

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, May 3, 1973

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

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF VISITORS

DR. MCCRIMMON:

Mr. Speaker, it gives me great pleasure today to introduce to you and through you to the members of this Assembly 58 students from Grades 6 to 9 from Bluffton School which is in my constituency.

They are accompanied by their teachers; Mr. MacDonald, Mrs. Rawji, Mrs. Grinde and by bus driver, Mr. Dreichel. They are in the public gallery. I'd ask that they stand now and be recognized by the Assembly.

MR. KING:

Mr. Speaker, I would like to introduce to you and through you to the members of the House, and particularly I think to the hon. Minister of Culture, Youth and Recreation, a group of students from what is probably the most cosmopolitan school in the most cosmopolitan constituency in the province, if by cosmopolitan we mean a school or a constituency which has more representatives of more of the ethnic groups which have made this province what it is today than any other place in the province.

We have in the members gallery, Mr. Speaker, 75 students from St. Alphonsus Separate School in Edmonton. They are accompanied by their teachers, Mr. Chorney and Mrs. Dzenick. I would ask that they rise and be recognized by the members of the Assembly.

ORAL QUESTION PERIOD

Royal Alex Nurses' Strike

MR. HENDERSON:

Mr. Speaker, I was wondering if the Minister of Manpower and Labour could advise the House if there is any change in the situation relative to the Royal Alex Hospital?

DR. HOHOL:

Mr. Speaker, I would report that the mediation staff of the Department of Manpower and Labour is presently at the hospital with the two parties and that there has been some progress.

MR. SPEAKER:

The hon. Member for Pincher Creek-Crowsnest, followed by the hon. Member for Hanna-Oyen.

Willmore Wilderness Area Sheep Hunting

MR. DRAIN:

Mr. Speaker, my question is to the hon. Minister of Lands and Forests. Is it the government's intention to limit the non-resident hunting of sheep in the Willmore wilderness area?

DR. WARRACK:

Mr. Speaker, the hon. member and I have corresponded on that matter. As I indicated to him, this would be a decision that would be part of the game regulations for 1973. I'll be dealing with that matter once the House has concluded.

MR. DRAIN:

A supplementary, Mr. Speaker. Is the hon. minister aware that this deferred decision would result in difficulties to guides who have booked trips into that area?

DR. WARRACK:

I'm very sorry, Mr. Speaker, I just didn't hear.

MR. SPEAKER:

The hon. member is actually making a brief announcement, I believe.

MR. DRAIN:

Well, I'll rephrase this, Mr. Speaker. I thought it was an 'interrogation', sir! Hence I'll pursue this question in a manner that will conform more with the proper decorum of the Legislature.

Mr. Speaker, my question is: is the minister aware that a non-decision at this particular time would result in difficulties for licensed guides who depend on a decision like this for bookings and so on?

MR. SPEAKER:

The hon. member's revised version is also an announcement.

The hon. Member for Hanna-Oyen, followed by the hon. Member for Calgary Bow.

Liquor Control Act

MR. FRENCH:

Mr. Speaker, my question is for the Attorney General. Is it the intention of the government to introduce amendments to The Liquor Control Act at the spring session?

MR. LEITCH:

No, Mr. Speaker.

MR. FRENCH:

Mr. Speaker, a supplementary question to the Attorney General. Owing to the fact that it is an offence to carry liquor except under the present provisions of The Liquor Control Act, has the government given any consideration to bringing in amendments which would make it possible for agricultural societies to include wine-making as a competition, in view of the fact that the exhibitors would have to take their wine to some building for a competition?

MR. LEITCH:

Yes, Mr. Speaker, there have been representations on that point made to us and I must say that we regard them with a great deal of sympathy. However, the committee being chaired by the hon. Member for Calgary Buffalo will, I believe, be reporting on the whole area in the immediate future, and I believe there ought to be some time spent reviewing that report and the recommendations which I expect will be in it, before it leads to legislation.

MR. FRENCH:

My final supplementary question, Mr. Speaker. In view of the fact that I have one agricultural society in my constituency that has already printed a prize list for this fall, which includes wine-making, is there anything we can do about it?

MR. LEITCH:

I'd say drink the prizes, Mr. Speaker.

[Laughter]

MR. SPEAKER:

Perhaps I should just interject that some of the questions are becoming rather well equipped with introductions which, strictly speaking, are contrary to 171 of Beauchesne. In other words, 171 says that they must not have any preamble. The maximum amount of preamble which might be permitted is that which might identify the topic. However, that should not be too loosely construed.

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

Calgary Landfill Site

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Public Works. Can the minister advise if it is the intention of his department to grade, loam and seed the 13-acre provincial government landfill site east of 85 Street N.W. between the Bow River and the CPR tracks in Calgary, as requested by the City of Calgary on September 19, 1972?

DR. BACKUS:

Mr. Speaker, I don't have the immediate answer to that, but I will certainly check it out and let the hon. member know.

MR. WILSON:

Supplementary, Mr. Speaker. Can the hon. minister advise if he has replied to the Calgary commissioner's letter of September 19, 1972 on this subject?

MR. SPEAKER:

This is a matter of specific information which possibly the hon. minister could also look up since he has accepted the previous question as notice.

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

City of Edmonton Tax Assessment

MR. CLARK:

Mr. Speaker, I'd like to direct my question to the Minister of Municipal Affairs. I ask the Minister of Municipal Affairs what solution he was able to propose to the City of Edmonton and the other related local authorities as a result of their problem of equalized assessment?

MR. RUSSELL:

No solution has been proposed to those parties as yet, Mr. Speaker.

MR. CLARK:

Supplementary question, Mr. Speaker. When might the parties involved expect a solution from the minister?

MR. RUSSELL:

Mr. Speaker, I indicated to the interested parties that the government would get a response at the earliest opportunity and at present we are working in an attempt to provide an answer by tomorrow.

MR. SPEAKER:

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

Western Economic Conference

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Premier. Can the Premier advise the Assembly whether the official dates have been finalized as yet for the Western Economic Conference?

MR. LOUGHEED:

Mr. Speaker, yes they have. They are scheduled for Calgary on July 25 and 26, but I believe the Minister of Federal and Intergovernmental Affairs may have more to add in terms of the timing or the length of the meeting.

MR. TAYLOR:

Supplementary, Mr. Speaker. I wonder if the hon. Premier --

MR. SPEAKER:

Possibly the hon. member's supplementary may anticipate something which the hon. Minister for Federal and Intergovernmental Affairs is about to add to the answer.

MR. GETTY:

Mr. Speaker, the only supplementary information I might pass on to the House at this time is that there are negotiations going on between the four western provinces and the federal government regarding the agenda for the conference. The conference is intended to be jointly planned to get the most benefit possible from it.

There is a possibility the agenda will be sufficiently heavy that it will be necessary to add one day at the front end of the conference. It would then commence July 24 and run on July 25 and July 26.

MR. NOTLEY:

A supplementary question for clarification, Mr. Speaker. I take it from the hon. minister's remarks that the formulation of the agenda will be as a result of consultation between the four western provinces and the federal government, or will it really be under the auspices of the federal government in the final analysis?

MR. GETTY:

Mr. Speaker, when the conference was first suggested by the federal government it was announced as one that would be jointly planned.

The four western provinces in their role in this conference have now met in Winnipeg, as was announced earlier in the House. At that meeting in Winnipeg the four Premiers were able to establish the topics they would like to discuss. Since there was agreement reached that it would be in Alberta, then some responsibility passed to the Province of Alberta, through our department, to carry on further negotiations with the federal government to arrange the total agenda, having in mind that the federal government might require additional topics to those suggested by the four western provinces. That further negotiation is going on, and the other information I passed is that it appears the federal government has some additional agenda items and therefore the conference may require three days.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Is the topic of energy one of the proposals of the four western Premiers for this conference?

MR. GETTY:

No, Mr. Speaker, energy is not a topic suggested by the four western provinces.

MR. NOTLEY:

A final supplementary question, Mr. Speaker. Can the hon. Premier advise the House what portion of the western economic conference will be open? This question was asked before but at that time the hon. Premier wasn't in a position to advise the Assembly.

Further to that if I may, Mr. Speaker, I wonder if the hon. Premier could also advise the Assembly whether or not any finalization has been made with respect to observers attending the conference?

MR. LOUGHEED:

Mr. Speaker, with regard to the conference being open we have taken the position, as the Government of Alberta through the Department of Federal and Intergovernmental Affairs, that the conference should be open in its entirety. The other provincial governments in the west are assessing that matter and the matter is still under discussion with the federal government. It would be our preference that the entire conference be open. We haven't had any final word, nor have the negotiations reached the stage where we can be definitive about it.

Because of the ongoing nature of the negotiations -- perhaps I could add to what the minister has said -- each provincial government has appointed an official and each provincial government, as well as the federal government, has appointed a responsible minister. Our responsible minister is Mr. Getty and that matter of the observer question will be raised in due course, I'm sure, in discussions at both the official and ministerial level.

MR. RUSTE:

A supplementary question to the hon. Minister of Federal and Intergovernmental Affairs. In the agenda, is there provision for the discussion of the establishment of new regionally-based financial institutions as well?

MR. GETTY:

Yes, Mr. Speaker.

MR. SPEAKER:

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

Regional Parks Boards

MR. ANDERSON:

Mr. Speaker, my question is to the hon. Minister of Lands and Forests. Has the minister had the opportunity to study the proposals resulting from a seminar sponsored by the Oldman River Regional Planning Commission that a regional parks board be established for the purpose of promoting and coordinating parks in southern Alberta?

DR. WARRACK:

Mr. Speaker, I have not had a recent inquiry or suggestion of that nature but I would certainly be happy to consider it.

MR. ANDERSON:

Supplementary, does the minister accept the analysis that southern Alberta is 3,000 acres short of parkland?

DR. WARRACK:

Not offhand, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation, followed by the hon. Member for Wainwright.

Nuclear Power Plants

MR. SORENSON:

Mr. Speaker, my question is to the Minister of Telephones and Utilities. Is the hon. minister aware of a recent statement by David Cass-Beggs, British Columbia Hydro chairman, that that province will have nuclear generated power by 1985? My question: has the hon. minister considered the possibility of a nuclear power plant in Alberta?

MR. FARRAN:

Mr. Speaker, no, the recent reports are that a major prospect for electrical power [is] mostly attached to coal or thermal plant.

MR. SPEAKER:

May I respectfully suggest to the hon. member that the question was quite complete without the introduction.

The hon. Member for Wainwright, followed by the hon. Member for Vermilion-Viking.

Rural Electrification Loans

MR. RUSTE:

Mr. Speaker, my question is to the Minister of Telephones and Utilities. In a recent announcement where you extend the support to rural electrification, who is responsible for the maintenance and replacement costs for that portion of the line which the government is paying for?

MR. FARRAN:

Mr. Speaker, could I ask the hon. member if he is referring to a statement of yesterday for extended loans or a statement that is forthcoming?

Well, Mr. Speaker, the responsibility is that of the individual member of the REA. All that has taken place is that an interest-free loan covers the cost of extension above \$2,500.

MR. RUSTE:

A supplementary question to the minister then. In the gas distribution system, does this hold on the additional line over and above the amount the farmer pays for?

MR. FARRAN:

The two plans are not wholly analogous, although there is some similarity. As far as the gas plan is concerned, the portion between \$1,700 and \$3,000 per customer is covered by grant. Below \$1,700 is covered by loan.

I think I should say further that as far as the rural electrification policy is concerned, below the \$2,500 level which the non-interest loan comes in, the loan can still be covered at the extremely low rate of 3.5 per cent as before.

MR. SPEAKER:

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

DDT

MR. COOPER:

Mr. Speaker, my question is for the hon. Minister of the Environment. Mr. Speaker, has the minister's department had consultation with the federal Department of Agriculture regarding the reinstatement of DDT for use in pesticide control?

MR. YURKO:

I shall have to check, Mr. Speaker, and find out. We have an ongoing committee that discusses these matters with the federal representatives on a continuing basis.

MR. SPEAKER:

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

Health Care Premiums

MR. WYSE:

Yes, Mr. Speaker, my question is to the hon. Minister in charge of Alberta Health Care. My question is, will the government proclaim the amendment asking or allowing the waiver of premiums of Alberta Health Care for people in need, during this session or during the early summer?

MISS HUNLEY:

No, we won't be proclaiming it during this session, but we have to gear up for it to be in a position to assess the applications when we receive them. We want to be sure it is done in a proper manner, so it is taking us a while.

MR. SPEAKER:

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

Natural Gas Distribution

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Minister of Telephones and Utilities. Is it the intention of the government to table the report on the feasibility of natural gas distribution?

MR. FARRAN:

Mr. Speaker, can I ask the hon. member if he is referring to the task force study of last year?

MR. TAYLOR:

No, Mr. Speaker, I was referring to the study on the feasibility of natural gas the hon. Minister of Agriculture advised the House the government had undertaken last year.

MR. FARRAN:

We are prepared to table any reports which the hon. member might require, the task force study or any of the research reports by consultants on economic viability as compared with propane -- if this is what you want.

MR. SPEAKER:

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

Regulations for Truck Tires

MR. WILSON:

Mr. Speaker, I would like to address a question to the hon. Minister of Highways. Can the minister advise if his department is contemplating legislation or regulations to prohibit use of recapped front tires on trucks with a gross loaded weight of more than 10,000 pounds?

MR. COPITHORNE:

Mr. Speaker, no we are not at this time.

MR. SPEAKER:

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

Government Documentary Films

MR. D. MILLER:

Thank you, Mr. Speaker. My question is to the hon. Minister of Youth, Culture and Recreation. Is it the minister's intention to release heritage and travel Alberta films to the motion picture trade?

MR. SCHMID:

Mr. Speaker, we could take this suggestion under consideration as soon as we have films of that sort available.

MR. SPEAKER:

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

Cosmopolitan Life Assurance

MR. CLARK:

Mr. Speaker, my question is to the Attorney General and it deals with the question raised in the House yesterday about Cosmopolitan Life Assurance, PAP Holdings and so on. The question is, has the Attorney General's department given priority within the department in the investigation of this particular matter?

MR. LEITCH:

Very much so, Mr. Speaker. I should, while I am on my feet, take the opportunity to amplify an answer I gave yesterday following a question about an outstanding warrant for arrest. I think as a result of the context in which the question was asked, it may have left the impression that that was in respect of the investigation into Cosmopolitan and PAP. It's not. The outstanding warrant was in respect of a matter that is not connected with that investigation.

MR. CLARK:

A supplementary question, Mr. Speaker, to the minister. Have you assigned special solicitors and investigators from the Attorney General's staff to this particular matter?

MR. LEITCH:

I wouldn't say investigators, Mr. Speaker. But there are lawyers on the departmental staff who are assisting the police with the investigation in the sense that they are advising them of the relevancy and significance of the evidence.

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Has the department engaged outside solicitors to be used in this particular investigation and assessment of the evidence?

MR. LEITCH:

Not that I am aware of, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Macleod.

Drugs for Livestock

MR. BUCKWELL:

Mr. Speaker, my question is to the hon. Minister of Agriculture and it deals with livestock drugs restricted to veterinarians and druggists. I'm reading from a copy of a letter sent to you. Has there been a tightening up of drugs for livestock to the veterinarians and druggists?

DR. HORNER:

Mr. Speaker, when we are dealing with the question of drugs, of course, I think it really doesn't matter whether the drugs are going to be used in human medicine or whether they are going to be used in veterinary medicine. There's a pretty strong correlation, and there has been a tightening up in regard to who handles these drugs and, in general, much more control of the drugs used in veterinary medicine.

MR. BUCKWELL:

A supplementary question, Mr. Speaker. Has this information been provided to other farm organizations? What drugs will be sold, say, by farm feed stores and which will be restricted to druggists and veterinarians?

DR. HORNER:

Mr. Speaker, yes that information is available and I can make it available. I'm sure the farm organizations are perhaps aware of it, and if not I will make them aware of it. But there are restrictions as to what the druggist can sell and restrictions as to what the feed stores and so on can sell. There's a committee in my department made up of veterinarians and others who review the applications of various people who want to sell veterinary medical supplies, and licences are issued after review of the situation in a particular area.

MR. RUSTE:

Mr. Speaker, a supplementary question to the minister. In regard to the -- I guess you could call it regulations that are placed there, has any consideration or study been made of the additional distance the producer, or livestock man would have to travel to get some of these supplies?

DR. HORNER:

Mr. Speaker, of course there is, because these are additional costs that can be occasioned by the farmer. On the other hand a balance has to be maintained that these are also, some of them, very potent drugs and can have a major effect, not only in sensitivities but other things in human medicine. We have to have that balance.

MR. SPEAKER:

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

Alberta Hospital Employees

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to either the hon. Minister of Labour and Manpower or the hon. Minister of Health and Social Development. That is, has either minister been contacted by employee representatives from Alberta Hospital regarding the categories of Institutional Worker I and cleaning porters?

MR. CRAWFORD:

Mr. Speaker, it is possible that some communication has come in with regard to that particular classification. I can remember at least one instance in which some communication has come where it was thought that some reclassifying might take place. I could look into the matter.

MR. NOTLEY:

A supplementary question, Mr. Speaker. By way of explanation to the hon. minister, the female workers feel they are --

MR. SPEAKER:

Order please. The hon. member is now getting into the area of debate.

MR. NOTLEY:

Mr. Speaker, then if I may just put the supplementary question to the hon. minister. In view of the fact that the two duties are practically equal, does the minister intend to take any action to remedy the disparity?

MR. CRAWFORD:

Mr. Speaker, the question makes a very considerable assumption, the validity of which I am not aware. I will do as I said and look into the matter.

MR. SPEAKER:

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

Government Policy on Inflation

MR. WYSE:

Thank you, Mr. Speaker. My question is to the hon. Minister of Agriculture and it is regarding the 10 per cent increase on farm input last year. Certainly the provincial government must take some credit for this. What action, if any --

MR. SPEAKER:

Even the hon. member's favourable comments in debate are not in order in the question period.

[Laughter]

MR. WYSE:

My question, Mr. Speaker, is what action, if any, is the provincial government taking to try to curb this galloping inflation?

DR. HORNER:

Mr. Speaker, that is an invitation to make a two-hour speech. I won't however, but I will just point out to the hon. member that we have just received the figures for the first two months of the calendar year. The gross farm receipts in Alberta have gone from \$125 million last year, in the two months, to \$205 million in the two months of 1973. I might add that this is the largest percentage increase of any province in Canada.

AN HON. MEMBER:

Oh it's so good. Don't stop now.

MR. WYSE:

A supplementary question then, Mr. Speaker. Does the provincial government support a 90-day freeze on all prices and wages as suggested by the P.C. party and the minister's MP kid brother?

[Laughter]

MR. LOUGHEED:

Mr. Speaker, I believe I answered that exact question, if he checks Hansard, some 10 to 14 days ago.

MR. SPEAKER:

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

Hitch-hiking Cards

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 or regulation that would authorize the issuance of hitch-hiking cards to any individual who would meet certain specified requirements?

MR. COPITHORNE:

Mr. Speaker, no.

MR. WILSON:

A supplementary, Mr. Speaker. Could the minister advise if his department has received representation, either pro or con, regarding this topic?

MR. COPITHORNE:

Mr. Speaker, no representation to me, as far as I know.

MR. SPEAKER:

The hon. Member for Calgary Millican.

Alberta-Alaska Railway

MR. DIXON:

Mr. Speaker, my question is directed to the hon. the Premier. Is or was the Government of Alberta being consulted by the federal government and the CNR with the proposed survey that is going to be carried out on behalf of the Government of the United States, the Government of Canada and the CNR as to a possible rail line from Alaska down through the Northwest Territories terminating in Alberta?

MR. LOUGHEED:

Mr. Speaker, it is one of the items that I have on my agenda for discussion with the Prime Minister on Tuesday.

MR. DIXON:

Well, a supplementary to the hon. the Premier then, Mr. Speaker. Is it then a fact that a survey has been contemplated by the two governments that that could end up with terminating in Alberta if it goes ahead as proposed?

MR. LOUGHEED:

Well, Mr. Speaker, I'd be getting into the realm of speculation to respond to such a question. There has been discussion about these matters as with other aspects of transportation. But I have made a specific list of items I want to raise with the Prime Minister in my meeting on Tuesday, and that aspect among others in the transportation field is included.

ORDERS OF THE DAY

MINISTERIAL ANNOUNCEMENTS

Executive Council Meetings

MR. GETTY:

Mr. Speaker, I would just like to take a few moments at this time to advise the House regarding a matter which will be occupying a lot of the time of ministers of the Executive Council during the month of May.

During May it turns out there will be some 22 or 23 intergovernmental or other meetings which may require the attendance of officials of the government or ministers of the government. To give the House a summary of those meetings which will potentially involve ministers, they are as follows:

May 3 and 4	A meeting between the Quebec and Alberta Agriculture Ministers.
May 8 and 9	A federal-provincial meeting of Environment Ministers in Ottawa.
May 8 and 9	A federal-provincial meeting of Ministers of Finance, Health and Post-secondary Education. It could involve four ministers of the Executive Council.
May 10 and 11	The federal-provincial meeting of Attorneys General in Ottawa.

May 11	A Roads and Transportation Association of Canada meeting in Toronto.
May 13 to 17	The 40th Annual Joint American Association of Motor Vehicle Administrators Conference in Victoria.
May 16, 17 and 18	Pension Conference in Banff.
May 17	The western agricultural Ministers will be meeting in Regina.
May 16, 17 and 18	Uniform Vehicle Registration Proration Reciprocity Agreements Conference in Victoria.
May 25	The Manpower Needs Committee meeting in Edmonton.
May 22 to 25	The Federal-Provincial Conference on Economic Statistics in Montreal.
May 23 to 25	The First Ministers' Meeting involving the Prime Minister and the Premiers in Ottawa. That could involve as many as five members of the Executive Council.
May 23 to 25	The 20th Annual Personnel Conference in Calgary.
May 30 and 31	A Federal-Provincial meeting on Translations, probably not involving the minister.
May 31 and June 1	Communications Ministers' Conference in Calgary.
May 31 and June 1	Interprovincial meeting of Ministers of Consumer and Corporate Affairs in Quebec City.
Early in June	An interprovincial meeting of Attorneys General. That meeting is not yet finalized.

I only bring this information to the attention of the House, Mr. Speaker, so that the members will have some knowledge of the activities of the Executive Council while the House is in session.

Rural Electrification

DR. HORNER:

Mr. Speaker, I wonder if I might make a couple of short announcements in relation to two points. One that was raised by the hon. Member for Wainwright, a joint announcement on behalf of myself and the Minister of Telephones and Utilities, and is the sort of third leg of the triangle of rural utilities my colleague has initiated with his EAS Program in telephones and then the program in relation to rural gas.

We're pleased to announce the additional assistance in establishing primary electrical service to those who are not now covered. The estimated cost of a farmer's service is over \$2,500. The local Rural Electrification Association, of which he is a member, is now able to obtain an interest-free loan for the cost in excess of \$2,500. The farmer will still pay the \$2,500. But, as my colleague has pointed out earlier, that is under the usual terms of 3.5 per cent in the revolving fund.

This policy will be retroactive, Mr. Speaker, to January 1, 1970 to take some of the unfairness out of the previous high costs of extension that were in effect. Each case will be looked at on its own merits and the members seeking additional assistance may be required to satisfy the Agricultural Development Committee in their area that the loan is justified.

I might point out here, Mr. Speaker, this is to prevent somebody from getting off somewhere a long distance from power and having some sort of recreation cabin and then deciding it's a farm. I think the people who should decide whether or not it's a farm and who deserve this kind of assistance should be the farmers in the area.

Prior approval by the director of Co-operative Activities and Credit Unions is required. Repayment of the loan will be contingent upon other members in future requiring service along the same tap. Any later member will be required

to sign a contract for no less than the original member paid until the loan involved is paid in full.

Tabling of Reports

In addition to that, Mr. Speaker, I would like to table, if I might, at this time a report by my department with regard to the feasibility of new malt houses in Alberta. It has some very interesting information.

With that I would table a report which has been compiled by myself with regard to the situation in malt and malting barley. Because part of that report is rather important, I would bring it to the attention of all hon. members. I suggest in here that the federal government, in fact, owes the barley producers of Alberta some \$10 million to \$15 million and we would like Mr. Lang and his people to make arrangements to have that payment made to the producers of Alberta.

WRITTEN QUESTIONS

244. Mr. Henderson asked the Government the following question:

What is the total of loans approved under the Alberta Opportunity Program up to and including March 31, 1973?

MR. PEACOCK:

Agreed, Mr. Speaker.

245. Mr. Clark asked the Government the following question:

(1) What graduate programs has the Universities Commission been requested to consider during the calendar year of 1972 for the University of Alberta, the University of Calgary and the University of Lethbridge?

(2) What is the disposition of each of these requests and the reasons for refusal of those rejected, if any?

MR. POSTER:

Mr. Speaker, I have the question. I accept it; I'll table it now.

246. Mr. R. Speaker asked the government the following question:

(1) How much did it cost to keep the Motor Vehicle Branch open for licence plate renewals and sales on Thursday and Friday evenings from mid-March to the end of April, 1973?

(2) Were the sales adequate to justify the expenditure?

MR. SPEAKER:

With regard to Question No. 246 the Chair regrets that the second portion of that question was placed on the Order Paper. It obviously involves the expression of an opinion, which certainly would be in the realm of debate since there could be any number of opinions as to what sort of sales it would take to justify what sort of expenditure.

I would respectfully suggest that perhaps the hon. member who put the question might consider whether he would like to withdraw the second part or place the question on the Order Paper in its entirety in another form.

MR. CLARK:

On behalf of the hon. member, Mr. Speaker, we withdraw the second portion, that being part two of Question No. 246.

247. Mr. Wilson asked the government the following question:

(1) On what basis or criteria are applications for legal installation of electronic listening devices approved in Alberta?

(2) (a) To the government's knowledge how many applications were made for the legal installation of electronic listening devices in Alberta in 1972?

(b) Listed by municipality, what was the number of applications which were granted and the period of time authorized?

(c) How many authorizations were renewed?

(3) (a) How many times was evidence, obtained through electronic listening devices, used in court in Alberta in 1972?

(b) How many convictions, categorized by offence, were there in Alberta in 1972, in which electronic listening devices were used?

(4) Listed by municipality, what was the number of illegally installed electronic listening devices discovered in Alberta in 1972?

(5) (a) What is the number of electronic listening devices authorized for installation in Alberta in 1972 under Sections 29 and 30 of The Alberta Government Telephones Act?

(b) What is the number of successful prosecutions obtained in Alberta in 1972 under Section 32 of The Alberta Government Telephones Act?

MR. LEITCH:

Agreed, Mr. Speaker.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Moved by Mr. Zander, seconded by Mr. Trynchy.

Be it resolved that the government give consideration to changes in The Big Game Act and Hunting Regulations in order to halt the rapid decline of our moose and elk population by prohibiting the carrying of unsealed firearms in commercial and service vehicles in the green areas except during hunting season.

Moved by Mr. Appleby, seconded by Mr. Moore:

That the motion be amended by striking out all the words after "moose and elk population".

[Adjourned debate: Mr. Moore]

MR. MOORE:

Thank you, Mr. Speaker. The amendment to the original motion, which was moved on the last day on which this particular motion was discussed, was not, Mr. Speaker, as I mentioned before --

MR. SPEAKER:

Order, please. I wonder if the hon. member would kindly allow an interruption and would the hon. Deputy Premier be permitted to revert to Introduction of Visitors?

HON. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

DR. HORNER:

Mr. Speaker, thank you very much. I would like to welcome to Alberta and to introduce to you and to the members of the Legislature a very distinguished group of people from our sister province of Quebec who are in Alberta at the

invitation of the Government of Alberta to discuss mutual concerns in agriculture.

It's a real pleasure for me, Mr. Speaker, to introduce to you the hon. Normand Toupin, the Minister of Agriculture and Colonization of the Province of Quebec. With him are his deputy minister M. Gaeteau Lussier, Dr. Gilles LeBel, M. Camille Morneau, and M. Gabriel Biron. I would ask these gentlemen to rise and be recognized and accept a very warm welcome from the Province of Alberta.

MOTIONS OTHER THAN GOVERNMENT MOTIONS (CONT.)

MR. MOORE:

Mr. Speaker, when we last discussed the resolution as presented by the hon. member, Mr. Zander, and seconded by the hon. Member for Whitecourt, the amendment was not intended in any way to detract from the original motion but only to broaden the motion so that the Legislature might discuss the entire question of changes in The Big Game Act and hunting regulations which might be desirable in order to halt the rapid decline in our moose and elk population.

Some of the other hon. members, Mr. Speaker, have discussed the portion of the original motion which has to do with unsealed firearms in commercial and service vehicles. On the last day on which we discussed this, I spoke for a very few minutes, Mr. Speaker, and outlined a couple of areas in which I felt the hon. Minister of Lands and Forests and his department had moved in a very positive sort of way in order to, in fact, halt the decline of our moose and elk population.

One of those, Mr. Speaker, I'd like to mention again. I referred on that day to the "A Buck for Wildlife" program. Mr. Speaker, in addition to the original motion's intentions there are a number of other areas in which I feel there could be some significant changes in regard to maintaining our big game population and putting a halt to a decline which may be taking place in some areas. Certainly the "A Buck for Wildlife" program, which is intended to draw from hunters right across the province a certain amount of money each year to be put into the protection and provision of adequate wildlife habitat, is a very positive step in that direction.

The second thing I'd like to talk about, Mr. Speaker, in regard to moose and elk populations is the whole concept of the guiding industry in Alberta today and the changes that we might, in fact, consider with regard to it. I'd like to specifically mention big game in one area where there is a fairly high degree of moose population, and at least in 1968 or 1969 it was determined and felt by people in the Department of Lands and Forests that the population which was there could not be sustained because the habitat, the source of food supply, could not support it.

So back in one of those years -- I can't remember exactly which year, Mr. Speaker -- a program was introduced wherein non-Canadian hunters were invited to come into Big Game Zone No. 1 and hunt moose on a special moose licence which was at considerably less cost than the regular big game hunting licence for other non-Canadians hunting in other areas of the province.

That program was developed rather suddenly and required numerous guides for that particular area. The influx of hunters, particularly from the United States, was so great that in the first year of operation, it was required that during the hunting season the regulations be changed so as to allow the hunters to hunt without a properly licensed guide. In addition to that, many hundreds of guides were licensed during that period and the following year in order to accommodate the influx of hunters.

Now it goes without saying, Mr. Speaker, that many of these people have done an excellent job of guiding. They have expanded their business in a very positive sort of way by buying equipment and making contacts with the people in the U.S. and so on to come to Alberta to hunt.

On the other hand, a good number of people who entered the guiding business during 1968, 1969 and 1970 did not enter it with the intention of having it become a long-time viable business, but only with the intention of making a rather fast dollar in that particular two or three-month season of the year and not being too concerned about our moose and elk population, or about the kind of impact that they as guides had left, Mr. Speaker, on those people who came from other countries to hunt in Alberta.

Given these facts, Mr. Speaker, since that time, particularly in the last year or two we have had a great deal of concern in areas like Big Game Zone No. 1 about the decline in the moose population, a decline which has generally taken place adjacent to the more settled areas. One of the things, Mr. Speaker, that I think the minister and the department should take into consideration in this regard is having a good look at the situation with regard to where, in fact, in a given geographical area guides are allowed to guide non-Canadian hunters. I think we should perhaps consider that the yellow areas of the province, areas which are adjacent by way of five or ten miles to a fairly major road or highway or forestry road, are very accessible to residents of the province. That being so, it may be advisable that residents of the province have the first opportunity to hunt there.

What we possibly should be doing, Mr. Speaker, is asking the guiding industry, perhaps at first on a voluntary basis, but if not on a voluntary basis by way of regulation, to do their guiding in more remote areas, areas which are not generally accessible to the average resident who wants to go on a weekend hunt or a two or three-day hunt.

By asking the guiding industry to go into those areas where, in fact, there is still an abundance of moose and in many cases an overpopulation, Mr. Speaker, we would be preserving game animals which are in accessible areas for residents of Alberta. At the same time we would be levelling out the population in inaccessible areas so that, in fact, you might have a moose population in some remote areas which was identical to the amount of food and habitat available for them there.

Those are just a couple of thoughts, Mr. Speaker, that I think should be pursued by the minister and his department and by the members of the Assembly with regard to the guiding industry.

There is a third point I would like to mention which has, in my view, a fairly direct bearing on the provisions of moose and elk, and probably has a direct bearing on hunters' success. That is the operation of off-highway vehicles in our hunting areas.

I know that in certain game management units in the Province of Alberta, the Minister of Lands and Forests has restricted to certain hours of the day the operation of off-highway vehicles. I think, Mr. Speaker, that any one of us who has had the opportunity to take part in the pleasures of hunting and be out in the wilderness areas recognizes that when you have a really high degree of influx of off-highway motorized vehicles, without any question it can be a disturbing factor to the game population in relation to their eating habits, possibly in relation to their breeding habits in the fall of the year, and some other items as well.

So I believe, Mr. Speaker, that we as a government must give increased attention to the operation of off-highway vehicles in very prime hunting areas. By saying that I don't mean that we should be completely banning the operation of snowmobiles and power toboggans and other types of off-highway vehicles. But before we get to the stage where we have to say there is no possible way that you can operate a snowmobile or off-highway vehicle in an area we should move to a stage of restricting them during certain hours of the day so that when game is feeding and so on, the game has a chance to do what it has been accustomed to doing over the years. As well, when you restrict off-highway vehicles during feeding times and so on, I think you give the average good hunter much more of an opportunity to pursue his pastime.

Another area, Mr. Speaker, that we could well give consideration to with regard to the decline in the moose and elk population, or the availability of moose and elk to Alberta hunters, is perhaps to provide in some way through the Alberta Fish and Game Association or through government, a more detailed up-to-date figure of what game populations are in certain selected areas and certain geographic areas.

I am saying for instance, Mr. Speaker, that it may well be that in order that Albertans who hunt might enjoy an adequate amount of success, we have a weekly publication outlining the hunters' success in certain areas, the game population in certain areas, the number of hunters in certain areas, so that the people who perhaps live in the city of Edmonton and are desirous of taking a weekend or three or four days to go hunting might have a better method of determining where is the best place to go and of determining where all the hunters are. In that manner we might not be faced with some of the problems we have now, large concentrations of hunters in an area because of a word-of-mouth story about success that perhaps wasn't true.

The other area I would like to talk about, and I think it is pretty closely related to the provisions of a suggestion prohibiting the carrying of unsealed firearms in commercial and service vehicles, Mr. Speaker -- it is the area of public awareness about game management, about game laws, about what is right and what is wrong. It seems to me, Mr. Speaker, that even during the past three or four years in the constituency that I represent, there has been considerably increased awareness about the fact that game laws are designed to provide for good game management. They are designed to provide the hunter, the rancher, urban and rural Albertans alike with a sustained game population over the years.

That degree of awareness about what game laws are made for could I think be enhanced. I am not suggesting that that in any way is the total job of the Minister of Lands and Forests and his department. But I think there are in fact other organizations in Alberta, besides even the Fish and Game Association of Alberta, which could talk to their members and develop among the general public some idea of exactly what game management is all about, exactly why certain regulations in the Department of Lands and Forests suggest that you can't hunt female deer in certain seasons.

I really feel, Mr. Speaker, that the problem of law enforcement is related to lack of knowledge among certain individuals as to why those laws are there. I believe, Mr. Speaker, even the department minister could perhaps look at new ways to bring to the attention of the general public why we are setting down certain regulations with regard to game hunting.

We have had a considerable degree of thought inside and outside the Legislature in the last two years, Mr. Speaker, with regard to enforcement of game laws. I, for one, have made at least one speech in this Legislature decrying the lack of enforcement officers in certain areas. I think, Mr. Speaker, that situation is being improved upon and will be improved upon during the 1973 hunting season. I would think further that we have to continue improving it as our hunter population grows.

However, I would like to say it is my view that there is no possible way law enforcement agencies alone can cope with the infractions of our game laws if, in fact, the general public isn't very concerned and interested in helping. So when you have a fish and wildlife officer in an area out in rural Alberta, an area which covers many hundreds of square miles and sometimes thousands of hunters, I think it's incumbent upon all those people who pursue the sport of big game hunting, all those people who are anxious and concerned about conservation and preservation of our wildlife, to take it upon themselves to inform not only the game enforcement officers of serious violations which occur, but to inform their friends and neighbours and their fellow hunters about the seriousness of the things that they may, in fact, [be] doing in breaking laws which have been put into effect.

In other words, Mr. Speaker, the solution to people who don't recognize the requirement for regulations doesn't rely totally on an increase in the number of wildlife officers in the field. That is being done now and will be increased, I'm sure. But it also lies as well with all of those who are interested in game management.

Finally, Mr. Speaker, another point which I think deserves some good degree of discussion particularly among wildlife biologists and ourselves as legislators, is the area of hunter training. I know the Alberta Fish and Game Association, the minister and his department have been working very hard in developing hunter training courses throughout the province. I just want to say that that effort should be increased.

I don't believe there is any way we will ever reach the point where hunter training courses are no longer allowed or required. I would hope that after having passed some of the basic hunter training courses that we have in existence today we go on to develop more courses for hunters which they can take on a voluntary basis: courses about game management, biology, habitat and all of the things that are background to the problems we have and the regulations we have in effect.

I want to conclude, Mr. Speaker, by saying something about wildlife management which is connected with predator control. We often hear some well-intentioned people say that it is incumbent upon us to allow nature to take its course. I would agree, Mr. Speaker, that if there were no other effects on nature from man that would be the thing to do.

But when you go into, for example, the situation of wolves, deer, elk or moose we harvest a great number of big game animals during the course of a year. When there perhaps was no man involved in hunting big game animals in this

province, the wolves performed the very necessary task of destroying the old, crippled animals that were non-productive to a herd. Now that we have had for some years a fairly high percentage of these animals being taken by hunters, it is necessary that we recognize the desirability of controlling other game animals which may be predators on our moose and elk population.

It goes without saying, Mr. Speaker, that when a herd is thinned to a point where there are not that many crippled or old animals, and they are all in fact in a healthy state, then those meat-eaters I talked about earlier have a very definite effect on the young population born in the spring. I wanted to discuss that, Mr. Speaker, to outline my thoughts with regard to the fact that there is some need certainly for control of wolves in big game areas.

I think, Mr. Speaker, that that is about all I have to say with respect to the motion as amended. I certainly appreciate that the original motion which prohibits the carrying of unsealed firearms in commercial and service vehicles is well intended.

I am not sure, Mr. Speaker, as a legislator, that I want to get involved in what I would call 'anti-gun legislation' to some extent. I believe that if we were to do a number of other things I talked about, if we were to make a determined effort at public awareness of why we have regulations and why we have laws with respect to big game, I don't believe, Mr. Speaker, that we would have to go the route of requiring that every commercial vehicle in a green area have no unsealed firearm.

Again in connection with this particular problem, Mr. Speaker, we are not usually dealing with a hunter when we are dealing with someone who shoots game well out of season from a commercial vehicle on an oil road or a forestry road. We are usually dealing with someone who has little regard for the game laws and perhaps could be classed more as a vandal. So I suggest, Mr. Speaker, that without the required public awareness the carrying of sealed firearms would probably not have that great an effect on the number of moose and elk shot out of season. Those who obey the laws and have an awareness would, in fact, carry only sealed firearms. Those who have no awareness or appreciation for the resources we have in this province would probably go on as they have before.

With those thoughts, Mr. Speaker, I would hope that hon. members on both sides would vote for the motion as amended.

MR. SORENSON:

Mr. Speaker, the motion had some merit the way it read in its original form, but offered a limited scope in that it dealt with only part of the problem as has been noted by the amendment. Even with the amendment other considerations should be given. The concern shown in the motion with regard to decline of the moose and elk population, I believe, is sincere and well meaning. With this in mind I would like to expand and offer suggestions.

There are three questions suggested to me. What are the answers to, one, a rapid decline in moose and elk population? Is there a rapid decline, or is it an assumption? Two, if there is a decline, what are the causes? Three, does the carrying of firearms in vehicles out of hunting season contribute substantially to the decline expressed in the motion? In other words, is it one of the major causes to decline in the population?

The first question is asked because I would like to know if there are figures available or if it is merely an assumption. I would say from experience that there is a decline, but still I would like to know if there are figures.

The second question is directed to asking what exactly is the cause? Is it over killing during hunting season or illegal practices during hunting season? Disease? Is it killing outside of hunting season or some other reason such as pollution or lack of food due to an encroaching civilization?

The third question asks whether the carrying of firearms is a major contributor. Perhaps other legislation as well as this suggested one should be passed to protect Alberta's game. In the motion I can certainly see the concern of the two who proposed and seconded it.

Why do people carry firearms? Is it for protection? Well, perhaps in some cases, but it is rather doubtful. Is it for target practice or varmint killing? I express my concern along with them but shouldn't this motion be more broad-minded than its amenders have suggested?

I would like to make the following suggestions: first, all big game be considered, not only moose and elk, but also deer and bear; secondly, I agree to the amendment although it should not be forgotten that sealing of firearms in green areas out of hunting season should definitely be included in the consideration.

Now, just a few suggestions. One way of alleviating any decline in big game, I think, would be a careful tabulation of wildlife populations in each area. Overpopulation is as serious as a decline in the population. Some hunters claim there are no moose in an area; yet I think that in many cases this comes from lazy hunters who just don't know where to look for the game. Maybe they are people who drive up and down the roads and never bother to get into the fields. You don't always see the game just by driving along the roads.

Another consideration would be shortening of the present season in some areas, namely the ones experiencing the decline. This, I believe, is always under consideration by the department. However, in talking to an hunter of some 45 years experience, I was told that areas which have a season from September to December cause problems. This hunter would rather see the season opened after the rutting season, for a couple of reasons.

He claims it is relatively easy to shoot the game during this season. The game can be called up close enough for a hunter to bang away and get them. Most important, he felt, was that hunting during this time can upset the mating habits, thus the reproduction and ultimately the population. He felt very strongly that compulsory checking of game should be brought back, thus applying an added prohibitive measure by increasing the pressure on anyone caught with unchecked game. This would also give the Fish and Wildlife Department an idea of the number, size and sex of animals taken from an area and make it possible to keep a rough evaluation of the population of any one given area.

Then the implementation, similar to that in British Columbia, of hunter training may be of added importance due to a society which is rapidly becoming urbanized. Possibly the students of such training would become aware of the problem of the decline of wildlife populations, and in addition get a basic training in wise hunting practices such as the handling of firearms. This would hopefully make the hunting public more responsible in the bush, so there will be an awareness in hunting that will not only save the animals but man himself.

In this connection, in closing I would like to read into the record from an address to the British Columbia Wildlife Federation given by Roderick Haig-Brown as reported in the winter edition of Wild Life Review. It is not a very long article, Mr. Speaker.

There is no such thing as sport with ethics.

The angler uses rod and line and gear more or less carefully calculated to his fish. The shotgunner kills his birds on the wing, or says he does; the big-game hunter selects his quarry and terrain with care and looks for challenge to his wood craft.

Without ethics such as these there is no sport.

From these traditional ethics a more complicated system grows and builds. And behind all such traditions there is one guiding spirit, the spirit of generosity. The generosity of the ethical sportsman is an attitude of mind. The whole approach to the subject has three major directions --

- (1) Consideration for a fellow-sportsman.
- (2) Consideration for the fish and wildlife stocks.
- (3) Consideration for the land and water upon which they and his sport depend.

These are things that have to be taught from the very beginning. If they are taught and properly understood, more specific codes of ethics will inevitably grow from them. Ethics, though they accept the law and abide by it, are, by definition, a morality beyond demands of the law.

You cannot legislate against the hunter who misbehaves and impairs the access rights of other hunters. You have to train him. You cannot legislate successfully against the jealous hunter or the jealous fisherman who spoils the sport of others as well as his own. But, you can teach the spirit of generosity, you can establish codes and standards, written or unwritten, that will, in time, find general acceptance and attain moral force more powerful than the law.

You cannot do this in a week or a year, but it can be done over a period of years if you as leaders tighten your own standards, define them more carefully to yourselves, and pass the results of that experience on to others. This is precisely what will be needed as more and more people go out into the woods...to find satisfaction in their own particular way.

...If use of the outdoors --, the woods, the fields, the lakes and the streams -- is to continue as a harmonious, productive, and satisfying activity for increasing numbers of people, we're all going to have to behave much better than we do today, with increasing consideration for others and a lively spirit of generosity in all of our doings.

The end of the quotation. I might say that I certainly am pleased to see such a motion and an amendment being discussed this afternoon. I support it wholly. Thank you.

MR. LUDWIG:

Mr. Speaker, I beg leave to adjourn debate on this motion.

SOME HON. MEMBERS:

No.

MR. SPEAKER:

Having heard the motion by the hon. Member for Calgary Mountain View, seconded by the hon. Member for Olds-Didsbury that the debate be adjourned, would all those in favour please say aye.

I am unable to tell how many ayes and how many noes there were. Would those in favour of the adjournment please stand.

There is a tie. I am required by the rules to vote in such a way that the matter may be preserved for further consideration. There is a possibility that if I vote in favour of the motion, that it may not receive further consideration. For that reason I must vote against the motion.

[The motion was lost.]

MR. LUDWIG:

Mr. Speaker, I beg leave to continue the debate on this motion.

It was most interesting to listen to all the wonderful ideas suggested by the hon. members in support of the motion and I believe we should all support this motion. I know that elk and moose are two of the favourite big game animals and are taken rather heavily. I particularly appreciate the remarks of the hon. member, Mr. Sorenson. He certainly shows that he did his homework and that he is sincere about his approach to this whole thing. I believe that I need not add very much to what has been said about the two particular animals. But we should extend the protection and conservation of animals to all animals, whether they be game or not.

I'm rather pleased that the hon. Minister of Lands and Forests is here because he should also be brought in line with good conservation practices, not only with moose, elk and bear, but perhaps with some of the smaller animals that to a photographer, tourist or sightseer, are every bit as beautiful and dear to their hearts as perhaps the big animals like moose and elk. I know that all of us who hunt have taken game and feel good when we have got one. But sometimes we have reservations as to whether it is a worthwhile exercise.

I'm particularly concerned about game management, with the attitude of the department. I know that we have people who are very conservation-minded and the fact that our game is as numerous as it is, indicates that the civil service by and large is conservation-oriented. Although there might be areas of scarcity of moose and elk, there certainly are areas where this game is plentiful. By juggling the opening of areas to hunting, we can definitely improve local problems. For instance, if the southern part of the province has a shortage of game, we could merely close the hunting season for two or three years and remedy the situation, unless there are some unforeseen circumstances.

One of the greatest enemies of wild game is the encroachment of people. Animals will be displaced and they'll leave. For instance, if elk are bothered too much they will move across the mountains to the province west of us and will remain there, or they will stay in the park areas. It's interesting to note

that when we talk about conservation of elk and moose I can't help but think of the Kananaskis valley and the numerous valleys it has. I can't help but think that this has been a good hunting area in by-gone years. But when you drive a major highway through it, and when you lead to intensive public use of the area, game will be displaced. It will be thinned out by legal hunting and some will be destroyed by illegal hunting, which is a problem.

But much of it will be displaced by human beings. They will go there, they will camp and travel and the game has a tendency to recede from too much traffic. You will notice in the parks, particularly Banff, when you drive through in the fall during rutting season that you will see hundreds of elk along the highway. But by and large through the rest of the year you see very few game. You see very few animals along the highway because they tend to go away. They want to live in peace and graze -- live away from man who always seems to frighten them. So the road to Kananaskis is --

MR. SPEAKER:

Order please. It would appear that the hon. member is reviving a debate which has taken place on another occasion. The Chair is unable to connect the remarks which the hon. member is now making with the subject matter of this amendment. As the hon. member knows all debate, once there has been an amendment, must be strictly relevant to the amendment, although I confess there has been some latitude observed in the House. But I believe this goes beyond the bounds of that latitude.

MR. LUDWIG:

Mr. Speaker, I appreciate your ruling. As to relevance, I wanted to make the point that highways through areas do tend to displace game. I will refrain from using the word Kananaskis Highway, and perhaps that will leave me in good stead as to the manner in which I wish to attack this particular motion, Mr. Speaker. I will then --

MR. SPEAKER:

Order please. The mere omission of the name Kananaskis would not assist the hon. member, in my respectful opinion, in the matter of relevance. The effect of the amendment does not depend on what happens with regard to any particular highway.

MR. LUDWIG:

Thank you, Mr. Speaker. I will then get to the point where I stated earlier that when we talk about conservation of elk and moose and game management, perhaps the civil service has a proper attitude. In the little time I have left I should get back to the minister and check out his attitude toward conservation and preservation of animals in this province, everything from the smallest to the largest. Because when we talk about ecology, when we talk about habitat, when we talk about letting the animal live and, where possible, help it survive, this is very much on point with the main principle of this motion, Mr. Speaker.

As time goes by and as I walk through the hills and the valleys and sometimes tread the highways that have knifed into the habitat of animals, I become more conscious of the fact that perhaps the animal is not being given an even break. This is where man has to come in and do what is just and proper under most circumstances.

But we look to the minister as setting the trend and the best example possible. The children, the young people in the population of Alberta would look toward the minister to see what his attitude is, what his guidelines are.

MR. YOUNG:

Point of order. I have been listening very carefully to the hon. member for the last several minutes. Having regard to the motion before us, which is an amendment, a very specific amendment to delete a certain portion of the original motion the hon. member has not yet, in those last couple of minutes, made an observation which, in my opinion, relates in any way to that particular amendment.

MR. SPEAKER:

I find the point of order to be well taken. The amendment, it would appear, does just one thing to the motion if it is carried, and that is, it removes from the motion the limitation with respect to unsealed firearms.

So the question before the House on the amendment is simply whether or not the proposed changes in The Big Game Act and hunting regulations which are contemplated by the motion should be limited to dealing with unsealed firearms. That is a very specific topic and if the hon. member wishes to go beyond that I would respectfully suggest that he would have to do it on the main motion.

MR. LUDWIG:

Mr. Speaker, with deference to the Chair's ruling, I am merely rebutting and commenting on some of the remarks made by the hon. member, Mr. Moore, and the hon. member, Mr. Sorenson, and I do not feel that I am in any way violating the rules of debate by commenting on remarks made on this very motion, Mr. Speaker --

MR. GHITTER:

Point of order, Mr. Speaker.

MR. LUDWIG:

-- unless I have been singled out for special recognition, Mr. Speaker.

MR. GHITTER:

On the point of order, Mr. Speaker, certainly you have made your ruling and you have instructed the Assembly as to the point of order. It seems to me that the hon. member is now debating your ruling.

MR. LUDWIG:

Mr. Speaker, on a point of clarification, may I comment on the remarks on the amendment made by the two previous speakers? If I may not, then I will back off, Mr. Speaker.

MR. SPEAKER:

It is true that once certain latitude has been allowed and hon. members have raised certain points in debate, subsequent speakers ordinarily should be permitted to rebut those points. However, I was not aware of anyone who spoke on the amendment having referred to the Kananaskis or any other highway.

MR. LUDWIG:

Mr. Speaker, I will get off the highway then, sir.

When I talk about the decline of our moose and elk population I referred to the minister's attitude toward conservationism. And I must take issue with an incident that took place in this province not too long ago when the province, and particularly the young people, were shocked when they heard that beaver in the southern part of the province were being slaughtered because they were killing trees, eating and chopping the trees down. I was rather amused by that --

MR. SPEAKER:

Order, please. Is the hon. member able to refer to any preceding debate which dealt with that particular incident of beavers?

MR. LUDWIG:

Mr. Speaker, very definitely when we dealt with conservation, not only the two big game animals but the conservation of all animals, Mr. Speaker. This is the issue, this is the principle of the motion I submit, and I did mention on three or four occasions that we should look at conservation generally because --

DR. WARRACK:

Point of order.

MR. SPEAKER:

I believe the hon. member is speaking on a point of order and perhaps as soon as he concludes we may deal with it further.

MR. LUDWIG:

Mr. Speaker, I don't wish to violate the rules of debate but this became a general discussion and I am merely responding, commenting, approving or disapproving of remarks made previously dealing with animal habitat and conservationism which is the issue here..

I believe when you mentioned moose and elk it does not mean that we cannot talk about other animals, Mr. Speaker, unless we are going to be unduly restrictive. The minister may well want to get up on a point of order because I am getting to his department and perhaps he should hear me out.

DR. WARRACK:

Mr. Speaker, my point of order was simply to clarify that the matter of the beavers which were non-slaughtered near Lethbridge as I described during the question period, and not a part of debate.

MR. CLARK:

Non-slaughtered?

[Interjections]

MR. YOUNG:

Mr. Speaker, continuing the point of order, I would submit, Your Honour, that inasmuch as it appears that some hon. members are able to relate some of the previous debate to remarks which have been alleged by the hon. member to have been made, perhaps, we ought to adhere very strictly to the amendment at hand.

MR. LUDWIG:

Mr. Speaker, on this debate I beg leave to adjourn debate at 4:00 o'clock.

SOME HON. MEMBERS:

No.

MR. SPEAKER:

The hon. member is not entitled to move the second motion of adjournment. There has been no intervening proceeding. I have other doubts, as a matter of fact, concerning the motion for adjournment which perhaps I needn't deal with at the moment.

MR. LUDWIG:

Mr. Speaker, then I am very much in favour of the --

DR. WARRACK:

Point of order.

MR. SPEAKER:

I believe the hon. minister is going to speak to a point of order.

DR. WARRACK:

I wanted to, on a point of order, Mr. Speaker, say this is a resolution and an amendment to the resolution that a great number of people in Alberta, and a great number of legislators in this room feel very strongly about, and there are those on both sides of the House that I know of, Mr. Speaker, who do intend to make a contribution to it. I think that as a matter of the point of order it would be unfair to adjourn when those circumstances exist in this House.

MR. CLARK:

Mr. Speaker, speaking to the point of order raised by the Minister of Lands and Forests, if the matter is that important why were there only 20 members of the government in here?

MR. SPEAKER:

Please, we have left the realm of the point of order rather far behind. Could I ask the hon. Member for Calgary Mountain View to confine his debate on the amendment to the actual substance of the amendment or to specific points which may have been raised on the amendment by other members?

MR. LUDWIG:

Mr. Speaker, I will abide by your ruling. I will now state that I am very much in support of the motion as amended, and I want to advise the hon. minister that I wish to urge him to set a good example for conservation, particularly elk and moose -- if they do damage -- to advise his department. If there should happen to be too many perhaps in the Cardston area, the southern area, to advise his department not to go out and slaughter them or murder them as I suggested once that he might have done, and to extend this principle and example to the whole province -- not only to his few top civil servants but to give guidelines, give instructions to his department to be very conservation-minded and, perhaps, make sure that never again in this province will we be killing animals because they happen --

MR. SPEAKER:

Order please. The hon. member knows that that point has been ruled to be irrelevant and it could very well be a breach of privilege for the hon. member to continue the debate in that manner. Are you ready for the question on the amendment?

SOME HON. MEMBERS:

No.

MR. DRAIN:

Mr. Speaker, speaking in favour of the motion as amended, I concur with the hon. Member for Smoky River in his assessment of the relative lack of importance of the matter of firearms in commercial vehicles because as he pointed out so very lucidly, Mr. Speaker, people who break the law are the people who would not take heed of a regulation or seal a firearm as such.

However, I do take, not exception or issue, but in the interests of furthering the information. From my viewpoint I find that both elk of which I have more specific knowledge than moose (because basically our area is more an elk area than a moose area) I find they are a very adaptable animal. Historically the elk resided on the prairies and as civilization encroached it moved into the foothills and now is conflicting and, in fact, fighting with the mountain sheep in their own habitat because of the hunting pressure that occurred.

I question very much the impact of vehicles on hunting apart from the matter of alarming the game. The reason I say that, Mr. Speaker, is that I think it can be borne out statistically that the Crowsnest forest area probably has more game per area than any other part of the province. One of the most surprising things I found in my acquisition of knowledge on the matter of game was the relative scarcity of game in relation to the total area of the north. Of course, if you give this some thought you will realize that habitat predetermines the amount of game that any given area can support as well as climatic and environmental conditions.

It may be of interest to members to come down to the Crowsnest Pass at this particular time. You will see the calving area of one particular band of mountain sheep which is located in the town of Blairmore. So you can drive and park your car on Highway No. 3 and look across the Crowsnest River, which is about 80 feet at that particular point, and watch mountain sheep banging their heads together. This occurs every spring in spite of the noise factor that we have. So I would say there is a great deal of adaptability so far as game is concerned. However, anyone who figures on getting a trophy head by going to that particular area in the fall when the season is open, I have news for him. The mountain sheep will not be there. They will be up on the high ground.

The reasoning, of course, behind this is the encroachment of cattle to some degree and the drying off of the grass or whatever particular flora and fauna the game is living off at that particular time. As the weather cycle or the grass cycle or herbage cycle can be determined to a great degree by the altitude, so there is an area of freshness that attracts the game to higher and higher altitudes because of the drying off impact of the natural processes.

So I would say in conclusion that off-highway vehicles -- I don't regard them as very good hunting vehicles because once the game is spooked you are not going to get anywhere near them with an off-highway vehicle. There may be areas on the prairie where you could possibly run up to a deer or an elk or something like that. But certainly I can't see this being done in the mountains. I cannot see it being done in the hon. member's constituency because of the muskeg, brush and so on. You have to have some semblance of a road in most areas before you can get around.

I certainly endorse the idea expounded by the hon. member on the education of hunters, making them aware of law, and more than that, the realization that conservation is true sportsmanship, that really this is a heritage we should attempt to hand down to future generations.

At one time there was an ideal method, I thought, referring to my own area, of -- I suppose possibly I'm speaking in the manner of one of the blind men who felt one part of the elephant. You can only conclude from what you have seen yourself. I refer to the time when there was a sort of great rapport between the forest officers as such when they lived on the forest reserve, which is something I also endorse, and the game department. But somewhere along the line something happened and there is no longer that same spirit on the part of forest officers toward protecting the game. They have apparently been made aware that this is part of their responsibility but not their direct responsibility. As a consequence thereof, game protection has suffered to a considerable degree.

Another thing that causes people to view with alarm in relation to the scarcity of elk is another process of adaption that the elk have evolved as an answer to heavy hunting pressure. That is the splitting up of elk herds by some common arrangements -- with the elk I assume -- into smaller and smaller groups. One cow elk will take the responsibility of a herd. That's an interesting thing to some people who haven't hunted. It is the cow elk that stands on guard for the herd. She is the one that doesn't go to sleep, but stands there on guard while all the other elk are sleeping in the bush. You can look and you will see the old cow standing there, and if there is one little noise, boy, she's got the herd on the move right now!

MR. SPEAKER:

Order please. Could the hon. member relate his debate to the matter of the amendment which is whether or not the proposed changes in the regulations should be limited to dealing with unsealed firearms.

MR. DRAIN:

Mr. Speaker, I am delighted to endorse that particular section, but really I was just trying to elucidate in a manner which would add to the general information of the Legislature.

So, Mr. Speaker, I do endorse that. But a thought goes through my mind that the rules of the past will no longer be applicable in the future. Concern for the game will have to be far more paramount if the game is expected to survive. The habitat will have to be protected and the amount of game will be predetermined by the amount of grazing area that they have for winter feeding.

I am thinking of a poem that might have some relevance. If any of you fellows want to suffer along with me, I'll recite it, and if you don't I'll sit down, Mr. Speaker.

SOME HON. MEMBERS:

Sit down.

SOME HON. MEMBERS:

Agreed.

MR. DRAIN:

I've seen a trackless valley filled with virgin spruce and pine.

I've smoked a pipe on mountains where the very sky seemed mine.
I've wandered through an outland where the rivers were untamed,
Full of countless, chartless rapids that no man has ever tamed.
A wild country, old and shadowed by a past that's living still.
The ancient trees stand rooted where the ancient beasts made kill.
The ancient rocks are splitting raging torrents that have flowed
Since the very dawn of history when the mighty glaciers rode.
I've seen this untouched region and it's facing a retreat,
For earth is man's inheritance, and his breed unlike the rest
Cannot leave it as he finds it, though he finds it at its best.

[Applause]

DR. WARRACK:

Mr. Speaker, I would like to address my remarks briefly and strictly to the nature of the amendment. I think it could be approached in two ways as some have done, dealing with the motion as amended, as was the case particularly with those who had spoken on the main resolution before, such as the very helpful suggestions -- as always in the area of wildlife -- from the hon. Member for Pincher Creek-Crowsnest.

I would like him to know, Mr. Speaker, that I am willing to meet him halfway any time on any of these matters, and particularly on the wildlife in his part of this glamorous country of Alberta and Canada. He is a particularly knowledgeable person and his remarks are always helpful.

Speaking strictly to the amendment which would remove the reference to firearms from the main resolution, as proposed by Mr. Zander and seconded by Mr. Trynchy, I think this is a strong amendment for two reasons.

The first reason, Mr. Speaker, is that it broadens the opportunity for discussion on the number of possible ways habitat and other factors in the population of moose and elk -- and this might very well be added for other ungulates as well -- to other possibilities of endangerment which could occur now and in the future and have, perhaps, occurred in the past.

I'd like to offer some more detailed remarks with respect particularly to moose and elk after the House decides on the fate of the amendment itself. But I think in providing that opportunity for a broadened discussion of the moose and elk population, matters, problems, habitat, seasons and so forth, that this amendment is a strong one and a very helpful one for us.

The second reason why I think this is a good amendment and a strong amendment, as proposed by the Member for Athabasca and seconded by the hon. Member for Smoky River, is that it provides an opportunity for members to focus remarks, if they wish, strictly on the question of firearms, even more strictly on the question of unsealed firearms in the green zone, but on the general question of firearms control, of gun control if you like. There were some suggestions during the prior debate, as I reviewed Hansard, and some positions were taken on this matter.

I recall the hon. member, Mr. Ho Lem, suggesting the possible need for a mandatory control on firearms. It's ironic and certainly unrelated, Mr. Speaker, but I understand that that kind of problem is why he is not able to be with us today. But I thought his remarks on that particular issue were most helpful.

As a matter of fact, this second important thing that the amendment does, namely providing an opportunity for members to focus their remarks on matters of firearm problems, questions of gun control, is an opportunity that I really don't think has been fully taken into account by all members because there have been relatively few specific remarks with respect to gun control problems and whether or not there should be additional gun control legislation as it pertains to the hunting of wildlife. I would even at this late date certainly look forward to and invite additional comment in that regard.

I've had strong representations made to me, Mr. Speaker, both ways, both with respect to the suggestion that additional firearms control would lessen the wildlife problems and certain other problems, more vandal-related activities, Mr. Speaker. I have had those strong representations made, yet at the same time I've had the opposite representations made. I think the point was made rather well by the hon. Member for Pincher Creek-Crowsnest, as a matter of fact, that those who will break the law will do it in any case and that additional firearms legislation, unless accompanied by a very heavy degree of enforcement, would make relatively little difference.

At the Alberta Fish and Game Association convention in Lethbridge the last weekend in February this question was posed. For members who would like to get some summary of the remarks that went on there, and particularly some of the individual remarks from responsible people within the Fish and Game Association, they might like to look at the 1973 spring issue of Fish and Game Sportsman. Some hon. members will recognize this is published by the well-known sportsman, Red Wilkinson.

The question was posed there with strong reaction, again both ways. The remarks of individual people I have before me, but suffice it to say that they range across the entire spectrum of possibilities in their reactions and many of them rather strongly felt. So this is a matter that is not resolved to this date as to whether additional firearms control would be helpful in many ways, including wildlife problems or whether it wouldn't.

I noticed also, and the hon. Member for Macleod will be interested in this, that the Fort Macleod Fish and Game Association had also addressed themselves to this same question with again, as reported in the Lethbridge Herald late in April a split with respect to the viewpoint of people.

I think, Mr. Speaker -- because I said I would be brief -- I would just add a couple of additional comments with respect to the amendment. These comments are that generally speaking it does not appear, from the information we have been able to garner and analyze, that it has a major impact on big game populations to have unsealed firearms allowed in vehicles in the green zone. You will recall that the amendment deals with that particular matter.

At the same time it does have an impact, as I think the hon. Member for Sedgewick-Coronation pointed out, close to the roads that are well travelled. The ease of access there does tend to cause a reduction near those heavily travelled areas. But generally across the entire population and the entire area of Alberta, it does not appear that has been a major factor.

But I think this point I wish to make now is the major factor. That is, as the hon. Member for Drayton Valley pointed out, it is a matter of deep public concern when you have a situation where it is possible, with radios in vehicles and also unsealed firearms in those vehicles not only to discover and track an animal but to call your buddies, who then have an opportunity to box the animal in from other sides and other roads. I think, even though this may not have major impact on the wildlife population in itself, it is a kind of affront, Mr. Speaker, to human decency that we have this kind of thing which is surely not hunting but surely is, indeed, a slaughter of these animals.

I think it is really that point which makes the question of carrying unsealed firearms in commercial and service vehicles in the green zones an important one to deal with.

In conclusion on the amendment, Mr. Speaker, I would repeat again that I feel this is a strong amendment worthy of a favourable vote in the House because it does broaden the issue to its real breadth. Secondly, an opportunity has been and is now provided for focusing remarks by members of the Legislature on the firearms problem generally, and particularly that specified in the original resolution.

I would again urge much discussion to reach as suitable a consensus as possible in the House, and that reflecting the consensus of the public on this question of firearms problems and whether there should or should not be any additional control and the extent to which it is the view that any contemplated controls might make a difference. Also, if there were to be controls, how would they be? Would they be, as the hon. member who spoke on this main resolution suggested, a mandatory licensing of hunters related to the power of the firearm that is in question, or should it be some other approach?

I would invite as much comment as possible, including now on this particular matter with this opportunity we have to focus particularly on the firearms problem as related to wildlife populations and game management.

With that, Mr. Speaker, I would then do two things: welcome any additional comments from other members with respect to firearms problems, and secondly, urge members at the conclusion of the debate to vote in favour of the amendment.

MR. SPEAKER:

Are you ready for the question on the amendment?

[The amendment was carried.]

Is there any debate on the motion as amended?

MR. ZANDER:

May I close the debate?

MR. SPEAKER:

The hon. member is the mover of the motion, is he? May the hon. member close the debate?

DR. WARRACK:

I may not have communicated very thoroughly at the outset of my remarks on the amendment, Mr. Speaker, that a number of matters have been posed in the comments, to a considerable extent questions really posed to me with respect to moose and elk. As a consequence, Mr. Speaker, I do have some considerable remarks that I would like to address on the main resolution, now that it has been amended and broadened.

I recognize, Mr. Speaker, that there are only some six minutes left until 4:30 and I also know from my experience on the resolution last year that the hon. Leader of the Opposition won't let me go ten seconds past 4:30 as I recall.

AN HON. MEMBER:

Agreed.

DR. WARRACK:

So I would like to address general remarks to the resolution as it stands now amended. I think in order to leave proper time and the necessity not to repeat myself at the time this resolution does come back, which I'm sure it will during the 1973 Legislature, I would beg leave to adjourn the debate.

MR. SPEAKER:

May the hon. minister adjourn the debate?

HON. MEMBERS:

Agreed.

[The motion was carried.]

MR. LUDWIG:

Penalty killing.

MRS. CHICHAK:

Mr. Speaker, I move that we call it 4:30 o'clock.

[The motion was carried.]

MR. LUDWIG:

Mr. Speaker, on a point of order, I believe that this kind of motion requires unanimous consent.

MR. SPEAKER:

There is some validity to what the hon. member has said, but unfortunately it is now beyond the reach of the Chair.

PUBLIC BILLS AND ORDERS OTHER THAN GOVERNMENT ORDERS
(Second Reading)

Bill No. 207. An Act to amend The Municipal Government Act

[Adjourned debate: Mr. Trynchy]

MR. TRYNCHY:

Thank you, Mr. Speaker. I move, seconded by the hon. Member for Athabasca, that Bill No. 207 be now read a second time.

The purpose of this bill, Mr. Speaker, is straightforward. It is something we have all asked for. I think the hon. members on the other side have asked that we take away Big Brother, Big Daddy or Daddy Warbucks, and turn this over to local autonomy. This is what this bill provides. The bill, Bill No. 207, will amend The Municipal Act and give the municipal governments the right to control the legislation for billiard rooms in the Province of Alberta.

Briefly, Mr. Speaker, we spoke considerably on this last year. If the hon. members would like to refer to Hansard of Thursday, May 11, 1972, there was quite a bit of discussion. We had some discussion where they favoured the proposal we had last year and some favoured the repeal of the Act. This is what this bill will do. It will repeal The Billiards Room Act and put the onus on the local municipality.

I'd like to say, Mr. Speaker, that by this act all members will pretty well be in agreement, because it works in two ways. The act says, "The council may make by-laws." The municipalities that wish to make by-laws can do so and the municipalities that don't care to make by-laws to control the age don't have to do it. In this way it's left to local autonomy. I feel that's the way it should be.

We've taken some time in the past few months, and I've checked with the City of Calgary. I had a phone call from the mayor and they have no objections to the repealing of the Act. I've also checked with the City of Edmonton and most of the councillors there were in agreement that we should repeal the Act. In my area and in other areas throughout Alberta I have had letters and calls that favoured this bill to put local autonomy back with local municipalities.

So briefly I have outlined what I feel is the right approach to this Act and I would urge all hon. members to vote in favour of it.

MR. SPEAKER:

Are you ready for the question?

[The motion was carried. Bill No. 207 was read a second time.]

Bill No. 210. An Act to amend The School Act

MR. DIACHUK:

Mr. Speaker, I move, seconded by the hon. Member for Stettler, Mr. Harle, second reading of Bill No. 210, An Act to amend The School Act.

In referring to The School Act, Section 147 says as follows: "A board shall provide such health services as it considers necessary to pupils in its schools."

During some of the research I referred to the Revised Statutes of the Province of Alberta, Chapter 122, The Emergency Medical Aid Act. To a great extent I even question whether Section 147 of The School Act is really necessary because The Emergency Medical Act already provides exactly such care and does not leave out students in any school.

However, during the past several years the School Trustees' Association of the Province of Alberta, the Alberta Association of Municipal Districts and Counties and the Alberta Teachers' Association have shown a concern and expressed their concern with regard to the fact that any time a student had to be taken in for emergency medical care they had to provide authorization. It was either a teacher or an employee of the school who had to provide authorization for emergency medical care.

I would feel quite strongly that rather than deleting Section 147, as I expressed a few moments earlier, we amend it by the wording in Bill 210 which in a way will then specifically and very clearly remove any liability on the member of the staff of the school or any person who is doing it on behalf of the particular school when they take the student in for emergency medical care. Possibly this would be a question of combining it, in time, with The Emergency Medical Aid Act. But in the meantime to take one of the problems out of The School Act we would provide this amendment to exonerate any teacher or member of the staff who does so. Very often this is done on a voluntary basis and with every attempt made to contact the guardian or the parent.

When I say every attempt, really every attempt within reason. This could be quite broad, sometimes questioning whether the attempt was sufficient or not.

In the history of the different schools I am sure there are many cases where students require medical care. These could be simple accidents on the playground or they could be more serious, on the way to and from school and in participation in the physical education program or in sports on the school grounds. I therefore would urge that the members of the Assembly consider this resolution as one that will aid the professional and the non-professional staff of schools. Thank you, Mr. Speaker.

MR. KOZIAK:

Mr. Speaker, I think I must agree with the intent of this legislation. I can imagine that circumstances could easily exist in this day and age where both parents are working, are employed, where it would be difficult to locate the parents of a child who might be injured while on his way to school or while at school. Under those circumstances it would be necessary for someone to be able to exercise authority in order to see that the required medical attention for that child was obtained.

We hear quite often of accidents taking place on school grounds, however minor they may be. Some of these accidents may strictly require stitches or some minor form of medical attention. Others may require more major surgery, may require blood transfusions. We all know some of the difficulties involved with respect to the feelings of some parents about blood transfusions. However, it is the best interests of the child that, for all reasons, must be considered paramount in legislation of this nature.

I am a little bit concerned about one aspect of the bill and that is the reference in the bill to who can give consent. This is the very meat of the bill. Who is it that can give the consent if a parent cannot be readily obtained for the purpose of giving the necessary consent? The bill provides that it is an employee of the board. Now unfortunately I don't have The School Act in front of me, but I assume that an employee of the board can include the principal of the school, can include the teachers in the school. But it can probably also include the janitor of the school and anybody else who in any way is receiving monetary compensation from the board for performing certain services for the board.

It may be that that extension may be a little bit too far. Perhaps the provisions of the Act should be limited to giving this authority to those in authority. So that either the consent is given by the principal or vice-principal in the school or by some employee of the board who happens to have certain medical training, such as perhaps the school nurse or at the very furthest, the teacher of that child. I don't know whether it would be correct to extend the provision so that any employee of the board, no matter who that employee may be, would have the authority to consent to any surgical or medical attention which such a child might need.

So I say that, apart from that one concern, I think this is very reasonable legislation. But I would like the hon. Deputy Speaker who has taken the time to present this legislation to look at that particular aspect. If, when the bill reaches Committee of the Whole an amendment can be prepared to cover the situation or if he can allay my fears, then fine. But I would like to see a limitation placed on who can exercise this particular authority over a school child.

MR. LUDWIG:

Mr. Speaker, there is one other aspect of this bill that I think ought to be looked at very carefully as far as the principle is concerned. That is the matter of the religious beliefs of some people who may be the parents of some children who may be in every school in this province or at least in the public schools. I am dealing with the Christian Scientists and the Jehovah's

Witnesses. Some special arrangement would have to be made for these parents to perhaps get their consent in writing in advance as to whether they would want their children brought under this type of legislation. There's a blanket type of legislation, that the child will be given medical treatment. Some people do not believe in medical treatment whatsoever and many have fought very fiercely to prevent any compulsory blood transfusions. I believe this is the subject matter of several court actions and judge's orders and the merits of each case have to be decided before a judge. This is one concern that I have. I believe, generally speaking, that this bill is a very humanitarian kind of bill, because children can become ill rapidly or can be seriously hurt and, unless somebody in the immediate vicinity can consent to treatment being given, much harm, in fact death, could result.

But these two aspects, although they may appear minor to some hon. members, are extremely important to some people. Some people would feel it's a flagrant violation of their beliefs, whatever they believe in. It's their privilege to have that right under our laws, to believe in whatever faith they wish, and if their faith prohibits either medical treatment or blood transfusions we could be in serious trouble if we violated their basic rights.

Furthermore, as I stated, some people just don't want anyone at all to be giving consent as to their well-being, and perhaps in spite of this legislation some of form of arrangement in writing can be made with the parents in advance if they wish their children to be included in or excluded from this legislation.

Those are just a few remarks, Mr. Speaker, but I believe they are relevant and this bill has a lot more ramifications than just what appears in the principle of the bill. So for those reasons I believe that this bill ought not to be proceeded with in its present form, because of the possibility of two serious and basic violations of the laws of the province.

MR. DIXON:

Mr. Speaker, in speaking to Bill No. 210 I have one or two concerns. One of the concerns would be, Mr. Speaker, that the person who gives the treatment or arranges for the person to be taken for medical treatment may be the one who was the cause of the injury in the first place. I'm just wondering, under this section, if he could get out of being sued for any liability. Of course they could sue him, I understand, from the fact that they would charge him with failing to carry out safety regulations or whatever it may be. But I'm just wondering if we are not extending it to where it might be difficult for someone to legally come back on a person, the parents or guardian of the child who was hurt. It has far-reaching ramifications and to do away with somebody's right to sue is a very serious step.

At the present time in Manitoba a very important case is starting to go through the courts regarding malpractice of doctors in the City of Winnipeg. It was based on the fact that this lady was taken to the hospital, released when she said she was fine and then two days later she died. Now the lawsuit is trying to find out who was responsible and there are quite a number of people involved in it, including the person who originally tried to help her in the first place.

So, Mr. Speaker, I think this is a far-reaching bill. I can sympathize with the cause the hon. member is trying to put across. But it may cause more problems than it is going to solve.

The other thing, which the hon. Member for Calgary Mountain View talked about, is that it may be that we should have an amendment: when the parent cannot be reached and does not wish a child to have medical treatment, then there should be one or two other names given to the school in case a parent cannot be reached; at least the school would have one or two other alternatives before this thing would come into being which, of course, would overcome the objection by the hon. Member for Calgary Mountain View.

I think, Mr. Speaker, a bill of this type has very far-reaching ramifications and the biggest danger I see in it is that it may deny somebody his legal rights to sue where he would have a good case. This may deny that and justice, in that case, would not be done. Thank you, Mr. Speaker.

DR. PAPROSKI:

I would like to make a few comments on this bill. Although I support the intent of the bill and I think it is good in the intent, I have a number of concerns here too. I certainly support the comment regarding Jehovah's Witnesses.

There is another area here that possibly could occur and that is an allergic reaction or some other unfortunate event occurring as a result of the treatment. It may be emergent, of course, and relatively minor, and yet a patient or a child could die.

Because of this possibility I would submit that maybe the mover of the bill would consider the possibility of changing the bill slightly so that the consent actually is to have the child transferred to a facility for treatment and not for actual treatment itself per se. That judgment, I feel, should be left to the medical profession or whoever is offering the treatment and then he or she will take the responsibility.

It is known in the medical profession that they can take that responsibility upon themselves even without getting consent from the parent. I don't think the teacher or an employee of the school board should be allowed to give his consent per se because they don't know the history of that child. They may be well-meaning but unfortunately by, for example, missing an allergic factor in that child's history it could cause serious disaster.

MR. GHITTER:

Mr. Speaker, I would like to address a few comments with respect to this bill. I think at the outset that it is a very difficult bill, in that there are some very basic principles that the Legislature must consider prior to giving its approval or denying the hon. member his views as expressed in Bill No. 210.

Mr. Speaker, it is something like the story of the businessman who decided he wanted to get a lawyer. He went to his chief advisor and he said, "Find me a lawyer with no arms." His chief advisor said, "That is a very unusual request, but I'll look around and see if I can find one for you." He scoured all over the world and finally found a lawyer with no arms. The lawyer came and gave him the advice. After the advice had been rendered, the gentleman went to his employer and said, "Why is it you asked for a lawyer with no arms?" He said, "Well, I'm tired. Everytime I go to a lawyer and I ask for a point of view, he says well, on one hand it's this answer and on the other hand it's this answer. I thought I would get one with no hands."

After that very terrible pun, Mr. Speaker, I would like to suggest that the problems we face in this particular bill are not unlike the dilemma of the difficulties on two very basic principles which we must face in coming to grips with this well-intentioned amendment to The School Act.

Certainly, I think we all well appreciate the very severe responsibilities that are placed upon teachers in this day and age who are dealing with so many young children who are so very active and who can so very easily become injured. I can remember many cases, particularly in the area of teachers who are involved in the field of physical education, where they are dealing with young people who come into bodily contact on football fields and hockey rinks and the like, the teacher, feeling somewhat helpless when someone is injured on the field, to concur in the system from the point of view of medical care.

I think in many cases the teachers are able to get around this by arranging for releases to be signed by the parents and the parents would then give consent to the teacher to solicit medical care of an emergency nature for the young person who was injured. This also absolves the teacher from any liability of negligence should someone be injured while participating in athletic events. I can see the reason for this in athletic events which cause bodily contact and which allow something like this to occur.

However, Mr. Speaker, whenever you talk in terms of exonerating someone from liabilities under the law, I think there must be some extreme and urgent situations which would arise to allow these particular privileges to be extended to any member of the community, let alone a teacher who has probably very little medical training.

I would think that no one really should be immune from negligence, and if someone is going to assume the responsibility of adopting medical care and trying to assist someone who is in an emergency condition, the law has generally said that they do so at their own peril. Wary be the good Samaritan who provides services to an injured party when he is not qualified to do so, and wary be that good Samaritan who due to his own negligence causes even more grievous injuries to the person who has undergone this emergency problem within the school.

Therefore I think we might end up in a situation, Mr. Speaker, where to exonerate teachers from any responsibility whatsoever under emergency conditions

may well just result in more serious injuries being sustained by the poor child who is ill or who has some emergency care which must be given to him.

Now the law of negligence is well known to many of the members and it says, of course, from way back to the old snail in the bottle case, that if there is a duty of care and that duty of care is not assumed on a proper basis and someone suffers as a result, the person who has that duty of care and doesn't follow through must pay the price and must pay damages to the aggrieved person. As a result, the person who drank the ginger beer with the snail in the bottle which resulted in him becoming very sick and suing the manufacturer, the highest courts in the land at that time said the manufacturer had a duty of care, and as a result of that duty of care, damages would flow because there was no reason for that snail to be in the bottle. Well, as a result of that a great body of law has grown up, as you are well aware about negligence, Mr. Speaker.

Certainly if a teacher has the responsibility for the children it can easily be determined that that teacher must then assume that responsibility and must deal with the children in a reasonable manner. I would be somewhat skeptical as to whether or not many teachers, Mr. Speaker, have the medical qualifications to take care of an emergency condition. Indeed many of them have, and if they assume the responsibility and do it well, then they have nothing to fear. But I am concerned with situations where teachers would take greater latitude than they should really be entitled to, knowing that we as legislators have exonerated them of any responsibility whatsoever by saying, if you feel that Johnny over there is sick and needs attention, you can go and do whatever you please and there is no problem. You have no liability. No one can sue you. You are exonerated from all liability.

The hon. member is waving at me across the floor. Is there something you wish to say?

DR. BUCK:

It doesn't say that here.

MR. GHITTER:

Well, Mr. Speaker, I'd be happy to read the bill. It says --

MR. BARTON:

[Inaudible]... it's the right hand.

MR. GHITTER:

Well, Mr. Speaker, there seems to be some talk from the other side of the floor. The bill to me --

DR. BUCK:

It speaks of authorization, not treatment.

MR. GHITTER:

Quite so, but if they cannot contact -- let's read the bill -- possibly the hon. members are having a little difficulty. Mind you, Mr. Speaker, I'm not surprised that a dentist has difficulty in the sense of understanding the very technical legal aspects of a complicated bill and an amendment to this bill.

It does say, Mr. Speaker:

Where a pupil becomes ill or is injured while attending school or in the course of going to or from a school and reasonable efforts have been made to inform one of the parents of the pupil of the illness or injury immediately but have failed, an employee of the board may give any consent to the giving of any emergency medical aid to that pupil that the pupil's parent may lawfully give...

and then the employee of the board is not responsible. Well then I'm an employee of the board and I say to someone in the school that you have a little emergency training in medical matters, you go ahead and you administer the medical care to that child. That is done and there is no liability. So I'm suggesting that I can see the ambiguity in the drafting and I quite agree but I think you can pass on the chain of authority. In other words, the school principal can say to the physical education director, go ahead and administer your care to this child. Then no one can be sued. If they are negligent it

doesn't matter. So on that basis I think it is a very serious right that we are allowing to non-parents of these children.

I think maybe there are ways of getting around it. I think possibly if a parent wishes to give this consent at the start of the school year, the principal if he is concerned should get releases signed by the parent and should satisfy the parent that they have qualified people within the school who can administer this medical care under emergencies. If the parent is then satisfied that this care can be granted, then the parent can say, yes, I'm satisfied you have qualified people in this school. You can do as you wish should you not be able to contact me. If the parent upon looking at the situation decides, no, I'm not satisfied, then the parent should be able to say no, I want you to take my child to the nearest medical doctor and I will not give you my consent.

As a result, Mr. Speaker, I have serious reservations about the bill. I do however, feel our teachers may be placed in a very difficult position and I am very sympathetic to their position and the responsibilities they assume, with so many children to work with and care for.

However, I am not satisfied, Mr. Speaker, that the answers in this bill are so satisfactory that we can feel the difficulties are overcome. I would like to hear the viewpoints of the other hon. members across the way, particularly those who, I know, have had experience teaching within our school systems, from the point of view of how they feel about it. I would like to see whether or not my concerns are unfounded or whether they feel there may be some value to them. I'd invite the other hon. members to respond, Mr. Speaker.

MR. TAYLOR:

Mr. Speaker, there are really four concerns that I have in connection with the bill, although I agree with the intent of the bill. I can understand the municipal districts and counties, or the delegates at conventions of municipal districts and councils, voting in favour of the resolution the hon. member placed in the note of the bill.

The first concern was legal liability and I am not going to deal with that. It has already been dealt with by the hon. Member for Calgary Millican and very extensively by the Member for Calgary Buffalo who is well qualified to speak on that particular point.

The next item that concerns me is, who will give the treatment? It says "where a pupil becomes ill or injured while attending school" et cetera, et cetera, "an employee of the board may give any consent". But who is going to give the treatment? The consent indicates that somebody else may be giving the treatment who may or may not be qualified. It immediately becomes a question whether the person giving the consent or the person giving the treatment, if it happens to be two different people, who is really responsible?

The principle of having someone else give consent for parents, I think is a rather dangerous precedent. I don't know whether the hon. member who introduced the bill has the information, but if he has, when he is closing the debate I would like him to give us some indication of [in] how many cases in the province, when something of a serious nature happened, parents couldn't be located. It would appear to me, at least from my experience in teaching school, that this is the exception rather than the rule.

I do think we should not be giving blanket approval to somebody giving consent when we don't even know who that 'somebody' is. It doesn't even say he has to have any training of any kind. The only qualification is being an employee of the board. I think this is going far too far in permitting any employee of a board to take on the responsibility of giving the consent for the parents without the parents knowing anything about it.

I can see the need in some cases, in athletic events where some school instructors do get a written form from the parents authorizing them to do certain things in case of a serious injury. Whether these forms are worth the paper they are written on, I don't know. The legal men here would be better able to determine that, although I have been told by one lawyer that he questioned whether they would be valuable in any court action. Whether they are or not, I don't know but it does give an instructor who is teaching or instructing in hazardous sports some consolation, some authority to deal with an accident that might take place.

The second point that bothers me is the definition of "emergency medical aid." Emergency medical aid is not defined and I think if we are going to proceed with the bill, there should be a definition of this put in. Does this

mean first aid? If it does, I can readily appreciate that this may well be reasonable. If it means going beyond the normal first aid courses, such as authorizing an operation or authorizing the removal of teeth, authorizing the removal of some part of the body, while it could be emergency, I think we are going way beyond medical aid. But whatever emergency medical aid means, it should be in the bill so the people know the extent to which this is going to go.

I question very much whether an employee of the board should be giving consent to anything involving amputation, removal of teeth, an operation of this type. Even doctors are hesitant about doing that without proper consent.

I remember when I was representing Canada at the opening of the Pan-American Highway there was an accident where one of the buses hit a Mexican motorcyclist. The American doctor in the van refused to lay a hand on the patient. Others lifted him and took him to a truck. The doctor insisted that they take him to a Mexican doctor. Many of us were horrified that the doctor did that, but he pointed out that he had no authority to give any type of medical treatment. If he did and something happened to that patient, he could probably be sued for everything he was worth. He was not taking any chances. He did do everything he could to get the proper conveyances to get the man to a hospital in Mexico. So even doctors who are trained and who are well able to know what to do are hesitant in some cases.

So I say we have to define more specifically emergency medical aid in the bill as to what it really means. It's too general in the form in which it is here.

The last point I have in regard to the bill is that the ramifications are too wide. It goes too far in giving the authority for someone to give consent for treatment for somebody else's child. The ramifications are too wide in that it makes it "any employee of the board." Ramifications are too wide in that it is "to and from school or in school." Ramifications are too wide in connection with "illness or injury." The intent of the bill is excellent, but I do think it would be very unwise to pass the bill in its present form without some very definite amendments in the Committee of the Whole to make sure that some of the points raised by other hon. members -- certainly the one of definition of emergency medical aid and the one of differentiation, the person giving the consent and the person giving the treatment -- are defined and made very, very clear in the bill.

MR. GRUENWALD:

Mr. Speaker, just a few remarks on the bill. After listening to many remarks that have been made, certainly it would appear that there may be some weaknesses in the wording of the bill. Certainly I'm not one who can interpret legal jargon very well. As a matter of fact, I'm not sure how many lawyers can. They get confused in their own verbiage. There is plenty of evidence of that, as a matter of fact, Mr. Speaker.

The principle of the bill is good. I've heard this debated on the floor of the School Trustees' Association and in teachers' associations' conventions for years and years. This is a general concern of employees of school boards.

I'm sure that the details brought out -- and the hon. Member for Drumheller certainly brings out some good ones. But I am sure, having listened to those people talk about this, year after year, that what appear to be weaknesses in it now were not intended to be included in the bill. What they really want to do is to have the right for school employees. Incidentally, to the Member for Strathcona who says that it possibly should be only those with authority, that just doesn't fit. Any employee within certain guidelines has authority. Even if they don't, there is no school employee you can point to and say he is more responsible, more humane or more likely to be concerned about a student than another one. This would apply to caretakers or whomever they are. They're just about as concerned about children in the elementary and this is where it usually applies. They are great humanitarians in many instances.

But the intent here is that the people, the employees of school boards, would like to be able to send students who have been involved in an accident or an emergency situation to a doctor or to a hospital. Now whether it is going to be certified or not, we know that in this province no one can practise medicine unless, in fact, he is a qualified medical practitioner. I have heard that said 5,000 times since I have been on this committee for professions and occupations. After all, doctors just wouldn't, and it's the same with hospitals. So, you know, let's not get concerned about non-qualified people giving medical attention to these people.

While I say there might well be problems with the exact wording and ultimately it will have to be changed, probably in committee -- the intent is good, and if the author of the bill was unable to make this clear I would say it is his responsibility. Maybe we'll come up with some amendments for the Committee of the Whole. But I certainly support the bill in principle.

Also, it has been mentioned that school persons shouldn't be able to give authorization for surgery. I agree, because if a doctor who himself says this surgery is important and is absolutely necessary, if he is afraid to take the responsibility, why in heaven's name should any school person do it? So I think this is really a good point. They are supposed to know, so heaven forbid that we ask a school employee to decide whether they should or should not have surgery. So these types of things, I agree, have to be straightened out; but in principle certainly the bill is valid.

It comes from the old thing that people are afraid to become involved. You can sit there and let someone die while you wonder whether or not you should in fact get involved. This is not very humane, that's for certain, Mr. Speaker. So these are the observations I make on this bill.

MR. YOUNG:

Mr. Speaker, in entering this debate, very briefly I would like to draw to the hon. members' attention again that it is a matter here of simply giving consent for medical treatment. While I say "simply", it isn't that simple. I have heard it debated, as the hon. member who has just spoken has, on many occasions. I well recall about three years ago, in a meeting involving the Alberta Association of Municipal Districts and Counties, the Alberta School Trustees' Association and the Alberta Hospital Association, a debate on this particular issue.

In fact, while some representatives of the Association of Municipal Districts and Counties were very anxious to have this kind of legislation, some representatives of the Alberta Hospitals Association, I recollect, felt it was totally unnecessary and perhaps not even advisable. I'm not sure whether this position would be held today by the respective parties, but perhaps I could elucidate or develop for a moment my understanding of the rationale that occurred on that occasion.

First of all it was advanced to the group at that time that if indeed a student or a pupil, under the care of a teacher, was injured and was in a situation where medical aid was present, it would be the foremost duty of the medical officer to accept the responsibility for providing medical assistance. In fact, it was alleged, a doctor or a medical person in these circumstances could be sued for failure to carry out this responsibility.

Now I'm not sure that is correct, but it was in fact the explanation that was given to us, that it is a responsibility of a medical person if someone is in very severe straits to offer the best assistance possible within their judgment at that time. It is not for someone else to judge whether that assistance is the right assistance. We have had some discussion this afternoon, raised by the hon. Member for Calgary Buffalo, about the signing of releases or permission slips by parents. I would just like to read into the record the statement made by the lawyer employed by the Alberta School Trustees' Association in an article appearing in The Alberta School Trustee, dated March, 1972, under the heading "A Point of Law."

Mrs. Nemirsky at that time was dealing with the liability which could arise from transport of students off school grounds to various functions. I would like to read three paragraphs in which she deals with the idea of signing permission slips in advance:

Some schools require signed permission slips from parents before a student is allowed to participate in a field trip. This practice is an excellent one and one which could reduce liability in certain instances. However, such a practice does not eliminate the possibility of liability for teachers or school boards arising out of a field trip accident.

Regardless of signed permission slips, liability will attach to the teacher or school board if he or it has failed in his duty of care. The real question then is what is the duty of care that is owed to the students on field trips?

Teachers will be held liable if found to have acted negligently and in a wrongful manner. The duty of care owed is the duty to take care of the pupil as a careful parent would take care of his children. The extent of

the fundamental duty of supervision required during field trips will depend on such things as the age of the pupil, his mental capacity and the nature of the activity. Common sense and sound reasoning must determine when a duty exists.

Mr. Speaker, I submit that the duty of care in a situation such as this amendment proposes to deal with would foremost and primarily reside on the medical people present. Theirs would be the first duty. Theirs must be the judgment of and the application of common sense and their training as to what is the greatest assistance which can be provided in that circumstance.

The duty of care in my evaluation would reside secondarily with the teacher and I do not think that this amendment is a good one. I realize that it would be highly liked by many employees and by many of us for that matter, if we could be absolved of certain of our responsibilities which attach in the everyday course of events as part of our membership in the society in which we live. It would be considered desirable if we could be freed of these by a simple enactment of a small amendment, but I think it would be a highly undesirable development. I think there are ramifications to this amendment that go well beyond what we have touched on here today.

There is, Mr. Speaker, in my opinion, a question, as a matter of fact, whether the amendment itself would provide the kind of exoneration from responsibility for the staffs of school boards which is desired here. So I would simply like to conclude by reading into the record a comment which is background to the resolution as presented, I believe to the Alberta Association of Municipal Districts and Counties in their submission. It says:

The doctors or hospitals require authorization for medical treatment before they can or will or wish to proceed with emergency treatment. The school personnel are then faced with possible damage suits by the parents for having given authorization which, in fact, they do not have the power to give.

I suggest in the first instance, Mr. Speaker, that while the doctors and hospitals may wish authorization -- because it does go, I'm sure, some way toward removing certain responsibility or at least reducing responsibility -- it's not necessary that they have authorization. The responsibility and the onus for due care in the case of a student who is injured, when the parents are not present, is on the medical staff in the first instance.

Secondly, I suggest that if what Mrs. Nemirsky says in her article is correct, then the permission granted by parents to a teacher is inadequate unless it can be proven that the teacher acted with all good reason.

Finally, Mr. Speaker, I am afraid that this amendment carries with it, even if it achieves what the mover intended, some implications of which we may very well not be aware. For that reason I oppose the amendment.

MR. TRYNCHY:

Mr. Speaker, in entering this debate I would like to say I feel like Caesar when he entered Cleopatra's tent. I didn't come here to talk.

[Interjections]

Would you like to hear it again? But briefly I would like to express my concerns on this bill. I'm somewhat like that two handed lawyer the hon. Member for Calgary Buffalo was talking about. This bill is good on one hand but also bad on the other hand. I would like to point out some of the things it doesn't cover.

It says "an employee of the board." Now in rural Alberta we transport a number of students to school in school buses. An operator of a fleet of buses has 10 or 15 drivers and these drivers are not employees of the board. They are employees of the men who own the buses and, therefore, they become agents. Now where do they stand in this act? It just doesn't follow through and give protection to everybody dealing with school children. Then again, do you want the driver of a bus to have that authority? Mind you, all school bus drivers are the best drivers you can get, but are they qualified in medical practice?

These are some of the concerns I feel this bill does not cover. As I mentioned, Mr. Speaker, there are good points in this bill. Possibly to have persons removed from court cases, and what other actions can be taken, is a good thing. But in another case, as a parent, how would you feel in trusting your

children to somebody who didn't have the qualifications they should have? Therefore, I must at this time speak against the bill.

DR. BUCK:

Mr. Speaker, very briefly I would just like to make a comment. The thing that concerns me, and it is the reason I was trying to bring a point to the attention of the hon. Member for Calgary Buffalo, is that there seems to be an inconsistency between the explanation on one side and the intention of the bill on the other side. I was going to give the hon. Deputy Speaker a bad time, but I wouldn't do that because he is such a fine fellow and has enough problems in this House as it is.

But I think I do know the concerns -- or I think the concerns of the people in schools are well taken, because now that we have many mothers working full time, if something happens to the child in the school there is just no way they can get in touch with someone to give authorization. But the way the bill is set out now there is just too much latitude. It almost says that just about anybody can give the emergency treatment and this is the part which concerns me. Once in a while it's pretty tough. Even if a medical doctor is looking after you, your chances might not be too good, and if you're going to have even less competent help you may be in worse trouble. But I'm saying that facetiously, hon. Member for Edmonton Kingsway.

But, if there was something in the section that said the school authority had the right to give authorization to a medical person --

MR. KOZIAK:

Mr. Speaker, on a point of order. Having regard to the fact that the hon. Member for Edmonton Kingsway --

DR. BUCK:

I have the floor. Unless the point of order is valid --

MR. KOZIAK:

I am raising a point of order with regard to your comments with respect to the competence of the hon. Member for Edmonton Kingsway. You referred to the medical abilities, I believe, of that gentleman. I think the fact he introduced The Cemeteries Amendment Act is no reflection on his ability.

[Laughter]

DR. BUCK:

I won't react to that.

MR. SPEAKER:

Possibly the hon. member would disregard this grave diversion.

[Laughter]

DR. BUCK:

Yes. The point that does concern me is the point the hon. Member for Edmonton Kingsway did make that someone could give authorization for a child who had an allergic condition. You certainly could get into grave problems when something which you thought was very insignificant -- so I respect the good intentions of the gentleman who brought in the bill. But I don't think the intention is spelled out with sufficient definition here for me to vote in favour of the bill.

DR. PAPROSKI:

On a point of order, Mr. Speaker. To be quite sure here, I exonerate the hon. member opposite because he didn't question my competency. He knows it is very good.

MRS. CHICHAK:

Mr. Speaker, disregarding the distractions, I think I would like to get back to the subject at hand and that is Bill No. 210. In all due respect to the hon. Member for Edmonton Beverly, the intention in having brought the bill in

the form that it is, in having, I think, conceded to the wishes of the school board and the teaching profession to enable [them] to remove some of the serious obstacles that are, perhaps, in existence in a time of emergency with regard to illness or accident with respect to a pupil, I have some very real concern on this.

The principle is in itself, I think, sound. Initially, when the bill was brought forward I really thought it was a very good amendment in the form it was put forward and certainly would do just the things that were hoped for as set out in the principle. On closer examination and taking into consideration the many points of view expressed here, not only this afternoon, but outside the House since the introduction of this bill, I really have some hesitancy.

I know the point was raised with respect to the kind of problems that may be faced in having brought this amendment forward with regard to those parents who have very strict religious beliefs with regard to the type and manner of medical care and attention given to either themselves or their children. Of course, I would say that this obstacle could be overcome by pre-arrangement or written direction or instruction to the school board and to the school sufficient to cover and deal with, in a humane way, any emergency with regard to any accident or sudden illness of the children.

The amendment doesn't deal with that point and perhaps it should have. I think that with regard to the concern as to parents being accessible at any and all times during the school hours when children are either on their way to school or home at the end of the day and in the interim between those hours -- I think as well there can be clear enough instructions or directions or explanations given to parents as to what the situation might be or what steps would be taken by the school or by a board or by its staff in the event of an emergency. But that in itself, of course, isn't enough.

There perhaps should be, and it may be in some instances already practised where parents can give their very explicit instructions -- parents or guardians because I think we've been talking about parents mainly and not really including guardians. This is another area that should be included in this amendment, the direction or inclusion of the concern of guardians, where they would give explicit instructions in writing as to what steps might be taken in reaching them at almost any time of day that a child normally is in school or on his way, and alternatives. But even then we can't cover all eventualities. However, this amendment really doesn't provide for that kind of requirement. It may be practised in some instances and in others it may not. So I think the amendment is a bit too narrow, or not a bit too narrow but rather widely too narrow. The

DR. HOHOL:

[Inaudible]...widely narrow.

MRS. CHICHAK:

I have some comments as to how something may be wide and may be narrow.

[Interjections]

Well, perhaps before we carry that further and I put my foot into it we'll leave that point and explain it outside the House.

However, with regard to the ability to give consent for emergency medical aid as has been raised, it really doesn't say whether it gives the consent for anyone to administer medical aid or whether it really means that consent may be given to an individual qualified in that field in the kind of care that is required to be given. Because of the ambiguity and because sometimes in the eventualities of emergencies, we may get carried away, it may be overlooked and perhaps interpreted in its broadest sense and not necessarily consent given to a medical officer or an individual who has such qualifications as may be necessary to carry out whatever medical care is required. So here it doesn't cover that point and isn't sufficiently explicit.

The matter has also been raised of whether consent may be given to give care in an emergency in any facility or on any location, or whether the consent may only be given for the patient or the child to be moved to a facility where proper care may be given. It may be that there are instances where that should not be narrowed down to that extent. I think that requires some consideration and some discussion.

I really feel, as has been mentioned, that "employees of the board" is such a broad term and may go so far and might perhaps be so abused, not with intention, but often many errors, uncorrectable errors and very damaging ones are made in an emergency. Really I think that if we want to carry forward and vote on the principle itself, I could only vote for that principle in the belief and on the understanding that some very substantial amendments, further amendments, might be brought and added to this bill to take in the many concerns, really valid concerns that there are with respect to it.

So on that note I see that it's time to close. I will adjourn debate.

MR. SPEAKER:

May the hon. member adjourn debate?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

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

[Mr. Speaker left the Chair at 5:30 o'clock.]