

LEGISLATIVE ASSEMBLY OF ALBERTA

Monday, November 4, 1974

[The House met at 2:30 p.m.]

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF VISITORS

MR. WYSE:

Mr. Speaker, I'm happy to introduce to you and to the members of the Assembly this afternoon some 39 Grade 12 students from the Crescent Heights High School in Medicine Hat. They are accompanied by their instructor, Mr. David Rempel.

They left Medicine Hat at, I think, about 5 a.m. this morning. They are seated in the public gallery. I'll ask them to stand at this time and be recognized by the Assembly.

MRS. CHICHAK:

Mr. Speaker, I have today particular pleasure in introducing to you, sir, and to the Assembly, Miss Terry Meyer, in your gallery, who has recently been crowned as Miss Canada. I say that I particularly have this pleasure because half the point allotment in the competition was for intelligence and the capability to perform in her capacity as Canada's Miss Ambassador. We take a great deal of pride because this is the first time for some 17 years since the competitions have taken place, that Alberta has had a Miss Canada winner.

Accompanying Miss Canada, our Terry Meyer, are her travelling manager, Mrs. Carol Van Wijk and Mr. Bob Welford, one of the sponsors from the local competition. I'd ask Miss Canada and her companions to rise and I would like the House to welcome her to this Assembly.

MR. LOUGHEED:

Mr. Speaker, I would just like to add a further note, having had the delightful opportunity to have worked with Terry over the course of a number of months - and it's pretty obvious to all of us sitting down here how very attractive she is. She is also a person of great warmth and intelligence and a tremendous credit to this province. I'm sure she will be a great ambassador for all of Alberta in the coming year.

MR. CLARK:

Mr. Speaker, on behalf of the members on this side of the House, might I also say congratulations to Terry. Not only will Terry be an excellent ambassador for Alberta, but she'll be a first-class ambassador for Canada. We congratulate you. We understand you'll be moving to Toronto. The very best of luck in your endeavors living in Toronto. Who knows, you may be able to shed some light in certain areas as far as our friends in central Canada are concerned.

If I might take the opportunity to say to the Premier, Mr. Speaker - and if Terry would forgive me for making this suggestion - might I suggest, Mr. Premier, in light of the high standards you have established in your office with regard to Miss Meyer, that you seriously consider bringing Miss Manni Fink from Calgary to Edmonton to see if, in fact, she can't be employed in the Legislature Building in an appropriate fashion. We think that would maintain the very high level of beauty in the building.

DR. McCRIMMON:

Mr. Speaker, I would like to introduce today six members from Hobbema who are visiting with us. They are: Chief Maurice Wolfe, Laurence Major, Simon Three Fingers, Leonard Rabbit, Adolphes Batise and Delford Lewis.

These gentlemen have been responsible for the development and progress of the Detoxification Centre in Hobbema and I am happy to say it is probably one of the most successful operations of its type in Alberta. We realize that they have spent a lot of work on this and have made a great deal of effort. I would like them to stand now and be appreciated by the House.

TABLING RETURNS AND REPORTS

MR. YURKO:

Mr. Speaker, I beg leave to file two reports; the first being Recommendations and Resolutions 1974 of The Public Advisory Committee on the Environment, and the second is a report on the ice breakup on the Peace River, Alberta 1974 by J. B. Nuttall to the Alberta environment department.

MINISTERIAL STATEMENT

Department of Advanced Education

MR. FOSTER:

Mr. Speaker, I would like to make a ministerial statement concerning the level of funding for universities in the next fiscal year.

Before making the statement, however, Mr. Speaker, I would like to correct the Leader of the Opposition and remind him that Manni Fink is from Red Deer, not from Calgary.

A review of the third year of the government's three-year operating grant scheme for universities, Mr. Speaker, has resulted in the decision to increase the 1975-76 enrolment unit grants by 15 per cent rather than the 5 per cent adjustment to 1974-1975 grants originally specified.

The finance scheme referred to was initiated in 1973-74 and covers financial support to Alberta's four universities and the Banff Centre through to 1975-76. The revised rate of funding for the last year of the scheme was calculated to provide for price increases to offset the loss of interest income in erosion of tuition revenue and to enable the universities to meet high priority requirements.

We have also decided to extend the current method of funding for one year, the new termination date thereby coinciding with that of the existing cost-sharing agreement with the federal government on financing post-secondary education. Decisions concerning the value of enrolment unit grants for 1976-1977 will be made about this time next year.

The upward revision in the basic unit grant for 1975-1976 was based on a careful analysis of the universities' appeals for more funds, including a number of meetings and campus visits by myself and members of my department.

I would like to add at this point, Mr. Speaker, that board members and senior officials of the universities and the Banff Centre are to be commended for the forthright, sincere, patient and cordial manner in which the extended discussions were conducted.

The escalation of financial support levels represents tangible evidence of the government's continuing interest in maintaining excellence and high standards in our universities. Alberta has in the past ranked either at or near the top in almost any measure of support of university operation in Canada, and it is our intention to maintain this position of leadership in the future.

The increase of 15 per cent for universities, Mr. Speaker, is consistent with the announcement made today by my colleague, Lou Hyndman, the Minister of Education, that the instructional grant portion of the school foundation program fund will be increased by an average of 15 per cent for 1975.

ORAL QUESTION PERIOD

Kerans Report

MR. CLARK:

Mr. Speaker, I'd like to direct the first question to the Attorney General, and the question is with regard to Mr. Justice Kerans' report and the Securities Commission.

My question to the Attorney General is: what action does the government plan to take in light of the recommendations of Mr. Justice Kerans on the administration of The Insurance Act which really flowed out of the Cosmopolitan investigations?

MR. LEITCH:

Mr. Speaker, some time before the inquiry headed by His Honour Judge Kerans got underway, I had arranged with Mr. Rose, then the chairman of the Securities Commission, that on his retirement - that has now occurred and Mr. Scott is now the Chairman of the Securities Commission - he would do for us a detailed analysis of not only the Securities Commission but other areas where there is similar supervision to that which occurs in the Securities Commission, and make recommendations to us with respect to both administrative practices and possible legislative changes. That work has gotten underway.

As I say, it's the result of arrangements made with Mr. Rose some time ago. As part of that work he will be making an assessment of the recommendations of His Honour Judge Kerans, therefore I don't expect any legislative action on those recommendations until we have Mr. Rose's analysis and have the opportunity within the department to study it. Thereafter I would expect any changes to be made that were going to be made.

MR. CLARK:

A supplementary question, Mr. Speaker. Has the government made a decision as to whether it will compensate the shareholders in Cosmopolitan Life who collectively, I believe, lost about \$5 million? Has the government made a decision as to whether there would be any compensation to those shareholders?

MR. LEITCH:

No, Mr. Speaker, the government hasn't. In that connection I should draw to the attention of the hon. Leader of the Opposition the comments in the report regarding the government's role with respect to shareholder investment as contrasted with the investment by people who buy insurance policies and things of that nature. I have met with a representative of some of the shareholders and have had a preliminary discussion with him on the question, but as yet no decision has been made in respect of it.

MR. CLARK:

A further supplementary question, Mr. Speaker. Can the Attorney General advise the Assembly when Appendix E regarding possible criminal charges will be made public? And secondly, will the government be laying any criminal charges as a result of the recommendations of Mr. Justice Kerans?

MR. LEITCH:

Mr. Speaker, the first part of that question I dealt with at the time I tabled the report. As my memory is, I stated that it was the government's intention to make public Appendix E, as soon as the criminal proceedings referred to in that report were finalized. That, as I indicated at the time, is the government's intention.

With respect to the second question, Mr. Speaker, which was whether any charges had been laid as a result of what was said in Appendix E, that really requires an answer in this way, Mr. Speaker. Charges have been laid in respect of matters referred to in Appendix E. But it would be improper, I think, to leave the impression that as a result of what was said in Appendix E the charges were laid, because in a number of those cases investigation was going on, before and at the time of the inquiry, into possible breaches of the criminal law.

Red Deer River Dam - Hearings

MR. CLARK:

Mr. Speaker, a second question to the Minister of the Environment. I'd like to ask the Minister of the Environment when the public hearings will be held on the proposed dam on the Red Deer River, for flow stabilization?

MR. YURKO:

Mr. Speaker, I don't remember the exact dates, but I will look it up and advise the hon. member. I believe they are either in the month of April or in the month of May - I believe the latter part of April.

MR. CLARK:

A supplementary question to the minister, Mr. Speaker. Will the hearings be confined simply to what is referred to as Dam Site 6 on the Red Deer River, or in fact will they deal with all the possible dam sites on the Red Deer River from the standpoint of flow stabilization?

MR. YURKO:

Mr. Speaker, when we started with the project we had some 21 different alternatives in terms of flow regulation of the Red Deer River. These were reduced to two which presented the greatest possibility of success, reduced by an advisory committee and other bodies. These two alternatives, which were sites 6 and 7, are being studied in detail. It's these two proposals, Site 6 and Site 7 and all the accompanying data which involve environmental impact assessments, soil stability in the area, land flooded and so forth - the results of these two assessments will be exposed to the public through a public hearing.

MR. CLARK:

A further supplementary question, Mr. Speaker, to the minister. Will it be possible that at least one day of the hearings be located in the town of Sundre, given the fact that the Red Deer River runs through Sundre and the interest that has been shown from that particular area regarding the whole question of flow stabilization?

MR. YURKO:

Mr. Speaker, I don't dictate the location, the type or the duration of the hearings. The Environment Conservation Authority establishes these factors. If they consider it necessary or advisable to have a hearing in Sundre, then I'm sure they will take that matter under consideration.

MR. NOTLEY:

Mr. Speaker, I wonder if I could pose a supplementary question?

MR. SPEAKER:

The hon. Member for Wetaskiwin-Leduc with a supplementary, followed by the hon. Member for Spirit River-Fairview.

MR. HENDERSON:

Mr. Speaker, I wonder if the minister could clarify whether the hearings are being held at the initiative of the government as opposed to the initiative of the authority. Secondly, if the hearings are being held at the initiative of the government, can we now take that as an indication of the government's policy that the answer to pollution is dilution?

MR. YURKO:

Generally, Mr. Speaker, hearings are held by the Environment Conservation Authority at the initiation of the government. I believe there have been two - or one hearing which has been held by the initiation of the authority. All others have been held at the initiation of the government.

Mr. Speaker, with regard to flow regulation of the Red Deer River, flow regulation has been felt to be necessary for a variety of reasons, and not necessarily because of pollution characteristics in the Red Deer River. As a matter of fact, the most important single item identified with respect to the need for flow regulation of the Red Deer River is associated with making the entire central part of Alberta industrially viable.

Kerans Report (Cont.)

MR. NOTLEY:

Mr. Speaker, I wonder if I could pose a supplementary question to the Attorney General on the first question posed by the Leader of the Opposition and ask him whether or not the government has given Mr. Rose a target date to complete his review of the securities legislation in the province of Alberta, and whether or not it is considering the possibility of legislation this spring?

MR. LEITCH:

Mr. Speaker, we haven't given Mr. Rose a target date. He is working on it with a view to completing it as soon as possible. But in these kinds of matters, Mr. Speaker, it's practically impossible to assign target dates. In view of that I wouldn't be able to give an indication to the hon. member about the likelihood of legislation in the spring.

MR. SPEAKER:

The hon. Member for Pincher Creek-Crowsnest followed by the hon. Member for Calgary Millican.

ECA Report - Eastern Slopes

MR. DRAIN:

Mr. Speaker, this question is to the Minister of Lands and Forests. Is the report of the Environment Conservation Authority on the eastern slopes of the Rockies considered the bible of policy for the present operation of your department?

DR. WARRACK:

Mr. Speaker, I would like to express the view that there is only one bible relative to such matters. Certainly I think, at this early stage, the answer would have to be no.

MR. DRAIN:

Supplementary, Mr. Speaker. Could the minister advise the reason for cutting off the access roads along the eastern slopes of the Rockies without any policy decision?

DR. WARRACK:

Mr. Speaker, that particular matter is an important one but is not related to the Environment Conservation Authority report. We have on the one hand the argument, which has really been the traditional one by sportsmen, asking for abilities and access opportunities to more and more of the virgin country of Alberta. On the other hand, we have the argument that there may be - and this is a debatable point, I know - some possibility of damage to the wildlife habitat by having this additional access into the area.

What we have been trying to do, Mr. Speaker, is to strike a balance by permitting access in the areas that clearly would have the most minor of adverse circumstances which I just described. But at the same time, in situations where there is some possibility of adverse impact, we have tried to be very cautious and therefore restrict access in certain instances.

MR. BUCKWELL:

A supplementary, Mr. Speaker, to the minister. In the case of fire or hunting accidents, does his department not feel that these cuts in the road are dangerous?

MR. SPEAKER:

The hon. member is clearly asking for an opinion. Perhaps it could be related to some fact.

MR. BUCKWELL:

Mr. Speaker, just to clarify. A man nearly lost his life because the roads were cut. I am just asking the minister, in bulldozing across these roads so that no access can be gained on roads that have been open for 50 years, is this not a hazard in the forest area?

MR. SPEAKER:

The hon. member is still clearly asking for the hon. minister's opinion. Does the hon. member wish to rephrase the question?

MR. BUCKWELL:

No. I've got my information ... [Inaudible] ...

MR. SPEAKER:

The hon. Member for Calgary Millican followed by the hon. Member for Lethbridge East.

Coroners Act

MR. DIXON:

Mr. Speaker, I would like to direct my question to the hon. Attorney General. My question relates to the provincial Coroners Act and the future administration of that Act because of the odd delay happening with inquests awaiting some new decisions. Could the Attorney General advise the House when we could expect the announcements of the proposed changes planned by the Attorney General?

MR. LEITCH:

Mr. Speaker, I must congratulate the hon. member on his powers of anticipation as I expect to make a statement, which is lengthier than that permitted in the question period, on this matter within the next day or so.

I do, however, want to respond to his inference about delay. There was one inquest delay I'm aware of, Mr. Speaker, as a result of the change whereby provincial judges now preside at inquests rather than coroners. But that delay was not occasioned by the fact of changing it from provincial judges to coroners. In that particular instance it was merely a failure somewhere in the administration of communication. But I am not aware of any general delay as a result of making that change.

I should also mention, Mr. Speaker, that the change was one which was recommended by the Kirby Board of Review in the first report which was received in the House, I believe, early last April.

MR. DIXON:

A supplementary question, Mr. Speaker. I wonder if the hon. Attorney General in his apparently imminent announcement that he claimed I knew something about - I was wondering if the new provincial coroner will be announced at that time? Has the government a particular person in mind at the present time?

MR. LEITCH:

Mr. Speaker, I would ask the hon. member to curb his inquisitiveness for a day or so, and he'll know.

MR. SPEAKER:

The hon. Member for Lethbridge East followed by the hon. Member for Calgary Mountain View.

Municipal Debts

MR. ANDERSON:

My question is to the Minister of Municipal Affairs. Does the minister's announcement of Thursday imply that the government no longer has any interest to limit borrowings by cities?

MR. RUSSELL:

I'm sorry, Mr. Speaker, I didn't catch the second part of your question.

MR. ANDERSON:

The announcement in Thursday's paper that the government no longer has any interest to limit borrowings by cities.

MR. RUSSELL:

Mr. Speaker, what the announcement did was take off the \$60 per capita ceiling. This was in response to a request by the municipalities.

MR. ANDERSON:

A supplementary, Mr. Speaker. Does the minister see any danger to our economy in the increased percentages of the tax collected being committed for debt servicing?

MR. SPEAKER:

Order please. The hon. member is clearly eliciting an opinion and perhaps he has already made a submission to the minister.

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

U. of C. - Funds

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Advanced Education. In his discussions with The University of Calgary dealing with additional funds for the university, was any request made by the university for increased funding to increase the student-handling capacity of faculties in light of anticipated increased enrolment?

MR. FOSTER:

I'm sorry, Mr. Speaker, I don't understand what the member means by "student-handling capacity".

MR. LUDWIG:

Well, the enrolment of additional students in each faculty because of the rather great increase anticipated in student enrolment in the University of Calgary.

MR. FOSTER:

I'm sorry, I still don't understand the question. I understand you to say that The University of Calgary is experiencing some increased enrolment, which is true, and it's great. Are you suggesting that this is creating a problem for the institute?

MR. SPEAKER:

Would the hon. minister kindly address the Chair.

MR. FOSTER:

I'm sorry, Mr. Speaker.

MR. LUDWIG:

The question is that The University of Calgary is discussing the possibility of quota systems on student enrolment. I wonder if the minister could advise whether the university asked for funds to increase perhaps the student-handling capacity in the different faculties?

MR. FOSTER:

Mr. Speaker, in the budget proposal submitted to us by The University of Calgary, and for that matter The University of Alberta and The University of Lethbridge, all three universities - the three we have identified at least - based their budget estimates on a projected increase in students. Sometimes they were specific in terms of the area in which they expected an increase and sometimes they were not.

That's a very natural approach for an institution to adopt with those of us who are responsible for budgeting. But I really still don't know, Mr. Speaker, the essence of the problem to which the member refers.

U. of C. - New Faculties

MR. LUDWIG:

Well, Mr. Speaker, I'll pose another question to the hon. minister. Has The University of Calgary requested funds for the establishment at the university of new faculties other than the law faculty?

MR. FOSTER:

Not specifically at this time, Mr. Speaker, although I am aware that there are one or two faculties - I can think of one at the moment - that The University of Calgary has indicated to me it is interested in developing down the road a piece. But we are not seriously considering, actively considering, at this time any brand-new faculties other than possibly dentistry. But that's a long-range decision.

MR. LUDWIG:

Would the hon. minister advise what specific faculty he referred to that the university has in mind of implementing in the near future?

MR. FOSTER:

Mr. Speaker, I didn't say, or I didn't intend to say at least, that The University of Calgary was intending to implement a new faculty in the near future. I was simply responding to the inquiry concerning proposals for new faculties in the future and indicated there may be one or two. I'm aware of one and I can check my records and ascertain if there were any others.

MR. GRUENWALD:

A supplementary, Mr. Speaker. I wonder if the minister would like to tell us if a school of optometry would [be] in the plans for one of those new faculties?

MR. FOSTER:

I don't believe we have a proposal, Mr. Speaker, for a school of optometry. But on that point I should indicate to the House that the four western governments are endeavoring to gain the cooperation of the Province of Ontario in expanding space in Waterloo to provide space for Alberta students who wish to study optometry. I think we are seeking an additional 20 spaces for the West to ease the manpower requirements in that sector.

I would be happy to go into that in some detail, Mr. Speaker, on some other appropriate occasion if they'd like me to.

MR. SPEAKER:

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

University Budgets

MR. NOTLEY:

I wonder if I could pose a supplementary question first to the Minister of Advanced Education and ask the minister whether or not he can advise the Assembly whether he has any statistics that would compare the request of the universities for increased budgets to the 15 per cent that has actually been granted as a result of his ministerial statement today?

MR. FOSTER:

Mr. Speaker, I would be happy to provide the members of the House with copies of the budget information with which the universities provided us as the basis for their request for funding. If they would like to have it I would be happy to do that.

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview with his question, followed by the hon. Member for Cypress.

Oil Sands - Waterfowl Fatalities

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Minister of the Environment and ask him whether or not he has received reports, or had an opportunity to investigate reports, that between 1,000 and 2,000 waterfowl and shore birds were found dead on the Syncrude lease as a result of oil pollution?

MR. YURKO:

Mr. Speaker, I have received no such reports as yet.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the minister advise the Assembly whether or not his department has taken any steps to monitor the problem cited in the report he tabled last spring, the Conservation and Utilization report, dealing with the problems of waterfowl and birds landing on ponds and perhaps being destroyed. Has the government taken any steps to deal with this problem subsequent to this report being tabled last April?

MR. YURKO:

Mr. Speaker, the government has a number of initiatives in terms of documenting the resources within the oil sands area, as well as doing extensive research in the area, both on its own and in connection with other governments. It also has taken the initiative to reach an accord with the federal government in regard to responsibilities for some of the major environmental concerns in the area. In both these areas we have been working towards reaching a conclusion in the not too distant future.

Oil Sands - Whooping Cranes

MR. NOTLEY:

Mr. Speaker, a further supplementary question. Has the government commissioned a study to consider the possible danger to the whooping crane on the large tailings pond, such as the Syncrude tailings pond?

MR. YURKO:

Mr. Speaker, as I indicated earlier, the Government of Alberta recognizes that it has some responsibility, or major responsibilities, in the area. It also recognizes that the Government of Canada has some responsibilities in the area.

In this regard, we are working to establish a major ten year program of research in regard to the entire oil sands area to protect, not only wildlife, but the vegetation in the area, the surface waters, the ground waters and all other environment-related matters in the area.

MR. NOTLEY:

A further supplementary question, Mr. Speaker. Can the minister advise the Assembly whether or not the Government of Alberta would be prepared to table the federal research paper on environmental questions as it relates to tailings ponds, pending, of course, approval from the federal government for such tabling in this House?

MR. YURKO:

Mr. Speaker, about one year ago the Government of Alberta tabled in this House the first phase of the Syncrude Environmental Impact Assessment which involved a number of documents. At the same time, the Government of Alberta sent these documents to the federal government and asked the federal government to review the documents in light of its responsibilities, and to provide such comments as might be appropriate to the Government of Alberta which would then be taken up with the Syncrude people.

The Government of Canada finally sent us a report on their appraisal of the Syncrude Environmental Impact Assessment, Phase One, in the early part of September. The Government of Canada marked this report as confidential and requested in a letter from the minister that it be kept confidential.

In regard to the Alberta government's policy, we intend to make all the information public, or as much as possible. But as the Government of Canada has specifically requested that this report be maintained as confidential, I have no alternative but to maintain it as such. But I must say I am surprised to find out that in fact some political personalities knew of the report, and I can only surmise that they were so ...

MR. SPEAKER:

Order please. Possibly the hon. minister might air his suspicions on another occasion.

MR. NOTLEY:

One final supplementary question then. In light of the minister's statement about tabling environmental matters in the House, is it the government's intention to discuss this particular report with Ottawa to see whether or not they would be willing to have it tabled in the House, rather than leak it to the press?

MR. YURKO:

Mr. Speaker, I have no difficulty making the report public at all if the Government of Canada wishes to make it so. As a matter of fact, I don't consider that the report adds anything to the basic knowledge that has been established in the area thus far.

MR. SPEAKER:

The hon. Member for Cypress followed by the hon. Member for Sedgewick-Coronation.

Rural Telephones - Free Emergency Calls

MR. STROM:

Mr. Speaker, I'd like to direct my question to the hon. Minister of Telephones and Utilities. Has the minister made any policy decision regarding the installation of phones in isolated areas, that is, pay phones which do not require the placement of a dime before being able to call the operator? I think the hon. minister will recall that this matter was under discussion in the House a few months ago.

MR. FARRAN:

Mr. Speaker, Alberta Government Telephones is proceeding as quickly as possible to replace the pay phones which require a dime for emergency calls with those which don't. It involves a pretty considerable capital outlay, also the supply of new equipment. But they are proceeding in a planned fashion.

MR. STROM:

Mr. Speaker, would this require the transfer of some of these phones which exist in some of our smaller towns to these isolated areas, or is it the provision of totally new equipment?

MR. FARRAN:

Mr. Speaker, it does mean totally new equipment. The ones which will be installed first are those in isolated areas, such as long roads where there are no habitations and so on, where emergency calls might have to be placed.

DR. BUCK:

A supplementary to the minister, Mr. Speaker. In light of the minister's announcement that there will be extended area coverage, can the hon. minister inform the House if there is any difficulty in obtaining equipment, or will the target date of 1975 be reached as far as extended calling goes in the metropolitan Edmonton area, or the area outside the cities?

MR. FARRAN:

Mr. Speaker, there have been problems of delivery of supplies, and the present strain on the system due to very heavy calling. But we still anticipate that the extended flat rate calling program, which includes the abolition of call-by-call charges for long distance within 30 miles of Edmonton, will be completed by the end of 1975.

MR. SPEAKER:

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

Condominium Purchases - Financial Aid

MR. SORENSON:

Mr. Speaker, my question is to the hon. Minister of Municipal Affairs. In light of the increasing large number of apartment dwellings being converted to condominiums, is the hon. minister contemplating any legislation to ensure that former residents will be able to have first opportunity to purchase these by way of a grant or a low-interest loan?

MR. RUSSELL:

Not at the present time, Mr. Speaker.

MR. SORENSON:

Is any financial assistance available for moving expenses for those residents replaced by condominiums, either through your department or other government agencies?

MR. RUSSELL:

No, Mr. Speaker.

MR. SPEAKER:

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

Utility Rate Increases

MR. WYSE:

My question, Mr. Speaker, is to the hon. Minister of Telephones and Utilities. I am not sure if the minister mentioned this in the House previously, but is the provincial government considering changing legislation to allow the major utility companies to raise rates without the consent of the Public Utilities Board?

MR. FARRAN:

Mr. Speaker, I am very happy to answer that question. In a period of galloping inflation, applications for increases in utility rates are quite common. There is a system being adopted in some jurisdictions in the United States, and has just been recommended by the Canadian Transport Commission for Bell Quebec, whereby there could be some indexing of base components of the base rate which would reduce the time for lengthy hearings. There is no suggestion that the Public Utilities Board would not conduct hearings, but a formula process would perhaps speed them up.

At the moment, a study is being conducted by a private consulting firm funded by the private utilities into the possible application of such a plan. The firm is headed by a former premier of Alberta, Ernest Manning.

MR. WYSE:

A supplementary question then, Mr. Speaker. Will this legislation help the consumer or the utility companies?

MR. SPEAKER:

Order please. Possibly that's a matter that might be debated on a suitable occasion.

MR. WYSE:

A supplementary question then, Mr. Speaker. Will this legislation be brought forth at this session?

MR. FARRAN:

Mr. Speaker, I'm afraid the hon. member is leaping to conclusions. I said that such a system was under study. I didn't say it was about to be implemented. However, I could point out that any such regulatory body operates in the interests of the consumers, because if rates are not granted to utility companies to ensure them a sufficient rate of return so they can borrow money for a highly capital-intensive industry, of course we just don't get the facilities we need and we may run out of electricity, may run out of gas. Everything is to the benefit of the consumer ...

MR. SPEAKER:

Order please. Possibly the hon. minister has gone considerably beyond the scope of the question.

MR. NOTLEY:

Mr. Speaker, a supplementary question ...

MR. CLARK:

In light of the minister's comment about this being a period of galloping inflation, is this the official position of Alberta Government Telephones that we are in the condition of galloping inflation at this time?

MR. SPEAKER:

Order please.

The hon. Member for Spirit River-Fairview with a supplementary, followed by the hon. Member for Calgary McCall.

MR. NOTLEY:

Mr. Speaker, I'd like to ask the Minister of Telephones and Utilities when he anticipates that the government will receive a copy of the study prepared for the utility companies and secondly, whether or not it's the intention of the government to discuss this matter fully with the REAs in Alberta before any further action is taken?

MR. FARRAN:

Well, Mr. Speaker, certainly if the utility companies provide us with copies of this research, as I anticipate they will, it will be available to everyone, although it is funded by the private utilities. Certainly there will be no change in our regulatory procedures without full consultation with the public.

MR. SPEAKER:

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

Milk Prices

MR. HO LEM:

Mr. Speaker, my question today is the follow-up question to those which I asked on Friday on the topic of milk price increases. Again I would like to direct this question to the Minister of Consumer Affairs. Would it be the minister's intention to appear personally before the Public Utilities Board, on behalf of Alberta consumers, during the hearings for milk price increases?

MR. DOWLING:

Mr. Speaker, we have engaged a very effective intervener on behalf of the consumers of Alberta in the name of a Mr. Wright, who very effectively represented both the Department of Consumer Affairs and the consumers of Alberta at the last Public Utilities Board hearing.

MR. HO LEM:

A supplementary, Mr. Speaker. Could the hon. Minister of Consumer Affairs advise if a decision has been made as to Alberta's position in dealing with the federal government's withdrawal of milk subsidies?

MR. DOWLING:

Yes, Mr. Speaker. We feel it's too bad. It should be a subsidy that is uniform across Canada, not just confined to a single province.

MR. HO LEM:

A supplementary, Mr. Speaker. Is the minister actively giving consideration to providing an interim provincial subsidy to prevent milk prices from increasing in Alberta?

MR. DOWLING:

No, Mr. Speaker. The formula pricing system as proposed by the Department of Agriculture and agreed to by the Department of Consumer Affairs, over this trial period of one year could, we feel, result in providing the producer with adequate money so that he will survive. Perhaps during that period it will eventually result in some stability in the milk production business.

MR. HO LEM:

A supplementary, Mr. Speaker. Could the hon. minister advise if assistance can be given to those who cannot afford this increase in prices?

MR. DOWLING:

Assistance to consumers, I am assuming the hon. member means. I would suggest that the government's program of assistance to those people who are finding it very difficult to live within their means is now provided in the many programs through Health and Social Development, and other measures such as these.

MR. SPEAKER:

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

Avadex Supplies

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Agriculture. What steps are being taken by the minister to ensure an adequate supply of Avadex for fall application? I recall some of his remarks in his speech, but no steps.

DR. HORNER:

Yes, Mr. Speaker, as a matter of fact we have done some work with regard to the supply of Avadex. Avadex is a complicated chemical which is made outside Canada and the demand for it has about quadrupled, thus the shortage.

We have had some preliminary discussions with the manufacturers in an attempt to get that manufacturing done here in western Canada, and more particularly in Alberta, but we haven't had anything definite from that approach as yet. We're attempting to get as much Avadex as we possibly can, even to the extent of buying a supply and then reselling it to the various people who are involved in the industry. On the other hand the extreme demand for Avadex, which is used by many countries for a variety of crops, means that we are going to be in short supply.

Wild Oat Control

MR. R. SPEAKER:

Mr. Speaker, a supplementary to the minister. What plans has the minister for a continued subsidy program of wild oat control into the year 1975?

DR. HORNER:

Mr. Speaker, as the member may be aware, we set up a wild oat committee last spring - chaired by my honorable colleague from Lacombe and having on it people from all the farm organizations - in an attempt to get some sort of consensus on which to approach the wild oat problem.

We would be expecting some recommendations from that committee as to the route we will follow in the coming year.

MR. SPEAKER:

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

Oil Sands - Environmental Control

MR. DIXON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of the Environment, regarding the concern of some companies operating in the Athabasca tar sands area where they want more uniformity with provincial environmental control and federal environmental control. Could the minister enlighten the House if there is any cooperation between the federal and provincial authorities regarding the environmental concerns in the Athabasca tar sands area?

MR. YURKO:

Mr. Speaker, virtually all the industrial companies in Alberta we have had an opportunity to talk to, have expressed a very strong desire to deal with one jurisdiction only in terms of environmental matters. The general expression of opinion is that they should deal with the provincial government.

In this regard we have been attempting to structure an environmental accord with the Government of Canada whereby the responsibilities are outlined and defined, so that only one body has people in the field doing monitoring, enforcement and so forth.

Generally it's recognized, or the accord - if and when we reach one - will recognize that the province will be in the forefront in dealing with the companies, rather than the federal government.

Red Deer River Dam - Hearings (Cont.)

MR. YURKO:

I might, while I'm on my feet, Mr. Speaker, provide the answer to the hon. Leader of the Opposition's earlier question, and state it in this way - my memory hasn't been as good as I thought it was.

The anticipation is that all the information will be in by March 31, 1975 in regard to the two dam sites, and that the Environment Conservation Authority normally requires two to two and one-half months to structure the hearings and dish out the information. So the hearing is anticipated in the month of June or perhaps early July.

Oil Sands - Environmental Control (Cont.)

MR. DIXON:

A supplementary to my original question, Mr. Speaker. Has the provincial government, Mr. Minister, authorized and cooperated fully with the federal department, encouraging them to take part in this study, because apparently there has been some conflict ...

AN HON. MEMBER:

Order, order.

AN HON. MEMBER:

Oh Arthur.

MR. YURKO:

Mr. Speaker, we have been discussing an accord in this area with the federal government for several years now and I might indicate that we are very close to reaching an accord in terms of divvying up the responsibilities.

I might add that the Constitution is not very clear as to who has the responsibilities for some of the environmental matters we are faced with today.

MR. SPEAKER:

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

OUTC - Alberta Involvement

MR. WYSE:

My question, Mr. Speaker, is to the hon. Premier. I don't recall the Premier mentioning this previously in the House, but it is regarding Ontario's Urban Transportation Development Corporation. Did the Premier make a financial commitment, on behalf of Alberta, to the project?

MR. LOUGHEED:

Mr. Speaker, yes. What we agreed to do was to participate to some degree which has yet to be resolved with the Ontario government regarding a broadening of the scope of their research and development organization for urban transportation.

Our feeling was, if I could describe it in some detail, that what we look to is the fact that we're committed in terms of this province in five years to some \$220 million of expenditure for urban transportation. The hon. member is well aware, as are other members, that there is a limitation to the subway approach for cities of our size, and certainly there has been some debate about that in the capital city here in Edmonton.

So our feeling with that sort of expenditure is that some effort should be made by Alberta to participate in some intermediate rail transport system that is midway between a subway system, or which suits a much larger city, and cities that are very small, and that there's a ... [Inaudible] ... between a bus system and a subway system. Nobody in the world at the moment has come up with anything that is particularly effective. A number of different groups are working on it.

So one half of the research and development aspect of the Ontario Urban Transportation approach is to try to work on a system that will in fact devise a way of transporting people without too much labor content at fairly good cost and high safety in a demonstration project. It is anticipated that if this is a successful project Alberta, through the cities of Calgary and Edmonton, might be able to make use of it. If we can't make use of it, of course the investment could prove valuable in terms of world rights.

The other half of the potential investment is an investment which involves the use of superior approaches to bus transportation for the handicapped, for example, or the disabled, again an improvement on the sort of dial-a-bus approach that is being considered by the City of Calgary at the present time.

It's our estimate that it is well worth our expending a certain amount of money by way of research and development, in terms of assuring that if we are going to spend moneys of the magnitude of \$220 million in five years, much less what we might have to spend between the fifth and tenth year, we should be in on the ground floor in the most advanced ways of doing this.

MR. WYSE:

Supplementary question, Mr. Speaker. How many dollars are committed for this year, and will Ontario maintain control of the project?

MR. LOUGHEED:

Mr. Speaker, I would presume it won't be a matter of control, it will be a matter of cooperation and partnership. But we have not resolved the nature or extent of our financial commitment or obligation at this time, except to say that it will be significant. There is a desire that other provinces may become involved. It is certainly something that we intend to shift into a national basis.

One of our provisions of being involved is that a certain amount of the construction and manufacture of the facility will occur in the West, in Alberta in particular. We don't want to be in the position, as we are with automobiles, of spending that amount of money and having the entire construction centred in Ontario. So if we can be in on the ground floor now, make a participation of not too large an amount of money, then we can assure that some reasonable portion of the manufacture, and hence the jobs, can occur in the province of Alberta.

MR. SPEAKER:

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

MR. NOTLEY:

I wonder if I might just ask a supplementary question to the hon. Premier first, Mr. Speaker. Can the hon. Premier advise the Assembly whether or not the government has any timetable in mind yet as to when a specific announcement on this matter will be made, and some sort of budgetary allocation will be made on it?

MR. LOUGHEED:

Mr. Speaker, I can't because it will be a matter of negotiation between the two governments relative to the values that are involved in terms of participation. When that agreement has been made, then it will be a decision on our part as to the degree of participation we would make. It will involve, I think, a fairly complicated agreement. I wouldn't anticipate, having regard to experience in working these things out between governments, that it would be anything that would be in the number of months ahead of us.

Workers' Compensation - Cost of Living

MR. NOTLEY:

Mr. Speaker, I would like to address this question to the hon. Minister of Manpower and Labour, and ask the minister whether or not the government is giving any consideration at this time to amendments to The Workers' Compensation Act to permit cost-of-living provisions for benefits and pensions under The Workers' Compensation Act?

DR. HOHOL:

Mr. Speaker, it's my impression, but I will ascertain that more clearly, that adjustments to payments to workers injured under the Act can be made in a benefits approach without changes in legislation.

MR. SPEAKER:

The hon. Member for Clover Bar.

Capital City Recreation Park

DR. BUCK:

Mr. Speaker, I would like to ask a question of the hon. Premier. Mr. Speaker, I would like to know if the Premier can indicate to this House when the feasibility study and cost benefit analysis on the proposed provincial park will be tabled in the Legislature?

MR. LOUGHEED:

Mr. Speaker, I presume the reference is to the Capital City [Recreation] Park in Edmonton, having regard to the hon. member's constituency. I refer the matter to the Minister of the Environment.

MR. YURKO:

Mr. Speaker, I might say that the matter of the capital city park is progressing very well indeed.

AN HON. MEMBER:

That wasn't the question.

MR. YURKO:

The question was fuzzy and loose so I can answer it the only way I know how.

DR. BUCK:

No more than half an hour to go.

MR. YURKO:

Mr. Speaker, the Province of Alberta is proceeding with all dispatch to bring into being, by 1978, the Capital City Recreation Park.

DR. BUCK:

Mr. Speaker, another small supplementary. Will there be a cost/benefit analysis tabled in the Legislature, or will there not?

AN HON. MEMBER:

That's two questions, Wally.

MR. YURKO:

Mr. Speaker, perhaps the hon. member might enlarge on what he means by a cost/benefit analysis. I think the Province of Alberta has announced that it was going to spend between \$30 and \$35 million to build the Capital City Recreation Park. I don't know what he means by a cost/benefit analysis. Perhaps he can enlarge.

DR. WARRACK:

Are you against it?

DR. BUCK:

Mr. Speaker, I think the hon. minister was in the Legislature when we discussed the Bighorn Dam. He knows what a cost/benefit analysis and feasibility study is. It's just the taxpayers who want to know.

MR. LOUGHEED:

Mr. Speaker, I just might add to the answer. Now that I understand the nature of the hon. member's question, I think the answer is that the government has made the decision that the overwhelming factor is that the benefit is there for the citizens of Edmonton and surrounding district, and Alberta in total.

AN HON. MEMBER:

Regardless of cost.

MR. LUDWIG:

Is the hon. Premier indicating that the cost factor has not been established? They have not even a remote guess as to what the cost will be?

MR. LOUGHEED:

Mr. Speaker, not only is there a good estimate as to the cost which has been presented to the hon. members, but it is quite obvious, as far as the citizens are concerned both with regard to the provincial park in Calgary as well as the one in Edmonton, that this is an area of priority of public expenditure very well accepted by the citizens. We regret the reaction on the other side.

MR. LUDWIG:

On a point of privilege.

[Interjections]

The Premier is once more attempting that rather low-level type of debate by trying to

MR. SPEAKER:

Order please. What is the hon. member's point of privilege?

MR. LUDWIG:

The point of privilege is, Mr. Speaker, that the Premier always attempts to impute a position from this side from a question. I believe that is unfair. I think that it's dishonest

[Interjections]

MR. SPEAKER:

Order please. Order please.

[Interjections]

If the hon. member is referring to past occasions he must acknowledge that he has not raised the matter at the first opportunity. If he is referring to the present occasion perhaps he might be specific.

MR. LUDWIG:

I am referring to the present remark made by the hon. Premier in reply to the question, Mr. Speaker, that he had regretted the fact we took a position. I merely posed a question.

Another question is, Mr. Speaker, can the Premier give us any rough estimate of the cost of the proposed park in Edmonton?

MR. LOUGHEED:

Mr. Speaker, on a point of order. What I really was trying to get across is the point that they don't have a position.

MR. LUDWIG:

Mr. Speaker, what is the hon. Premier's position as to the cost factor on this, or does it matter to him? Is money of no consequence? We are entitled

MR. SPEAKER:

Order please. To pursue this line of questioning would be to pursue irregular debate. The hon. Member for Clover Bar.

DR. BUCK:

Mr. Speaker, I would still like to readdress my question. Will there or will there not be a feasibility study and a cost/benefit analysis of what it will cost the taxpayers of this province

AN HON. MEMBER:
The City of Edmonton.

DR. BUCK:
for this park? Will this not be tabled in the Legislature? That's all I asked, Mr. Speaker.

MR. YURKO:
Mr. Speaker, a cost/benefit analysis is an excellent tool to be used, well in advance of making a decision on the project, to determine whether or not you should go ahead with the project.
As the Premier has indicated, it became perfectly obvious that a major park along the river in Edmonton is of such enormous benefit, not only to the people of Edmonton but the surrounding community, that the idea of doing a cost/benefit analysis to justify the park was waived. It wasn't necessary. It was perfectly obvious that a park was needed.

DR. BUCK:
Is this report going to be tabled, Mr. Speaker?

[Interjections]

MR. SPEAKER:
Order please. Both in the questions and in the answers we are re-covering territory that has already been covered more than once.
The hon. Member for Cypress with a supplementary.

MR. STROM:
Has the government placed any ceiling on the amount of money that will be spent in the development of the park?

MR. LOUGHEED:
Mr. Speaker, I think with regard to the Capital City [Recreation] Park, the estimate is about \$35 million. As far as we are concerned, what we are determined to do is to ensure, working with the City of Edmonton, that we provide a park that meets the parameters which were effectively described here during the spring session. It will give such a maximum degree of enjoyment to the citizens, appreciation of the citizens in Edmonton, it will take a strain off the other provincial park system, and in our view it will be

MR. SPEAKER:
Order please. The hon. Premier is going considerably beyond the scope of the question.

MR. STROM:
Mr. Speaker, just to

MR. SPEAKER:
We have run out of time. Possibly this might be the final supplementary from the hon. Member for Cypress, followed by one from the hon. Member for Spirit River-Fairview.

MR. STROM:
Thank you, Mr. Speaker. If I can just reword it slightly. I don't think the Premier said that he has placed a ceiling on it. My question to him: is there a ceiling as far as the city and the provincial government are concerned - because I gather that he said they are going to share as the costs rise. But I'm interested in knowing if the ceiling has been placed either to the city, in your discussions with the city, or has there been a ceiling as far as the government is concerned?

MR. LOUGHEED:
Mr. Speaker, I think what I'm trying to communicate to the hon. members is that our estimate to complete a park of the nature which we proposed is \$35 million. We intend to maintain the cost controls and work with the city to see that whatever expenditure is required in order to come within the parameters of the park that has been presented - that is what will occur and that is our objective.
I think it's quite clear that with the cost controls that will be instituted cooperatively between the city and the provincial government, it's our objective, with an estimate of \$35 million, to provide this park hopefully in time for the Commonwealth Games.

MR. LUDWIG:
A supplementary

MR. SPEAKER:
Order please. The Chair has already recognized the hon. Member for Spirit River-Fairview with the final supplementary. Perhaps further supplementaries might be carried over until tomorrow.

MR. NOTLEY:

Mr. Speaker, can the hon. Premier advise whether or not the government is still confident that that \$35 million figure stands, in view of the much higher construction costs as a result of the last four or five months?

MR. LOUGHEED:

Well, Mr. Speaker, I think we are all aware that these estimates are subject to continual review. This is a project that will take place over a period of time. We will welcome hon. members' questions on that point of view. But certainly the members of the Legislative Assembly from Edmonton have been pressing us to complete the park on schedule in terms of the parameters we described.

ORDERS OF THE DAY

DR. BUCK:

Mr. Speaker, I rise on a point of personal privilege to bring to the members of the Assembly an event of historical significance in that this is the centennial year. It will just take 30 seconds, Mr. Speaker.

This is to do with the centennial coin that was minted in Fort Saskatchewan this morning at the Sherritt Gordon Mint. As the members are well aware, the northern trek of the RCMP took place a few months after the southern trek. This coin was minted at Fort Saskatchewan this morning. I would ask the page-boys and page-girls to hand these centennial coins out as a token of appreciation from the centennial committee to the members of the Assembly. They will be handed out to the gentlemen.

GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill No. 67

The Landlord and Tenant Amendment Act, 1974

MR. GHITTER:

Mr. Speaker, I am pleased to have the opportunity to move second reading of The Landlord and Tenant Amendment Act, 1974. This I trust, Mr. Speaker, will be the forerunner of many changes which are required in the law of landlord and tenant, in order to meet the considerable changes that have occurred in the field since the first Landlord and Tenant Act was presented to this Legislature.

As hon. members are aware, a complete review of landlord and tenant law is presently under study by the Institute of Law Research and Reform pursuant to the request of the hon. Attorney General. It is to be hoped that at the earliest possible date the institute will be able to present a report to the Attorney General in order that we may proceed to a complete overhaul of this Act, in order to achieve a fair and reasonable legal relationship between the landlord and tenant in Alberta today. This will not be easy.

Landlord and tenant law has received exhaustive examination, both in British Columbia and Ontario. In many ways each of the mentioned jurisdictions has come to different conclusions, and in the case of British Columbia, with disastrous results. One can easily sympathize with many of the valid and just complaints tenants are experiencing in the province of Alberta today, such as rapidly accelerating rents, difficulty in obtaining proper accommodation and landlords who refuse to maintain their buildings to proper standards of cleanliness and upkeep. Also many tenants face continual battles with their landlords relative to the return of damage deposits. Also there are many landlords, it appears, who do not properly manage their buildings, causing great inconvenience to the tenants. Basically there are many landlords who just don't seem to recognize that the shelters they are renting to tenants constitute the homes of these tenants, places of greatest importance to the people inhabiting their buildings. As a result, our laws must clearly reflect the importance of rented premises to those who inhabit them, in order to ensure the highest standards possible and the greatest fairness of relationship between the landlord and the tenant that can be achieved at law.

On the other side of the coin however, Mr. Speaker, tenants as well must come to understand that landlords, during the past number of years in this province, have basically offered their suites to tenants at rents considerably less than elsewhere in Canada. In fact the returns to landlords on their investments have been exceedingly minimal in the province of Alberta. For the past few years, Edmonton and Calgary have had some of the highest vacancy rates in Canada. During this period landlords have faced 30 to 40 per cent increases in insurance and operating costs in maintenance and repairs.

Renters in an average apartment in Calgary this spring were paying \$160 to \$190 a month. A recent survey showed that in Montreal the very same accommodation went for \$300 to \$400 a month.

Undoubtedly landlords face other problems with their tenants who are not respectful of the premises they are renting. Such individuals, though few in number, have indeed caused great difficulty to landlords who face considerable legal expense and difficulty in removing tenants who are causing damage or creating nuisance for other tenants.

Against this background of the conflicting relationship between landlord and tenant one must also conclude that we're entering into a very critical period in the province of Alberta at the present time, as can readily be seen from available statistics. In 1971 in the city of Calgary, 2,487 apartment units were completed. In 1972, 2,680 apartment units were completed and in 1973, 2,598 apartment units. But in 1974, Mr. Speaker, the number of apartments starts in the city of Calgary was the bare number of 576 to the present date. In Edmonton, in 1971, there were over 6,500 apartment units completed, and a similar level was maintained through 1973 when there were some 2,100 apartment units completed. In 1974, Mr. Speaker, there were only 619 apartment unit permits issued [by] the City of Edmonton for construction. Against this background of extremely reduced apartment starts in our two major urban centres of this province, the percentage change of apartment dwellers in the city of Calgary between 1961 and 1971 has increased by 92 per cent, while the number of apartment dwellers in Edmonton has increased by over 119 per cent. This increase in apartment dwellers is not so surprising in terms of rapidly-increasing populations in Edmonton and Calgary. But it should be noted that the increase in apartment dwellers in Edmonton and Calgary has been over double the increase in population in Edmonton and Calgary during the same period of time.

Mr. Speaker, I fear we are entering into a very critical period in shelter availability in this province, particularly in our urban centres and in housing of all kinds, that will have the most difficult repercussions on our citizens unless we immediately consider strong measures in order to encourage the construction of many, many more apartment dwellings, particularly in Edmonton and Calgary. There can be no doubt that the contributing factors of high vacancies, high construction and maintenance costs, low rentals, high interest rates and high construction and land costs have totally discouraged the private sector from placing its expertise and its risk capital into apartment construction. The loser ...

MR. SPEAKER:

Order please. The Chair has great difficulty in following the relevance of the hon. member's debate or remarks with regard to the scarcity of capital or incentive to build apartments and relating that to the very narrow principle which is under consideration in this debate. The Chair would respectfully point out to the hon. member that if the debate is to take the direction on which it is just now embarking, that would provide the occasion in the Assembly for a general debate on government housing policies, the shortage of construction and rental accommodation and so on which is, undoubtedly, not the intention of the member who introduced the bill.

MR. GHITTER:

Mr. Speaker, my intention in dealing with the background in this sense was to express the urgency relating to landlord and tenant relationships. The reason this particular amendment was brought about was due to the fact that landlords were endeavoring to evade the intent and purpose of the present Landlord and Tenant Act. However, if Mr. Speaker wishes to narrow the debate relative to the principle of the bill, I will certainly accede to that request and deal solely with the tenor of the bill itself.

Mr. Speaker, the basic principle behind the bill in question is to overcome certain difficulties which have been experienced in the city of Calgary, particularly from the point of view of landlords who are endeavoring to increase the rents of their tenants without providing them with the required 90 day notice as set out in Section 22 of The Landlord and Tenant Act. Many, or a few I should say, landlords, in the city of Calgary particularly, are in fact giving 30 days notice to evict. Then after they give the notice at that stage, they are going to the tenants and suggesting they can stay if they will accept an increased rent commencing the next month. Indeed then [they] are avoiding the two months, or making up for the additional two months funds they are receiving which they really would not be entitled to do.

Now granted, very few landlords are doing this, but there have been a number of complaints presented to the Landlord and Tenant Advisory Board in Calgary. As a result of representations made to the hon. Minister of Consumer Affairs pertaining to this difficulty, the amendment before the Legislature has been presented today. In effect the amendment, Mr. Speaker, suggests that any notice of termination is void if, after the giving of the notice, the landlord then proceeds to endeavour to increase the tenant's rent by approaching the tenant and suggesting that a rental increase would be acceptable. Now this is not totally perfect legislation, as landlord and tenant law clearly runs into certain difficulties in this area. There is certainly nothing to stop a tenant, Mr. Speaker, after receiving a notice of eviction, to proceed to discuss the matter with the landlord and accept an increased rent. This is merely an amendment to the act, Mr. Speaker, which would require the landlord to follow certain rules and regulations and thereby avoid circumventing The Landlord and Tenant Act and the intention and spirit of this Act in the hope that a better relationship could be constructed between both the landlord and the tenant.

It is hoped, Mr. Speaker, that the few landlords who are circumventing the Act at the present time will take heed of the principle of this amendment and will recognize the fact that this Legislature is looking upon them to act responsibly and well in recognition of the many difficulties that landlords and tenants face in their relationship in this day and age. This amendment, Mr. Speaker, is given as a further concept that, in the not too distant future hopefully, additional amendments to landlord and tenant legislation will come before this Legislature for the due and proper attention it so readily deserves.

MR. LUDWIG:

Mr. Speaker, first I wish to commend the hon. member for bringing this bill in. In my opinion it is a temporary stopgap measure to prevent the landlord from circumventing the present Landlord and Tenant Act. But in my opinion the demand for accommodation is so great now that it may in some instances postpone, in fact it will postpone, the raising of rents by about two months in most cases.

I believe the pressure is on the landlords to increase rents and if they have to give 90 days notice to increase rents, they will, and perhaps increase them more than they would have in 30 days. I know from personal experience of clients coming in that some of the rate increases have been terribly high.

The demand for accommodation is such now that the remarks by the hon. member who moved the bill, I believe, were quite appropriate, that there is trouble ahead and this is something which will serve a temporary purpose. I appreciate the fact that the hon. Member for Calgary Buffalo has indicated there will be other reforms in the future. I am sure he and a lot of hon. members know the problems now.

I have raised the issue with regard to senior citizens moving into tenancies and they are now confronted with this problem in particular of getting in, finding fairly reasonable accommodation. Now the landlords find it is a different market. There are no vacancies and they are pushing for higher rents. And I am saying they have already pushed rather hard. Some are about due to do so and some have done it already.

I think the hon. Minister of Municipal Affairs ought to listen to the problems here because, no matter what happens by way of legislation, if there is a shortage of apartments and rental accommodation rents will go up. Where they will stop nobody knows because the landlord is also well-aware of the fact that he doesn't want to be raising rents every three months. He is anticipating what some hon. members opposite feel. By way of galloping inflation his costs will go up terribly, so they are moving fast.

I would like to urge the hon. member who has given this issue a lot of thought - and I am quite convinced he is on top of the problem - to possibly make this bill retroactive. I know the ramification and problem. We could get into a position where the dark deed has been done. The people have moved and there is no way you can help them now.

But perhaps a lot of notices have gone out in the last month. There appears to be an acceleration of notices to tenants by landlords who found out via the media and publicity, news and radio, et cetera, that you can get around The Landlord and Tenant Act. They all smartened up and they moved rather quickly. And the number of people complaining about this development, of giving 30 days notice to get out and then saying we'll increase the rent, has increased greatly recently. So while one or two were ahead of the law and circumvented it, once the news got out that this could be done, many jumped on it and did give notice.

It might appear that we could say, well, let the law of supply and demand take care of this situation. If the rents go up and there is a shortage of apartments, we'll start building. That will happen, but there will be a terrible lag in the time of producing accommodation available for renting.

So the hon. Minister of Municipal Affairs ought to listen and not wait till someone hits him on the head and says, it's no use turning people away from Calgary. They can't go there because they can't live there. Notwithstanding all the high-sounding remarks and the propaganda about stopping growth in cities, it's my opinion - and I agree with the hon. member opposite - that Calgary and Edmonton particularly will continue to grow at an overwhelming rate.

We simply can't avoid our responsibilities. The answer is to urge construction of homes, construction of residences of all types - how he finances it, I believe the minister has the answers.

But I wish to state that I agree with his bill and urge the hon. member who moved it to see if there is any way we can make it retroactive at least for - I'd like to recommend three months, but I know the pitfalls. Some people are caught in the situation now and some had to be advised, since they couldn't find other accommodation, to stay where they are and face eviction proceedings when there is just no place to go. I've had phone calls from people in distress. They received notice to get out and they haven't a hope of getting accommodation.

I'm sure a court will not order people to be put out on the street. Nevertheless the landlord has his remedies under the law, so whether there will be families without accommodation in Calgary is another matter. The distress of these people who are threatened with eviction with no hope of getting something - not that they can't afford it but getting [any] accommodation whatsoever - is serious, especially to the older people who tend to take these matters a lot more seriously than the young do.

I know a couple who were given notice and they were making ends meet ...

MR. YOUNG:

Mr. Speaker, on a point of order. The debate has wandered far and wide from the intent of the bill and now, as I understand, the hon. Member for Calgary Mountain View is again dwelling upon supply and demand for rental accommodation, quite apart from the principle of the bill.

MR. SPEAKER:

The Chair finds the point of order taken by the hon. Member for Edmonton Jasper Place to be valid and would ask the hon. Member for Calgary Mountain View to return to the principle in the bill.

MR. LUDWIG:

Mr. Speaker, in discussing the principle of the bill I wish to have the privilege of discussing the purpose for it. I believe the hon. members here ought to be apprised of the fact that there is a terrible shortage of accommodation, otherwise we don't need the bill. If this bill will help, we need to know that there is disaster pending otherwise.

I believe in discussing the principle of the bill, one always has discussed the need for it. And if there is no shortage of accommodation, I'm sure the hon. member opposite would not have the problem because landlords would hang on to their tenants.

So, Mr. Speaker, with all due respect to your ruling, I believe the hon. member who moved the bill gave us some ideas for the reason for it and I was enlarging on them.

But, Mr. Speaker, I will abide by your ruling. I believe I have said what I need to say and urge the hon. members to - I don't need to urge them, I am sure they will support it, but perhaps I would like a few remarks from the mover when he closes the debate on the possibility of making this bill retroactive.

Thank you, Mr. Speaker.

MR. YOUNG:

Mr. Speaker, in connection with this particular piece of legislation I'd like to commence my remarks by observing that it is indeed a small plug to a loophole which has become obvious to a few people who wish to evade the spirit of the existing legislation requiring landlords to give 90 days notice to tenants in the event of a rental increase.

Mr. Speaker, it's pretty difficult for government to legislate good intent. It's easy enough to legislate statute, Mr. Speaker, and to try to convey in that statute what kind of conduct we hope will be observed by the parties affected by the statute.

I am sure that everyone in this Assembly is striving to achieve a fair balance between landlord and tenant, a set of ground rules which will provide the tenant with equitable treatment, a set of ground rules which will enable the landlord to make a reasonable return on his rented accommodation in order that he or others will be encouraged to keep an adequate supply on the market.

One of the problems, Mr. Speaker, is that not everyone knows about the landlord and tenant legislation. Not everyone is aware that they should give 90 days notice in case of a rental increase.

This morning, pursuing a case brought to my attention, I found the landlord in question wasn't even aware of the fact that he was supposed to give 90 days notice. Not only that, the tenant complained to me but didn't complain to him, which doesn't really make much sense on the face of it, unless I'm supposed to become a landlord-tenant advisory committee of one. I mention this, Mr. Speaker, to point out that there is legislation and that in some cases people need not suffer the abuses they feel they are suffering if they would make themselves aware, or if they could become aware, of what is available.

Mr. Speaker, a point about the retroactivity of this bill has been brought up by the hon. Member for Calgary Mountain View. I would say to him and his request that retroactivity be considered that I do not think that is a good idea. I have observed that on occasion I travel down a highway which is marked 40 miles an hour or 50 miles an hour and I go at that speed limit. Some months later there may be occasion to go down that highway or that street again to find that the speed limit has been reduced to 35 miles an hour. Now why, Mr. Speaker, should I be expected to pay the charges for violating a speed limit which didn't exist at the time I was supposedly transgressing? I would think this situation would not be a great deal different if we applied retroactivity here; in fact we would be imposing upon landlords a condition which neither they nor their tenants had any idea would exist at the time they took whatever actions might be found to be in breach of the new legislation.

I do think it's important. I do think it will cut down some abuse by a minority of people who try to take advantage of every small loophole in the law or whose intent is not what we would wish it to be. But I stress again, Mr. Speaker, that whether and how effective that would be depends upon the understanding of people, depends upon the willingness to try to be fair, one with the other.

Mr. Speaker, I believe rents will increase and have to increase simply because of inflation, but I hope that this bill will take us one step further toward ensuring that that increase will come about in an orderly and fair fashion for both parties, the tenant and the landlord.

MR. TAYLOR:

Mr. Speaker, most of us are sympathetic to the tenant. Through the years we've come to look upon the landlord as a wealthy shark or tyrant, and the tenant as a poor struggling workman.

I support this legislation because I think there are some good reasons that reputation has arisen throughout the years. Many landlords are wealthy. Some landlords are ruthless. But I think we have to remember that some landlords, too, are just ordinary everyday people who are trying to make a living, who are trying to do the right thing and sometimes they get very very little sympathy. As a matter of fact, sometimes the ruthless one is the tenant who has no respect for property and no respect for ownership of something he doesn't own. Some landlords have pretty fair grounds for thinking it's a pretty unfair world when we put all the landlords into one basket and think they are wealthy and ruthless, and all the tenants in another basket where they are poor, well-behaved citizens.

My only point in rising is that I support this bill, because it indicates that where this type of thing goes on there is a segment of ruthlessness on the part of the said landlords and I think this has to be looked after. But I would just like to say that in the rewriting of the bill mentioned by the honorable mover of the bill, we should give some consideration to making sure that the landlord who is doing the right thing and the tenant who is doing the wrong thing should have an avenue of consideration too.

The only point I want to make is, let's not think that all tenants are good and all landlords are bad. That isn't so. There are landlords who take advantage of provincial legislation simply to raise their rents without giving any increased service or without any sound reason. To me, there should be little sympathy extended. But landlords who are providing a house, who have scraped and saved to build a house that they now rent and depend upon for their living, when damage is done to that property they seem to think that there's no avenue by which they can go to get fair treatment at all, and they hesitate to go to the courts.

I hope it will be abundantly clear that we're not going to condone the tenant who is not trying to do the right thing.

MR. DIXON:

Mr. Speaker, I'd like to say a few words on this particular bill because I think my constituency in Calgary was the focal point of a lot of the problems regarding the proposed increase and the type of phony notice that was sent out to the tenants. The heading on the letter to the tenants in one of the apartments in my particular constituency was in large print, "Notice to Vacate" and then in smaller print, well we may reconsider if you go along with the rental increase. And most of the people who were affected in these particular cases that were brought to my attention were retired people in low-income groups. Of course it did cause a lot of concern. It would cause concern for anyone, but in particular someone who is on a fixed income. I had many phone calls on it and I am sure the hon. Member for Calgary Buffalo had the same.

I was disappointed at the time. I am certainly pleased that the government, through the hon. Member for Calgary Buffalo, is trying to plug the loophole. The only thing, as I look at it, is that I don't know whether we'll be successful, Mr. Speaker, in plugging the loophole, because what is happening and will continue to happen in spite of Bill 67 and in particular now that we're faced with a real demand for suites and a very very low vacancy rate, is that the tenant will suffer by being evicted more now. It is theoretically possible that a tenant, through no fault of his own, could be subjected to numerous moves because succeeding landlords are afraid of increasing the focus on Bill No. 67. So rather than incurring attention by suggesting an immediate increase to a tenant, they will simply evict and raise the rent for the new tenant.

This is one of the weaknesses, and I know the hon. Member for Calgary Buffalo has made quite a study of this problem that has been handed to him. I wonder, Mr. Speaker, if I could suggest something to the hon. member. He may have considered it. I wonder if we could overcome a lot of the problems we are faced with with these 30 day [notices], which amount to an eviction notice to get around the 90 day delay with which you have to accommodate your tenant if you want to raise the rent. I was wondering if we couldn't fit into the legislation some kind of 10 day waiting period, because if there is a desire to use one part of the act to take advantage of another, in some cases where the tenant may be given notice to vacate maybe we should give him a few days to look around, maybe a 10 day waiting period, before the actual date comes into effect, whether it be 90 days or 30 days. So in other words, he can go out and if he can find accommodation within his means, well then he will feel a lot freer in moving. I think it would also stop people from getting excited at the time and going out and making deals that may not be in their best interest.

We have a lot of things that happen in contracts. I know the hon. Minister of Agriculture has spoken in the House on this, that we have a cooling-off period. I'm just wondering if we couldn't apply the same thing to give a few days in order that the tenant in particular can go out and look around for accommodation. Most of the people I talked to, Mr. Speaker, who had received this notice had stayed in those apartments anywhere from 8 to 14 years, so it was quite a shock to them when they got a notice of eviction. And of course it does really bother them when that type of thing is used, instead of saying to the tenant: we would certainly like to have an increase in the rent; you've been with us a long time, we'll try to be as easy as possible and look at it in a realistic light.

But what has happened with these very legalistic letters, which are nothing more than just loopholes around the act, as has been pointed out by many of the speakers ... I believe that if we could work out some kind of cooling-off period and then the 90 days or 30 days come into effect - I suggest up to 10 days, but maybe that's too long. But I think this would help make this legislation work.

I can see, Mr. Speaker, what the government is attempting to do, but I'm as interested as they are in making sure it works as well as possible rather than cause an eviction notice to be sent around which is only an excuse to raise the rent. I don't think the 90 days are going to make that much difference, because once a fellow gets notice that he is going to be evicted he starts looking around anyway.

So I'm just throwing out the suggestion, Mr. Speaker, and I'm sure when the hon. Member for Calgary Buffalo finalizes the debate on this motion, maybe he could touch on it. Maybe he has given some thought to a cooling-off period which I think would have some advantages if it's practical at all, and I'm hoping we will have some light on that subject.

SOME HON. MEMBERS:

Question.

MR. SPEAKER:

Are you ready for the question? Would all those in favor of the ...
Does the hon. member wish to conclude the debate?

MR. GHITTER:

Mr. Speaker, just two brief comments on the matters raised by the hon. members.

The hon. Member for Calgary Mountain View requested a suggestion relative to the retroactivity of the provisions of the bill, and on principle I just don't believe that retroactive legislation is sound. When individuals conduct themselves in certain ways under legislation and then you pass legislation to make it retroactive, I just recognize that as being bad legislation. As much as we would like to deal with people who have moved around a loophole in the act, I think all we can do is respond by passing legislation in the hope that we can counteract that. But I think it would be bad in principle, in this bill or other bills, to make legislation retroactive.

The only other point I would like to respond to, Mr. Speaker, in winding up the debate is the point raised by the hon. Member for Calgary Millican. I think the reason you have a 90 day notice for an increase of rent within the legislation, of course, is that in the event the tenant doesn't wish to face or can't afford to face the increase in rent, he will then have 90 days in which to relocate. So really the intent of the legislation isn't a 10 day cooling-off period. There are, in fact, 90 days during which the tenant can try to find another location, and that is the whole intent of the 90 day period and the reason the 90 day period is different from the normal 30 day eviction notice.

Now it may well be that in the future the 30 day eviction notice period will not be sufficient and maybe in the long run, once the Institute of Law Research and Reform has submitted its proposal to the Attorney General, it may even recommend that 30 days in this day and age with the high pressure on finding locations isn't enough and maybe it should be 90 days as well, in order to give an opportunity of relocating. We will await their report on that.

But I think there is an adequate cooling-off period or opportunity to find a new location if the landlord is following the law and providing the 90-day notice of increase. That would be my response to the hon. member's inquiries, Mr. Speaker.

[The motion was carried. Bill No. 67 was read a second time.]

DR. HORNER:

Mr. Speaker, I move that you do now leave the Chair so the House can go into Committee of the Whole to study bills on the Order Paper.

MR. SPEAKER:

Having heard the motion by the hon. Deputy Premier, do you all agree?

HON. MEMBERS:

Agreed.

[Mr. Speaker left the Chair.]

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COMMITTEE OF THE WHOLE

[Mr. Diachuk in the Chair]

MR. CHAIRMAN:

The Committee of the Whole Assembly will come to order.

Bill No. 76 The Cancer Treatment and Prevention Amendment Act, 1974

MR. RUSTE:

Mr. Chairman, to the minister. Under Section 3 in heavy print: "The Lieutenant Governor in Council may provide financial assistance" Could you give us some examples of what you have in mind in this particular section?

MR. CRAWFORD:

Mr. Chairman, I think at second reading I was able to point out to hon. members that there are some areas in the province, as there are in all the different jurisdictions, where very contemporary and useful research is being done at the present time. All the section is intended to achieve is to allow us over the ensuing months and presumably over the ensuing years, because these are of course very long-term commitments when you are looking at basic research, to assess and evaluate whether or not the proposals that are before the various agencies involved in research in Alberta are the ones that should be engaged in, having regard to other programs that are being done elsewhere and whether or not they are adequately funded, because the intention of this section would be to provide additional funds as required.

So I would have to say to the hon. member, there is no specific project in mind. The section wasn't brought in with an idea that there was a specific project to be funded at the present time, but that from time to time that could be done.

MR. R. SPEAKER:

Mr. Chairman, with regard to the minister's answer, is there some concern with the coordination of the present cancer research programs in the province, and will the government, through this type of mechanism, be able to coordinate the programs better, not only within the province but with other jurisdictions, say, across Canada or North America?

MR. CRAWFORD:

I think coordination is a distinct objective, Mr. Chairman, and I don't think there is any concern at the present time that it's not being well done. It's just that as the amount of commitment to research increases, we want to make sure that there is actual coordination.

I think the people who are directly involved in it at the Provincial Cancer Hospitals Board and at the McEachern Lab at the university are probably working together as never before, but there are individual projects that come up and individual researchers have proposals to make. As hon. members well know, this is the way a lot of them are first envisioned. Of course there is a private agency very much in the field, the Canadian Cancer Crusade. All these things, I think, require not only the ability to give coordinating support, if that can be done, but actually to fund them.

MR. R. SPEAKER:

Just for information purposes, with regard to cancer research, is there a Canadian body that coordinates the work at the provincial level, or does each one of the provinces work independently and the coordination only occurs by papers or direct verbal communication between those doing the research? Or is there one concerted effort going on in Canada at the present time?

MR. CRAWFORD:

Mr. Chairman, I would be sure that in the private sector, in the [case] of the Canadian Cancer Society, they coordinate their efforts on an interprovincial basis because they are an across-Canada society. But I think there remains a fair degree of independence within other agencies, within the various provinces. Nobody deliberately duplicates a project, but I think that at the present time there is primarily an exchange of information rather than actual coordination.

As I say, the significant part of this particular section is that maybe it's a new emphasis on the funding of research, that we would like to see it substantially up from what it has been. But if it is going to be substantially up, then we have once again perhaps more concern about coordination than we had previously.

MR. J. MILLER:

Mr. Chairman, I certainly favor the principle of this bill. But I am wondering, Mr. Minister, if there is any board or agency that is set up, or is being considered, to monitor the different types of cures which we hear about in different countries. In many cases I have the feeling that they are false cures and they give people false expectations. I know the patient and the family of the patient are often troubled as to whether or not they should be taking the patient to maybe Mexico or South America or over to Europe for a supposed cure that they read about and know nothing about. Is there an agency these people could turn to and ask, has an assessment been made on this supposed cure or not, within Alberta?

MR. CRAWFORD:

Mr. Chairman, that sort of question could at any time now or in the past be directed to the Provincial Cancer Hospitals Board which is staffed with experts in the field and is certainly willing to respond to inquiries of that type.

MR. R. SPEAKER:

With the funds that will be available for cancer research, is there any specific type of organization the minister is looking at? I was trying to recall in the last few moments whether or not there was a cancer research team at the University Hospital, or whether we just have one or two individuals working on specific projects rather than a group of individuals coordinating their efforts, working towards controlling cancer and dealing with it.

What is the structure? I guess that's question number one. Number two, if the structure is just sort of general and everybody is working on various programs, will the funds here be directed towards a pointed emphasis in dealing with the problem?

MR. CRAWFORD:

Mr. Chairman, I don't personally know the long-time history of the board and its research efforts. At the time I became minister, Dr. MacDonald had just recently been appointed Executive Director of the Provincial Cancer Hospitals Board and of the Cross Institute. I became acquainted with his objectives, which included making the maximum use of research that was being done in Alberta. He had a special interest in applied research. He knew that basic research was at all times essential but he was concerned that the discoveries, wherever they may be made, be applied as soon as possible for the benefit of the patient. He turned his attention to that for some time after taking over his present position and I believe it is really functioning quite well.

The laboratory at the university is called the McEachern Lab. I never quite knew how it got that name, but that's what it has. It is in the Medical Sciences Building. There is a research team there that works on well-defined and well-programmed research projects. Between them and the Cross Institute which is only, as hon. members would know, about two blocks away, there is a continuous interflow and counterflow of information and consultation. I think that within the area I've described, in the immediate day-to-day work of the last two or three years of the board and the research people at the university, there has been an excellent interplay and probably much progress. I think their prospects in research, their future prospects, are really very good. This is, once again, one of the reasons the government felt it would be useful to re-emphasize and maybe put more into this area in the short and long term in the future.

MR. R. SPEAKER:

At the health ministers' conference, the latest one you had, was this one of the topics of discussion? That's number one. Number two is: is there an ongoing committee that represents the various provinces across Canada which continually monitors or attempts to coordinate for governments the various cancer research programs?

MR. CRAWFORD:

I don't remember the subject of cancer treatment or research coming up at any of the recent ministers' conferences.

As far as an interprovincial body is concerned, not at the departmental level. I would have to say that I'm confident, without knowing, that the Cancer Hospitals Board performs that sort of function as between our jurisdiction and others. But there is no formal intergovernmental structure.

MR. R. SPEAKER:

Would the minister feel it is a necessity at this point in time to establish an interprovincial type of organization to look after this particular project to ensure that good coordination does take place? We certainly must ensure that every dollar we have in the area of cancer research brings the best kinds of results. I'm sure we could go on and talk about the many problems and the seriousness of the situation.

MR. CRAWFORD:

Mr. Chairman, I honestly don't think it requires a formal structure. I think that the sort of exchange of information and consultation, comparing of notes between jurisdictions as to who is working on what at a particular time, is what is being done at the present time. I expressed confidence, without saying that I was aware of the particular structure for it, that the Cancer Hospitals Board does that. I would be very surprised if they don't because I think they are oriented in a very contemporary and acceptable way towards the question of research. So I don't see the need for a formal structure within the various health departments across the country.

MR. DIXON:

Just one or two questions to the hon. minister. When you introduced the bill, hon. minister, you said something that would - oh, I'll read it and maybe that will make it easier for us. It's very, very short:

The central principle of this legislation will be to create and regulate a system of reporting and record keeping in regard to cancer in order to allow for more

adequate research as well as follow-up of individual patient's cases in the best possible manner, and throughout to provide for the necessary confidentiality of any records which are kept.

I was wondering - the only thought I had, and it probably won't happen - but I was just wondering if this isn't a case where somebody is going to go through the records and then say, well, we should get hold of Mrs. Jones and see her even if Mrs. Jones doesn't want to be seen. Because there are some people who take what they feel is treatment up to a point and then say, well, look it's not going to do me any good, I want to try some other method, if there is another method; or, you know, I just don't want to have anything to do with it, I feel as if I'm going to beat it, I'm going to beat it on my own rather than be assisted by the medical profession or anyone else. Nothing like that would happen? Would it get to that case, where they would be writing notes telling her she should come in, she should ...

MR. CRAWFORD:

Mr. Chairman, it wouldn't happen that treatment would be offered to a person who didn't want it. I think that's the essence of the question.

I did remark at the time of second reading that cancer is one of those diseases, maybe the one that is most often in people's minds, where follow-up is so different from any other disease that it is the assurance of the best manner of follow-up treatment which is being sought. The reference to research is of maybe great value to future patients but of less value to the individual who may already have a file in a doctor's office or in the cancer institute showing that that person had cancer. But the need to retain the record for both purposes, I suggest, is there. I mentioned, and the hon. member has mentioned in his question, the need for confidentiality. It's my belief that that is as assured as it can be by the provisions of this bill.

MR. STROM:

Mr. Chairman, I notice in Section 3 it says: "... encourage programs and measures for the prevention of cancer ...". My question is: is this thinking in terms of prevention of recurrence, because I've never heard of any program or any situation where they have done anything in the area of prevention of cancer? It seems to me they have to move in after it has been established that they have it. They try to get a cure and then they work on prevention. I'm just wondering what the intent is here or if there is something new that I haven't heard about as yet.

MR. CRAWFORD:

Mr. Chairman, the government and the federal Department of Health have already made, in isolated cases, one or two grants for the purpose of having people most interested in the subject, very often through the respiratory diseases association or through the Canadian Cancer Society, design programs that might be used, say at the junior high school level, that would be against smoking. That would be the sort of preventive step that could be taken.

MR. STROM:

I certainly agree with that. That's in an area of prevention. I wasn't thinking of that one particularly.

My second question, Mr. Chairman, is in regard to the cancer society of Alberta. They are still functioning, are they not, as an organization collecting funds and then dispersing them in various ways. I am wondering, do they also provide funds for research, or will there be some cooperative effort between the cancer society of Alberta and this branch structure in a research program?

MR. CRAWFORD:

Yes, Mr. Chairman. I think there is probably good reason to pay tribute to that organization. The Alberta Division of the Canadian Cancer Society does raise money each year. They are a very hard working group of people which goes into the 'daffodil days' and, I believe, other methods of raising funds, and raise literally tens of thousands of dollars each year which are committed to research. The interest we would have in what they are doing, as related to what we are doing, would be to make sure that there is a full exchange of information so that programs aren't funded by both agencies.

MR. STROM:

Are there arrangements made so that an individual wishing to bequeath to the society can do so? I know in many cases on the death of a cancer patient they often suggest that they would prefer money to the cancer fund rather than flowers. I am wondering then, are arrangements available to those who may wish to bequeath maybe fairly substantial sums for that purpose?

MR. CRAWFORD:

Mr. Chairman, so far as I know the legal structure of the Canadian Cancer Society and its Alberta Division, the answer to the question would be yes. I'm really very sure that they probably have not only the right to receive contributions, but they have a national revenue department file number that makes contributions to them tax deductible.

MR. DIXON:

Mr. Chairman, I meant to ask this of the minister when I was on my feet a few moments ago. I read articles recently which said that the number of cancer cases is usually higher where the better treatment is available. I am just wondering in Alberta's case, how do we compare with other provinces on a per capita basis with people suffering from cancer compared to, let's say, Saskatchewan or Manitoba or any other Canadian province? Have we any statistics that the incidence of cancer is higher in Alberta than in other places? Have we any actual records that would bear this out?

MR. CRAWFORD:

Mr. Chairman, I don't have figures that show the comparison on an incidence per population that would answer the hon. member's question. I am sure information like that can be obtained. If the hon. member is interested in it, I would be glad to ask the department or the cancer board to try to get us some information on the different jurisdictions with Alberta's position included.

I might make two comments with respect to the question though. One is that so far as I know at the present time there is no significant difference between Alberta and the other provinces and I would really expect the figures of cancer incidence to bear that feeling out.

There is another interesting sort of thing that happens where you have a first-rate system. I think maybe many jurisdictions are improving their systems as far as detection is concerned. One of the researchers explained to me one day what an absolutely frustrating thing it is when you know that you are working towards an objective which is early detection - if you can't have prevention - early and hopefully successful treatment. He said we are getting longer and longer periods during which people remain alive, with particular reference to certain types of cancer after detection. He then said the thing that is frustrating all the researchers is that maybe all they have done is improve the detection method, discover it maybe a period of months or a year earlier than they would have otherwise, and the extra apparent year of life that the person got after detection maybe wasn't an extra year at all. Their real hopes are always to extend life.

So it's an interesting subject and one that has many frustrations for the people who are in the basic research on it. I think the only hope they ever express is that little by little the discoveries that may be hard to evaluate at the time they actually become known and accepted as a scientific judgment on the situation, the evaluations of those will at least, in some cases, prove from time to time that a step ahead has been taken. But sometimes they themselves find it difficult to know whether they have taken a step or not.

MR. HENDERSON:

Mr. Chairman, I wonder if I might just ask one or two questions regarding the proposed mandatory reporting requirements. I must confess, while I appreciate what the objective is, on the other hand I have to say I have some reservations about this particular thrust - if one wishes to use the word. I know the cancer people have been after this type of authority for some years.

In the past, where the Legislature has made it mandatory for the private practitioner to report certain facts relating to a particular patient to a provincial body of some sort, whether it be the cancer board or a department of the government, it has almost universally related to those areas in which there was a strong element of contagious disease - tuberculosis and venereal disease for two specific cases. This was the justification for the Legislature accepting the requirement for mandatory reporting.

I am concerned that when one extends the mandatory requirements in legislation beyond that principle, one opens up all sorts of areas and problems where people indulging in research with the best of intentions would like a mandatory requirement imposed upon other people who are in the practice of medicine in this particular case, who in the opinion of the experts have less competency than they have and they wish to have the prerogative of having all this information reported to them so they can examine it and draw what conclusions they feel may be desirable. As I say, I appreciate it is all in the interest of promoting, in this case, earlier cancer detection and possibly more effective treatment. But I must confess, on the other hand, that I have some concern about extending this mandatory reporting principle in an area such as this where there is, at the request of a group of experts, not an issue of contagion in terms of public health involved, because I don't know where it is going to lead.

I am sure the minister can appreciate what I am talking about. I don't know to what extent he considered this issue before he agreed to bring this particular amendment into the House.

Another aspect of the proposal that concerns me, I think, is where the cancer program is heading. Ideally, one would like to hope that the level of expertise amongst the medical profession in general would sooner or later be raised to a level where the cancer services would be expertly provided within the entire medical framework of the services in the province and the individual citizen doesn't have to rely upon the services of a small centralized handful or group of experts. Logically that should be the objective because it will make the services more broadly available with less inconvenience to all the people in the province than is the case now. Hopefully one would see the program go the way, for example, that the arthritis - at one time the government maintained a special section in the Department of Health where they provided some expertise in the field of arthritis treatment. Slowly, as the expertise was acquired, it was absorbed into the regular

medical services system. The need for the program was no longer there and it was disbanded.

As I say to the minister, I am familiar with the issue involved. I am also aware, on the basis of past experience, of some of the sentiments that some people in the medical profession express as to the desirability of encouraging by statute such mandatory reporting of these things which don't relate to a general public disease or a contagious disease which it is in the public interest to deal with by a reporting system. Also I think it can be safely said that a lot of medical practitioners have concerns about the increasing trend toward centralization and specialization of cancer treatment in the hands of a handful of experts as opposed to an initiative on the part of the government to try to upgrade or disseminate the expertise in this particular area throughout the broader spectrum of the medical profession.

I would be interested as a consequence of those remarks, Mr. Chairman, in hearing the minister's views and to what extent they have considered these two particular aspects of this proposal. I would simply reiterate. I think it's a departure from past established principles. The minister or others may cite cases to show me where I'm wrong, but certainly my general recollection and understanding is that usually where these mandatory requirements were stipulated in the past, in what related to reporting information concerning particular patients with particular health problems, there was very definitely the question of contagious disease involved. That was the primary purpose for doing it. I would like to hear what the minister might be able to add to the discussion on the subject at this point, Mr. Chairman.

MR. CRAWFORD:

Mr. Chairman, I certainly don't quarrel with the statement that historically the requirement for reporting based on a statute has been primarily in relation to communicable diseases. At the same time that observation by itself doesn't establish that those are the only cases in which recording is appropriate.

I think the hon. Member for Wetaskiwin-Leduc put his finger on it when he said that a lot of the area of discussion about the benefits to the patient in the future might relate to greater 'expertness' throughout the profession and a greater number of points at which the person could receive diagnosis, treatment and follow-up than is the case with a relatively small band of highly specialized people involved primarily through the Provincial Cancer Hospitals Board.

In the summer of 1972 when the Alberta Medical Association drew up the list of resolutions that gave rise to the government's position paper and in due course parts of this legislation, when that was discussed by the doctors they did point out that there was a need for what the hon. member has referred to, both decentralization of the capacity to practise in this particular field and decentralization throughout the province of points at which people could have at least some procedures either performed, checked or followed up.

Now with the highly centralized system there is at the present time, anyone receiving treatment at the Cross Institute or through an agency of the Provincial Cancer Hospitals Board in any way does record the information about the cancer with the board. It was pointed out in the position that was developed prior to this legislation being drafted that if that was so it would be desirable, if the system was going to be decentralized, not to introduce an information gathering situation that didn't exist before but to maintain what did exist before when the treatment had been provided on a highly centralized basis. If the objectives the hon. member refers to in respect to decentralization were going to be achieved, let that be achieved but not at the cost of giving up the record keeping for excellent purposes that has been provided up to the present time.

I think it should be said that the reason for the record keeping proposal is not primarily research, because research can be based on record keeping that doesn't require the name of the person. So you would have to look at that requirement and ask the question again, I suppose, if it's not primarily for research what is it for? Then it is just for the purpose of treatment and follow-up. I think hon. members probably know, as I certainly know, people who have or have had cancer. One of the things they seem to understand and concur in, in quite a ready way, is that their follow-up is really critical to them, really important. I have known people who do what the hon. member described, travel a hundred or more miles at regular intervals in order that their follow-up can take place at a central institution. If the medical capacity is within the medical community of a city elsewhere in the province, within their capacity and within the capacity of their clinics and hospitals in the area to do that follow-up there, that person no longer has to travel to Edmonton primarily for the follow-up and the follow-up checks.

If that is going to be the case, there should still be a way in which the record of that case can be kept. There would be further reason other than decentralization for the record keeping. That would be that without the record keeping there could be cases - this is one of the items that the College of Physicians and Surgeons raised - where practitioners, through the various peer reviews that take place within the college from time to time, are maybe conducting a questionable practice in any line of treatment at all, but for our present example in, say, treatment or follow-up of cancer. At least the incidence of performance - the recovery or otherwise, the number of patients treated or otherwise, the manner of treatment and so on - could be looked at on a confidential basis by other doctors who are also well acquainted with the diseases being treated and being studied.

So those are some of the reasons behind these questions. I would have to agree with the hon. member that at the time this was being drafted for the purposes of this bill the very issue he raised was a subject of much discussion. We did consider a number of alternatives as to how it might have been done with less stringent provisions in regard to disclosure and record keeping. But that really became reflected in the way the legislation ended up under Section 3, giving the amendments to Section 12 by adding 12.1 following it. Other than the details in respect to cancer itself, no other details of the patient's medical chart or medical record in the hands of the doctor who is submitting the record to the board, no other details of that person's medical history or condition can be provided without the consent of the patient. So a special case, I suggest, has been made for cancer.

MR. HENDERSON:

Well I appreciate what the minister said. I'm still not really clear on just exactly what the purpose and intent of the amendment is. There is a reporting system in effect already. If that is the case, why does it need to have a statutory umbrella to achieve what is already being accomplished?

I'm still not clear what the objective really is and maybe the minister could clarify that. It can't be related to reporting that is already taking place, so it must relate to reporting presumably on follow-up that isn't taking place.

I know there is a reluctance on the part of the people at the cancer clinic to accept the fact a patient comes in, is treated centrally and goes home. They don't want the patient to rely on the physicians' services available in the community. Now I have to say, while I appreciate the view of the experts, looking at it from the standpoint of the patient, if I opt to have the right to die peacefully in the hands of my local doctor, surely to God I am entitled to that prerogative without a bureaucrat in Edmonton having to interfere with it.

I think this is what really gets down to the root of the issue; a group of central experts who are going to be second-guessing what is going on at the community level between the doctor and the patient. It's fraught with a lot of pitfalls, I think, from the standpoint of the public as well as the profession.

The cancer clinic has been after this type of mandatory regulation for some years now. So it's not a new issue. Before the amendment is really considered by the House, making it mandatory and statutory - not debating the basic principle of the objective, to what extent is the system of voluntary reporting not working at the present time so that the cancer clinic thinks it needs a mandatory, statutory requirement written in the books? What's the purpose of it? That's the part that's bothering me, Mr. Chairman.

It gets down to, really what's the intent of the legislation? Is the intent, for example, going to be that Doctor A fills out the report because he's required to by law, and it goes into the cancer clinic? What's going to happen to the report then? What are they going to do with it? Is the cancer clinic going to get hold of Doctor A and say, you'd better tell Mrs. B to come in here, she has cancer of some sort. Are they going to write directly to Mrs. B and say, you have cancer and your local doctor didn't tell you. You'd better come in so we can look at you.

I think it raises quite a number of legitimate concerns that the Legislature quite seriously - I'm not trying to obstruct the issue because I don't quarrel with the objective on the part of the experts, but I really have some serious reservations about the desirability, on the part of the Legislature, of writing this in the statute books when there is not the issue of severely, highly contagious disease involved.

Once we start in this direction, there are all sorts of afflictions that could relate to a high degree of medical skills and don't relate to contagious disease, but some group of experts would like a centralized system of reporting going on. I think we should really look at where it's going to go. That's the basic concern I have, Mr. Chairman.

MR. CRAWFORD:

Mr. Chairman, once again in his remarks the hon. member perhaps put his finger on the issue and maybe I haven't adequately expressed some of the thinking behind this up to the present time. He asked, when there is a reporting system that's already operational, why have this? I think the question almost answers itself, Mr. Chairman, because it's the absence of the basis to have the system that is being cured by this amendment.

The more you decentralize the system, the more you say to a person, you don't have to come anymore to the Cross Institute in Edmonton. We will indeed decentralize 'expertness' and treatment and follow-up as much as we can, in the hands of individual doctors, practitioners in individual communities, who all know their duties in regard to patient-doctor confidences and so on. The more that is done, the system for records that is already in existence through the cancer board, which the hon. member referred to, is the system that breaks down. So it's replacing that system with one that under new circumstances of a more decentralized system will also be workable.

The hon. member asked, what is there about the voluntary reporting system that isn't working? All I can say about that is that, once again, the more the system is decentralized the less likely it is that the voluntary system will work. So it's a matter of wanting to achieve the objective of decentralization but not having to give up at the same time the reporting - even equivalent to what there is now.

The sort of question that comes up, will somebody now be getting in touch with people directly and making communications to them that maybe their doctor should have made, or in the opinion of some expert the doctor should have made - I might say that one of the

examples that came up is that every once in a while the board would like to be in a position to volunteer information to cancer patients, and they would like to know who they are.

For example, a month hardly goes by that maybe some pain reliever or manner of treatment or replacement type of apparatus comes into the market, is approved and is highly rated. It would be nice to be able to say to the patients who may be known to be suffering from a particular affliction at that time, on a confidential basis through the board or through their physician, that this particular product is one they should look at.

But to enforce some mandatory procedure on them or to take their doctor off their case, or something of that type, I don't think is possible under the amendments that are being proposed. I think that some of the questions the hon. member has put - I noted one down; he said, will Mrs. Jones be getting a note from the board to come in and see them now? Well, basically Mrs. Jones is already going to see the board for follow-up purposes and this sort of thing. With the better objective, I think, of decentralization, it's more likely that she will end up working more closely with her own doctor under this system than the way that Mrs. Jones is able to now.

So I think with the limitations, Mr. Chairman, that the ensuing sections put on the ways and the occasions upon which any communication of this information could ever take place, most of the concerns that the hon. member might have in his mind at the present time, of which he's given a couple of examples, are not concerns that the cancer patient is going to raise himself.

MR. HENDERSON:

Mr. Chairman, I listened closely to the minister's comments, but quite frankly I just can't find the logic he's presupposing. Because if the board knows already about the patient, they don't need mandatory reporting. It's very obvious that the purpose of the mandatory reporting must be that the cancer specialists are hoping it will turn up patients who may have or have had cancer that they don't know about. The question arises, what then is the board going to do? And then the issues I've raised become very real.

So by the minister's explanation, the concerns I'm expressing are very legitimate, because where the board is aware of the patient and the follow-up is occurring, they have the files, they have all the information. So this is not the type of patient we're talking about. It can only apply to patients who have been to the clinic at one time, have gone through therapy and have subsequently gone back to their own community. For one reason or another they decide they're not going to go all the way back to the clinic, so they start going to their own doctor. I really question, in those circumstances, why it's incumbent upon the doctor then to be required to report back to the clinic what he's doing about my afflictions. That's between me and my doctor. That isn't the concern, if I chose to make it otherwise, of a group of qualified experts representing the cancer clinic.

So I can only conclude, Mr. Chairman, that the reporting system very clearly does not relate to any decentralization. I have seen and heard no evidence of taking any tangible measures towards decentralization because if there were the flow of information would be the other way and that's accomplished without having to know the cancer patients specifically. It's rather an educational procedure. The order obviously is only relevant in terms of patients who are not known to the board in making it mandatory that a report must go in from the private medical practitioner to the board. For what purpose? I come back to that again. These seem to be the only two cases I can see where the board is not aware of the patient or the patient has chosen for one reason or another not to go back to the board.

As far as the argument about the recommendations the cancer board would like to make, I can fully understand and sympathize with their objective. But if one wanted to use this same procedure - if it concerns humanity and we really wanted to deal with the more fundamental problem - we could also probably turn around and make it mandatory that everybody who has a heart attack must report it to some agency in government which deals with that specialized area so that the board can contact him and tell him whatever his local doctor can't tell him.

I must confess, Mr. Chairman, while I understand the basic objective or desire on the part of the board, what the minister has said thus far really adds to my concern that it's simply going to be a further intrusion on the part of government into the personal affairs of the individual, in this case relative to his physician.

I have to say quite frankly I seriously question the propriety where we do not have a major area of contagious disease involved, where it can constitute a drain on loading the hospital with typhoid patients or loading them with V.D. patients or loading them with T.B. patients and this type of thing, where it becomes a major general public concern. I must confess very strong reservations, I would have to say opposition, in principle to extending in legislative statute mandatory requirement for a physician to have to report to a centralized government agency, regardless of how well-intended their purposes may be, what his relationship and working arrangement is, et cetera, with a particular patient. I think it is just going too far.

As I say, if a patient wants to die peacefully of cancer with his own doctor locally, I think that's maybe his prerogative and it's primarily nobody's business but his. If they want to run around the country [spreading] venereal disease or tuberculosis, it's a different issue entirely. It is a matter of legitimate public concern.

But we don't have that in here. I really have to say, Mr. Chairman, that notwithstanding the good intentions on the part of the people in the cancer board and

clinic, to my mind they represent intrusion by government, by direction of the Legislature if the amendment is approved, into the personal relationship which I think properly should exist and continue to exist between physician and [patient]. And I have to say quite frankly the arguments the minister has presented to date really do nothing to ease my concerns. As a matter of fact I have to say, Mr. Chairman, they confound them because what is going to happen is exactly what my worst concerns are. If the board knows already, they don't need the reporting. And if they don't know, what do they need the reporting for and to what purpose are they going to put it?

I expressed my views. I don't want to drag the debate out further, but I have to say that as a member of the Legislature, notwithstanding the desire, I have to seriously question framing this type of thing in statute.

DR. PAPROSKI:

Mr. Chairman, if I may. The importance of this particular entity known as cancer is so important to the population in our society that certainly I feel very strongly that I have to add my remarks in view of the comments made by the hon. member opposite.

With all due respect to the hon. member opposite, I think he recognizes - and I know he does - the importance of this entity. That's number one.

The number two item is the fact that society and the researchers in this area do not know all the answers. If we knew all the answers, the problems which exist surrounding cancer would, in fact, not exist.

The important point to be made here is why is this information necessary. Well, I think the hon. [member] opposite and various members have already indicated the vital importance of information to assess the results of treatment, to offer possibly some preventive measures, either before, during or after treatment, and to assimilate the necessary data and information to offer direction not only for that particular patient on an individual basis, but information for the future.

So this information, Mr. Chairman, members of the Assembly, I think is unequivocally and indisputably vital. The specialized knowledge, the specialized equipment and the specialized personnel necessary to carry out some of this treatment for cancer are also very apparent. But may I hasten to add, this is always in conjunction with the private medical practitioner and his patient. And the medical practitioner is informed and has to agree with the patient.

So number one, the information may or may not be given, depending on that agreement with the medical doctor or the individual, as I read it. And even if it were not "may" but were mandatory, I do not see any difficulty because this information, although [it] is funneled through the central office or the cancer institute, is used for good purposes and that patient, I am sure, would appreciate that.

However, if the patient refuses to go to the cancer clinic, or the doctor in his wisdom for some reason or other does not want to send the patient to the cancer clinic for further therapy or follow-up, I am sure this could be arranged. But in spite of that, I hope it is mandatory. If it is only "may", I wish it were absolutely mandatory because that information is vital in setting the course for future cancer therapy in this province and in our society.

I just can't see how else this could be done on a rapid basis if we are going to have slow reporting, reporting which is missed, reporting which might not be done for various emotional reasons, or because the doctor is busy or because it is not important in his judgment. I think all this information has to be drawn to one central office for proper assimilation and action.

The example of this, if I may suggest in conclusion, members of the Assembly, is screening of cancer of the cervix. Where it is done - and it is done very well in the provinces of Alberta and British Columbia - where it is not done as well, in the Atlantic provinces, the incidence or the pick-up rate of precancerous lesion of the cervix is very low, whereas in the provinces of British Columbia and Alberta the pick-up rate is very high and the curative rate is also very, very, very high. We can pat ourselves on the back for that because we have a system going. I think this type of information gathering will just add to that system not only for early therapy but also to the research information which will hopefully prevent cancer and cure cancer permanently.

MR. HENDERSON:

Mr. Chairman, I wonder if I might just respond with one brief comment to what the Member for Edmonton Kingsway just said. I would just suggest to the member that by his own argument maybe Nova Scotia needs this type of program. But I would say it maybe further convinced me we don't need this unnecessary statutory provision.

I am not objecting to the desire or the object at all. What I am objecting to is the Legislature posing this mandatory requirement. Let's not kid ourselves, the word is "may" in the act. But with it in the act, when the board decides to exercise that option, there is no "may" on the part of the practitioner. There is no "may" there at all. It's optional only to the board. And so, for practical purposes, it becomes mandatory.

As I say, the member, just on the batting record, used the example which further convinced me that we should look seriously at an unnecessary legislative intrusion into this particular realm. I have to say quite frankly the reason I suspect it is being asked is that the clinic has not done a satisfactory job of getting the cooperation of the members of the profession. They are asking the Legislature to set this up so it can be shoved down their throats. That's one of the implications of it. The minister sits there

and says no, but if the program is working on a voluntary basis as well as it's supposed to be, I come back to why does it need to be mandatory.

I still would like to hear the question answered as to what the board is going to do with the reports that come in from a physician when the board has not heard about the patient before. Let's assume they put out a blanket requirement asking that all doctors report this type of hypothetical case and all tests they do and so on and so forth. What is the board going to do with all this data and information after they get it, because clearly the patients they have access to, already are dealing with, don't have the problem. And if the patient wants to go home after dealing with the clinic and doesn't want to choose to continue to deal with the clinic afterwards, what business is it of the cancer clinic to intrude into that issue.

Logically I would say the patient would be coming back of his own accord, but apparently there must be some sort of problem, the patient isn't coming back and the doctor feels there should be follow-up of which the patient is not availing himself. Once again, how far should the Legislature go in imposing such a requirement upon the doctor? It's not just the doctor; the patient is the other half of the coin.

I just have to say again, Mr. Chairman, notwithstanding the desirability of trying to broaden the statistical base of cancer research and reporting, I think this is a highly undesirable departure from the standpoint of legislation, because we're going to have requests from other specialized groups wanting similar reporting in other areas of health concern.

As I say, why not pick the question of heart disease and make it mandatory. I'm just guessing, because I think there are probably far more people dying of heart disease and afflictions than there are of cancer. Maybe I'm wrong, but if that's the objective let's get going and let's get on the bandwagon because in my view I don't think from a legislative standpoint that objective is an adequate basis for the Legislature to interfere in what is really an issue between a doctor and his patient, at least to the extent of saying we should authorize a select group of specialized individuals to interfere in the matter, where there's no contagious disease involved. I'm far from convinced that's an appropriate area for legislation.

DR. PAPROSKI:

Mr. Chairman, if I may ...

MR. CHAIRMAN:

Mr. Minister.

MR. CRAWFORD:

I just wanted to comment on a couple of things raised by the hon. Member for Wetaskiwin-Leduc, although he and I have been doing a lot of the commenting so far this afternoon. I certainly welcomed the contribution made by the hon. Member for Edmonton Kingsway.

I just wanted to say that the hon. member I think is building up a few straw men in the hope of destroying them and impressing hon. members with that; references to things like, why not a requirement in regard to heart disease because people suffer from that too.

But I would point out that legislatures of the past have never seen fit to bring into being a specific piece of legislation in regard to the treatment of people with heart disease. They have in respect to cancer. It must be one of the very, very few diseases known to man that is specifically identified in legislation by having its own principal act, and by having its own principal delivery system set up pursuant to that act. That was done with the collective wisdom of past legislatures. I think if we were asked to take that departure now and treat it as a separate and unique concern on the part of the public of our province generally, we might well say, yes it is unique, yes it is an area of specific concern and yes it is that one area of communicable diseases outside those other ones the hon. member mentioned which require particular legislative attention.

So having done that, having required specific attention, I think all I have tried to direct my remarks to so far this afternoon has been to say this is one of the things that should logically be expected to follow.

One of the things the hon. member keeps repeating really puzzles me. He says, why do you want this record. They know about it already. He's saying that to me: why do you want the record, they know about it already.

My understanding is that without these provisions there is no reporting system. The hon. member says there's a voluntary system now, and why is not the relationship between the board and the medical profession such that they can get the information they need.

Well, if they can get the information they need and if the hon. member is satisfied with that, it seems to me that that issue has been resolved. The need for the information has been resolved as between the hon. member and myself. But when he says, they've got it anyway, I say, no they have not. I think that is the misapprehension on the part of the hon. member.

Over the years when the cancer hospitals board paid accounts of practitioners directly, the measure of the cooperation was that if you didn't make a report you didn't get paid. Then the hon. member says, there is the information, it's being provided voluntarily. I say that what is required is a system that gets the information, and that no such system as the hon. member is describing is workable, is able to say that a broad

province-wide basis of coverage can be obtained. I'm with him when I say that if you can get the information without legislation, well then, by all means let's do it.

But I'm saying to him that you can't.

MR. HENDERSON:

Mr. Chairman, if what the hon. minister [says] is the fact of the matter then all it requires is a slight amendment in 12(1)(a) to make it abundantly clear that the provision only applies to patients who have come in and been treated by the cancer clinic, instead of making it a fishing expedition on the part of the board.

I know the problems the board has encountered in getting follow-up with some of their patients. But that isn't what the amendment says. If the minister would amend the section to make that clear, that all we're giving to the board is the right to say they have the prerogative, after this centralized treatment has been provided by the board, after the patient has been to the cancer clinic, that when the patient goes back home and goes back to treatment [by] his local doctor, that the Legislature has said, under those circumstances it is in the interest of the public for the board to ask the doctor to provide a follow-up report - if that were in the act, I suspect a lot of the discussion we have had wouldn't be taking place. But that isn't what the act says. The act asks for an umbrella under which to intrude into areas, into patient relationships in which the board has not in the past been functioning.

I don't wish to be critical of the board in a personal sense at all because I know that all the people involved are highly conscientious and dedicated. But be that as it may, we are asking the Legislature to endorse the authority for the board to go beyond that particular provision. And if that's all that's requested, if the particular section in the act could be amended to reflect that fact, well I've no further concerns about the issue.

So I say, Mr. Chairman, it isn't straw men I am setting up, because the act doesn't say what the minister has just stipulated as [to] what he understands it's supposed to say. If it does say that, I'm quite happy to withdraw my comments on the subject and not drag out the debate any further. So I would like to ask the minister to take that question under advisement to see if an appropriate amendment can go in to make that abundantly clear, and then I think there won't be any serious cause for concern.

Another thing I'd like to ask the minister: lip service has been paid to the question of decentralization, but what in a practical sense is being done in that regard to make the philosophy the minister is expounding - and which I advocate, as far as decentralization [is concerned] - a reality as opposed to the fact of the matter that it now stands where it is a highly centralized service and very tightly controlled.

DR. PAPROSKI:

Mr. Chairman, if I may make a comment or two, again responding to the hon. member opposite and to the comments that have been made.

It's undisputable that cancer is a major cause of death in our society. The urgency is also indisputable. Having said that, Mr. Chairman, the records are of mammoth importance for future direction in that increased knowledge may offer that future direction not only at the present time but in the near future and the future future.

Now it's very important that all the information is gathered because statisticians and those in the research field of cancer know that a percentage or two could make a difference in that direction. So what happens in actual practice is that those patients who are doing well may not report at all to the cancer clinic and, of course, they have that choice. And the medical doctor, his personal physician, may also take it upon himself to say, just great, this is not necessarily a report because we have nothing to be concerned about yet or nothing to be concerned about at the present time. It's exactly that information that is so vital to the cancer clinic, the patients who are doing well. Also the patient may pass on for various reasons, whether from cancer or some other problem, and this may not be reported. So the cancer clinic has no way of being sure whether the mortality or morbidity was indeed caused by cancer, and that small percentage, whether it be 5 per cent or 1 per cent, can be a vital shift in gears or direction for therapy and follow-through.

So to say, is there voluntary participation by the medical profession in reporting and in the follow through of patients, the answer is obviously yes. And I would suggest this probably reaches the 90-95 per cent range. But that other percentage is vital and I have no hesitation - I don't think any constituent anywhere in this province would feel this is an intrusion on his or her personal direction because this information is for the assistance of everybody at large. And the patient still has the final choice of not going and receiving this therapy or that therapy. The M.D. cannot, as I understand it under this bill, unless it changes in the future, be directed to give this or that therapy, unless of course it's therapy that is completely out of the bounds of the medical profession.

So concluding again and reinforcing, the one vital item, that small percentage that is not reported for whatever reason - and there are justifiable reasons when the patient is doing well or the patient may pass on for some other reason - that information is also very important to the cancer institute.

HON. MEMBERS:

Question.

MR. HENDERSON:

Mr. Chairman, I gather the government is not prepared to make the act specifically state - the amendment - what the minister has said it's supposed to state? That it's going to remain in its present form? I don't see anything unreasonable about the amendment. It would simply make it - all you would have to do on 12(1) is after the words, "for the purpose of assessing and proving the standards of care furnish ...", put in there the words, "by the board", and then it would be abundantly clear. Some such simple amendment like that.

All I can say to the member who just spoke is that he sure wouldn't have me for a patient because I quite frankly think if I went to him for treatment of cancer, whether we had some centralized group of experts who thought it was their business or not would be academic because I think that is something between me and him. I would object most strenuously, if that were my view, to having a group of men sit in a Legislature when that is a problem of concern only to me as an individual. It isn't something I'm going to be passing on to other citizens in the course of my daily activities. I would have to say, I think the shoe is on the wrong foot because it should not be the business of a group of centralized experts just because they think it should be. I don't question their intentions but surely to goodness the individual has some prerogative in the matter.

I'd like to ask the minister again, would you give some serious consideration to making a slight amendment in the section because I think it would alleviate any concerns that might exist on the matter.

MR. CRAWFORD:

Mr. Chairman, the hon. member and I differ again because I think the proposal he has made would largely defeat the objective of the legislation. Therefore it wouldn't be consistent with the principle put forward. It certainly couldn't be amended if that's the case.

He asked about proposals for decentralization and I just want to say to him that I think the board has quite a number of proposals they would like to make to me, some they have made to me, some that are in the process of discussion that would be directed towards the area of decentralization of the board's own work. But that is with reference to the board's own work. Perhaps the largest step taken with regard to decentralization of the services is that the practitioner, of course, can now bill the Alberta Health Care Insurance Commission directly, rather than through the board. And if that isn't effective decentralization, I don't know what is. It is for that reason, as I've tried to express and maybe didn't do too well, that the whole system of reporting on what the hon. member has been pleased to call a "voluntary basis" no longer exists. That's the whole reason for this.

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

MR. CRAWFORD:

Mr. Chairman, I move that Bill No. 76 be reported.

[The motion was carried.]

Bill No. 77 The Ophthalmic Dispensers Amendment Act, 1974

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

MR. CRAWFORD:

Mr. Chairman, I move that Bill No. 77 be reported.

[The motion was carried.]

Bill No. 73 The District Courts Amendment Act, 1974

MR. CHAIRMAN:

An amendment has been circulated.

MR. CLARK:

Mr. Chairman, would the Attorney General outline for us the reason for the amendment to what we've had until now.

MR. LEITCH:

Mr. Chairman, the amendments are to put beyond argument the intent of the sections already in the bill. They do not introduce any new concepts or principles.

MR. CLARK:

[Inaudible]

MR. LEITCH:

Yes.

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

MR. LEITCH:

Mr. Chairman, I move that Bill No. 73 be reported as amended.

[The motion was carried.]

Bill No. 74 The Surrogate Courts Amendment Act, 1974

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

MR. LEITCH:

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

[The motion was carried.]

Bill No. 71 The Alberta Heritage Amendment Act, 1974

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

MR. SCHMID:

Mr. Chairman, I move that Bill No. 71 be reported.

[The motion was carried.]

Bill No. 67 The Landlord and Tenant Amendment Act, 1974

MR. CLARK:

Mr. Chairman, I'd like to ask the hon. member who is piloting the bill through the House if, in fact, there have been any studies done in the course of this fiscal year which indicate what portion of the renters' assistance, from \$50 to \$200, has in fact ended up in the hands of the renters, as opposed to how much has been taken up by the rent increases.

You will recall that during the spring session when the government made the announcement on this particular item, on several occasions the question was asked and the point made that a sizeable portion of the renters' assistance was in fact going to end up in the hands of increased rents. So let's start there. Does the government have any indication of what has happened or any across-the-board indications of what has happened to rents basically?

MR. GHITTER:

Mr. Chairman, I think the hon. Leader of the Opposition has the wrong bill. I think what you are referring to is really in the renters' rebate bill. You might wish to bring it up with the Provincial Treasurer when we carry on with that.

MR. CLARK:

The Provincial Treasurer will have the answer when we get to that particular bill?

AN HON. MEMBER:

Don't worry about it.

MR. CLARK:

Never did you have such warning.

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

MR. GHITTER:

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

[The motion was carried.]

MR. HYNDMAN:

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

MR. CHAIRMAN:

Is it agreed?

[The motion was carried.]

[Mr. Diachuk left the Chair.]

* * * * *

[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bills: Bills No. 76, 77, 74, 71 and 67 and begs to report same; and Bill No. 73, begs to report same with some amendments and begs leave to sit again.

MR. SPEAKER:

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

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, as to tonight's business at 8:00 o'clock, we would propose to ask leave to revert to Introduction of Bills for introduction of a bill by the hon. minister, Mr. Dowling, The Real Estate Agents Licensing Amendment Act, and following that to move into a few third readings as on the Order Paper, and about 9:30 or 9:45 to move back to a continuation of Government Motion No. 3 in respect of which debate was adjourned by the hon. member, Mr. R. Speaker.

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

MR. SPEAKER:

Having heard the motion by the hon. Government House Leader and assuming the House agrees unanimously, the House stands adjourned until this evening at 8:00 o'clock.

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

