

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, May 2, 1974

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

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 222 An Act to amend The Highway Traffic Act

MR. HC LEM:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 222, An Act to amend The Highway Traffic Act. Mr. Speaker, the purpose of this bill is to make the wearing of seat belts mandatory in Alberta.

[Leave being granted, Bill No. 222 was introduced and read a first time.]

INTRODUCTION OF VISITORS

MR. SCHMID:

Mr. Speaker, I would like to introduce to you and through you to the members of this Assembly, Miss Wendy Jewell who is this year's Klondike Dollar Girl.

With the permission of the House, maybe I should reflect for just a moment, Mr. Speaker, and with your permission, of course, that it was in 1896 and 1897 that a great number of people came through Edmonton which was then the jumping-off point for the all-Canadian route to the Yukon when also the Athabasca Trail was used. The importance of the Klondike Trail, of course, is known to many of us.

One other thing I would like to point out, is that this year's Klondike Dollar has on its reverse side the commemoration of the RCMP centennial.

Miss Wendy Jewell is accompanied by Mr. Tom Shandro, who is known to us through Camp He-Ho-Ha. I would again like to ask them both to rise and be recognized by the Assembly.

MR. LUDWIG:

Mr. Speaker, I, too, would like to respond from this side and extend a welcome to a most gracious and attractive lady. All I want to say is that in this case, one picture, one look is worth a thousand words.

MR. WILSON:

Mr. Speaker, the hon. Member for Calgary Foothills and I are pleased to host, welcome and introduce today 90 Grade 9 students visiting us from Parkdale Junior High School in Calgary. These keen and eager teen-age citizens are accompanied by teachers, Don Blanchard, Miss Jan Read, Laura Leedham, Mrs. Lorraine Cockle and Fred Kahut. The first three teachers named also double as bus drivers.

Mr. Speaker, I would ask our visitors from Parkdale Junior High School to rise and be recognized by the Legislature.

DR. HOHOL:

Mr. Speaker, I am particularly pleased, more than ever, to introduce this particular group of students to you, sir, and to the Assembly because I had the distinct pleasure of spending an hour with them as a class and two hours in their school. The 25 students from Father Leo Green School in the constituency of Edmonton Belmont are in the members gallery and are accompanied by teachers Mrs. Skujins and Mrs. McInnis.

One thing I know, sir, they will appreciate in particular the question period. I can tell you that the question period I spent with them as the person answering and them asking was most interesting and most excellent.

I know they will appreciate the afternoon and I would ask them to stand and be recognized by the Assembly.

MR. GRUENWALD:

Mr. Speaker, I have in your gallery some people I'd like to introduce to you and this Assembly - four very prominent people from the city of Lethbridge. As a matter of fact, these four people visited with the Premier this morning and asked him some pretty penetrating questions.

We have, first of all, Mr. Aesal Palmer. Mr. Palmer, Mr. Speaker, has been in Lethbridge for a good many years. He worked at the Lethbridge Research Station from 1921 to 1953 and was a director there from 1946 to 1953. Also, he was in Pakistan two years under the Colombo Plan as director of research. That was from 1953 to 1955. He has with him three students which indicates his interest in youth. These three students are sponsored by the downtown Rotary Club of Lethbridge which, each year, sends one student from each of the high schools in Lethbridge to the Legislature. These three students are Sandra Comia from Winston Churchill School, Emily Burke from Catholic Central and Peter Driedger from LCI. Would these four people please stand and be recognized by the Legislature.

DR. WARRACK:

Mr. Speaker, on behalf of my delightful and charming colleague, Hon. Helen Hunley, Solicitor General and Member for Rocky Mountain House, I take great pleasure on her behalf in introducing a group to you and through you to the Legislature. Miss Hunley had hoped she would be back in time to do this, but it is my very great pleasure to have this opportunity, on her behalf, to introduce the Grade 4 students from Rocky Mountain House who are, Mr. Speaker, 110 strong. The first half is here, accompanied by Mr. A. R. Marshal, principal. The second half, as I understand it, will be here later. I would ask all to join with me in welcoming them to the Legislature this afternoon.

TABLING RETURNS AND REPORTS

MR. MINIELY:

Mr. Speaker, I'd like to table the replies to Questions No. 101 and 144 on the Order Paper.

MR. COPITHORNE:

Mr. Speaker, I would like to table Motion for a Return No. 163 and the balance of the information required by the Member for Olds-Didsbury.

MINISTERIAL STATEMENTDepartment of Manpower and Labour

DR. HOHOL:

Mr. Speaker, I am most pleased to make an important announcement on behalf of government this afternoon. You will recall, sir, that the special select committee on the workmen's compensation act, among many other important recommendations, recommended to the government that it appoint an advisory committee to the minister responsible for The Workers' Compensation Act. The government has accepted this important recommendation and is today in a position to announce the composition of the board.

Let me recall that in making the recommendation, the special select committee set down the frame of reference for the composition of the committee. It said, in effect, that the membership shall be made up of representatives from the following: the Legislature itself, the Workers' Compensation Board, labour and management. In the main, its chief work would be to review regulations and policy with particular reference to the benefits and the compensation to the injured worker, taking into consideration the changing circumstances in industry today.

I should like to recall too, Mr. Speaker, that the committee also recommended that special select committees continue to review the Act and the regulations once every four years. But I should like to stress the importance of the work of the advisory committee to the minister which will be continuous, having the effect of keeping the regulations, the policy and the benefits up-to-date and making the work of review every fourth year by the special select committee a great deal more realistic and more manageable.

I am most pleased, on behalf of the government, to announce the following membership of the board: from the Legislature; Dr. K.R.H. Paproski, MLA, Edmonton Kingsway and Mr. C. Drain, MLA, Pincher Creek-Crowsnest; from industry; Mr. G. McLellan, Directory of Safety, A.V. Carlson Construction Limited; Mr. C. Hawkins, Power Plant Superintendent, Wabamun and Sundance, Calgary Power Limited; Mr. B. Zorniak, United Steel Workers of America and Mr. G. Hickson of the Workers' Compensation Board. All are extremely well suited by experience, by temperament, and by concern for their fellow human beings to act responsibly, fairly and competently on this board.

Lastly, Mr. Speaker, I should like to announce the name of the chairman. We are happy that our invitation to Mr. Harry Kostiuik, Assistant Executive Secretary of the Alberta Federation of Labour to act as chairman - after some consideration on his part, he was happy to accept.

In our experience with management and labour all these people are extremely well suited, as is Mr. Kostiuik to chair. He has the respect of both management and government, and labour of course. In my experience, in the experience of others who have worked with him and others in the field of safety, he has emerged as someone who is knowledgeable, concerned, competent and able in the field of safety, amongst others.

Mr. Speaker, to you and through you to the Assembly, on behalf of the government, I am most pleased to make this important announcement today.

ORAL QUESTION PERIOD

Labour Demand

MR. CLAFK:

Mr. Speaker, I'd like to direct a question to the Minister of Manpower and Labour. I ask the Minister of Manpower and Labour if either his department or the government has done labour demand studies relating to the labour demand situation in Alberta at this time?

DR. HOHOL:

Mr. Speaker, placing the question in the perspective of complexity and difficulty, but nevertheless its importance, the government is doing everything possible, along with labour, industry and commerce, to catalogue, to anticipate through a study of trends and

circumstances in the best way we can, the subject matter of the question of the hon. Leader of the Opposition.

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Would the minister be in a position to make available to the members of the Assembly the detailed studies which the government has done in the area of the demand, also the numbers of people that are available, or shortages, as there are at this time in Alberta?

DR. HOHOL:

Mr. Speaker, I hope I didn't leave you and the Assembly with the impression that there are detailed studies. That is not the case. The nature of the so-called study is discussion with industry; for example, the Alberta Construction Association, the Alberta Construction Labour Relations Association, the Alberta Federation of Labour, the trade unions as represented in particular by the Alberta and Northwest Territorial Building Trades Council and the work of our own Department of Manpower and Labour and three or four other departments of government, notably the departments of Industry and Commerce, Advanced Education, Agriculture and so on. So the nature of the study is of this kind rather than a study which would be better defined or described in the language and terminology of research.

MR. CLARK:

Supplementary question to the minister. As a result of your cataloguing, your anticipation and the other work that you have done ...

MR. SPEAKER:

Would the hon. member please address the Chair.

MR. CLARK:

As a result of the cataloguing and the anticipation and the other work that the government has done, is the government, through the Minister of Labour, in a position to indicate whether it concurs that there is a shortage of 9,000 in the labour force in Alberta at this time?

DR. HOHOL:

Mr. Speaker, I haven't had access to the source of the report. If the hon. member would like to provide me with the information in a specific way, and the source, to the best of our ability we may be able to respond. It would be impossible to say in a definitive or categorical way that 9,000 or some other figure is the one we would assume to be the figure. I doubt that it would be possible to establish accurately that particular figure.

MR. LOUGHEED:

Mr. Speaker, I'd just like to add that I believe that the government, the Legislature, and the people of Alberta are very, very pleased that we have got this specific problem.

MR. CLARK:

Mr. Speaker, we on this side can applaud that comment too. Might I say, Mr. Speaker, supplementary to the minister, that the statement is made by the President of the Canadian Manufacturers' Association, a rather reliable source.

Supplementary question, Mr. Speaker, to the Minister of Federal and Intergovernmental Affairs. Could the minister advise the Assembly at what stage negotiations are, as far as using Alberta House in London as an agency of the government to encourage people from that area of the world to emigrate to Alberta?

MR. GETTY:

Mr. Speaker, I wouldn't say we are negotiating to use Alberta House in London. In fact, Alberta House is already being used in some ways to attract people and assist them in coming to Alberta. We are evaluating, within the government, other additional ways that we might use it, and that evaluation is still going on.

MR. CLARK:

A further supplementary to the Minister of Federal and Intergovernmental Affairs, Mr. Speaker. At what stage are the province's negotiations with the federal government,

namely [through] the department of immigration, concerning the use of Alberta House in the manner indicated?

MR. GETTY:

We are not at this time, Mr. Speaker, negotiating with the federal government about the use of Alberta House in assisting people to come to the province. My colleague, the hon. Minister of Manpower and Labour, is constantly in touch with the federal government on manpower needs. Should we, in our evaluation of the use of Alberta House, come up with something that requires negotiation with the federal government, then we will pursue that.

MR. HO LEM:

Mr. Speaker, will the hon. minister indicate whether he would give consideration to the setting up of a separate department called the Alberta Immigration Department, as is done in Quebec?

MR. SPEAKER:

The hon. member is making a proposal which perhaps he might put on the Order Paper for debate.

MR. LOUGHEED:

I would love to answer.

MR. HO LEM:

Mr. Speaker, with all due respect to the Premier, I think that he was ready to offer an answer.

MR. SPEAKER:

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

Water Storage - Southern Alberta

MR. GRUENWALD:

Thank you, Mr. Speaker. My question today is to the Minister of the Environment. Does the Minister of the Environment or the government have any plans to construct further water storage reservoirs as a precaution against the forecasts of a water shortage for irrigation purposes in southern Alberta?

MR. YURKO:

Mr. Speaker, the government has done a water supply study for southern Alberta. The government is doing a water use study for southern Alberta. The government is doing an active study in determining additional reservoirs on the Oldman. The government has undertaken an overall study to determine the number of places in gullies that it can store water in southern Alberta, and this is going on. The government has undertaken rehabilitation of head works in southern Alberta. Also to impound ...

MR. SPEAKER:

Possibly the hon. member ...

[Laughter]

MR. GRUENWALD:

Mr. Speaker, supplementary. Just to clear the records, has the Department of the Environment completed studies that would confirm the forecast of water shortages for irrigation purposes?

MR. YURKO:

Mr. Speaker, while I'm on my feet I might say also that the government is very actively studying water impoundment on the Red Deer River, also, besides a few other places.

MR. GRUENWALD:

That's not in southern Alberta.

MR. YURKO:

Mr. Speaker, there is no water shortage in southern Alberta, there is only need for a better management process. The Water Resources Act is being revised this year and one of the instruments that will be introduced is a regional water regulation commission.

MR. SPEAKER:

Is the hon. minister coming to the point of the question?

MR. YURKO:

Very much so. Exactly, Mr. Speaker. The water basin commissions are going to manage water use on a river basin basis and, as a result, allocate water on a much better priority-use basis than is presently being done in southern Alberta.

MR. SPEAKER:

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

Parks Hotels - Employee Facilities

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Minister of Manpower and Labour. Is the minister aware that officials of Jasper Park Lodge are forcing all employees, both permanent and student, to sign a waiver where they forego ...

MR. SPEAKER:

Order please. The hon. member is clearly making a representation which he might make to the minister outside the question period.

MR. NOTLEY:

Perhaps I can rephrase it. Can the hon. minister advise whether he has had any complaints that employees of the Jasper Park Lodge are forced, as a condition of employment, to forego the rights they would have under The Landlord and Tenant Act in the province of Alberta?

DR. HOHOL:

I have not had that kind of complaint, Mr. Speaker. But from the preamble, which was an important one in terms of the content, I shall take the question under advisement and be satisfied personally, on behalf of the Legislature, that the statutes under which this problem would be managed will, in fact, be managed properly and correctly within the law of this province.

MR. NOTLEY:

Mr. Speaker, a supplementary question. Can the hon. minister, while he is investigating the situation at Jasper Park Lodge, also investigate the situation at Banff Springs Hotel and Chateau Lake Louise?

DR. HOHOL:

Yes sir. I would anticipate that the first answer included this question also.

MR. NOTLEY:

One final supplementary question, Mr. Speaker. Can the hon. member clarify for the Assembly the confusion which has existed for some time between federal and provincial jurisdiction over collective bargaining in the area of employees' facilities such as [at] Jasper Park Lodge?

MR. SPEAKER:

The hon. member might more profitably put that question to a constitutional lawyer.

The hon. member for Drumheller followed by the hon. Member for Camrose.

Workers' Compensation - Farmers

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Minister of Manpower and Labour. Is there any study being made with a view to reducing assessment on farming so as to bring the rates for compensation for farmers in line with those in Saskatchewan and Manitoba?

DR. HOHOL:

Mr. Speaker, I am not aware that the Workers' Compensation Board is conducting this kind of study. The board has a research component. It's likely that this is the kind of problem they could look at. At the moment I should like to recall that the inclusion of farmers, as an occupation under the Act, is voluntary.

MR. TAYLOR:

A supplementary. Would the hon. minister undertake a study or review of the matter in order that more of our farmers could have the benefits of compensation coverage?

DR. HOHOL:

It is certainly a proper area to examine and I shall draw it to the attention of the chairman and commissioners of the board and discuss it with them.

MR. SPEAKER:

The hon. Member for Camrose followed by the hon. Member for Bow Valley.

Child Abuse - Telephone Program

MR. STROMBERG:

Thank you, Mr. Speaker. A question to the Minister of Health and Social Development. I was wondering if he would advise the Assembly if the toll free service for [reporting] child abuse is working?

MR. CRAWFORD:

Mr. Speaker, the toll free service that came into use a couple of months ago and preliminary indications are that it is, in fact, being utilized fairly consistently by people throughout the province.

MR. STROMBERG:

A supplementary question, Mr. Speaker. I was wondering if the minister could indicate how many calls have been received?

MR. BARTON:

Put it on the Order Paper.

MR. CRAWFORD:

Mr. Speaker, I had a progress report from officials within the last few weeks. It runs in my mind that some 1,400 calls have been processed since January. How many of them were used for the different types of follow-up that there may be in connection with it, I don't recall.

MR. SPEAKER:

The hon. Member for Bow Valley followed by the hon. Member for Vegreville.

Farmers' Day

MR. MANDEVILLE:

Mr. Speaker, my question is to the hon. Minister of Education. It is in regard to the announcement of Farmers' Day, falling on June 7. In the past Farmers' Day was the second Friday in June. Will areas that have already made arrangements for having their events on June 14 be able to retain this day as the farmers' holiday?

MR. HYNDMAN:

Mr. Speaker, the date of June 7, announced previously, was following the traditional pattern. However, the order in council which was passed does provide an exception for school boards which, in a proper meeting, pass a resolution excluding their school from observing that day, that is Friday, June 7.

So any school district, division or county in the province, in my reading of it, could pass a resolution within the next few weeks stating they wish to be excluded from Friday, June 7. Having done that, they then pass another resolution, I think, setting any other date they would wish for Farmers' Day.

MR. SPEAKER:

The hon. Member for Vegreville followed by the hon. Member for Calgary Mountain View.

MR. BATIUK:

Mr. Speaker, my question was just answered by the hon. Minister of Education.

MR. SPEAKER:

The hon. Member for Calgary Mountain View followed by the hon. Member for Bonnyville.

Bears and Bees

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Lands and Forests. In view of the fact that a report has been made that funds will be provided for separating or protecting the beekeeping operation - the honey-raising industry in the north - against molestation by bears, will the minister assure the Legislature that he will personally see that there will be no further indiscriminate slaughter of bears in the province?

DR. WARRACK:

Mr. Speaker, as a matter of fact, the member is about a year behind, inasmuch as we assured that there would not be indiscriminate killing of bears by initiating - last year - the preventive control program along with the Department of Agriculture.

MR. LUDWIG:

Mr. Speaker, would the minister also ensure that there will be no discriminate killing of bears?

MR. SPEAKER:

The hon. member is making a recommendation or a representation which he might put on the Order Paper.

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

Flooding - Rescue Operations

MR. HANSEN:

Mr. Speaker, a question to the Minister of Lands and Forests. Have there been many farmers or trappers in the northern areas marooned by high waters, and has the Department of Lands and Forests had any rescue done by helicopters? Also I would add, has he any information on the conditions of the northern country resulting from the depth of water?

MR. CLARK:

Yes, yes and yes.

DR. WARRACK:

As a matter of fact, Mr. Speaker, due to the heavy winter snows, the water levels in the Peace-Athabasca dam area near Fort Chipewyan are higher than usual. With the cold snap that came over the weekend, there were people marooned in the area. Last night, working overnight with our staff in that area, we did pick up the trappers, assisting them in that way.

As a matter of fact, Mr. Speaker, this is a good example of the kind of coordination under the disaster services effort that we're doing throughout the province with the capabilities we have in the Department of Lands and Forests.

MR. HENDERSON:

A supplemental, Mr. Speaker, I wonder if the Minister of the Environment could advise the House to what extent the proposed dam in one of the drainage channels out of the lake is going to aggravate the problem just referred to?

MR. YURKO:

Mr. Speaker, the Peace-Athabasca weir is going to have provisions in it with the possibility of varying the levels, not initially, but allowances will be made for putting this type of structure in. On the basis of several years' experience of managing the whole delta, we will then make a decision as to whether the variable part of the weir will be installed.

I might say, Mr. Speaker, the northern part of the province has received an enormous amount of precipitation this year - in excess of 200 per cent over normal. It may not be the best year to use as an example of the amount of precipitation in the north.

MR. SPEAKER:

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

Trans-Canada Highway - Medicine Hat

MR. WYSE:

My question, Mr. Speaker, is to the hon. Minister of Highways and Transport. The minister has already indicated to the House that no dollars are available for the upgrading of the Trans-Canada Highway through Medicine Hat this year. My question is, will the government at least consider the construction of an underground crosswalk or tunnel so the large number of young school children can cross the highway in safety? It is a very critical place there, the crossing.

MR. COPITHORNE:

Mr. Speaker, this proposal is under consideration.

Licences - Impaired Drivers

MR. COPITHORNE:

Mr. Speaker, while I am on my feet, the hon. Member for Medicine Hat-Redcliff yesterday asked a question in regard to prohibitions on driving in regard to people who refuse to take breathalysers. I think I answered that there had been no exceptions, but I learned there has been one exception just recently in which a magistrate allowed a conditional licence for such a conviction. So I was in error yesterday.

MR. TAYLOR:

A supplementary, Mr. Speaker. Under what authority did the magistrate allow such a restriction?

MR. SPEAKER:

The hon. member is clearly asking a question for a legal opinion, which might be put to the magistrate.

The hon. Member for Calgary McCall followed by the hon. Member for Calgary Bow.

Cable TV

MR. HO LEM:

Thank you, Mr. Speaker. My question today is addressed to the hon. Minister of Telephones and Utilities. Can the hon. minister advise whether or not it is the government's intention to disallow cable television systems to negotiate pole access agreements with Alberta Government Telephones?

MR. FARRAN:

No, Mr. Speaker.

MR. HO LEM:

A supplementary, Mr. Speaker. Has the hon. minister received representation from the Canadian Cable Television Association requesting that pole access agreements be allowed to continue?

MR. FARRAN:

Yes, Mr. Speaker.

MR. HO LEM:

A supplementary, Mr. Speaker. Is it the minister's intention to determine cable rental rates for the consumers of this province?

MR. FARRAN:

Mr. Speaker, the government has expressed to the federal authorities its opinion that there should be provincial input into the designation of franchise boundaries and monthly rates for cable television. This is still a subject of negotiation with the federal Department of Communications.

MR. HO LEM:

A final supplementary, Mr. Speaker. Can the hon. minister advise if it is the government's intention to purchase or nationalize these companies?

MR. FARRAN:

Mr. Speaker, it is not the government's intention to nationalize those companies.

MR. KING:

In view of the fact, Mr. Speaker, that 'cablecasting' is not broadcasting in the legal sense, has the government considered any policy that might be applied in the event that a 'cablecast' operator should apply to the provincial government for permission to operate, and not to the CRTC?

MR. FARRAN:

Mr. Speaker, the jurisdiction over cable television is presently with the federal CRTC. The province continues to maintain the position that there should be consultation with the provinces concerned. At the moment, there is no intention to force a confrontation, as in Quebec, by asserting provincial jurisdiction as opposed to federal jurisdiction.

MR. HO LEM:

Mr. Speaker, can the hon. minister advise whether the Alberta censor board has any jurisdiction over what type of films may be shown over cablevision?

MR. SPEAKER:

The hon. member is asking a question which is clearly one for a legal opinion.

The hon. Member for Calgary Bow followed by the hon. Member for Calgary Foothills.

Asbestos Workers - Health Hazards

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Manpower and Labour. Could the minister indicate, in view of a recent resolution passed by the Alberta Federation of Labour, if the Workers' Compensation Board regulations will be amended with regard to working with asbestos and asbestos control?

DR. HOHOL:

Mr. Speaker, clearly one of the overwhelming concerns of the new committee - which, by the way, is the first and only one of its kind in the nation - one of its first and most serious responsibilities will be to look at the matter of safety and to make such recommendations as the committee sees reasonable, fair and proper. The board and the government will certainly look at them.

MR. WILSON:

A supplementary, Mr. Speaker, to the hon. Minister of Health and Social Development. Since the subject of asbestosis was raised in the Legislature a year ago, has the minister's department had an opportunity to study the subject and advise what additional precautions might be taken to protect workers from this hazard?

MR. CRAWFORD:

Mr. Speaker, I think the work that is being done in respect to that particular subject is something about which I would like to bring myself up-to-date, and then respond to the hon. member. I am satisfied that the industrial health branch has been dealing with the matter, but I should be brought up-to-date.

MR. SPEAKER:

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

Oil and Gas Lease Sale

MR. MCCRAE:

Mr. Speaker, my question is for the Minister of Mines and Minerals. Will the minister advise the House as to the results of the quarterly April oil and gas lease sale?

MR. DICKIE:

Mr. Speaker, the sale that was held on Wednesday has been described by members of our department as very successful. The government received in excess of \$8,300,000.

Mr. Speaker, it was also noted that a number of the successful bidders were in the areas of Peace River and Edson. Those had been described as highly desirable natural gas areas.

Mr. Speaker, I think it is therefore fair to conclude that the government's efforts to receive higher natural gas prices has been an unqualified success ...

MR. SPEAKER:

The hon. member has left the bounds of the question and is now eulogizing the government.

MR. MCCRAE:

A supplementary, Mr. Speaker. Could the minister advise the House what the average per-acre price was at this week's sale and how it compared to last year's sales?

MR. DICKIE:

Yes, Mr. Speaker, the average price this year was some \$77, compared with last year which was some \$55.

MR. BARTON:

Mr. Speaker, are these in the form of tax drilling credits?

MR. DICKIE:

No, Mr. Speaker. That's revenue that the government is receiving as a result of the higher natural gas prices.

MR. BARTON:

Then none of the sales involved credits through the incentive program?

MR. DICKIE:

No, Mr. Speaker, but I should acquaint the hon. member of the changes we did make in the drilling incentive system whereby tax credits could be used at the sales.

MR. SPEAKER:

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

Highways Commission

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Highways and Transport. It concerns a document called, Now New Directions for Alberta in the Seventies. My question, Mr. Speaker, is, can the hon. minister advise the Assembly what, if any, progress is being made toward the creation of a non-political, independent highways commission, as promised in this document?

MR. COPITHORNE:

Mr. Speaker, as far as a highways commission program [is concerned], we've made significant progress in this area inasmuch as the motor vehicle transport has a permanent chairman. That was brought into effect, I think, about two years ago.

MR. NOTLEY:

Mr. Speaker, a further supplementary question. Can the hon. minister advise the Assembly whether the government is now studying the total commission concept as proposed in this document?

MR. COPITHORNE:

Mr. Speaker, we analyze on all occasions, and continually, the best way in which to operate the department.

MR. NOTLEY:

Mr. Speaker, a further supplementary question. Can the hon. minister advise the Assembly what timetable he foresees for the introduction of legislation creating a truly independent highways commission?

MR. LOUGHEED:

Mr. Speaker, perhaps I could respond to that because the basic thrust behind the question of a highways commission is much more in terms of the financing than it is in terms of the operation.

The concept of a highways commission that has been used in other areas, is an approach generally utilized to separate the financial structure of the government in terms of long-term financing for highways, rather than [to] deal with it from an operating point of view.

The question of a commission, as such, for that purpose is still under consideration by the government.

MR. NOTLEY:

A further supplementary question to the hon. Premier. In light of his answer, does he still foresee that approach as being feasible in light of the rather substantial windfall revenue coming to the Province of Alberta?

MR. SPEAKER:

The hon. member is clearly asking for a question of opinion and a forecast.

The hon. Member for Calgary Mountain View followed by the hon. Member for Calgary Millican.

Law Faculty - Calgary

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Advanced Education, and I should perhaps preface my question with the term "lest we forget".

I'd like the hon. minister to advise what specific action has been taken to date towards the establishment of a law faculty at The University of Calgary?

MR. FOSTER:

Mr. Speaker, perhaps you'll excuse my remarks but I am under the impression that that particular member of the House is better informed than almost anyone else on the question of a law school in Calgary. But if you are not, I hope to deal with it in the course of my estimates.

However, to bring you up to date, we have a proposal ...

MR. SPEAKER:

Would the hon. minister please address the Chair.

MR. FOSTER:

Mr. Speaker, we have a proposal from The University of Calgary which we have accepted in principle. I am asking an advisory committee composed of representatives of the three universities, excluding Athabasca, and the Law Society of Alberta to advise me specifically on the matter of timing. I expect I'll be hearing from this committee some time late this spring.

MR. LUDWIG:

Mr. Speaker, is it the intention to commence some pre-law courses, perhaps in the fall of 1974, at The University of Calgary?

MR. FOSTER:

Mr. Speaker, I'm under the impression that there are already certain programs being offered by The University of Calgary which are, in fact, a pre-law program. I am sure the hon. member is aware, Mr. Speaker, that law is a graduate faculty, notwithstanding that it issues an undergraduate degree. It requires persons to have either a degree before they gain admission to that faculty or a special pre-law program. So Calgary is, in fact, offering a pre-law program at the moment in the sense that it's offering undergraduate degrees.

MR. LUDWIG:

Could the minister then ensure, Mr. Speaker, that the law courses, in fact, will be commenced not later than September, 1975?

MR. SPEAKER:

There is some question as to whether hon. member's inquiry should be addressed to the minister rather than to The University of Calgary, under the circumstances under which the university is operating.

Law Library - Calgary

MR. CLARK:

A supplementary question to the Minister of Advanced Education. Has the Minister of Advanced Education approved funding for a law library at The University of Calgary in the 1974-75 budget?

MR. FOSTER:

Mr. Speaker, we have, in the estimates of the Department of Advanced Education, a new programs fund, which is a first. From this fund we intend to approve the funding for all new programs. That funding includes both operating and capital. The budget submissions we have received with respect to the new program of law for Calgary include estimates for both operating purposes and capital purposes. When the faculty is finally approved, it will be approved including funds for operating purposes and for capital purposes, which will include funds for a library.

We have, at the moment, Mr. Speaker - as some members will appreciate - commitments from the Bar in the city of Calgary. I believe these commitments are relative to library services. The understanding of those commitments was that the government would match them and these funds would go to the support of a law library for The University of Calgary once the program is approved.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Minister of Advanced Education. Has the law faculty of The University of Calgary been finally approved by the Minister of Advanced Education?

MR. FOSTER:

Mr. Speaker, I believe my answer was to the effect we have approved the proposal for the faculty. We have approved it in principle. It has not yet received final approval, however.

MR. HENDERSON:

A supplementary, Mr. Speaker. I wonder if the minister could advise the House as to whether the committee he just made reference to has been asked to re-examine the basic need for a second law school in the province of Alberta?

MR. FOSTER:

That, Mr. Speaker, has not been [in] their specific terms of reference. However, I well appreciate there is considerable debate, particularly in the legal profession, on that subject and I have no doubt some comment will be made to me by this committee, perhaps on that point.

MR. SPEAKER:

The hon. Member for Calgary Millican.

School Construction, - - - Calgary

MR. DIXON:

Thank you, Mr. Speaker. I'd like to direct my question today to the hon. Minister of Education. Mr. Speaker, I wanted to know if there are any meetings planned between the Calgary school board officials and the Department of Education regarding the new school construction policy which is causing so much concern in our city at the present time?

MR. HYNDMAN:

Mr. Speaker, there appear to have been a number of misinterpretations by the Calgary Board of Education on the regulations, and I am going to be very shortly requesting members of my department to meet with them to discuss the number of - I think, four or five - schools which they have in mind in Calgary.

ORDERS OF THE DAY

WRITTEN QUESTIONS

166. Mr. Ruste asked the government the following question:

The number of public assistance recipients that receive a monthly payment in excess of \$800.00

\$700.00

\$600.00

\$500.00

for the months of January, February, March and April, 1974.

MR. CRAWFORD:

Mr. Speaker, I just wanted to make one comment to the hon. member. There is certainly no difficulty in accepting the question. I'll leave it up to him of course. If we include the month of April it would probably be two to three weeks before the answer is filed, whereas if we include up to the end of March then it will be done at once - I don't mean today but I mean within a few days. I have prepared an amendment and will leave it to him as to whether or not he wants to drop April.

MR. RUSTE:

Mr. Speaker, it would be all right to take out April under those conditions.

MR. CRAWFORD:

Mr. Speaker, if the amendment should be made in writing I have prepared it and would so move. The question is accepted as amended.

MR. SPEAKER:

Is it the will of the House that the question be treated as amended by omitting the reference to April, 1974?

HON. MEMBERS:

Agreed.

167. Mr. Clark asked the government the following question:

Of the 93 official complaints about job discrimination, received by the Alberta Human Rights Commission:

(a) How many have been investigated?

(b) How many were deemed to be justified?

(c) How many have been rectified and what compensation has been made in those considered justified?

(d) How many are still under investigation by the Alberta Human Rights Commission?

DR. HOHOL:

We accept the question, Mr. Speaker.

168. Mr. Clark asked the government the following question:

What is the total cost in wages, expenses and administration of the 56 girls in the Department of Agriculture who are presently monitoring food prices in Edmonton?

DR. HORNER:

We accept, and I have compiled the answer, Mr. Speaker.

169. Mr. Clark asked the government the following question:

1. Has the Alberta Human Rights Commission heard the complaint of discrimination lodged by nursing aides at the Royal Alexandra Hospital in May of 1973?
2. What were the results of these hearings?
3. If they haven't yet taken place, what date has been set for these hearings?

DR. HOHOL:

We accept that question, Mr. Speaker.

MOTIONS FOR A RETURN

170. Mr. Clark proposed the following motion to the Assembly:

That an order of the Assembly do issue for a Return showing:

A copy of the letter written by the hon. Solicitor General for Alberta to the Solicitor General in Ottawa concerning the investigation of newspaper reporters by the RCMP.

MR. CLARK:

Mr. Speaker, I move Motion for a Return No. 170.

[The motion was carried.]

MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Mr. Benoit proposed the following motion to the Assembly:

Be it resolved that this Legislature request the government to give consideration to amending The Petty Trespass Act during this Legislature with particular attention to the following measures:

- (a) a revision of penalties to reflect current economic conditions and social attitudes
- (b) a correction of abuses which result from the present land posting system
- (c) a general strengthening of these laws to create more efficient enforcement for the protection of both offenders and land occupants alike.

MR. BENOIT:

Mr. Speaker, in moving this resolution, I know that some members will consider that it is old hat.

MR. SPEAKER:

I apologize to the hon. member for interrupting him. Would he permit the Chair to ask the House for leave for the hon. Minister of Lands and Forests to revert to Introduction of Visitors?

HON. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

DR. WARRACK:

Thank you very much, Mr. Speaker, and my apologies also to the hon. Member for Highwood.

Again on behalf of my delightful and charming colleague, Miss Helen Hunley, Solicitor General for the Province of Alberta and MLA for Rocky Mountain House, it's my great pleasure to introduce the second half of the 110-member Rocky Mountain House Grade 4 group which is here to visit the Legislature. The first half of her visiting group was introduced earlier today.

Miss Hunley had hoped that she would be here to introduce both or at least one of the two groups, Mr. Speaker, but I am pleased that she is not, in the sense of having the opportunity to introduce them for her to you and to members of the Legislature. I would ask them if they, accompanied by their principal, Mr. Marshal, unless he's in the other group, if they might rise and allow us to welcome them warmly to the Legislature.

MOTIONS OTHER THAN GOVERNMENT MOTIONS (CONT.)

MR. BENOIT:

Mr. Speaker, after that pleasant interruption, I would like to continue by reading the motion of the resolution.

Be it resolved that this Legislature request the government to give consideration to amending The Petty Trespass Act during this Legislature with particular attention to the following measures:

- (a) a revision of penalties to reflect current economic conditions and social attitudes
- (b) a correction of abuses which result from the present land posting system
- (c) a general strengthening of these laws to create more efficient enforcement for the protection of both offenders and land occupants alike.

Mr. Speaker, at the outset I would like to point out that if anyone wants to criticize the wording of the resolution, that is entirely up to them. I would just warn them in advance that it isn't my wording; it's my idea and the experts have worded it, and so they will be quarrelling with them, not me.

[Interjections]

AN HON. MEMBER:

Name them.

MR. BENOIT:

I would like to deal with the resolution point by point as I proceed, Mr. Speaker, and not right at the present time.

There are some words of introduction which I would like to give. First of all, in dealing with this matter I would like to deal strictly with the trespass aspect as indicated in the resolution and not with hunting laws, gun laws, game harvest, the sale and lease of hunting rights, and things of that sort. I would like to stay as strictly as possible with the trespass aspect of the resolution.

There is no use, Mr. Speaker, having a law that is not enforceable. There is no use having an enforceable law that is not enforced. This is the reason why, for the third time in as many years, this matter of trespass is coming before the Legislature. The first time it came before the previous Legislature was in 1971 in the form of a motion which at that time was amended by the opposition - and I shall make reference to that in a few moments. The second time it came before this Legislature was last year in the form of a non-government bill presented by the hon. Member for Camrose. Now it is coming up again.

The reason it has to come up so often, Mr. Speaker, is because nothing is being done about it. In 1971 the resolution was passed and approved by both sides of the House. Then last year, I think it was considered to be a 'kite-flying' bill, Mr. Speaker, in attempting to find out the feelings of the people. I have something to say about that aspect of it.

Refusal to pass a bill, or refusal to place a bill before the Legislature when the Legislature requests it, is in my way of thinking, a delay tactic. This is what has happened on both sides of the House in my experience in the past 10 or 11 years. Too often the Legislature, and even the people, are wanting certain types of legislation, but because of the difficulties with which such legislation is fraught, governments, legislators, whoever they may be, do not care to rock the boat. Therefore, they fail to put forth legislation, even that which might be amended if it were not proper in the first instance.

There have been many criticisms of the existing trespass act, known as The Petty Trespass Act. But it isn't enough to criticize an act, or even proposed acts. There were criticisms of the bill presented to the Legislature last year. Some alternatives were suggested, and some were not - just criticisms passed. This isn't adequate, Mr. Speaker. If we are going to criticize the fact that there is no legislation, we should be prepared to present legislation. If we are going to criticize legislation, whether in the form of a bill or whether it has been passed, then we should be prepared to make amendments if necessary.

I have prepared a model trespass bill. If anyone wants to see it, I will be glad to supply them with a copy. At the present time the resolution simply asks for the government to present a bill amending the existing trespass Act. The reason for this is that, even though we have been talking about it for four or five years, the fact still remains that there are many people who have rights and deserve protection from willful trespassers by the laws of our society through their government. They are asking for some amendments to the existing trespass Act.

Before I get too far, Mr. Speaker, I think that it is time I should observe that a good trespass act will provide as much protection for the would-be trespasser as for the person who is trespassed upon. It is claimed that the existing Act does not provide that double protection. For that reason it requires amendment in certain areas. Therefore, I want to draw your attention to the fact that this bill is overdue.

The previous Attorney General, when requested by a resolution of the House to act upon this, did not have the opportunity because it was in the same year that he lost his position in this House. Now, the new Attorney General has had an opportunity over a period of two and a half years or more, with indications from the debates on the proposed bill last year, to do something about it. So far there have been no amendments forthcoming. So, Mr. Speaker, that is the reason for presenting this resolution at this time.

Last year's bill, if I may observe, was very much like the existing Act, with some additions to it. Some of the criticisms came from the additions and some of the criticisms came upon a repetition of what is in the existing Act. I think I will leave that and refer to it in a few moments.

The titles of both the existing Act and the proposed bill last year were misleading. The existing Act is entitled The Petty Trespass Act. The idea of petty trespass, I believe, is misleading because the Act could be such that it could cover any kind of trespass. I think it was called The Petty Trespass Act because it didn't cover enough ground for one thing. Another reason was, probably, because they didn't want to conflict with the Criminal Code of Canada which deals, in a broader sense, with all types of trespass.

Mr. Speaker, I respectfully suggest that the title of Bill No. 205, An Act to Protect Private Land From Trespass, which was presented last year, was also misleading because that particular bill noted not only private land but also public land and dealt with trespass on leased Crown land. So, it is necessary, Mr. Speaker, that we have a satisfactory title to indicate what it was. It could be simply entitled, the Alberta Trespass Act. I say that because, while in principle the present Act is not broad enough, an Alberta trespass act, if it was not broad enough to begin with, could be amended to include more.

Now such a bill must consider the rights and the privileges of all people. I want to emphasize this, Mr. Speaker, because many people are afraid that a trespass act will take away the privileges of the majority of the people, because the majority of the people don't own property that could be trespassed upon, or so they think until they come to realize that public property belongs to all people.

An amendment to the trespass act should be broad enough to protect public as well as private property against trespassers, because the property that is public property belongs

to me. If someone trespasses upon it and does it damage, he does a disservice to me which costs me money. It is true that it may not cost me as much, because it is shared by the other 1.8 million people in the province of Alberta, to a greater or lesser degree. Nevertheless, the fact remains that what a trespass act should do is educate the people of our country so that they would appreciate the value of any kind of property and it would all be protected from trespass.

I want to talk more about that a little later on because this is the crunch and the main reason there has been a reticence to amend the existing Petty Trespass Act.

In a growing population people are crying to have their rights to possession protected. In the same kind of growing population people are crying for the opportunity to walk on more property. In some way this has to be settled and a balance has to be found. In searching the trespass acts of other provinces, Mr. Speaker, I did not find one trespass act in any province in Canada that was anywhere near complete. When I say complete, I do not mean that a trespass act has to be very long to be complete, but it can be all-encompassing by the way it is worded. I found that most trespass acts have been brought into existence because of a need in a certain area and the trespass act dealt only with that. I think that most provincial governments have lived in the hope that they might be able, in some way, to cover the problems of trespass by the Criminal Code of Canada.

But here is one of the big problems we have to deal with. There are three trespass statutes now in effect in Alberta. There is the Criminal Code of Canada under which anyone who trespasses, under certain circumstances, can be charged. There is The Petty Trespass Act, the provincial statute, under which only in certain circumstances can people be charged. Then there is a section in The Wildlife Act of Alberta which makes provision for trespassers under certain circumstances, in the hunting season primarily.

The fact that there are three acts or three statutes under which people can be charged creates a good deal of confusion. Number one, in laying the charge, unless a person is familiar with the details of all three, he may not know under which one he should be laying the charge.

Secondly, it creates confusion insofar as the courts are concerned when it comes to a matter of disposition. A man charged under the Criminal Code of Canada, if he is found to be guilty when charged and is convicted, becomes a criminal. There are many magistrates and judges in the courts who do not want to find one guilty under the Criminal Code for some minor trespass, and probably rightly so. They do not care to brand an individual as a criminal for something that may not have been intentional or that was considered a fairly minor infraction which would not create too much of a problem.

When it comes to the three acts there are three ways by which a person can be charged. Under the Criminal Code you don't have to post your land. If you find someone on your land you must give him notice to get off and tell him that you don't want him to trespass. You cannot charge him the first time he is found on your property. You have to give him notice. If he comes on again you can charge him, or if he doesn't go off you can use as much force as is necessary, whatever that may mean, to remove him from your property.

Under The Petty Trespass Act your property has to be posted or else a person can come and trespass upon it. Having trespassed upon it he may be warned - that would be under the Criminal Code - and then he has to get off or you can lay a charge.

So there is no way that your land is protected under those two statutes unless notice has been given under the one by word or by letter, and under the other by posting of your land.

Under The Wildlife Act, it is clearly stated that a certain area surrounding the home land is protected from trespass. So far as I know, no posting is necessary, no warning is necessary. But many people are not aware of what land is involved unless they go and make inquiries of the owner of the land. Therefore, not taking the trouble or not wanting to take the trouble, very often they may find themselves on land they think is not either privately owned or intended to be protected from trespass.

So, Mr. Speaker, we need one trespass act in the province of Alberta which clearly defines these areas so people will become familiar with it and they will know that any time they are off Crown land or government property roadways, they are, indeed, trespassing; without having to be told that they are by signs, or having to be told by the owner verbally or in writing that they are not welcome on that property.

Such a statute as the trespass act must not interfere with the Criminal Code because it is overriding. But the Criminal Code has only a few small sections in it dealing with trespass, and it would be virtually impossible to interfere or make a trespass act contrary to what is included in the Criminal Code.

Mr. Speaker, I think an act like this, the Trespass Act of Alberta, should include private or public machinery and buildings on the land, as well as the land itself. Technically speaking, Mr. Speaker, any improvements on land would be considered part of that property and would be normally covered, but a trespass act, if it were good, would be full enough in its explanation of what people could or could not do so that it would form a sort of education base as well as a law that would clearly detail and outline what was considered as trespass.

I think a trespass act should provide exemption of trespass for those who are seeking information and/or permission to traverse upon the land without doing damage. I mean to say by that, that no trespass act should be such that a person doesn't have access to the house or the normal dwelling place of the owner of the land where he might seek permission to traverse on the land if he so desires, and that no one, not even a peddler of goods, could be considered as trespassing if he went for the first time for the purpose of inquiring or seeking information. That's why I say that a good trespass act will protect people who might possibly be in error by travelling on land that they weren't aware was trespass land, or where they were seeking information.

Now I come to the real crux of the whole thing, Mr. Speaker, when I suggest a trespass act should provide some exceptions for certain designated public lands under certain dispositions. This is where the big problem comes. There is no problem in trying to work out a trespass act which will provide that anyone is trespassing when he gets on to private property, privately owned or deeded land. The problem comes when we get into the area where public lands have been leased to individuals under certain dispositions. While this land is Crown land or public land, and it is owned by all the people of the province, many people are under the impression that no one should be able to lease it and tie it up in such a way that they weren't permitted to travel upon it or use it for whatever purpose they wanted.

The fact of the matter is, if I lease a piece of land from a private individual, generally speaking the terms of the lease are such that I have complete say about that land while the lease is in effect. Unless I somehow violate the contract, people have to get permission from me to trespass on that deeded land even though it doesn't belong to me. By the same token, those ranchers, farmers and others who lease public land for recreation purposes feel very much that as long as they have leased that land, even though it belongs to the public, they have a right to say who will go on that land and what will be done on that land while they have a lease, providing they do not break the terms of the contract they have.

If the public were looking at it in the way that the owner of the land does, understanding that even though I am only one individual of a large number of individuals in the public, I have become a part of the contract that has leased this portion of my public land to this individual. As a result, in return I'm having a consideration given to me of whatever the amount of the lease is. That is the reason I should be willing to relinquish my right to that public land as long as that man has it leased, or at least under the conditions under which he has it leased. But this is a very hard bill of sale to sell to the people who come out of the concrete jungle on a weekend and figure that this is Crown land and forest reservation and they have the right to go wherever they want to go, whenever they want to go.

This brings me to another point, Mr. Speaker. Surely there must be some way in this sophisticated age in which we live, where we have the kinds of governments that we do, where we could work out some kind of scheme so that those who lease public land for certain purposes could use that public land as if they had leased it from a private owner, and protect it from trespass for a certain period of time during each year, particularly the period of time when the business that they were involved in was in operation.

I'm thinking particularly of the ranchers who lease land and use it for some five or six or seven months of the year. If in some way, for instance, between the Department of Lands and Forests and its various divisions, it could be arranged that no hunting would be permitted on the land in the period of time when cattle was using that land, and then when the cattle were removed the hunting season could be opened and the lessee would have to permit the hunters to go on the land during the hunting season when they wouldn't be disturbing the grazing of the cattle - surely some way could be arranged where we could work this in an acceptable fashion to all concerned.

So whenever The Petty Trespass Act is amended, Mr. Speaker, these factors have to be taken into consideration. The trespass law should be worked out in such a way that it would give those who pay for a lease and have to hold that lease under certain conditions, have to protect that lease and are responsible for its protection, a right to keep trespassers off under certain circumstances and certain conditions. While I realize that it is not easy, it is something that has to be worked out. For it is in this area particularly that people are crying for more protection from trespassers, and it is in this area that the public generally is crying for more freedom to use the land.

For that reason it is imperative, Mr. Speaker, that somebody do something soon in order to make provision for a trespass act that will be acceptable to the majority of the people and which will be functional, practical and workable. That is the reason I stand up here again today, this third time in three years, four years at the most, and plead with the government, particularly with the Attorney General's department, to do something by way of amending the existing Petty Trespass Act in Alberta.

I know that members on both sides of the House will be delighted to do everything they can to put in input that will make it a practical, workable piece of legislation. There are all kinds of people out there in the public, in every part of the province of Alberta, who are prepared to back up the government in doing something that will bring about this type of legislation.

May I proceed briefly then, Mr. Speaker, to two or three other points. This kind of legislation should provide discretionary limits with regard to the fines and penalties which are in keeping with the economy of our time. I appreciate the fact that one of the problems that arises today is that if a person is trespassing for gain - I said gain, not game, but both are involved, whatever might be to his advantage - he can afford to pay some of the kinds of fines that are being levied today. The fines are so small that they pay no attention to them if they have gained the advantage they want. So I suggest that we have to increase the penalties and make them stronger in this affluent age in which we live.

Two more points, Mr. Speaker. The tenant or the occupant should have the right to demand the name and address of the trespasser. That is something that has never been in our trespass Act and I feel very strongly that it needs to be put in so they will know who is trespassing on their land and they can make a report. They should also apply for permission from the owner or occupier to traverse the land without damaging so they can go on if they have permission.

Well, Mr. Speaker, I have a number of other points but I think I'll have to forego them on account of the time aspect.

In concluding, I would like to say, the reason for requesting the government to amend the Act during this Legislature, not this session necessarily, but during this Legislature - and only the government knows how long it's going to last - is that we have had plenty of experience, we don't have to wait any longer. The public desires that something specific and plain be done soon. Property owners, who include a large portion of the public, want protection, not only for individual property but also for property that is owned by the public. And would-be trespassers desire justice as well as the person who has been trespassed against.

So I call, Mr. Speaker, for amendments to be made. They are not difficult, and I would ask that they be done now because now is the time to do it.

MR. STROMBERG:

Mr. Speaker, about a year ago I introduced private member's Bill No. 205, being An Act to Protect Private Land from Trespass. Mr. Speaker, since the time of the introduction of this bill and the controversy that arose around this bill, especially from some members of the Alberta Fish and Game Association, the only protection that was afforded me at times was under the game laws of this province.

SOME HON. MEMBERS:

Agreed.

MR. STROMBERG:

Mr. Speaker, I would like to point out that the right of quiet enjoyment, when one owns or leases land, is part of British justice. To me, it is a matter of principle. An urban dweller can have protection under the by-laws passed by his municipality. For instance, I cannot drive a car across his lawn, I cannot dig a goose pit in his backyard or pitch a tent there or discharge a firearm. But Alberta citizens who own or lease land in rural Alberta cannot receive the same protection. It is no wonder municipalities and counties have firearms by-laws.

Mr. Speaker, rural Albertans, through their farm organizations, have brought representation to cabinet for a number of years. With your permission I would like to read part of Unifarm's annual submission to the provincial cabinet last January. One of their recommendations, item 4, Mr. Speaker, was:

That control over access to [agricultural] land (whether held by deed or lease) for recreational use be in the hands of the owner or user, including the right to levy or charge an amount sufficient to cover the cost of such regulation or control.

Also, Mr. Speaker, they have another recommendation to cabinet, item 7, "That the penalty for trespassing be greatly increased, and enforced."

Mr. Speaker, the Albertan who has paid anywhere from \$15 to \$65 an acre just for the right to lease Crown land, also pays municipal taxes, pays rent to the Department of Lands and Forests, is responsible for all improvements, must keep the lease fenced, and has paid for all of this, sometimes in [times of] fairly depressing cattle prices. Surely, Mr. Speaker, that Albertan should be entitled to equal protection.

Thank you.

MR. DRAIN:

Mr. Speaker, I have listened with great attention to the hon. Member for Highwood, and I have been going over in my mind the implications of the infamous private member's Bill 205, which was foisted on the Legislature and which, fortunately, died on the Order Paper in the last session.

Although the hon. Member for Highwood proceeded in a very kindly and Christian manner in the beginning - I viewed what he was saying with great complacency - as he proceeded with his discourse, frankly, I became alarmed in various areas, Mr. Speaker, especially in the matter of lease lands.

I would pose a solution to this rather vexing problem, the problem of the landlord and tenant relationship. There are provisions in apartment leases and so on that certainly take this into consideration. I would pose the suggestion that all leases for public lands be cancelled. Any further leases which are written, would be written with a proviso that they would allow in areas where there would be no appreciable damage - and when I talk of appreciable damage, Mr. Speaker, I am not suggesting that trespassing should be permitted on standing crops or standing grain, or that people should be permitted to travel on lands when the adjoining areas, which are government land, are closed because of fire hazard. I am not suggesting that.

I am talking about grazing land. I am talking about land which probably has a grazing capacity of about four animals per season - or whatever the formula is - land which is, in fact, not adversely affected by someone walking across it to his favourite fishing hole. I am suggesting that this, in fact, is not more than the landlord, which is to say the people of Alberta, should have by right.

Therefore, I pose this as an interesting idea to the landlords who hold these vast areas of lease along the foothills of the province of Alberta and who are so aggrieved and so ably represented by the hon. Member for Highwood, Mr. Speaker. I pose the suggestion to them that, in all fairness, these be cancelled and the conditions rewritten. If this particular thing which would be written in their lease were not satisfactory to them, Mr. Speaker, certainly they would have the prerogative of saying to the landlord, we will not buy this.

There is also another thing which does occur in the matter of trespassing. It is of some relevance. Uncontrolled trespassing - a slide on a road, for instance, when someone has to get to town. A situation I encountered one week ago in my own constituency during a snow storm was when an aircraft was in reality, lost and [the pilot] had two options: to land in the farmer's field or to land on the main highway. He chose the second. Now, I was visiting with the farmer at the time and he said, boy, there is one guy who is in real trouble; he's trespassing on my land.

I think there is more to this. I think in his presentation of this particular subject, Mr. Speaker, there should be more emphasis by the Member for Highwood on the Christian spirit and Christian understanding.

I can refer you - and I have travelled the foothills very extensively - to one particular large holding of land which is west of Calgary. Some of the hon. members may have seen this particular place. There is a huge sign across the road at the entrance to this ranch. And it says, You are welcome to come on our land and hunt and fish. Do not destroy our grass. Do not leave garbage where it will affect our property. Cans are made available for you.

Then you go to another place. This particular time I stopped at the first place and it had a group of rather reprehensible retainers. And because of my great patriotism I won't mention who they were retainers for, Mr. Speaker. However, they said, "You simply can't stop here." I said, "I 'cahn't'? Well, I don't want to. I want to find out where the road is to" I was going up to this gentleman's constituency at the time.

So you get a positive response in one area and a negative response in another area. I think the solution should be in the area of Christian kindness, Mr. Speaker.

And having regard for the amount of research I want to do in the matter of the Criminal Code and The Petty Trespass Act, I beg leave to adjourn the debate, Mr. Speaker.

[The motion was lost.]

MR. DRAIN:

Well, okay. I'm not running out of words at all, Mr. Speaker.

MR. SPEAKER:

The hon. member would require the unanimous leave of the House to be able to continue his speech under the present circumstances.

HON. MEMBERS:

Agreed.

AN HON. MEMBER:

Everybody is agreed.

MR. DRAIN:

Well, Mr. Speaker, I had looked forward to this unfortunate interlude as a means of gathering a further fund of knowledge and thereby enlightening my legal perspective in relation to what really occurs in the case of petty trespass.

I realize, in all sincerity, that it is a serious problem - particularly amongst standing crops. I would certainly endorse whole-heartedly the amendment, as suggested by the hon. Member for Highwood, which would enable the protection these crops should have, to occur. I would say that when this does occur, it is certainly the responsibility of the trespasser to pay for the damage and it should be geared in that direction.

I would point out to the hon. members one other significant thing which is simply this, Mr. Speaker, that as you change the rules and the population grows, as the hon. Member for Highwood noted, the pressure will increase. So the result will be a conflict. When this conflict does occur there will be increased demands by the public for the use of more and more land and the end result will be that there will be less and less land available for agricultural purposes. So I suggest, Mr. Speaker, this would be a self-defeating road to go - to make stringent and drastic regulations that, in fact, would achieve this, an unwanted event.

The Criminal Code states specifically, Mr. Speaker, that the land would have to be posted, I believe. And in The Petty Trespass Act I believe this is also the situation. If the landlord, on privately held land, feels that his land should not be trespassed upon, because of reasons of which he is aware and which may not be known by the proposed trespasser, most assuredly, Mr. Speaker, it is his right and it should be his right to post this land. But to say that someone should be apprehended and hauled through the courts - you know, there is a very wrong psychology in this country. We turn on the radio and we hear, "this land is our land" - and someone says, "Don't put two feet down on the ground because one of them is trespassing on my property", Mr. Speaker. There is where the conflict gets in. There's where the difficulties occur.

So then I can refer - there have been several areas - oh, I have received a cough drop and this will strengthen me on my way, Mr. Speaker.

In Britain, as a result of population pressures, public legislation was directed towards saying, in effect, that although you are the owner of land, estates or property, you are required for the common good to allow people to walk on this land, because the country is small and the population is great. It's coming up towards 70 million people on a 'tight little island' and there is just no place for people to walk. There are congested roads, no walkways. Planning was geared to vast estates, the envelopment of vast amounts of land for industrial expansion, the need for housing and all of the other things that enter into the processes of a growing community, in fact, have destroyed most of the land that at one time was available to the people of England, with this result, that it is now necessary to make legislation that would shock our rural members, that would make them bounce right out of their seats and leap into the fray. I can see them in the House of Commons rising one by one and explaining in their wrath how the rights and privileges of the people of the Province of Alberta, and their rural society, are being affronted and destroyed by this reprehensible legislation. So count your blessings, Mr. Speaker.

[Interjections]

So let us count our blessings, Mr. Speaker. Let us not pursue the wicked role of despicable and derogatory legislation, Mr. Speaker, in this particular instance. Let us think of what we have, enjoy this, and join hands one with the other and proceed in the role of true Canadianism, by sharing in the Christian spirit.

I recommend this to the hon. Member for Highwood, Mr. Speaker. Thank you.

MR. McCRAE:

Mr. Speaker, I've enjoyed the remarks of the hon. member opposite and, indeed, the two members who spoke before him. I particularly enjoyed the effort by the Member for Pincher Creek-Crowsnest to commit a petty trespass on our time this afternoon and stop us from debating this very interesting resolution. I also enjoyed the interesting legal dissertation by the mover of the resolution, in which he explained to us that there are three areas presently on the statute books where the law of trespass is covered: in the Criminal Code, in The Petty Trespass Act and The Wildlife Act.

I think we have to look back historically, Mr. Speaker, at least 14 years back if that isn't history. We will look back that far and try to assess the reasons for the placing of this Act on the statute books. It obviously was because of pressure from the landowners, probably the rural landowners. I think, as a hunter, I can sympathize with their request for a statute which would give them additional protection over and above that already on the books.

I think the reason for their concern and request for a statute has to be because of the extreme pressures on the farmer and the landowner, brought about by the sheer number of hunters going out, more and more all the time. Of course, there is more and more recreation time each year so hunters do have more and more opportunity to be out in the rural areas. Coupled with that has been a growing shortage of birds and other game so the areas that did have game, or birds, around became a concentration area for those who did wish to get a bird or two. Of course this meant more and more people calling on individual farmers and the stress and strain was, no doubt, too much for them, so the resulting legislation was passed.

I'd like to take the opportunity to compliment the present Minister of Lands and Forests for the excellent work he is doing in trying to redress this aggravating situation between the hunter and the rural dweller.

MR. LUDWIG:

Careful, he'll believe it.

MR. McCRAE:

The efforts I'm speaking of are the habitat restoration, which has to be one of the reasons for the decline in game. This has been growing over the years as more and more land is grazed and farmed. I know the trend right now is for the farmer to harvest or cultivate right to the edge of the road, where possible. Certainly we don't wish to deny him that privilege. Rather we'd like to encourage him to take an alternate direction, and that is to join with the hunter, the fisherman and the wildlife people, to try to increase the habitat, possibly through voluntary programs. We could get a little bit of money together and pay the landowner some sort of annual rental or payment to encourage him to keep land in native habitat; areas that could result in appropriation and an area where the game could survive predators and the harsh winters we have.

Another area that I think the minister has to be complimented on is the Buck for Wildlife program which is an assessment of \$1 from each buyer of a hunting licence. This goes into the habitat fund and will assist in setting aside land, from cropping, for habitat or as an area where the game population may stay.

I'd like to encourage the minister in another area, Mr. Speaker, that of hunter training. I think the old days when a young fellow could, whether brought up in the rural areas, in the towns or in the cities - when the hunter could go out into the country and learn how to hunt, learn a bit of game law and a bit of respect for property - I think those days are gone because of the increasing number of people who are hunting, the demands in the rural areas and the greater number of areas closed to hunting. The opportunity for the young fellow to go out and learn hunting or hunter training - those days are gone. So I think it is probably imperative that we, as a government, give consideration to requiring a hunter training certificate prior to the issuance of a hunting licence.

I think another reason for demand in this area is the number of people who have come from abroad to Alberta or Canada, people who do want to hunt and enjoy the opportunity of getting a bird or an animal. These people have come from abroad where they have not had the opportunity of learning what many of us learned as youngsters, and that was gun care, hunter respect, and so on. So they come here and they don't know the potential of a gun,

what it can do in the way of damage to life, limb or property of the landowner, and there is just no opportunity for them to go out and learn it. They get the gun, they get the licence, they go out and start banging away, and it causes great stress and strain on the rural people and the landowner.

So I think it is imperative that we give consideration, at least, to requiring a hunter training certificate - a certain amount of aptitude in the area, before we issue a licence.

MR. LUDWIG:

Mr. Speaker, on a point of order. With respect to the hon. member, I could appreciate his difficulty in thinking of something to say, but he has been all over - we are now into guerrilla warfare, rather than dealing with trespass, Mr. Speaker. He is way off the beat and even by any stretch of the imagination you can't relate his remarks to the motion, Mr. Speaker.

I believe that the hon. member ought to debate the motion. He is talking about licensing and immigration laws at the present time. I think he is far too remote and if he can't think of something to say he should probably pass on to someone else. But he is entirely out of order, Mr. Speaker.

MR. SPEAKER:

With respect, I have been listening fairly closely to the hon. Member for Calgary Foothills. I don't recall any lapse into the area of immigration but I would respectfully suggest that it's open to the hon. member to list remedies or policies which are now in effect which may render the resolution less necessary.

MR. MCCRAE:

Thank you, Mr. Speaker. It was certainly my feeling that my remarks were very relevant, inasmuch as a part of the resolution here deals with social attitudes. That's mainly what I'm speaking about, the attitude of the hunter to the landowner. We have got to get some respect on the part of the hunters and the landowners, so there is a responsibility and a better relationship between them.

As I have said, Mr. Speaker, I think some of the programs we are carrying out right now, that is habitat improvement - and there is also talk about a new pheasant hatchery in the southern part of the province, a new and expanded hatchery, which we hope to see on the drawing boards in the not-too-distant future. Of course, if and when that comes about, it will mean many more birds and less opportunity for friction between the hunter and the landowner.

Mr. Speaker, dealing with the bill in some detail, I'd like to comment on ...

AN HON. MEMBER:

Resolution.

MR. MCCRAE:

... excuse me, dealing with the resolution, I would like to refer specifically to Section 5 of the present Act.

I would like to recommend to the Legislature and to the government generally that we give some consideration to striking this section from the statute. Whatever the merits of the resolution, whether or not we should increase the fine, change the statute otherwise, I do think that Section 5 is a bit of bad law and the sooner we can get rid of it, the better. Section 5 provides that:

Any person found committing a trespass to which the Act applies may be apprehended without warrant by any peace officer, or by the owner or occupier of the land on which the trespass is committed, or the servant of, or any person authorized by the owner or occupier of the land, and may be forthwith taken before the nearest magistrate or justice of the peace to be dealt with according to law.

Mr. Speaker, I sympathize with the people who passed this law and I sympathize with the farmers, the landowners who brought the pressure on the 'then' government to pass the law, but I think this is bad law and really I think it is dangerous. There is no reason that the person against whom the trespass has been committed can't take the licence number or otherwise identify the people who have committed the trespass, phone the nearest peace officer, lodge his complaint and ask the RCMP, the village constable, or whoever it might be, to come out and apprehend the trespasser or lay a charge. I just can't conceive of a farmer or landowner trying to apprehend some person who has committed a minor trespass in Robin Hood style, grabbing hold of the person or somehow taking him under his wing to the

nearest peace officer. I have never heard of a situation where a landowner has attempted to do that. But I suspect that if he did, it could well result in quite a confrontation between the hunter who may have committed a very innocent trespass and a rather angry landowner who may not, in fact, be angry at that particular trespasser, but against someone else who has done something to him on a previous occasion. Maybe he bears a grudge against hunters in general.

I think to give an individual landowner that kind of authority or power is not wisdom. It has worked here before, or in the past 14 years, because no one, to my knowledge, has tried to exert that authority. Our population has been a rather genial one. The relationship between the farmer and the city person has been rather good. But I think as our population grows, as we diversify our economy and attract industry and new people, possibly immigrants, to our province, the concentration of population will strain the already apparently strained relationship between the hunter and the landowner. I think if any landowner attempted to assert his right here, it could cause some very serious difficulties. Accordingly, I think it's a section we don't need in the Act. It is not being used and I would respectfully suggest that we should give consideration to deleting it.

Mr. Speaker, I have enjoyed participating in this very worthy resolution. Thank you.

MR. TRYNCHY:

Mr. Speaker, in joining the debate on this resolution, I really enjoyed the conversation that we have heard from both sides of the House. Really the first thing I would like to say is that we should repeal this Act completely and join hands and go out together and move in the way that Brother Drain proposed. I think if we can live in ...

MR. DRAIN:

Make love, not war.

MR. TRYNCHY:

... if we can live in that kind of atmosphere in the province of Alberta, we would need no acts. As a matter of fact, we have too many acts. Not just this, but we seem to be government and governing in too many fields where probably we shouldn't be.

This act, as I read it, goes back to 1962 and there have been no changes to it. Some of it is quite hard to understand for a common little farmboy like myself.

AN HON. MEMBER:

Agreed.

MR. TRYNCHY:

The resolution states that we should move in three different ways. Really I can't see how this would help or strengthen what we have. It would just add more confusion. I would say that we should possibly take the Act, repeal it, change it, and make a brand-new act. We have three acts on the statutes now that the hon. Member for Highwood mentioned. I think we can get together with Lands and Forests and the Attorney General, and come up with an act that could possibly be enforceable in a much better way with a little friendship and neighbourly love that we hear so much about.

AN HON. MEMBER:

We're for that.

MR. TRYNCHY:

I think it's this way that we can come up with what we really want.

The resolution and the three points brought out are not broad enough. If you put them together with the Act we have, it doesn't really change it. We have strengthening of these laws. How do you strengthen laws and still be on a good neighbourly basis if you are really feeling that way?

The resolution changes that are proposed, would they be meaningful? Could they do the things that we really want to do? I don't believe they can. I would say that when you look at The Petty Trespass Act, it was mentioned that you can request the person to leave your property if he is trespassing, and if he doesn't leave you can use force. After you use this force, the gentleman or the person you removed from your property can take you to court and sue you for damages. So there is no definition there of how much force you are to use. Do you go all the way and break his arm? In some cases - I have had a person who got into a fight and the fellow who was trespassing actually won in the long run

because he sued the gentleman. That is just about the way this act reads. It doesn't really define the true meaning of the act in my way of thinking.

We read under Section 2, "shall trespass" and they talk about "fence corners or where there is no fence, at each corner of the land." It goes back to where, in my area, you go hunting, you go through a lot of government-owned land, public land, and you run onto a quarter in the middle of the green zone which is deeded land. How do you know where the corner is? The corner posts are gone. The survey stakes are missing. The mounds that were dug up at the time, in 1930 or 1925, have been washed away. You don't really know whether you're on private land or Crown land. So that raises another problem. If you are trespassing, how do you know you're doing it? Posted signs - unless you post them every few feet there is no meaning to them.

I have walked onto a farm and there is a posted sign in each corner, half a mile apart. If you go between the signs you don't see the posted signs, so you go in anyway. You don't really know if it's Crown land leased for pasture or whether it is deeded land. Again you could get into some difficulties.

Mr. Speaker, in the hunting area and leased land - I spoke last year on it - I really believe that public lands should be allowed to be hunted on, but there is a time that should be done. I think the proposals that were put forward by Fish and Game and the farmers in my area are worth noting again. I would just like to go over some of the points they brought to my attention last year. This is where the Edson Fish and Game Association and the farmers in that area got together because we had a lot of this trespassing and abuse, animals and machinery shot at, and so on.

Some of the recommendations they are making - that hunters convicted of willfully trespassing should face a suspension of their hunting privileges for two years - could be quite serious and yet if you are willfully doing something and you know you are doing it, I think the penalty should be there. Of course, without a penalty you would have much more of this. With a penalty, I don't know if it would really stop you from trespassing or not, but at least it would be a small deterrent.

The second suggestion was that permission to enter private land for hunting purposes should be on a written form supplied by the Fish and Game or the farmer and issued with a hunting licence. I really don't understand how this could work out too well because if you get your licence you would have to go to the farmer. When you're hunting and you shoot an animal on Crown land and it wanders off onto private property, are you allowed to cross the fence to go after your game, or do you stop there because it's posted, no hunting, no shooting, no trespassing? What do you do? So really it's a complex matter and is more far-reaching than what we really have got into. I am sure some of the hon. members who will speak after I'm done will probably bring this up.

It goes on to say that all persons convicted of willfully trespassing should receive a minimum fine of \$100. Now they don't say what the maximum fine could be, but some hon. member mentioned it could be \$5,000. Here again, what is a good fine and what is a bad fine? Is it the dollars and cents we are looking at, or is it the spirit of being neighbours and hunting together?

Number 4 was that restitution for all acts of willful damage and vandalism should be made to the landowner by the person or persons committing or convicted of such crimes. This is fine, and I think it is a step in the right direction. But what do you do with the person you can't catch?

In my area, last winter a small farmer who lives in the city drove out to his farm. He had a bunch of beehives up against his granary. He had piled them there for the winter months. When he got there there were snowmobile tracks all over his place. He went over to where his beehives were stacked and they were all burned. I guess it was real easy to start a fire with beehive wax, so they felt, well, let's start a fire and roast our weiners and so on. Now how do you catch this gentleman or lady or these persons and get them into court for trespassing? There are so many things we have to look at that aren't covered in this Act and probably never will be covered no matter what act we propose. I think it's just too complex that we could bring in an act that would be fair to everybody and still do justice to the people who own property.

It is also suggested that the hunting season should be opened at a later date in areas adjoining the farming communities.

AN HON. MEMBER:

Agreed.

MR. TRYNCHY:

This I agree with too. I think our season, with all due respect to the minister and his department, should be opened no sooner than October 15 or maybe the first snowfall.

AN HON. MEMBER:

Boo!

MR. TRYNCHY:

Give the farmers a chance to get their cattle in ...

MR. BARTON:

It started on September 5 this year.

MR. TRYNCHY:

I think I should close my speech. I understand there are a few more members here who would like to say something.

Getting back to the subject I was referring to, it is a serious problem in my area because of all the farmers who adjoin the green zone and these restricted areas where there is no farming and there is open Crown land. Cattle are grazing [on land] adjoining this Crown land and also some on Crown land. When a hunter goes out, and it's been the case a number of times, possibly we should go back and see who we can issue licences to. I think if we probably went in that direction and had a hunter-training school so these so-called hunters who come out into the rural areas from Calgary - I think most of them come from Mountain View - would know the difference between a cow or a horse or a moose.

MR. LUDWIG:

[Inaudible]

MR. TRYNCHY:

Mr. Speaker, the resolution is a good one except that it doesn't go far enough. It just wants to bring in a few points and add them to The Petty Trespass Act. In my view, The Petty Trespass Act should be repealed completely and revised with organizations, by getting together with Unifarm, the farmers, the Fish and Game Associations, the local hunters and anybody who is interested, to come up with an act that will prevent some of these things we are talking about today.

I'll end by saying that it would take some extraordinary people to come up with an act that could do the job we really want to do with this resolution. Thank you, Mr. Speaker.

AN HON. MEMBER:

Now we get it.

MR. SPEAKER:

Perhaps in view of having a reasonable alternation - I say that very carefully in the Assembly - we should hear from the hon. Member for Calgary Mountain View.

MR. LUDWIG:

Mr. Speaker, I believe that I could say in the three minutes allowed to me what the two previous speakers have said, and rebut them [with] success. I believe we listened to rather an interesting account from the hon. member who just spoke which was nothing less than a trespass on the rule of relevancy.

I appreciate the fact that this motion does present difficulties and that there are people who have different views as to what should be permitted and what should not. It depends on whether you own land or whether you are the trespasser or the person who is aggrieved. The problem, especially in the vicinity of cities, is a serious one. Much as people like to be neighbourly and permit city residents to move about, there are situations where the law of trespass has to be, I believe, brought up-to-date and enforced. No reasonable person has any difficulty in going out in to the country and being accepted. But we do get into situations where a few will spoil the good will and good relationship that does exist.

I practise going out into the country a lot and I have never been refused permission by a farmer to cross his land to go to a river, whether it is fenced in, whether there are cattle there or not, but they always caution me about leaving bottles or throwing things away or leaving garbage behind. This is something that has created an attitude of conflict between those who own land close to cities and those who want to use it. So I believe that in this area of conflict and sometimes serious concern, legislation is necessary. I don't think anyone wants legislation with heavy penalties, but it would be

preferable if everyone knew the exact relationship between his rights and the rights of a person who has posted his land with "no trespassing" signs.

Mr. Speaker, in light of the fact that this is private members' day to debate bills, I beg leave to adjourn debate.

MR. SPEAKER:

May the hon. member adjourn the debate?

HON. MEMBERS:

Agreed.

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

Bill No. 202 The Community Health and Social Services Centres Act

DR. PAPROSKI:

Mr. Speaker, as I rise to speak on second reading of Bill No. 202, The Community Health and Social Services Centres Act, I'd like to remind the hon. members of some of the aspects of the issues on second reading which basically, and I stand to be corrected, affirm the general principles and expediency of the measure. Mr. Speaker, in public bills it is founded on state policy. In private bills it is mainly founded on allegations of fact. So, Mr. Speaker and hon. members, we need principles, we need the facts and we need support.

Mr. Speaker, I suggest that indeed we have a need here and we have citizen support. In other words, there is a provincial policy of decentralization, local autonomy, a desire to elevate total health - that is the physical, mental and social well-being of the individual and the family in Alberta - and a desire to optimize a dollar value for that health service. There is a need to have a team approach in the provision of health services or total health services, because it is common knowledge in modern medicine that disease or ill-health or well-being is caused by multifactorial factors. Having said this, we need the team approach to promote that total well-being.

The need is obvious, Mr. Speaker, based on the many, many areas that have been neglected over a number of years - although this is improving - and I cite the mental health area, alcoholism and so forth and so forth. Having said this, Mr. Speaker, I'll try to be as brief as possible, and I beg the indulgence of the hon. members in what I consider to be a very important bill because I feel very strongly that community health and social services centres could serve as a pillar foundation for total health. To me total health - physical, mental and social well-being - can be equated with a quality of life for Albertans generally, for the individual and the family.

To relate back, Mr. Speaker, to the history of this particular concept I'll recall just very briefly that in March of 1971 I submitted this concept to Ottawa, to the federal authorities in health and welfare, at which time a national committee was formulated to deal with community health centres. This particular committee has formulated its ideas and indeed has brought about its proposals. There is a substantive difference between that proposal and what I am proposing here today, however, although there are also similarities.

Mr. Speaker, the hon. members will remember the resolution introduced on March 16, 1972, and passed unanimously on May 9, 1972, regarding the concept of community health and social services centres. I would recommend that members go back to some of the comments made on or about March 16, 1972 regarding this particular concept.

Then, Mr. Speaker, this bill was introduced as Bill No. 219 on May 10, 1973 during the second sitting of the Seventeenth Legislature. From that point on, when that bill was printed, the response from approximately 2,000 people across the province, various interested groups, agencies and individuals including medical officers of health, the nurses association and so forth, has been very gratifying. There were indeed those who expressed concerns and those concerns were mainly because of misinterpretations of the bill and not because they were not contained in the bill.

Mr. Speaker, the definition of a community health and social services centre - briefly, it is a centre located in a community to provide a wide variety of health and

social services and to elevate total health. It will coordinate total health from a single physical facility or many facilities. It's a mechanism to do just that.

Mr. Speaker, for clarification, if the hon. members want to remember what this really means, just think of the title of the bill - The Community Health and Social Services Centres Act. Community means, of course, where people live and do their thing, where they participate and understand. The central core concept of community, of course, is the individual and family. This is not regionalization because regionalization implies administration and a bureaucracy. And I suggest regionalization is another method of blocking the services to some extent.

Now, when we talk about communities in this bill the intent is to define communities not only in the way I have stated it, but also [as having] a population of approximately 5,000 to 10,000 in a rural area and approximately 30,000 in an urban area. Of course, this is variable and flexible depending upon boundaries, geography and so forth.

The other aspect of the definition is, of course, health and social services. I have already mentioned that total health - physical, mental and social services are interwoven and they cannot be separated in the modern thinking of medicine. This implies, of course, quality of life, the human environment and the total well-being of the person. And the word "centre" itself - a community health and social services centre - implies and is intended to imply coordination, and of course the core concept of coordination is team approach. Ill-health and well-being will depend upon many factors and the team approach is so vital in modern medicine because there is so much to do and so much expertise required.

So, Mr. Speaker, this is not government interference. It is the exact opposite of this, the reverse of this. In giving you, Mr. Speaker and hon. members, some background to this, I would like to mention a few facts. The smaller the community group is the more understandable and comprehensible it is to the individual and the family. The individual, the family and the community know their needs I suggest, Mr. Speaker, better than any bureaucrat detached from the community in a central office located in Edmonton or some other office.

[Applause]

Thank you, hon. member.

Mr. Speaker, there will be freedom of choice in utilization of these centres. This freedom is so well established in our community and Alberta, and we enjoy this mobility and freedom of choice as you choose your own doctor or your own school. This will indeed be maintained. Mr. Speaker, this is a mechanism to provide a wide variety of health and social services programs from a facility, single or multiple, and I emphasize that. It is integrated and coordinated at the community level by the community. Mr. Speaker, to draw an analogy, as a school is for education, as a church is where people go to pray, a community health and social services centre would be for health and social services.

Now, Mr. Speaker, it must not be misunderstood that this is not the only point of entry into the health system. This is one of the key points of entry into the health system. The patient or the individual may go to a doctor or any one member of the health professions practicing privately. He or she may go into a community health and social services centre or into a specialized facility, as the choice may be, but in either case if he ends up in any one of those areas the community health and social services centre may be the backup support that is necessary to clarify and amplify the services that are needed for him at the community level.

So, Mr. Speaker, this brings me to the very important point of, why this bill? What is the purpose of such centres? Well, Mr. Speaker, the prime purpose is obviously to elevate total health. To what level? To the optimal level. Mr. Speaker, there are some members who have had difficulty with that word, but I find it's being used more and more as time goes on. "Optimal" simply means the most favourable under the circumstances. It's not maximal because maximal would imply utilization of all of our resources for that area.

The other prime purpose, Mr. Speaker, is to obtain maximal value for each dollar spent. In other words, the tax dollars that we spend for our citizens - they expect to get their dollar's value.

Mr. Speaker, there are a number of other secondary points. They are of course, in addition to the elevation of total health, the provision of alternate sites to institutional care because these centres would indeed focus on the community and give the home services via VONs, Meals on Wheels, nursing care and so forth, so that we'd 'deinstitutionalize' people to the community, keep them there longer, where they want to be of course, and as a result there would be a saving in that respect. Prevention is a very important factor. It's a major factor in the provision of community health and social services via these centres, and prevention, as we all appreciate, is a very key

aspect in the total health delivery system. It will provide quality of life as a result of being able to have the communities focus on the various aspects of physical, mental and social well-being.

Mr. Speaker, the intent is that the response will be quick and clear. People will know from where to get their services in addition to their doctors, in the specialized facilities. There will be an evaluation on an ongoing basis of all the health and social services in the community. This would be built into each centre across the board, and as a result we'll have that health and social accounting and know the problems well in advance and be able to deal with them on an anticipatory basis.

Mr. Speaker, bureaucracy and fragmentation should be minimized. Cost should be optimized. In other words, you should get your optimal dollar's worth. The team approach will naturally be applied because the professionals and the voluntary help will be working together. As I stated before, Mr. Speaker, it serves as one of the main points of entry into the health delivery system.

So, Mr. Speaker, having said those things - the prime purposes and all those other secondary purposes - the specialized hospital facilities will still be there and they will be utilized; the team approach, providing primary, comprehensive, continuing care for the individual and family from such centres, will also be emphasized. Now, when I talk about primary, comprehensive, continuing care, Mr. Speaker, I think it requires some elaboration for the benefit of the members.

Primary care means first-contact care, the emergency care, it's the personal care. Somebody has to do this. It could be any one of the health professionals working in such a centre. Comprehensive care implies utilization of all the resources in the community to optimal advantage for the individual and family. Continuing care means exactly just that. The patient not only receives care at the community level from such a centre, out into the home, school, but also extended to any other facilities so he is never left dangling without knowing where to go.

So, Mr. Speaker, with this primary, comprehensive, continuing care, and personal care, we have the added factor of prevention, diagnosis, treatment, rehabilitation and teaching. I emphasize teaching because teaching from these centres could carry on into the community from Grade 1 onwards which will, of course, aid in the whole aspect of preventive health.

Mr. Speaker, going on to the administration of such centres, if the bill were passed, the local boards would be elected and/or appointed. These boards would be made up of individuals from the community, of course. In the bill, it quite definitively states the minimal requirements for formulation of a community health and social service centre in any community across the province would require the amalgamation or the concurrence of the health unit and the municipal social service and whoever is in charge of that at the present time.

If these two authorities agree, then in fact, a community health and social service centre could be formed. At that time, of course, many other health and social services such as mental health, handicapped children programs, and senior citizens' programs, or even at the same time, could formulate that health centre. There is one substantive difference from the present composite health and social service boards that we have in The Department of Health and Social Development Act. That is, the active auxiliary and nursing home hospitals will be excluded initially, and initially only. After formulating a centre, they, indeed, could be a part of it, Mr. Speaker.

The administrative set-up of formulating these elected and/or appointed members will have advisory, executive and administrative responsibilities, coupled with the professional and the voluntary staff - and I emphasize voluntary staff - will indeed carry out the activities of the community health and social service centre. Mr. Speaker, there is no doubt that many other aspects can be developed, like an executive director and so forth if that is necessary.

Now, Mr. Speaker, I would like to turn to some of the benefits of this particular bill to the community in addition to those things that I have mentioned. I have talked about savings. And Mr. Speaker, there is a difficulty some members of the community have, to recognize and appreciate the fact that we could, in fact, as a provincial government, have a substantive saving.

The challenge, of course, is if you want to really realize savings via such a community-coordinated concept, it would imply that you would have to stop all other services. If you stopped the extension of these services beyond what we have right now, indeed, I suggest there will be a substantive saving because of the essential coordination. But, Mr. Speaker, we know that needs in a community, whether they be physical, mental or social, have not been satisfied. I suspect and suggest to the hon. members they will never be satisfied completely. Maybe that ideal state will be reached some years hence, but I doubt it. But if it were, then indeed the concept in itself would save dollars immediately because of the total coordination of health and social services.

In either case, if there were an extension of these services - handicapped programs, senior citizens, welfare, child abuse, mental health and so forth - Mr. Speaker, at least, on the basis of coordination and doing away with bureaucracy, fragmentation and duplication, there's got to be dollar value for every service that's provided.

Mr. Speaker, my cursory examination, I suggest to the hon. members, suggests there could be a saving of some \$50 million to \$70 million a year if - if - we did not extend our services. Now I suggest, Mr. Speaker, I suppose that is academic and hypothetical because our services are going to be extended because the needs in the communities and these various areas have not been met.

Let me just cite what would happen, in fact, and how you would save these dollars. The first point, Mr. Speaker, would be that a total health care system like this, by community health and social service centres, would be a key link, the last link, the community link that would complete that cycle of health-delivery systems which is so fragmented now out in the community, outside of the institutions, and would result in extra care in the community itself and the homes. As a result, you would streamline the health delivery system. You would provide the care in the home and discharge the patients earlier and as a matter of fact, keep patients away from hospitals because you would be treating them at an early date. This, Mr. Speaker, would save money in itself.

The total coordination I have mentioned - we know there are many agencies and boards that are overlapping and duplicating - all doing a good job, and have done a good job. The cost, as a result of this duplication, overlapping and the many, many health workers who, as a result, are deployed to these duplicated factors, has resulted in a great waste of cost, Mr. Speaker.

Just another area - the rapid and true response - the health and social accounting that we're talking about because they're located in the community and all the problems - physical, mental, social, unemployment problems, social assistance problems - would be known on a day-to-day basis. Now, knowing that, Mr. Speaker, surely the anticipation and knowing what to do well in advance will again save thousands, if not millions, of dollars.

Mr. Speaker, the emphasis on out-of-hospital, out-of-institution and ambulatory care is an obvious saving. Just to cite one example, if there were vigorous rehabilitative teams in the community right now, many senior citizens who are now in our auxiliary hospitals and/or nursing homes, who cannot or are unable to eat because of some paralysis or paresis or weakness in the arm, if they were rehabilitated - and it is estimated that most of them could be, or many of them could be - so that they could at least eat, this would represent a saving of \$500 per year, per patient. Mr. Speaker, 2,000 such patients would represent \$1 million saving a year in itself. That is only one example.

Now, Mr. Speaker, how could you measure the cost saving of teaching of total health, that is, physical, mental and social well-being, if this were started from Grade 1 onwards? This is immeasurable, Mr. Speaker. My estimate, although it is cursory and may be in some way not accurately demonstrated, based on the information that I have and from my experience in medical practice over the past 18 years, suggests that \$50 million, \$70 million to \$100 million per year for the Province of Alberta is not out of line.

And just one sidelight, Mr. Speaker, we in North America are spending three times more for health than western European countries. And we have a level of health, Mr. Speaker, based on the world health levels - and that is including all those things I mentioned before, food, clothing, shelter, education, social security and so forth - that is far below that. So I suggest it's time for a re-evaluation.

Mr. Speaker, some of the benefits and the problems [are these.] Zeroing in on the community, Mr. Speaker, there has been concern expressed that there would be a dispute between boundaries. Where would the boundaries of the health units and municipal social service boundaries be delineated? Well, Mr. Speaker, these boundaries are already now defined. I suggest that with proper public relations, this would be no great problem. The communities have expressed that freedom of choice would be disturbed. And I suggest - I not only suggest, but I know - that this bill, in fact, assures that. Mr. Speaker, for the community, the regional differences across the province, the less anxiety there is regarding health and social services and the clarity and the understandability and the comprehensibility by the individual and the family in the community is so important to them and most of the community members do recognize this.

Mr. Speaker, what are the benefits for government itself? Not that the government needs any particular benefit, after all, this is for the individual family. But they have to be acknowledged because the administrators also get restless and the greatest problem they have is that bureaucrats in administration are frightened. They are frightened I suggest, Mr. Speaker, hon. members, because they will have to be accountable on a day-to-day basis. It's about time we broke down that ivory tower.

Decentralization within the scope of this government's policy will be maintained, will maximize our dollar value and will assure responsiveness and a mechanism for action to these various health and social service needs.

Mr. Speaker, the medical doctors have at times expressed concern, and after having met with them, I can assure you that the response was quite positive. They were particularly fearful, of course, of socialism. Well, Mr. Speaker, this is the exact reverse of this. This is allowing the communities to do their thing. They were afraid, of course, of government interference. Mr. Speaker, again, to allow boards to be elected and/or appointed by the community is the exact opposite of that. They were fearful of fee-for-service versus salaries. Well, Mr. Speaker, this is not a consideration in the bill at all. Then the medical doctors, I suggest, Mr. Speaker, will have increased satisfaction knowing that there is a community health and social service centre to back up their various needs because they don't have the time to cover all these areas. They will receive that increased assistance and coordination as the community health and social service will receive this.

The other major concern regarding the medical doctors, Mr. Speaker, which is not a threat to them in any way, shape or form, the medical doctors will not have to be in these centres except for the medical officers of health.

Now, what are the other benefits regarding administration? I've mentioned democracy, local autonomy - it's not central government interference, it's the reverse of this. So from the administrative point of view there is no problem.

The team approach, the various professionals love it because they realize that they will have an opportunity for the first time to truly work in the community together. They recognize the interpersonal problems they will have, but are prepared to deal with them. But they also recognize, Mr. Speaker, the opportunity here, a vast opportunity to teach the team approach in a centre out in the community where the action is, where the problems really arise from the outset. The voluntary help know that they will play a very important role regarding liaison, increasing the effectiveness and decreasing the barriers right at the community level. They love it and God bless them, Mr. Speaker, because we sure need them.

Mr. Speaker, there is some expression of concern from the preventive social service area. Well, Mr. Speaker, I suggest that the response must be that this particular bill with these centres will do exactly what they are advocating; it will increase the effectiveness of the preventive social service.

The hospitals say, well, we don't want to be excluded - and I'm pleased to hear that indeed - because they are not going to be excluded. They are only going to be kept apart from the formulation of the centre initially. The reason for that, Mr. Speaker, is to avoid any possible bureaucratic blocking, to assure the community that the hospitals have done a terrific job in their active care or their specialized care and they are part of the community, not the other way around. The hospitals can, indeed, join and be part of the centre as soon as the centre is formed.

So, Mr. Speaker, turning specifically to the bill, Bill No. 202, the question can be asked, why this bill and what will this bill do? Well, hon. members, it allows for the following things - and very, very briefly. The formation of plans for such centres. It will reverse government interference. Mr. Speaker, it is a permissive, voluntary, enabling bill. No community has to do it. They can choose the course they have now or go into this coordinated community effort. Mr. Speaker, it's flexible and it recognizes its flexibility as the variations occur across the province. At the same time it also recognizes minimal standards that have to be maintained across the province to ensure there is no regional disparity. Mr. Speaker, it's a bill responding to community needs, responding to those people in the community who, I suggest, hon. members, are disgusted with the lack of response and the fragmentation and the high cost of service.

Well, Mr. Speaker, the question could then be asked, why this bill? To put it as definitively as possible, there are a number of reasons. To carry out the purpose and objective mentioned in the bill, of course. To improve the quality of life, to assure the community life in the family and that the individual can participate, to increase and assure that they understand where the services are, and to zero in on a total health human issue.

Mr. Speaker, I think we all know this message very well. I'm confident that the people of Alberta are hard-working. They have waited a long time to get their dollar's worth in health and social services, and I have no hesitation in saying they are prepared to accept this type of thrust, mechanism, a key link in the community and then turn their energy to help other people in other provinces and other parts of the world.

Now, Mr. Speaker, I suppose many of you would say, well this is an idealistic philosophy. I think not, Mr. Speaker. I'm satisfied, going across this province and talking to various people regarding this bill, that they will indeed support this.

Mr. Speaker, so why a separate act? It is to focus on these things, to emphasize, to clear the air, to coordinate and to be a key link in the community.

Mr. Speaker, the substantive difference between The Department of Health and Social Development Act and the composite boards is this, and this is the only part that I want to clarify at this time. That is, one, that health units and municipal social services provided in the community must join hands to formulate a community health and social services centre, whereas in the Health and Social Development Act, any one of those services can do this. The other thing, as I've mentioned, the nursing home active hospitals and the auxiliary hospitals, Mr. Speaker, will be a part of this centre until the centre is formed, to assure that there will be no blocking. The other substantive change in this bill, in contrast to the composite boards in the Health and Social Development Act, is that privately owned non-district hospitals may, indeed, be included whereas in the present provisions they are not. Mr. Speaker, simply to make it a separate entity, a bill to deal with these services, I think, is very very important.

So, Mr. Speaker, with those remarks I would just like to briefly indicate that there was wide-ranging support ranging from the Alberta Health Units Association which passed a resolution in March, 1972 supporting these centres. The Family Planning Conference of May, 1972 passed a resolution supporting such centres. The second volume of the Blair Report speaks of and emphasizes the need for authority to communities to local boards. The Mental Health Act is zeroing in on this area. The Barons-Eureka area in southern Alberta has already amalgamated to some extent, likes the concept and supports it. Area 13, representing some 30,000 people in southeast Edmonton, is in support of this concept. The Alberta Association of Registered Nurses has indicated support of the concept embodied in this bill. And there are many health units, Mr. Speaker - Calgary Social Service is prepared to go ahead, I just received a letter the other day. Magrath is anxious to go ahead. The Alberta Medical Association, I've already mentioned, has a positive position providing those aspects of fees, and the medical doctors are not forced to go into the centres - I've assured them regarding that.

So, Mr. Speaker, with those comments I would invite, of course, hon. members to participate and add their comments, concerns and so forth. Thank you.

MR. DRAIN:

Mr. Speaker, I congratulate the hon. Member for Edmonton Kingsway in bringing this very thorough private members Bill No. 202 before the Legislature. I congratulate him on his effort and motivation, which most assuredly is human concern, and concern for people which is a hallmark, I believe, of anyone in the medical profession.

There is a great relationship between the concept people have relating to a problem and the environment in which they have functioned during their life. An engineer will think in terms of being an engineer ...

AN HON. MEMBER:

Careful!

MR. DRAIN:

Right.

He looks at the clock and orients himself and says the problem can be solved mechanically, and sometimes it can't because it involves people. So the doctor on the other hand looks at the concept from what is best for people.

In his remarks the hon. Member for Edmonton Kingsway did, in his remarks, tie in the concept of total health. I suppose it could be well accepted that there would be an interrelationship between social problems and health. In reality, a welfare problem [could be] related, possibly, to the mental inability of a person to find himself or an inability to adjust. The thing which really overwhelms me is the magnitude of the concept in relating it to the rural areas of the province.

It was mentioned in terms of including, presumably, social development as such, medical and health centres, active treatment and chronic treatment hospitals, psychiatric care, nursing homes and also health units. This, I think, would be a concept which would be ideal in a heavily populated area such as the city of Edmonton. But, frankly, I do have some reservations about to how this could be applied in a rural area where a health unit, in fact, does embrace several dozen small towns or villages and is also scattered over quite a large number of townships.

I would suggest that if this concept was brought to fruition, there would be deterioration to some degree because the accessibility of this particular service would be limited by the limited population and the distance people would have to travel to make this particular service available.

I realize this particular concept of health treatment has been developed to a considerable degree in the province of Ontario and has been looked at favourably in the province of Alberta as well. The concept has been pioneered in the Crowsnest Pass to some degree, but not to the degree the good doctor envisioned in his address to the Legislature. We have under one roof a senior citizens nursing home [and a] general hospital complex. It is working out very satisfactorily, resulting in considerable savings in food distribution, cleaning facilities, general caretaking and all of these things. There is quite a significant saving that would not be realized if there were three separate entities functioning in what generally could be considered as the same area.

There is also great merit in the concept that the time to approach illness is before it occurs. This was the ancient Chinese method by which the doctor was paid to keep the patient healthy. If he didn't, he lost his job in a rather dramatic manner. This, of course, is very, very good.

I think my reservations, although I welcome the concept, have to do with the fact that such large areas of rural Alberta would have to be brought under the umbrella of a concept like this to make it worth while. Even in the form of amalgamation of one or two hospital districts, it is a pretty traumatic situation because what does occur is that doctors generally move into the centralized area and the outlying areas are deprived of this very vital service at times when it is really a matter of considerable importance to them to have this type of service available.

There is another concept which goes into integrated health service which has been developed to a great degree in the United States. I am referring now to the Kaiser Corporation's health plan where they have integrated to the point - and computerized an assembly line process in the matter of evaluating patients - where one doctor is capable of looking after 10,000 patients, which would be, in fact, a genuine saving because there would be a considerable number of doctors who could be turned out to grass. Whether this would be a suitable diet or not - I am not speaking factually but figuratively, Mr. Speaker. In this particular area our ends or their equivalents to much of the diagnostic work such as cardiograms and all the other factors which are equated to the evaluation of the conditions of the person - and all of this is finally fed through a computer printout and directed - the cases which aren't identified for treatment are then finally brought before this one doctor for evaluation. So this is, in reality, 1984.

I think, really, that we expect a little more from our doctors than that. We think of our doctors in terms of guidance counsellors, as well as in their role of prescribing for ills. I do not question that a considerable proportion of a doctor's time is not directly involved in dealing with what, in reality, is the problem. It could well be a matter of loneliness, of mental difficulties or, really, an unhappy home life - it all comes into the general practitioner's hands.

But with a complex such as the hon. Member for Edmonton Kingsway envisioned, the tools would be at hand to treat and support any particular problem which would be faced. And for this reason, I take great pleasure in supporting the hon. member's bill.

MR. ZANDER:

Mr. Speaker, quite contrary to the comments made by the hon. Member for Pincher Creek-Crowsnest, I would say this type of health service would lend itself well to the rural and urban areas of our province.

Mr. Speaker, I believe since the inception of the health unit services some 21 years ago - embodied in this concept was also the concept of prevention, the social services we could possibly run into and the diseases of children. In many cases they also entered into an agreement with the dentist to look after the pre-school children.

But, Mr. Speaker, when I look at the concept which is outlined in the bill - and may I only give you an idea, Mr. Speaker, and members of this Assembly just what we have as far as health services - and I am looking at my particular constituency as it stands today and as it has for the past 15 or 20 years. We have - the total number in just adding them up, Mr. Speaker, - 43 members who are either elected or appointed to boards. Let me just recite for the refreshment of members of the House: we have the Parkland-Lexington Health Unit, Edson Health Unit, Leduc-Strathcona Health Unit and the Wetaskiwin Health Unit. Each one of those board members have - and mind you they are doing a good job - but they each have from five to seven members. Then you go to the hospital board, the auxiliary nursing home board, the senior citizens' lodge board - and I could add a few. Not including the secretary and management of these boards, we have in my area some 43 members who are either appointed or elected members of boards. I have an area that is covered by four health units. Nobody really knows in what health unit they really belong because there are overlapping borders. I may add that maybe it is a good thing to do, because maybe they can cover the area.

But the cause and concern of the health services in a local area, and I'm referring primarily to a rural-urban area - and many things that do occur in this area - and I'm particularly thinking of the handicapped people, the mentally ill and the elderly citizens have to have specialized treatment or some recognition of treatment before the actual hospitalization occurs. This concept as outlined by the hon. Member for Edmonton Kingsway certainly lends itself to putting together all the forces that we have there now. I'm sure that we could possibly have a board of maybe six or seven people who could look after the needs of all the health services that we now require. Yet we are paying these people to direct the health units, the hospital boards, the senior citizens' lodge, the nursing home and auxiliary hospital boards. There are other services in there. This is all paid by the taxpayer. Surely we can reduce the costs with this type of concept in a rural-urban area, because most people are reluctant to go, and maybe can't go, to a specialized field in the larger centres such as the city of Edmonton or the city of Calgary. In going to their local health centres we can probably eliminate some of the occurrences to the physical body in time. We can either direct them, or by educating them try to give them some of the services. We would not end up with the patients in the hospital.

The other part, Mr. Speaker, that I really do like about the system is the inclusion of the voluntary service provided within a community. In my area there are something like 22,000 people. We have two services, two hospitals. Most of them are full. You can't really get to help the ones who are mentally ill or the people who are on drugs because there isn't sufficient personnel or time to carry these people through the consultation stages.

Also, the point I wanted to bring out, Mr. Speaker, is that as to young people, in our area the social services [are] now administered from the city of Edmonton, and we are removed something like 90 miles. Many times a total breakdown occurs in the family before the social services can even have knowledge of it. Although you have voluntary services in the local area you cannot cope with the numerous occurrences of social problems that do occur within a community.

Therefore, I would certainly hope that all members, in speaking to the bill, would recognize that this certainly is an improvement on the health services we now have. The concept proposed by the hon. Member for Edmonton Kingsway is certainly an improvement over what we've had for the last 20 years. If it can be done cheaper I would like to see the cost factor - at least the anticipated cost factor - before we proceed with the bill. Nevertheless, if it can be done in the manner outlined in the bill, then certainly it will be a great step forward in the health services to our rural-urban areas.

MR. HENDERSON:

I just want to say a few very brief words on the bill. I would like to suggest, Mr. Speaker, that the bill should be acceptable to all members of this House. I think it's in keeping with the pretty well established tradition of this government now, which is mainly of dusting off the existing piece of legislation, putting a new label on it and resubmitting it as something new.

Of course, when one reads the last section of the bill, it has been taken out of the 1971 Act setting up the Department of Health and Social Development and set up as a separate piece of legislation.

Having said that, I don't necessarily begrudge the exercise in which the mover is indulging. In so doing, I think it probably is desirable with a view of bringing the matter before the House again and getting some emphasis on it. Certainly the hope of trying to move the health system in the direction advocated earlier by the Blair Report led to the consolidation by the Department of Health and Social Development. It's going to take quite a bit of missionary work to overcome the inertia that exists within the system. Of course, I mean inertia also related to momentum - the system moving in one direction and it's really involved in trying to turn it.

I really can't see any concern on the part of rural versus urban members as to worrying about whether it will work in the rural area and will it work in the urban area and vice versa. One of the essential features of this entire approach has to be the matter of flexibility. There isn't going to be any one system or organization that really is going to fill the bill in all parts of the province.

One of the things that struck me in the brief time I served as Minister of Health and Social Development is that the health system and organization as it exists today - I think it was valid then and it's still valid - wasn't really designed with any view to effectiveness. It was basically designed for administrative convenience. This is how the system was really built. As I say, if it were effective, that would be so much the better. From an organizational standpoint, it wasn't really designed from the standpoint of effectiveness. It was one of administrative convenience. I think this is logical because it wasn't planned as a system with some preconceived concept, it developed. Practically every service in the health field today was started some place in the private sector. It didn't matter whether it was training doctors, hospitals or nursing homes -

practically every aspect of it was started in the private sector - some volunteer group or some private enterprise group. It was subsequently moved over into the public field.

Certainly, in addition to flexibility, there is no question that this whole thing of integration is the big thing that all political jurisdictions in Canada are looking at today with a view of trying to piece the whole thing together and make it function from the standpoint of effectiveness instead of being created primarily for the standpoint of administrative convenience.

I think when we introduced the bill in '71 we envisioned making it enabling legislation hoping that there would be enough interest in certain parts of the province to get some pilot projects established and under way with the hope that the benefits or merits of an integrated system would sell themselves. We would hopefully have all the local jurisdictions in the province involved in the health field lining up to come in under the new system. We would see a transfer from a fragmented, piecemeal system which is split up amongst a multitude of authorities and professional groups into one overall much more effectively integrated system.

Once again, even there, the word is flexibility because the geographical problems don't lend themselves to any rigidity. I think any concept of rigidity simply destroys the basic concept in the first place. We're right back to the old problem of making it so it's administratively convenient whether it's functional from the standpoint of the consumer. That's somewhat incidental.

I think anyone has to be naive, however, to suggest that it's going to reduce costs. The only thing that is going to reduce costs, I think, in this whole area is when the country goes bankrupt. We are getting pretty well along that road now. So, I would hope that one might do something to reduce the rate at which the costs are increasing in the health field. I'm talking in terms of costs here as independent of the question of inflation, because the percentage of actual costs in absolute dollars in the health field has increased at a substantial rate. Logically, I think, the objective is to get better value for the dollar spent. But anyone who supports the idea that he is going to save some money on it - there might be some saving at the administrative level, but I have never yet seen a program introduced by any government that ended up saving the taxpayers any money. You know, I hear the argument this year in the budget that the reason for hiring all the civil servants is that we are spending more money. So even if there weren't any new programs, you have got to have more people to administer all the extra money you are going to spend.

I wonder though if it isn't a mistake to exclude hospitals from the original concept if they wish to come in, because it is a voluntary approach, it is not a mandatory one in the concept. While I think it is worth pointing out, it certainly has become mandatory in other political jurisdictions, particularly the province of Quebec. They organized along this line and left no one any choice. As you recall there was a sidelight on that. There was a threat of doctors leaving the province. They passed a bill making it an offence for a doctor to leave the province. If he did leave, they could seize all his assets, they could do almost any sort of thing to him. While that bill related to supposedly a medical strike, I think part of it had some bearing on the question of integration into these clinics. Certainly the issue of prevention has got to be the emphasis. There is no question about it today that the business of medicine is really related to treating sickness. While it is a real money-maker for some people, I like the idea of the Member for Crowsnest-Pincher Creek who suggested that if the doctor didn't do his job in a preventative sense, there was one easy solution for him. They removed him from the system, permanently. But I would be concerned that if the hospitals are excluded, Mr. Speaker, we are simply going to be confronted with two large independent immovable bureaucracies at a later date, which you will have trouble melding into one.

So I think if the concept is sound, the concept of integration in the first place, the door should be open for all facets, all aspects of the system to enter in under this umbrella of integration as was conceived by the bill in 1971 and as has been brought before the House again in the form of this private bill.

I supported the concept at that time, Mr. Speaker. I continue to support it now, notwithstanding the fact, as I said at the outset, it is a bill that all members, particularly, of the government side should support. It is in keeping with the tradition of this government of dusting off something that is on the books, putting a new label on it and bringing it in as something big and new. So be it. It was a good idea then. It still is today.

MR. LEE:

Mr. Speaker, in addressing my remarks to second reading of Bill No. 202, I would want to support those principles and those benefits as enunciated by many of my colleagues and members from the other side. The development of an integrated health and social services approach, decentralized through a delivery of these services to the community level, certainly responds to a number of very basic concerns about the delivery of health and

social services. But having stated that I do support the principles, I would like to identify certain concerns that this bill must respond to. I would want to indicate that there are certain decisions, in fact, certain concerns that must be resolved and faced prior to or concurrent to the initiation of such an approach as represented in Bill No. 202.

I'm not saying that the bill creates real problems, but just that there are certain areas that have to be further resolved.

But due to the lateness of the hour and the extent of the remarks I would like to make in this area, Mr. Speaker, I beg leave to adjourn the debate and to call it 5:30.

MR. SPEAKER:

May the hon. member adjourn the debate and call it 5:30 o'clock.

SOME HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, tonight we will proceed, as I mentioned yesterday, first to second reading of Bill No. 55, The Northeast Alberta Regional Commission Act; after that, Bill No. 47, The Oil Sands Technology and Research Authority Act. That will probably be the situation tomorrow morning, to continue with second reading of both those bills.

MR. SPEAKER:

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

[Mr. Speaker left the Chair at 5:28 o'clock.]