think the hon. member discussed two areas with respect to people over 45. The first one has to do with the Over 45 agency in the City of Edmonton. This is a group of two or three people with probably one support staff in a downtown office which is a drop-in kind of service for unemployed people who are over the age of 45. Now they applied last year for financial assistance in this matter and following discussions with the principals in this particular agency, we felt that the probability of this group assisting other people who are 45 getting work was reasonable. In light of that, we did give them financial assistance on the pro tem basis and said that we would review periodically the activities of the agency and how successful it might be.

It is difficult to follow up on actual cases of people who were placed. But I can report this, that the people who are 45, in discussions with us -- and also business people in discussions with us with respect to over 45 -- indicate that the business people of this city are very cooperative. And on the careful explanation of people from the agency as to the capacity, the competence of people whom they are recommending for work in the employment of management in this city, the cooperation and response from management is very good.

Now this is a very difficult thing to assess. But we felt that this project, because it is a private industry kind of project could assist in a significant way in the placement of people who are 45, and the people who support them, and are still doing this at the present time.

Recently, within the last two months, two gentlemen in Calgary who had conversations with us at the Conference on the Over 45's which was sponsored by the Premier some months ago, and in discussions with us and the people from the over 45 in Edmonton they were encouraged because they indicated a willingness to attempt this kind of thing in Calgary. And with the assistance of the people in the Over 45 Group here in Edmonton they drew up a program and submitted it to

our government to examine for the possibility of financial support. We found the program equally predictive of reasonable success and we also supported this program in Calgary very recently on the same kind of criteria; that we would from time to time get their audited books and statements and assist them setting up office procedures, interview procedures, and then on this basis decide whether we would continue the support.

With respect to the government's involvement in the over 45 I do want to report this, Mr. Chairman, that in our seminar, as the hon. Premier reported in the Assembly, in fact he read from the manager of the Hudson's Bay Co. here in the city, there were closed discussions on the difficulties, real or apparent -- and these were found to be real -- for employment of people over 45.

One of the things that came out was the matter of pensions. The portability of pensions, the capacity to buy into pensions at a reasonable cost was a problem. Of course, this is something one can't be critical of management about, but when the criteria didn't fit the applicant on the basis of pension it looked like the applicant excluded himself. It likely hadn't occurred to management that what they needed to do was to examine the pension policies, recruitment policies and the hiring policies and adjust them so that a man of 45 or over could, in fact, have entry in employment into the corporations, companies and businesses in this province.

With government itself I agree that demonstration is worth more than speeches. But I want to point out in all seriousness, Mr. Chairman, that this is an attitude in government as well as in private industry. So while we have given instructions and we have talked to our public service commissioner to develop programs that examine openly, clearly, fairly and squarely the applicant who is 45 and over to see that he gets hired on the basis of the quality, competence and attitude he brings to his application rather than the fact that he is 45 -- which some of us here would not submit as being too old for service in any kind of capacity.

So I simply say we are undertaking this kind of attitude and this kind of commitment. All I caution, with frank openness, is that this will take some time because adjustments like the appropriations in 1970 and possibly some modifications -- not 1970, the two pension acts we have discussed in detail and some other considerations. But definitely we accept the proposition that our recruitment policies have to reflect serious consideration for employment of those over 45.

MR. LUDWIG:

Mr. Chairman, I certainly appreciate the hon. minister's remarks but I didn't hear any commitment from him that the government is going to do something really meaningful in this way and start advising their different departments to emphasize where possible the hiring of people over 45. That will have some significance.

Mr. Chairman, I want to bring a matter to your attention. While the minister was speaking there was at one time six little huddles behind him. Everybody talking, everybody shifting around, and certainly if they are not interested in what is going on they can get out. But they are disturbing what is going on. I couldn't care less if they listen to me but when the minister was making a significant statement there ought to be some order in this House. Mr. Chairman, I can appeal to you because you are in charge.

MR. CHAIRMAN:

Thank you, Mr. Ludwig.

MR. LUDWIG:

-- get everybody straightened out so we can see whether we should shut off and quit for the day or whether we should continue. I don't expect these hon. members opposite to listen to me. Most of them know everything that they need to know. But when the minister speaks we are wasting time and wasting taxpayers' money unless we shut up and listen.

MR. CHAIRMAN:

Mr. Ludwig, I am aware of that and I appreciate that I have been quite liberal by permitting it on both sides of the House. If it is desired I will bring it to the attention of the members in the future. Please continue with your point.

MR. LUDWIG:

Well it is not a case of so desiring. I am complaining about it so I would like you to do it. If I didn't want you to do it I wouldn't complain. The Deputy Premier has finished padding out his travel budget and now wants to get into the act again.

Mr. Chairman, while we are on this department I would like to deal with the matter of the Human Rights Commission. There is a statement here that should be challenged right under Vote No. 1714:

The intent is to support the objectives and purposes of the new Individual Rights Protection Act. It reflects the immediate program priority of the Government for human rights legislation.

That is a statement to be taken issue with. I have never seen a worse example of a government disregarding human rights, in general, than this one. They have upped their budget 177 per cent and they are saying that this reflects the government's attitude. This reflects anything but the government's attitude. There has not been a single man or woman on that side that would stand up and champion the cause of civil liberties in this province since --

MR. HENDERSON:

Excluding the hon. Member for Calgary Buffalo.

MR. LUDWIG:

Yes, but he flipped in mid-air a couple of times because he not only supported his legislation but when it was violated he defended the man who violated it. You wonder whether one can give much credence to whether his statements were not incredible, if I may use the word now, Mr. Chairman.

MR. GHITTER:

On a point of order, if the hon. member has a desire to get into this debate at this time and if the Chairman wishes to rule this nonsense in order, and the statements he apparently intends to make, I think we would be very happy to enter into that debate for the twentieth time this session. But if the Chairman intends to allow this type of debate on this estimate, then fair enough, let's get at it.

MR. LUDWIG:

Mr. Chairman, I am dealing with the Human Rights Commission, Vote No. 1714. I appreciate the fact that the hon. members opposite would like to hear no more about this. They heard too much the first time they heard it. But it doesn't alter the fact that they haven't done too much about it. There isn't one person there, including this Human Rights Commission, who will urge the government to establish perhaps some kind of judicial inquiry, as they are rather anxious to do sometimes, to investigate some glaring violations of what I believe to be civil liberties of people in this province. So I don't know whether this \$210,000 --

MR. SCHMID:

Mr. Chairman, on a point of order. Would the hon. member repeat? Is he trying to accuse civil servants again of something they haven't done, like he did with the EMO? Would you like to repeat that statement?

MR. LUDWIG:

When did you get into the House, Mr. Minister? I haven't seen you, sitting behind that post so quietly.

MR. CHAIRMAN:

Order.

MR. LUDWIG:

Order yourself.

MR. CHAIRMAN:

Order, Mr. Ludwig.

MR. LUDWIG:

He interrupted me and now you are going to interrupt.

MR. CHAIRMAN:

Mr. Ludwig.

AN HON. MEMBER:

Sit down.

MR. CHAIRMAN:

Order please.

DR. HORNER:

On a point of order, Mr. Chairman. The hon. Member for Calgary Mountain View should start to appreciate some decorum in this Legislature.

MR. LUDWIG:

I rose on a point of order.

MR. CHAIRMAN:

Order, Mr. Ludwig. Please address your remarks to the Chair and not to the hon. minister please.

MR. LUDWIG:

I wish to speak to that point of order. You permitted the Deputy Premier to get up and interrupt me and he --

MR. CHAIRMAN:

Mr. Ludwig.

MR. LUDWIG:

-- and he didn't have a point of order at all, Mr. Chairman. I am complaining on that point of order on which the Deputy Premier just got up.

MR. CHAIRMAN:

Mr. Ludwig.

MR. LUDWIG:

He didn't have a point of order any more than any one else can.

MR. CHAIRMAN:

Order, Mr. Ludwig. I took the hon. Deputy Premier's comments as he addressed them to me. Your remark earlier was directed directly to the hon. Minister of Culture, Youth and Recreation rather than to the Chair. Please address your remarks to the Chair.

MR. LUDWIG:

I didn't hear your ruling whether he had a point of order when he interrupted me either, Mr. Chairman. These things should be ruled on when somebody gets up on a point of order. Has he got one or is he merely interrupting me?

I am pleased, Mr. Chairman, that the hon. members opposite have come to life all of a sudden. They are a rather a dead outfit and they are deadlier from this side than they might think they are.

SOME HON. MEMBERS:

Get on with the debate. Talk about wasting time.

MR. CHAIRMAN:

Please continue, Mr. Ludwig.

MR. LUDWIG:

Mr. Chairman, is this an example of order in the House, what I am listening to right now? Is it? All you have been doing is shouting "Order" at me but you can't shut up anybody on that side.

MR. CHAIRMAN:

Mr. Ludwig, I have asked you to continue with your presentation.

MR. LUDWIG:

Yes, I will continue with what I have been doing, Mr. Chairman. It seems to be the best thing to do. I have your permission to do that.

When we deal with Human Rights Commission and human rights legislation, Mr. Chairman, I wish to repeat that there has not been a single example of anyone on that side standing up and defending against what I call flagrant and obvious violation of civil liberties in this province. I suppose I should be prohibited from saying this because some hon. members would like to hear no more about it. Well, I still say that if the Deputy Premier had his own way nobody would be talking after he was finished.

So, Mr. Chairman, I believe it is timely to keep prodding away, keep hitting this issue until we get the action the people demand. You might say that we've heard it often. But nothing has been done. So we intend to continue pressing this issue of civil liberties until we think that the government does what it intends to do. Particularly since they say, and I'm taking issue with it: "It reflects the immediate program priority of the government for human rights legislation." I want the Minister of Manpower and Labour, who wrote this choice phrase, to tell me whether he approves of the manner in which civil liberties are being violated in this province by the Attorney General's Department --

MR. HENDERSON:

By the minister himself.

MR. LUDWIG:

I should say, perhaps by the minister himself sometimes and other departments, whether you think we should just forget about the Craig case because it's the kind of issue that the government isn't proud to talk about.

Maybe we should be gagged and kept quiet. The hon. Deputy Premier is looking at me with a very menacing attitude. I'm getting apprehensive here. I'm glad there's a barrier between us.

AN HON. MEMBER:

You need that barrier.

MR. LUDWIG:

Yes, he says it saves me, but I think it saves him also, Mr. Chairman.

[Laughter]

MR. LUDWIG:

That loud laugh comes from one of the architects of conservative policy obviously in human rights.

But as I stated, Mr. Chairman, there is not a single person on that side and we must be all terribly wrong on this side to attempt to fight for some semblance of respect for the law in this province insofar as civil liberties are concerned. We ought to be all condemned I suppose for standing up and demanding that our legislation be enforced.

Then on the other side the hon. Member for Calgary Buffalo says that I'm wasting time, that his humanitarian conscience is often disturbed. When he speaks, that isn't a waste of time. But when somebody criticizes the government

for violations to which they confessed over the air and in this House and admitted that they fell on their face and admitted that they were wrong but then undid everything they did because --

MR. SCHMID:

[Inaudible]

MR. LUDWIG:

Because they admitted that they were wrong, but not that wrong that they were going to do anything about it. I think it is our job here to press that this thing be straightened out. If they are tired of hearing it they can clear their record, and I'm saying it's a besmirched record, Mr. Chairman. They can clear it by setting up a judicial inquiry on the Craig case. They'll never live this one down because they showed that they liked to straighten out records. They moved so fast they almost fell over themselves on the Davy case which was rather insignificant compared to the Craig case but they will not budge. They will not budge because they've got egg on their faces and I suppose if the Deputy Premier turns his face, he thinks I can't see the egg on his face -- probably I can't -- a bit on the back of his head too, I'm sure.

This is something, Mr. Chairman, that I believe the Bill of Rights at least gives us. It enunciates the freedoms we have in this province that we have the freedom of speech left yet, notwithstanding The Bill of Rights. The Bill of Rights has suffered badly in interpretation and application by the very government that made so much political mileage out of implementing a Bill of Rights.

So, Mr. Chairman, I would like to see the Minister of Manpower and Labour disassociate himself from what his colleagues did and stand up and tell us that he is different, that he is going to stand up for this thing, that he is going to see to it that right is done, that this Human Rights Commission has some significance and is not merely an apology for the government that was the first to violate human rights.

I'm waiting for the hon. minister's response and if he feels that I perhaps touched an issue that is not relevant, perhaps he can reiterate the stand taken by the government so far as the Craig case is concerned, so far as the Slave Lake investigations are concerned -- and I'm of the opinion that that isn't the last we'll hear of the RCMP investigating innocent people in this province. I believe we'll never hear the last of this until we've had legislation and I doubt whether anybody on that side has enough concern, enough humanitarian conscience to support legislation that would make it impossible or could make it difficult for ministers to violate their own laws. I would like to hear the minister's response, Mr. Chairman.

MRS. CHICHAK:

Mr. Chairman, I think in discussing this Vote 1714 with regard to the Human Rights Commission we just can't allow such comments as have come from the hon. Member for Calgary Mountain View to go unchallenged.

MR. LUDWIG:

Mr. Chairman, I can't hear. There is too much interruption there. I can't hear the hon. member well enough. Perhaps --

MR. CHAIRMAN:

Order. Order, Mr. Ludwig.

MRS. CHICHAK:

The hon. member has made a number of charges, a number of allegations with regard to upholding the law, having respect, having responsibility, the abuse of civil liberties and the conduct of members.

I think we only have to review back a very, very short time with respect to responsibility, respect of one's position in the Legislature, the protection of human rights and to bring forward justifiably such matters as are of concern with regard to human rights. I said justifiably. It's not so long ago that we had, very irresponsibly, charges laid in the House with regard to what was referred to as the "rape of civil liberties", charges in the House of conduct of members, charges in the House of the conduct of the government. It's fine to

lay charges when you have justifiable information that would lead to those charges and to bring justice.

But when charges are laid very irresponsibly, without reviewing the bases of such charges or complaints, putting the people of this province to a very great extent in cost, which in itself is not harmful if justifiable, demanding a judicial inquiry, which was acceded to to ascertain whether in fact inadvertently or directly any actions of any civil servants, any actions of any members of the government, any members in this Legislature were such that may have been questionable. As a result of that judicial inquiry, it was found that, in fact, there was absolutely no basis for the charges that were made, no wrongdoing or even attempt at wrongdoing on the part of any of those who were charged with wrongdoing, and, in fact, there was a finding that there was really basis for concern on the part of members and that concern had gone on, or the basis had continued for a long period of time.

But then what happens? When the report and the findings are made public, the very same people who demanded justice, who demanded a review, an investigation, who got an investigation, then claimed that it was a whitewash simply because they did not get the kinds of answers they wanted or hoped would come out. Well, I tell you, if it has to be justice, let it be justice on both sides.

If you talk about demonstration of carrying out justice, let us look back to the many years when this province had no legislation to protect individuals, either with respect to each other's actions to one another or with respect to government. Whether the matter has created, will create or does create any problems the fact that this legislation has been brought forward should, in itself, be significant. The citizens of Alberta have suffered without it for many, many years.

If we're going to start talking about justice, let's really look at the justice or injustice there is with respect to the conduct of members as to how they accept their responsibility of representation in this House, in their manner of conduct, in the manner of their debates, in their manner of fair and honest representations, in whatever they say, in whatever they do. I think it is time that perhaps this was reviewed.

It seems to me that as each day goes by in this Legislature, there is a greater amount of what appears to be disrespect for the decorum of the House. And I say "appears to be", because I really hope that is all it is. It seems for those members who are in this House for the first time they have certainly higher expectations from the conduct of members who have spent many years here. I will say that certainly to my mind, it has very often proven very disappointing.

So there are many kinds of justice, not only in the wrong and the right that one suffers as an individual, but in the respect and in the responsibility that we have here as members, in bringing forward the truth, in bringing forward matters in accuracy, in observing our decorum, not only in our actions but in our speech which has, on some occasions, left a great deal to be desired. Thank you.

MR. TAYLOR:

Mr. Chairman, I hadn't intended saying anything on this at all, but the suggestion by the hon. member that we act without responsibility simply can't be accepted.

[Interjections]

It can't be accepted.

MR. CHAIRMAN:

Order.

MR. TAYLOR:

I want to outline the responsibility of a member. One responsibility of a member is not to consider someone guilty before he has been proven guilty --

AN HON. MEMBER:

Hear, hear. Agreed.

MR. TAYLOR:

-- either a lawyer or an MLA. When someone comes to an MLA having difficulty, surely that MLA has a responsibility to listen to that individual. He is an individual. If we believe in anything in individual rights, and human rights, every right must be applied to every individual irrespective of his colour, creed, station in life, status or anything else. So I want to make it very, very clear that as far as I'm concerned, anyone who does come to me with a problem he or she is listened to and is going to be heard.

When Mr. Davy brought his case to me, I didn't simply accept it without checking into it. Number one, the man had been working for two years trying to get justice from the compensation board, part of which time was under the old government. But he still didn't get justice.

After two years he gets a pension of \$89.00 per month. He was hitting his head against a stone, he was not getting anywhere. A man with an injury where the injury continues to prevent him from working and can't get satisfaction, obviously becomes frustrated, disillusioned and maybe angry. He wants to get satisfaction. If any hon. members have seen many compensation cases they surely realize there is certainly a responsibility on the part of an MLA to endeavour to make sure these people do get satisfaction. That is one of the reasons we are elected.

So I checked into the compensation case and didn't like what I saw. The compensation case was the basis for the whole case.

Second, this man had called at my office many times, sometimes as often as every day of the week, sometimes two and three times a week. I was satisfied he was not insane and this had been going on for weeks and months and as far as I was concerned he was not insane.

For him to be picked up and incarcerated under Section 7 of the Act certainly made it necessary for me to look into it. When I was convinced he was not insane I then checked to see under what section of the Act he had been committed. I wrote to the hon. Minister of Health and Welfare about a Mr. E. Davey admitted to the hospital on December 19 and got a reply back about the wrong man. I immediately brought this to the attention of his executive secretary in his office and still I haven't any information on that particular case.

I wrote to the director of the hospital who did send the information that he had been incarcerated under Section 7, he didn't know who laid the complaint and so on.

So surely there was a responsibility to find out who laid the complaint. I was satisfied the man was not insane. Is any hon. member going to say that a member is not being responsible when he takes up the case of a man who is incarcerated when he is not insane? Particularly under Section 7.

Now, Section 7 was put into the Act to deal with violent cases. That is why words like "urgent" are used. Where a man is violently mad you get one doctor and that was to put him into the protective custody of the hospital quickly. That was the reason for that being in the Act.

This man wasn't violently mad, he had been acting in the same way for several weeks and months and suddenly he is incarcerated -- suddenly I say -- and with one doctor. The doctor from the university recommended the matter be placed before a magistrate and had it been placed before a magistrate I would have had no complaint, no complaint at all. He would have had his day in court, whatever the magistrate did. But it wasn't done that way.

The Act provides for two doctors to deal with this type of thing so there is an objective view, each writing the reports out separately. This was not done and so the man was not given a chance to defend himself. He was simply incarcerated under Section 7 which, in my view, was wrong. He was dealt with as though he were violently mad. He wasn't.

So when the hon. member suggests it wasn't investigated, it was investigated and I came to the conclusion that something was wrong. We needed to know more about the case. I laid no charges against any individual member of the government. The government however has to take responsibility of the actions of its civil servants. I asked specifically in my address that we find out if the ministers were responsible, and if so, which ministers. And the government of course, must assume the responsibility of its servants and the

hon. Attorney General, of course, must assume the responsibility for the actions of his department.

I don't accept at all that Mr. Casson should use Section 7 according to his judgment without even reference apparently to his own minister. So when the hon. member suggests that it was not investigated, this is not right at all. It was investigated, and because of that investigation, because there is some responsibility to make sure people aren't incarcerated wrongly, I raised the matter in this Legislature. I make no apologies for so doing. I make no apologies for so doing.

SOME HON. MEMBERS:

Shame. Shame.

MR. TAYLOR:

Yes, shame on the hon. Deputy Premier who would gang up on one individual who couldn't defend --

DR. HORNER:

On a point of order, Mr. Speaker. I am not going to allow the hon. Member for Drumheller to continue his politics by accusation.

MR. LUDWIG:

Well, you did.

DR. HORNER:

I did not.

MR. CHAIRMAN:

Order, order.

DR. HORNER:

Mr. Chairman, the hon. Member for Drumheller should not be allowed to continue his politics by accusation, again without foundation.

MR. TAYLOR:

Mr. Chairman, I am not continuing politics. The hon. member shouted shame and I was simply replying to him. Politics had nothing to do with this. This man worked for the Progressive Conservative party and I knew it. I never asked him what his politics were, if he had any intention of changing them. I wasn't concerned, and what is more, I have never asked any man or woman who has come to me for help what their politics are. I just don't care what their politics are. That is their own business, and there is no thought of politics in this. If I thought of gaining some political advantage through this I would have never taken the case.

SOME HON. MEMBERS:

Oh.

MR. TAYLOR:

-- never taken the case. The man had nothing to do with my particular party, he was working for the Progressive Conservative Party. He was a member of it I suppose, I didn't ask if he was a member, but he did tell me he worked for the hon. Minister of Federal and Intergovernmental Affairs. He knocked doors with him and the hon. Mr. Getty confirmed this in the hearing.

So, my point is that had the man been asked as the chief justice mentioned, it was unfortunate that he wasn't even asked to go in voluntarily, if he needed help. It could have been done under the appropriate section of the Act. He wasn't even asked. Had someone thought that he was a danger and the evidence shows that he was not a danger, he was no indictable danger the chief justice said, from several prominent doctors. If someone felt that he was they had the right to lay the charge before a magistrate, give the man his day in court, give him a chance to defend himself. This wasn't done. Or they could have had two outside doctors. Surely it is naive for Mr. Casson -- that you couldn't get two

doctors in Edmonton in the middle of an afternoon when this thing had been going on for weeks and months. What would another day's difference make?

The whole thing proves that the man was not insane. He was able to conduct his own hearing after he came out. The chief justice said he could have left any time after January 2. There was some dispute about this but the chief justice said he could have. So why was he even put in if that were the case, particularly under Section 7 which was applicable to someone who is violently mad.

So when the hon. member suggests that I didn't investigate it this was wrong entirely. I did investigate it and brought it to the attention of the House and asked for the judicial inquiry. And I make no apologies for so doing.

DR. HORNER:

Shame.

MR. TAYLOR:

Secondly, another point. The man told me that he was a political prisoner. I asked him if he had proof of this. He said, yes he had proof. One of the doctors at the hospital had even stated it. Now before evidence under oath before the chief justice, Mr. Davy gave the same information under oath. He named the doctor and the place and the time. The doctor under oath denied the statement and so the chief justice had to believe one or the other. Obviously somebody was lying. So the chief justice chose to believe the doctor. Now another judge might well have chosen to believe the man.

AN HON. MEMBER:

Who did you believe?

MR. TAYLOR:

But when the man came to me and gave me this evidence I was not the judge. I wasn't to decide whether he was telling the truth or not. I was satisfied he was sane and I felt he deserved a hearing.

Again, I make no apologies for bringing a case of a man who needed help to the attention of this Legislature and to the attention of the public of the province. So those who say there is no checking and research in this simply are not telling the truth. I want to emphasize that point very definitely.

MR. CRAWFORD:

Mr. Chairman, the hon. Member for Drumheller has succeeded in doing something I didn't think even he could succeed in doing. That is, he has now delivered the same speech in substance he delivered in February but, observing him in the course of doing so, with a little bit less conviction and a little bit less oratorical fever than on that occasion.

At the same time he has also provided hon. gentlemen opposite with an additional valuable asset which I am sure they are very much feeling in need of. And what that is, he has gone ahead and made judgment, on a medical basis, on the psychiatric competence of a citizen who he named and it seems to me that if there is something hon. gentlemen could use over there perhaps it is a psychiatrist. And, Mr. Speaker --

[Interjections]

AN HON. MEMBER:

Just hang on.

MR. LUDWIG:

Mr. Chairman, I rise on a point of order. If at any time anything is said in this House to incur the contempt of hon. members the hon. minister just did it. You wonder why quite often we have so much disregard and contempt for the government? If the minister, who is one of the cool heads in the government, should come up and suggest that the hon. members here need a psychiatrist I am prepared --

MR. CHAIRMAN:

Mr. Ludwig. In the Chair's recollection --

MR. LUDWIG:

I speak on a point of order --

MR. CHAIRMAN:

Order, Mr. Ludwig. You have no point of order there.

MR. LUDWIG:

I'm not finished my point of order, Mr. Chairman.

SOME HON. MEMBERS:

Sit down.

MR. CHAIRMAN:

Order. Mr. Ludwig, in your explanation you did not exactly deliver the same point of order or the same explanation the hon. Mr. Crawford did. If you wish to, please try to give us your point of order.

MR. LUDWIG:

Mr. Chairman, I am submitting to you, sir, that the statement that the hon. members opposite need a psychiatrist is unparliamentary. I am requesting that you order the hon. minister to withdraw that statement and apologize to the members on this side of the House, Mr. Chairman.

MR. KING:

Speaking to the point of order, if I may? The fact that the hon. member opposite frequently rises on what he says is a point of order does not make it a point of order, anymore than calling the tail of a dog a leg makes a dog a five-legged animal.

[Interjections]

MR. CHAIRMAN:

Order.

MR. KING:

My point of order, Mr. Chairman, is that Beauchesne suggests that hon. members when they are rising should refer, if they can, to the annotation with which the member is dealing. And the hon. member opposite does not now do it, has never done it, because in 95 per cent of the cases he cannot do it.

MR. LUDWIG:

Which one are you talking about?

MR. KING:

As a member of the House, Mr. Chairman, I would ask you to more carefully consider whether or not when the hon. member opposite rises to his feet he has legitimate or a spurious point of order.

MR. LUDWIG:

Mr. Chairman, the hon. member who just spoke certainly can't seem to stick to facts. I have often quoted Beauchesne and the Speaker has often sustained me. So you can't say that I never do because he merely isn't speaking the truth.

I rose on a point of order. It is not up to me to quote the citation every time, it's the Speaker's responsibility to quote the citations of Beauchesne. It doesn't say that an hon. member has to.

But I'm saying that the expression the hon. members opposite perhaps need a psychiatrist is unparliamentary and I wish you to rule on it. That's all I'm

asking. It is a point of order and it's a very simple point of order. I'm saying that if I were to say that the hon. Deputy Premier needed a psychiatrist or he's past any hope of getting any treatment from a psychiatrist I would be out of order. I hope so. But I want this to become a precedent. If we can use language like this -- the hon. members opposite scream when I use something wrong -- let's see if we can make a decision on this one. Because if it's a precedent, we can refer to somebody needed psychiatric care, I've got a couple of members there I would like to pick out but I don't think it is parliamentary.

MR. CHAIRMAN:

Order, Mr. Ludwig. Thank you.

MR. LUDWIG:

I would like your ruling, Mr. Chairman.

MR. CHAIRMAN:

Order. In the Chair's recollection, the reference to a psychiatrist by the hon. minister was not directed to anybody in particular on the opposite side.

[Interjections]

MR. CHAIRMAN:

Order please. Please, order. Without having the exact words in front of me I would have to rule that there was no point of order and would ask the hon. Mr. Crawford to continue with his presentation.

MR. LUDWIG:

Mr. Chairman, I challenge your ruling and I move that you now leave the Chair and let the Speaker decide.

MR. CHAIRMAN:

The motion as made by Mr. Ludwig, all those in favour say aye. Those opposed say no.

MR. LUDWIG:

You still have to leave the Chair, Mr. Chairman.

MR. CHAIRMAN:

Order, Mr. Ludwig, please. I would rule that the ayes have it.

MR. HENDERSON:

I would have to challenge your ruling, sir. I would like to --

MR. CHAIRMAN:

Mr. Henderson, I rule that the ayes have it.

MR. HENDERSON:

And I challenge your ruling. I am just --

SOME HON. MEMBERS:

Order, order.

MR. CHAIRMAN:

Order please. Carry on. I am sorry, I thought maybe you misunderstood my ruling. Carry on with your challenge.

MR. LUDWIG:

You said the ayes have it and you are supposed to get out of the Chair.

MR. CHAIRMAN:

Order. I am just listening to Mr. Henderson. Please, Mr. Ludwig. Continue with your challenge.

MR. HENDERSON:

Your ruling was in favour, that you are leaving the Chair, then, Mr. Chairman.

MR. CHAIRMAN:

That's right.

MR. HENDERSON:

All right. Quite frankly, I must confess I am used to previous performances and I misjudged you.

MR. LUDWIG:

What are you waiting for?

MR. HENDERSON:

I can read it in Hansard if you want me to quote it.

[Mr. Chairman left the Chair.]

* * * * *

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of Supply, while considering estimates, have asked that the Chairman do now leave the Chair on a ruling that was placed before the Chairman. It was ruled that the Chairman do now leave the Chair for the Speaker's consideration.

AN HON. MEMBER:

On what?

MR. DIACHUK:

On a point of order, Mr. Speaker.

MR. SPEAKER:

Is there an appeal to the Assembly?

SOME HON. MEMBERS:

Yes.

MR. SPEAKER:

Perhaps the ruling of the Chairman which is being appealed should then be reduced to writing or in some way brought before the House.

MR. LUDWIG:

Mr. Speaker, I just wish to point out that the ruling that was appealed from was as a result of a statement made by the hon. Minister of Health and Social Development that the members opposite perhaps need a psychiatrist. I objected on the grounds that that was unparliamentary and this is a result of that exchange. So I will now write out the purpose for the Speaker's ruling and I will submit it to you.

MR. SPEAKER:

If the Chair is required to put a ruling of the hon. Chairman to the House by way of an appeal, I must know what that ruling is in precise words.

DR. HORNER:

With due respect, the precise words, I would suggest, are only available through Hansard. It may have to be put off until that occasion because I don't agree at all that the words used by the hon. Member for Calgary Mountain View were those used by the Minister of Health and Social Development.

MR. HENDERSON:

Speaking to the point of order, I would have to agree with the Deputy Premier, not so far as interpretation, but I think reference should be made to Hansard before the matter proceeds further.

HON. MEMBERS:

Agreed.

MR. HENDERSON:

[Inaudible] ... write your motion out.

MR. HYNDMAN:

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

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. SPEAKER:

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

[The House rose at 5:22 o'clock.]