

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Monday, October 18, 1976 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF BILLS

Bill 69
The Alberta
Labour Amendment Act, 1976

MR. CRAWFORD: Mr. Speaker, I beg leave to introduce for first reading Bill No. 69, an act to amend The Alberta Labour Act.

Mr. Speaker, this amendment will change the provisions of the act as it relates to unfair labor practices, with the result that both employers and employees will be barred from intimidating any person in respect to testimony that person might give, intend to give, or might have given in any proceeding, including an arbitration proceeding.

As well the bill will put both parties, employers and employees' organizations, in the position that where there has been a conciliation report and the party has accepted the report, they will still have the opportunity either to strike or lock out if the other party rejects.

As well the bill will clarify two or three jurisdictional matters including the responsibility of employees of the Board of Industrial Relations to give evidence in various proceedings, and the board's power to direct a vote leading to certification of a bargaining unit.

[Leave granted; Bill 69 introduced and read a first time]

Bill 208
An Act to Amend The Amusements Act

MR. TAYLOR: Mr. Speaker, I beg leave to introduce a bill, being An Act to Amend The Amusements Act. The purpose of this act is to bring under The Amusements Act videotape and all other means of storing information which can be visually displayed for public viewing. At present videotape used in closed-circuit systems and theatres is not subject to the laws and regulations of The Amusements Act, and some of this is alleged to be highly obscene.

[Leave granted; Bill 208 introduced and read a first time]

Bill 64
The Cancer Treatment
and Prevention Amendment Act, 1976

MR. KROEGER: Mr. Speaker, a motion for leave to introduce Bill No. 64, The Cancer Treatment and Prevention Amendment Act, 1976.

The purpose of the bill is to clarify that the Provincial Cancer Hospitals Board has the power to manufacture pharmaceuticals for use by hospitals, subject to prior approval by the Alberta Hospital Services Commission.

[Leave granted; Bill 64 introduced and read a first time]

Bill 75
The Improvement
Districts Amendment Act, 1976

MR. JOHNSTON: Mr. Speaker, I beg leave to introduce a bill, being Bill No. 75, The Improvement Districts Amendment Act, 1976. Mr. Speaker, two important principles are couched in this legislation. One is to provide expanded tax authority for those improvement districts designated as industrial improvement districts; the second clarifies the amount of tax transfer funds which may be transferred from the industrial improvement district to the urban municipality supporting the human settlement cost.

[Leave granted; Bill 75 introduced and read a first time]

MR. HYNDMAN: Mr. Speaker, I move that Bill 64, The Cancer Treatment and Prevention Amendment Act, 1976, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: TABLING RETURNS AND REPORTS

DR. HORNER: Mr. Speaker, I would like to table a reply to Motion for a Return 184. I also intend to table as part of that reply six documents, which relate to the lease between the Government of Alberta and the Government of Canada, the Government of Alberta and Pacific Western Airlines, the sublease between Wardair and Pacific Western Airlines, the appointment of Wardair, the sublease between the province and Pacific Western Airlines, and the development agreement between Pacific Western Airlines and Wardair.

MR. RUSSELL: Mr. Speaker, I'd like to file two copies of additional reports from the Environment Conservation Authority: first the proceedings from the hearings on Erosion of Land in Northwestern Alberta; secondly, the proceedings of the hearings into The Use of Pesticides and Herbicides in Alberta.

MR. CRAWFORD: Mr. Speaker, pursuant to statute I would like to table copies of the annual report for 1975 of the Workers' Compensation Board.

head: INTRODUCTION OF SPECIAL GUESTS

MR. HYNDMAN: Mr. Speaker, today it is with considerable pride that I wish to introduce to you, and through you to all members of the Assembly, a constituent of mine who is 25 years of age and who is an international award winner. He is in your gallery, Mr. Speaker. His name is Mr. Bill Marchyshyn, and he won for Canada the bronze medal in the world professional figure skating championships earlier this year in Spain. He was the only Canadian winner in that competition. He has been 10 continuous years in Canadian championships in professional figure skating. His achievement is all the more remarkable because in 1970 he had a very serious injury in a competition. He was carried off the ice and told he would never skate again.

All members, as I am, are very proud that he is here. He is with his parents Mr. and Mrs. Nestor Marchyshyn, and I would ask that all three of them rise at this time and receive the welcome and congratulations of the Assembly.

MR. FOSTER: Mr. Speaker, I'm very proud to introduce to you, sir, and to the members of this Assembly some 30 Grade 9 students from Eastview Junior High School in Red Deer. They're in the members gallery, and I'd ask that they stand and be recognized by the House.

head: ORAL QUESTION PERIOD**ASH/Deerhome Food Services**

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Minister of Social Services and Community Health, and ask if she would relate to the House the status of the investigation into the food services provided by VS Services at Alberta School Hospital/Deerhome.

MISS HUNLEY: Mr. Speaker, I don't know where the hon. Leader of the Opposition gets the term "investigation", because it implies something rather more than goes on when we have a complaint about food, whatever institution or restaurant it happens to be in, or wherever we get the complaint. We have looked into how the complaint originated and the procedures for handling complaints when we have some problems in delivering food from the kitchen. Officials of my department have met with the individuals concerned there, and we're reasonably satisfied that the complaints that were alleged are not impossible to rectify.

Without a doubt, we expect we will probably have complaints in whatever institution is being operated. We can hardly serve three meals a day, 365 days a year, and not have some complaints. But I believe they were exaggerated in the newspaper. We take every possible method of correcting faults that can be corrected. I believe the food is of good quality and nutritious, and by and large is served in excellent condition to whatever ward or private accommodation we have. I realize we will get objections from time to

time. We get them here. I believe we even had a hamburger tabled in the Legislature because of a food complaint. So it's not unusual.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. What corrective steps have been taken at Alberta School Hospital/Deerhome as a result of the investigation of these complaints?

MISS HUNLEY: The employees were advised that they have direct access to the kitchen. We felt they had that information, but didn't make use of it. They've been reminded that there is a procedure so that if they get some food for their charges that is not what they think it should be — perhaps it might be burned, or there was a complaint, I believe, of underdone potatoes — they can phone immediately to the kitchen and have alternate food delivered. I don't think they were using that to the best advantage.

MR. CLARK: Mr. Speaker, a further supplementary question to the minister. Is the minister aware of an investigation by provincial government health inspectors into various aspects of the food system at Alberta School Hospital/Deerhome in Red Deer? Has the minister had the opportunity to look at the report?

MISS HUNLEY: Routine inspection by public health inspectors goes on everywhere, Mr. Speaker. I have not read the health inspectors' reports. I have been advised that they are satisfied with the conditions they found.

MR. CLARK: A supplementary to the minister. Is the minister in a position to comment on the situation with regard to the walk-in freezer at Deerhome which has been condemned? What steps have been taken?

MISS HUNLEY: No, I have not been advised of that. It may be part of the public health inspectors' report, but I have not seen it yet. When I do, I'll ask what remedial action has been taken.

MR. CLARK: Mr. Speaker, a further supplementary question to the minister. Would the minister be prepared to give an undertaking to the Assembly that in fact she will check with the officials of her department and see that the health inspectors' report is not lying in limbo in the department because of a legal technicality that a health inspector does not have the jurisdiction to inspect a provincial government institution?

MISS HUNLEY: Certainly I have no objection to inquiring about it. I know they have inspected it, and the report was made indirectly to my deputy minister of community health. I feel sure that one is available, and I will be happy to read it.

MR. CLARK: Mr. Speaker, a further supplementary question to the minister, dealing with the agreement with VS Services at Red Deer. Is the minister in a position to indicate to the House the reasons for a number of materials being sold from Alberta School Hospital/Deerhome on October 2 at a public auction, namely some foodstuffs, clothing, shoes, and soap? Why in fact were these sold publicly rather than VS

Services taking those portions that, according to the agreement, they should have taken?

MISS HUNLEY: I will be pleased to inquire into that and advise the hon. member.

MR. CLARK: Perhaps I might ask the minister one more question. Would the minister advise the House when she gets the information?

MISS HUNLEY: Yes I will, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the minister personally seen the report prepared by the director, Dr. Koegler, with respect to the complaint?

MISS HUNLEY: I received one report from Dr. Koegler. Yes I have, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Is the minister in a position to advise the House whether or not the complaints from the kitchen staff that the consolidation of the two kitchens into one has in fact created overcrowding and some problems in the serving of meals?

MISS HUNLEY: Mr. Speaker, I don't suppose you could ever make any change which everyone readily and happily accepts. I have found that when renovations are going on, whether in your own home or in this building, there is some inconvenience. I expect that when renovations are going on in the kitchens it probably is a little inconvenient. But I believe the majority of the staff appreciate and understand it. Their attendance on October 14 justifies the great faith I have in them.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Can the minister assure the House that no reprisals, such as discipline or dismissal, will be directed against the staff members who made the complaints?

MISS HUNLEY: No, I won't give that assurance today, Mr. Speaker. I would prefer to hear from personnel and get full details on the incident to which the hon. member refers.

Former Export Agency Employees

MR. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Business Development and Tourism and ask if he can inform the House whether Mr. Bruce Mathew, formerly of the Alberta Export Agency, is now an employee of the government of the province of Alberta.

MR. DOWLING: Mr. Speaker, no he is not, as of August 31 I believe. He chose not to renew his contract, although the offer was made to him to renew it. He thought it was in the best interests of himself and the department and government that he not renew the contract.

MR. CLARK: Mr. Speaker, a supplementary question to the Minister of Agriculture. Is the minister in a position to indicate whether Mr. Dennis McGrath, who was involved with the former Alberta Export Agency, is now an employee of the minister's department?

MR. MOORE: Mr. Speaker, Mr. McGrath has been under contract to the Minister of Agriculture for some time and still is.

MR. CLARK: Would the minister be in a position to indicate what Mr. McGrath's major priority responsibilities are in the department?

MR. MOORE: Yes, Mr. Speaker. Mr. McGrath is working with the new international marketing branch of the Department of Agriculture.

Cow-Calf Program

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Agriculture. Could the minister give a brief explanation of the method to be used in calculating the average price of calves in the cow-calf assistance program, and [over] what period of time they are going to calculate this price?

MR. SPEAKER: I must leave it to the minister whether an expose of mathematical formula may be too lengthy for the question period.

MR. MOORE: Well, Mr. Speaker, as briefly as I can, we intend to monitor the average price received for calves in selected livestock markets throughout the province. The monitoring generally will take place over the period of time that most of the calf sales are made, which is October/November. From the results of that monitoring we will hopefully be able to get a fairly accurate average price by the end of the year.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Will different average prices be calculated from different areas of the province?

MR. MOORE: No, Mr. Speaker. It was our intention to have an average price for sales right across the province.

I might add, Mr. Speaker, that the difference between calves and the sale price they bring would likely be greater than the variation between different points in the province.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Agriculture. Can the minister outline for the House the reasons for the ceiling of \$8,000, including the assistance? What process brought the government to the conclusion that that particular ceiling should be set?

MR. MOORE: Mr. Speaker, in the development of a program to assist cow-calf producers in Alberta, it was of course known to the government that a number of people in the beef cattle business have other incomes as well. For example, a good number

of our farmers are involved in other forms of livestock or grain production. Others have off-farm incomes that may be related to an occupation in industry. Indeed, many businessmen and professional people who have good incomes from their professions or businesses are owners of beef cattle as well.

It was our view that in developing a program we should try to put the maximum number of dollars where they were needed the most. On that basis we felt that those who are fully or mostly dependent upon beef cattle should receive the greatest number of dollars in assistance.

So on review, we felt that anyone who had in excess of \$8,000 in taxable income — and I emphasize, Mr. Speaker, that's taxable income, not net income — would be in a position where they would certainly have had some other income aside from the beef industry. It was on that basis that we made our decision, recognizing that there are cases where people, for some reason or other, may have had more than normal taxable income in 1975. But on balance, we think it was a good decision and will result in a situation where the dollars being provided from the public purse will help those who need it the most, and indeed will keep many people in the beef business who have no other alternative.

If I could conclude, Mr. Speaker, by answering a question asked last week with regard to the application forms for the cow-calf assistance program, I can say now that all the district agriculturalists throughout the province, as of this morning, have the application forms in their offices, and cow-calf operators throughout the province can now make application to the DAs.

MR. NOTLEY: A further supplementary question to the hon. minister. In light of the fact that this is the third year of depressed livestock prices, was any consideration given to the special problems of smaller producers who, because of depressed prices for three years in a row, have had to seek off-farm income by working in oil rigs or what have you in order to keep the operation going? Was this particular problem, as it relates to the smaller producer, discussed with either of the two major farm organizations before the \$8,000 ceiling was set?

MR. MOORE: Mr. Speaker, I should probably explain again the \$8,000 taxable income level. We're really looking at a situation where an individual who sought off-farm employment for four or five months during the winter would not have made enough money to be in a taxable income position that put him out of the program. Because remember, you subtract the personal exemptions from your total net income that may have been made off-farm. Of course if a person has a wife and family, those in some cases are considerably in excess of \$4,000 or \$5,000. In addition, you can subtract a minimum of \$2,500 in farm losses from your off-farm income.

So under the program we established, Mr. Speaker, it's quite possible that in four or five months an individual could make off-farm income of \$7,000, \$8,000, \$9,000, or \$10,000 and still be fully eligible for the benefits of this program. Certainly it was based on recognition that there are some people who spend four or five months during the winter seeking

off-farm income. But in our opinion most of them would still be eligible.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. It relates to the answer he gave to the Member for Bow Valley on the manner in which the government will be determining the provincial average. My question to the minister is: will the government information basically be the information derived from auction marts as the result of sales of calves this fall, averaged out? Is that where the information will be coming from?

MR. MOORE: Not exactly, Mr. Speaker. It will be a combination of information already available to us from the terminal markets as well as a monitoring of the auction marts, those being two different kinds of markets.

I might indicate, Mr. Speaker, that after some review of calf prices over the last six weeks or so and after the major run of calf sales started, and having some information about what we expect to be the average production cost during 1976, it is my view that in all likelihood the payment would reach the maximum \$50 per calf.

Postsecondary Institutions — Fees

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Advanced Education and Manpower. Have the hon. minister and the government decided to proceed with the two-tier fee system for postsecondary students?

DR. HOHOL: That's correct, Mr. Speaker. That position was taken during the spring sittings of the session.

MR. TAYLOR: Supplementary to the hon. minister. Have the actual fees for foreign students been set?

DR. HOHOL: No, they have not. What is happening at the present time is a kind of discussion amongst the institutions and between the institutions and ourselves. The two-tier approach will go into effect in September 1977. The time constraints are upon the institutions to make recommendations with respect to this matter in time that the determination is made and included in the information bulletins to the students who will register for the fall session.

MR. TAYLOR: Further supplementary to the hon. minister. Will landed immigrants be considered Canadian?

DR. HOHOL: Yes, that's right, Mr. Speaker.

Sour Gas Blowout

MR. STROMBERG: I would like to pose a question to the Minister of Energy and Natural Resources. In light of the wild gas well on the weekend in the New Norway district, has the ERCB made any decision as

to restricted development in and around sour gas fields in the Camrose constituency?

MR. GETTY: Mr. Speaker, I understand that an old well in the area was being reworked and, in the course of the workover, there was a problem with some of the equipment and some gas started to escape from the well control equipment. The ERCB and the operator co-operated in a manner that allowed them to have the well under control on Sunday evening. No decision has been taken as to whether or not there are any additional implications regarding that well.

MR. STROMBERG: Supplementary, Mr. Speaker. After the rather frightening experience over the weekend in that area, will the ERCB hold public hearings as to the cause of that blowout?

MR. GETTY: Mr. Speaker, I haven't discussed the matter of hearings with the ERCB. If it appears that it would be helpful to have those hearings, either to the people in the area or to the operator or to the board in its own operations, I'm sure they would do so.

Hockey Violence

MR. DIACHUK: Mr. Speaker, my question is to the hon. Attorney General, arising out of an incident involving two hockey teams at Spruce Grove on Friday night and reported in the *Edmonton Journal* sports section.

Is the department monitoring any of this action that arose that night? Also, will some charges be laid when there is a game with so much violence and so many penalties?

MR. FOSTER: Mr. Speaker, none of my staff were in attendance at the Pincher Creek-Spruce Grove game on Friday night. But I think two incidents that I would describe as shocking occurred, both on the ice and off. Charges of assault occasioning bodily harm have been preferred against two individuals as a result of the off-ice incident. We are investigating a possible charge against one of those individuals in an occurrence on the ice, a case of a hockey player spearing another hockey player from behind and severely cutting him in the face, which to my mind is not hockey. It's not sport. It's nonsense. If necessary, the criminal law will be brought to bear in hockey rinks across this country.

Mr. Speaker, perhaps I should take a moment to say to this Assembly that I have met with my Crown attorneys and asked them to be in attendance at major hockey activities across this province. The police are aware of this as well. If the players, coaches, and league officials are not prepared to exercise a higher degree of responsibility than we saw in Spruce Grove last Friday night, regrettably the criminal law will be brought to bear on those individuals involved.

Hiring Practices — Grande Cache

DR. BUCK: Mr. Speaker, I would like to address my question to the hon. Premier. I believe he can farm it

out to whoever it applies to. With just a short explanation, Mr. Speaker, this arises from a letter sent to the Premier from the Grande Cache area, in which the person indicated that if your services were terminated at McIntyre Mines, you could not get a job on the job site even if you were working for an independent contractor.

I would like to know, Mr. Speaker, if the Premier answered this letter, or if any action has been taken.

MR. LOUGHEED: Mr. Speaker, through the nature of the volume of mail I receive, I have only a vague recollection of that letter. I'll have to take it as notice and refer it to the appropriate minister, who can give the hon. member a reply in the House.

Labor/Government Consultation

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Labour. In light of the CLC convention last May advocating a tripartite approach to labor/management matters, also in view of the fact that discussions have been held between the CLC and the federal government on 'tripartism', my question to the hon. minister is: have any discussions been held at this time on this matter with the Alberta Federation of Labour?

MR. CRAWFORD: Mr. Speaker, from time to time I've been able to remark in conversations with the president of the Alberta Federation of Labour that we look forward to more subject matters upon which we might have three-party consultation.

We have the good example of the types of workshops held in regard to the occupational health and safety program earlier this year. I think all parties involved in those felt they were extremely helpful in making the decisions ultimately made by the Legislature in regard to that subject.

Through department officials, we are working on at least one other area, grievance arbitration, on a three-party basis. As far as councils themselves are concerned, the formal structure is something I'm very interested in and intend to examine more deeply.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In light of widespread national publicity on this question as it relates to planning investment, has the Government of Alberta any view at this stage of the merits of 'tripartism' as it relates to investment planning?

MR. CRAWFORD: Mr. Speaker, I think I'd be stretching my duties in the House somewhat to remark upon investment in the province in a general way. If the House had to rely on my personal abilities in that field, it wouldn't be in as good hands as it is at the present time. But so far as it relates to the tripartite type of approach, that would only be one of the things that any tripartite council would want to discuss as being a matter of interest to them.

My feeling would be that there are many, many areas in which a tripartite council could work more effectively in advance of a specific duty that it would try to undertake in regard to investment practices.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. Has the government given any consideration at this point in time to provide direct input from both management and labor in the planning process for 'de-control' in the province of Alberta?

MR. LOUGHEED: Mr. Speaker, essentially that matter of 'de-control', in the sense that the hon. member poses the question, has of course its primary impact upon the private sector, which is within the jurisdiction of the federal government. We are naturally prepared to accept views by any established groups on these matters at all times. But, as I have said before in the House, the ultimate responsibility for making these decisions has to be that of the Members of the Legislative Assembly in relationship to the legislation.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier for clarification. Do I take the Premier's answer to mean that while input may be welcomed from various groups, there would be no formalization of input from either labor or management to the committee which is now looking at 'de-control' in the province of Alberta?

MR. LOUGHEED: Mr. Speaker, first of all to correct perhaps a false assumption by the hon. Member for Spirit River-Fairview, it is not a matter of a committee looking into 'de-control'; it's a matter of decision-making by the elected Executive Council.

We certainly continue to assess the views expressed to us by any groups. They come in a variety of ways: some by correspondence, some by formal briefs, some by direct communication. They come from individual local groups of any established province-wide area. We try to do our best to assess an overall point of view, be it management, labor, or other groups.

As far as we're concerned as a government though, in this question that is relevant to the opening question raised by the hon. member, we really don't see an approach like that as being in the public interest of Alberta. If we interpret it as meaning that basic decisions of economic planning are made by government, management, and labor, in the sense that has been proposed, we think that that avoids the concept of responsibility of the parliamentary system. The ultimate responsibility has to rest with Members of the Legislative Assembly, reflecting the views of their constituents at large and not established groups.

Home Improvement Grants

MR. PURDY: Mr. Speaker, I'd like to address a question to the Minister of Housing and Public Works. For senior citizens who have approved applications under the senior citizens' home improvement program and who, for one reason or another, lose their supplement pension, what effect will this have on the unexpended portion of the program that now lies in their accounts?

MR. YURKO: Mr. Speaker, generally speaking the regulations indicate that when an applicant is no

more applicable, if you wish, the unexpended portion is impounded and returned to the province. However, every case has considerable complexities associated with it. For example, if the member dies, the unexpended portion is often used by the spouse to continue the work. So indeed there is some leeway in terms of what is done with the unexpended portion.

MR. PURDY: A supplementary question to the minister, Mr. Speaker. In the case that the unexpended portion is returned to the province and the person comes back into the picture where he is eligible for a supplementary pension, would he be eligible for reapplication?

MR. YURKO: I would have to examine the regulations, Mr. Speaker. But I would think he certainly would be. But the grant is a one time only grant. So if there were an opportunity to reapply for the unexpended portion it would only be for that portion and not the full \$1,000.

MR. TAYLOR: Supplementary to the hon. minister. Where the pensioner is still living and is using the three-year period provided by the government to spend his money, will the government condone an application from the Canadian government to use that money to reimburse the Canadian government for unemployment insurance?

MR. YURKO: We've tried to be as flexible as possible, Mr. Speaker, but not to the degree suggested by the hon. member.

Monitoring of Wages

MR. R. SPEAKER: Mr. Speaker, my question is to the Premier, and it rises out of his comment from the premiers' conference in August. It's with regard to monitoring salary and wage settlements across Canada. I wonder if the Premier could indicate whether some type of body has been established to do that, who that body will report to, and when?

MR. LOUGHEED: Mr. Speaker, what was agreed to at the premiers' conference was that it was felt it would be in the best interests of all 10 governments if there were some collecting point or clearing house by way of a specified individual or at least a specified office in each one of the 10 governments where in the process of assessing the situation in the public sector, we were privy to the information across the country relative to wage and salary levels.

What happens in this area, as the hon. member is well aware, is that discussions are made in terms of comparison. The comparison in a certain area can be in terms of the basic salary, and [in] others in terms of the additional benefits that arise. What is really necessary is an evaluation to compare the level of salary and other remuneration across the board and in the country. It was felt that it would be useful for all provincial governments to be assured that they were receiving the most contemporary and up-to-date information on a factual basis as could be obtained. So as chairman of the premiers' conference I am in the process of attempting to establish an understand-

ing as to what person or office in each province could be contacted.

Hospital Charges

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Hospitals and Medical Care. Is the government studying the merits of a user fee for hospitals?

MR. MINIELY: I don't think in the process I have utilized of assessing the input or getting the views of people on a wide cross section throughout Alberta that many different ideas have come forth. Having said that, I don't think it would be in any way accurate to say, taking a look at a wide variety of ideas that have come forth, that at this stage any of them would be considered to be of the nature that should give cause for particular concern, although I have said in the House, Mr. Speaker, that I believe we should address ourselves at this stage in the future of health care to a wide variety of subjects, and intend to do so.

Seat Belt Use

DR. BUCK: Mr. Speaker, I'd like to address my question to the hon. Deputy Premier. Mr. Speaker, now that the program to advertise and carry out a campaign to buckle up your seat belt has got off the ground, can the Minister indicate if he is using this as the first step to bringing in legislation making it compulsory to use seat belts in automobiles?

DR. HORNER: Mr. Speaker, I think I've previously given the view of the government in the Legislature that mandatory compulsory seat belt legislation would not be forthcoming, but that we would try to motivate the drivers in Alberta, because we feel that's the proper route to go.

Patriation of Constitution

MR. CLARK: Mr. Speaker, I'd like to direct my question to the Premier and ask if a date has been set for a meeting between the provincial premiers and the Prime Minister with regard to the very important question of the patriation of the BNA Act.

MR. LOUGHEED: Mr. Speaker, no such meeting date has yet been established.

MR. CLARK: A question then, Mr. Speaker, to the Premier or the Government House Leader. Are you in a position to give an indication to the Assembly when we might expect the debate on the BNA Act during this fall session?

MR. LOUGHEED: Mr. Speaker, I should have more to say on that subject this coming Wednesday.

Breathalyzer Tests

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Solicitor General. Could the minister inform

the Assembly when roadside breathalyzers will begin to be used in Alberta?

MR. FARRAN: Mr. Speaker, they'll be in use as soon as equipment has been received and the police have undergone training in its use. That is expected before the end of the year.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Will breathalyzers be used in all areas of the province, or will they be phased in over a period of time?

MR. FARRAN: Mr. Speaker, the ALERT breathalyzer, to which the hon. member refers, is only one other tool in the police arsenal. It will be used where municipal police forces believe it desirable to obtain it. So far as the mounted police are concerned, it will be used throughout the province.

Dunvegan Dam Study

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of the Environment and ask whether he is in a position to advise the House where things stand on the Dunvegan Dam feasibility study.

MR. RUSSELL: The studies carried out by the province of Alberta are virtually finished and are now being assessed by the department. The remaining step is for the Government of British Columbia to finish theirs. The two departments will then compare the two reports and submit a joint report to each government.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is he in a position to advise the House at this stage of the target date for the completion of the two reports and the submission to the two respective governments?

MR. RUSSELL: Mr. Speaker, the target date had originally been as close to the end of the calendar year as possible. I understand the Government of British Columbia is two or three months behind schedule, so I expect it will be within the next two or three months.

MR. NOTLEY: Mr. Speaker, a final supplementary question to the hon. minister. Is it the government's intention to table the report during the spring session of the Legislature?

MR. RUSSELL: Mr. Speaker, I'm unable to give that commitment at this time, because it involves two governments and a number of private consultants. But it would certainly be our intention to make as much information public as possible. I understand some of the information has in fact been given to residents in the area.

ORDERS OF THE DAY**head: GOVERNMENT BILLS AND ORDERS
(Second Reading)****Bill 60
The Fatality Inquiries Act**

DR. WALKER: Mr. Speaker, in responding to Bill 60, The Fatality Inquiries Act, one must of necessity talk about death. Byron once wrote:

All tragedies are finished by a death.

All comedies are ended by a marriage.

[laughter]

AN HON. MEMBER: Did you hear that, Gordon?

DR. WALKER: One thing is certain from the very day we are born, and that is that some other day we surely must die. But our civilization doesn't like to dwell on this term "death", and we invent all sorts of terms such as "pass away", "pass on", "take the last voyage", that "great leap into the dark", and so on: all to avoid thinking about the fact that we ultimately must die.

AN HON. MEMBER: Keep it up John.

DR. WALKER: How am I doing?

AN HON. MEMBER: Gloom and doom.

AN HON. MEMBER: Amen.

DR. WALKER: Bacon wrote that men fear death as children fear to go into the dark. And as that natural fear in children is increased with tales, so is the other. It is even now unbecoming to consider dying at home. Everyone should die in a hospital, and if not people say, why not?

It is not the purpose of The Fatality Inquiries Act to investigate these natural deaths for which there is an obvious cause, but only violent or inexplicable deaths which do not fit our accepted theme of dying, with some sort of medical supervision either delaying or, in some cases, hastening that ultimate crisis.

The coroner's system is one of the oldest judicial systems in British law and has spread throughout the Commonwealth. It has served us very well indeed, but the time has now come to update and modernize this very ancient informal legislation.

The old act, under Section 10(6), orders the jury to inquire diligently into the death and give a true verdict according to the evidence. Section 26 also states that it must be proved to the jury who the deceased were and how, when, and where they came to their deaths. I compliment the Attorney General on his insistence that juries continue to be used in at least some of the inquests under The Fatality Inquiries Act. Many of my colleagues would prefer that juries be mandatory in every case.

Experience teaches slowly and at the cost of mistakes. The new Fatality Inquiries Act takes out some of the possibilities of error under the old system. In the past, the coroner could be a farmer, a

carpenter, a candlestick maker; but with increasing technology in the medical field it more and more became the custom to appoint a doctor to this very often tedious but occasionally fascinating job.

The new act provides for only registered physicians as medical examiners. The coroner acted as judge and investigator, but under the new system the court will be run by a judge, well trained and well versed in legal intricacies, while the medical examiner will conduct the investigation and report as an expert witness to the court. Most coroners in the province are very happy to relinquish the role of judge, for which they are often inadequately trained, but they are most reticent about their role as a witness. It is most unnerving for any person, untrained and unaccustomed to the judicial process, to give evidence as a witness. A great many of our coroners fear the possibility of a gruelling and often traumatic cross-examination by an unscrupulous lawyer.

The new act defines very clearly the types of deaths and conditions of dying which will be investigated. It is a much more definite piece of legislation, as spelled out in Part 2, (10) to (14). It takes cognizance of the fact that not all deaths need investigating. It spells out the rules of cremation and burial as well as the powers of medical examiners and medical investigators. It establishes a board to overview reports on violent deaths. It establishes under what circumstances an autopsy must be performed, and who shall perform that autopsy.

In Section 30 the new act states: "where the deceased died in a hospital in which the pathologist was employed or was a member of the medical staff", the autopsy must be performed by another pathologist. This to me is unrealistic in a rural area, where pathologists are often on the consulting staff of smaller hospitals, and would appear to question the integrity of pathologists in our province. I would hope the Attorney General, in his suggested amendments, might reword this section.

Other areas in which our present coroners are concerned and would like to see changes are in Section 5(1), which states that the chief medical examiner must be a pathologist. In most cases this would probably be so, but it is tantamount to a law which would state that the ombudsman in The Ombudsman Act must be a lawyer. As most hon. members know, we have a most effective ombudsman whose background is anything but law. A good man could be lost to this sort of job with this type of limitation.

Section 14 states that where a nuclear battery is part of a human body, in this electronic age, the medical examiner must be present at the autopsy and ensure its return to the proper authority. It would seem to me this should be changed to "the medical examiner or his agent", who could be the pathologist, the policeman, or whoever. I can't see any point in a medical examiner having to be at an autopsy to take out a nuclear 'doodlyflip'.

Another area of concern to my colleagues is that the board can say yes or no to an inquest. It would seem reasonable to amend this part to state that where a local medical examiner requests an inquest, it should be mandatory that the board approve that inquest. For only the local examiner may be familiar with the local circumstances, conflicts, and controversies that go on in his area.

There is also nothing in this act concerning aircraft accident investigation. At the present time all aircraft accidents are investigated by the federal Ministry of Transport, and the coroner performs a very secondary function. I feel this act should spell out much more clearly the situation in this specialized area.

In conclusion, Mr. Speaker, I would generally endorse this new bill, which updates our ancient legislation concerning deaths. We are not in fact throwing the baby out with the bath water, for there are indeed a great many of the old principles in this act. We have modernized it.

One of the greatest pains to human nature is the pain of a new idea. And while it may be painful to many to adapt to this fundamental change, I am optimistic that it will fulfil our legislative requirements in this area for many years to come.

Thank you, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, in rising to make a few very brief comments on Bill 60, I certainly intend to support the bill in principle. As I understand it, by and large it follows the major recommendations made in the preliminary report of the Kirby commission.

Turning first of all to the question of public inquiries instead of the coroner's inquest, I can certainly accept the reasoning behind this change. In view of the fact that there are certainly legal implications from what used to be the inquest, I think the more we can ensure that the inquiry is conducted properly, the better it is. So I certainly accept fully the move toward inquiries under the auspices of a provincial judge.

The concern I had when this matter originally was suggested, however, was whether or not we have the judicial manpower to carry it out. I'm not in a position — I understand that appointments have been made to the provincial bench since the recess in May of this year, but I think that is an important question, Mr. Speaker. We wouldn't want to see the whole process bog down.

Secondly, I hesitate to deal with sections, but one of the points that I think is useful in the bill is Section 10, which provides for a full investigation in the case of death from disease, injury, or toxic substance on the job. Mr. Speaker, if we're going to be seriously concerned about occupational health and safety, in my judgment, moving into the area of investigating death on the job is a very important step in the right direction.

Finally, Mr. Speaker, I understand there has been some concern among police officers — and I note that on page 1501 of *Hansard* the Attorney General, in introducing Bill No. 60, made reference to it — about the possible conflict between the duties of a police officer as a criminal investigator on one hand, and a medical investigator under the provisions of this act on the other. Quite frankly, Mr. Speaker, I am not certain whether the minister really answered that concern in his introductory remarks. He says:

I have absolutely no doubt that there will be cases of homicide and like circumstances where the investigative activities of the police are both of a criminal nature and in support of the medical examiner. I suggest that the good will and common sense of both individuals is the key ingredient to a successful relationship.

Well, Mr. Speaker, I don't think there is any doubt

that good will and common sense are key ingredients. However, the concern here seems to be that by putting people in a position where there is, in fact, a conflict — for example, who is the policeman responsible to in this sort of situation — we may inadvertently create difficulties for our law enforcement officers.

Again, Mr. Speaker, just in general summary, I feel that Bill No. 60 is an improvement, and I certainly intend to support it on second reading. When we get to committee stage, there may be a number of specific questions I would like the hon. the Attorney General to respond to. But at this stage, I fully endorse the principle behind it.

MR. TAYLOR: Mr. Speaker, I would like to say a word or two on Bill 60. My remarks, concerning four points, will be short.

I like the bill a great deal, and I'm wondering why the hon. Attorney General or the government decided that it would become law on proclamation rather than on assent. It would appear to me that the sooner this becomes law, the better it will be. But there may be some criteria that make it necessary to bring it in by proclamation. I would like to hear the hon. minister's comments on that point.

My second point is in connection with the jurors who are named by the clerk in the public inquiry. While I have no objection to the clerk naming the jurors, it appears to me that the punishment is very severe for someone who has committed no offence other than that he did not consider that he could serve on that jury. Unless he shows, or submits reasons to the judge why he failed to show, he can be fined \$50, which is not severe; but he may be imprisoned for 30 days. I think the principle of punishment that appears in the bill in that regard is too severe for someone who has not really committed an offence, who is being asked to perform a public duty. I think all of us have a responsibility to perform our share of public duties. But surely we should not start imprisoning people and putting anyone in jail because they're unable or unwilling to perform that particular public duty. I don't know what the criteria will be for the judge to decide whether or not he had good reason for failing to show. I think that is another thing that really should be set out for the information of people who are called to serve on a jury in a public inquiry.

A public inquiry as set out, where policemen are used as investigators under medical officers, is very wise, I think. It is certainly to be assumed that many of the deaths will occur from foul play, or alleged or suspected foul play. If that is the case, if it should happen to be the Mafia performing, there's no better group to carry out the investigations than police officers, and no group the Mafia fear more than police officers. Consequently, I think it is a very excellent innovation that all police officers are really investigators or may be called upon to carry out investigations. I haven't seen it in other law, and I think it will turn out to be very, very excellent.

The last point I want to speak on was referred to by the hon. Member for Spirit River-Fairview, and that is the toxic substances that may cause the death of an individual during the course of employment. The Workers' Compensation Act covers this to the extent that after a period of years in certain employment, if it

can be shown that the poisoning has gradually taken part of his life away, he may be compensated for that particular disease. For instance, we now have asbestosis in the act, which a few years ago was not accepted at all as a reason for compensation.

But the particular point here is where he or she is found dead during the course of employment, and the investigation is then carried out, I hope there will be no conflict with the section in The Workers' Compensation Act where if a workman is found dead, he is presumed to have died during and in the course of employment, unless other facts are given to the contrary. I think this would actually strengthen that clause, because if the poison gas, fumes, or whatever has caused the death are severe enough to kill a man on the site, certainly there should be a public inquiry in order to see what can be done.

Many years ago in coal mines, it was not uncommon for a workman to be killed by the poisonous fumes coming from explosions, *et cetera*. Finally a device was worked out where no workman was permitted to go into a room where dynamiting had taken place until it had been checked by what we call a fire boss or a mine examiner, and until he had actually initialled something in that room, as well as initialling something in the office. So no workman need take a chance on his life in going into such a room.

I think the more precautions we have in this regard, the better it's going to be, the lower the costs are going to be, the reduced pain and suffering. So I want to commend the hon. Attorney General for putting this into The Fatality Inquiries Act. I believe it will strengthen the section that's already in The Worker's Compensation Act.

MR. LITTLE: Mr. Speaker, I look forward to addressing myself to Bill 60. First of all I would like to congratulate the Kirby Board of Review for its recommendations concerning The Coroners Act. Congratulations to the Attorney General for so quickly bringing the recommendations of the Kirby Board of Review before this Legislature in the form of Bill 60. I would also like to congratulate the Attorney General for his remarks last Friday, which were so complete they didn't leave much else to be said about the bill.

However, I would like to comment upon two or three areas. The first question that comes up, of course, is: why a new act? My own experience is that the former procedures were totally out of date, totally inadequate. I welcome this division of the investigative function from the judicial function. I think it was totally unrealistic for the coroner, who previously headed up the investigation, to listen to his own investigation in arriving at a verdict.

I am extremely happy to see that the old jury list, or jury panel, has been eliminated. Another very critical fault of the old system was that the jury was selected from a list that was held by the police, usually a group of old, retired men. And we know how once you become retired, your abilities slip . . .

AN HON. MEMBER: Hear, hear.

AN HON. MEMBER: Agreed.

MR. LITTLE: Yes, thank you.

This same group of jurymen appeared time after

time. What the court actually amounted to was that the instructions of the coroner became directions to the jury how to arrive at their verdict. I think that was a totally improper procedure. I am happy to see in the new act, under Section 40, that:

Where the Attorney General makes a direction under section 39, subsection (2), the clerk shall choose a jury of six persons who are liable to serve as jurors under The Jury Act.

So not only are we going to assure that there is a different jury each time. I think we will get more able people, and we will expose the inquest system to a larger segment of the public. One of the recommendations of the Kirby report was more public information. I believe that the jury selected under The Jury Act will make absolutely certain that this type of information is communicated.

I was rather interested in Dr. Walker's comments that the coroner might serve as a witness, and the trials and tribulations of a witness. He referred to — I forget the derogatory term he referred to the lawyers. I wouldn't be all that concerned if they weren't so expert at their cross-examination. The period on the witness stand is extremely grueling.

The Member for Spirit River-Fairview made reference to relations between the police and the chief medical examiner. I'm well aware that these relations were strained in the past, but I think this act has answered the problem. The reason they were strained was that the terms of authority weren't properly spelled out. I would suggest that this new bill spells out the terms of authority extremely well.

Of course the area the police were most concerned about in the past was a situation where an inquest or an inquiry was called when criminal charges were pending. This has been looked after very, very well under Section 44, I believe it is. Pardon me, I said "very well"; I have an area of disagreement:

If before the commencement of, or during, a public inquiry a person is charged with an offence under any statute in force in Alberta arising from or related to the death, an agent of the Attorney General may adjourn the inquiry pending determination of the charge and

- (a) refer the matter back to the Board, or
- (b) refer the matter back to the judge [and] continue the public inquiry at a later date.

One of the principal concerns of police was that if a charge were pending and an inquiry or an inquest was called, it amounted to a preview of the evidence and allowed the legal types to go on a fishing expedition. Quite frequently the evidence was exposed prematurely and unwisely.

I would recommend to the Attorney General that in Section 44, rather than "the Attorney General may", he substitute "the Attorney General shall" order that the inquest stop at this point. One of the recommendations of the Kirby Board of Review was that in any case where a criminal charge was contemplated the inquest be adjourned immediately.

The other area of possible conflict with the police was similar in that it could interfere with the investigation. However, the Criminal Code of Canada does take precedence over Bill 60, and I would suggest that the situation in the future — that is, the relations between the chief medical officer and his staff — will be better as a result of Bill 60, rather than a deterioration of these relations. So if there is any

concern on the part of law enforcement officers at the present time, I think the proper dissemination of information will quickly allay this fear.

The role of the inquest, of course, has always been the who, when, where, why, and how, and these questions are asked on the up-to-date death certificate. So if these questions are properly pursued in the inquest, we have answered the same role as previously.

One of the principal aims or objectives of the new system is prevention versus blame, an extremely commendable objective, I think. The centralized self-contained facilities, north and south, I think will give a great deal more efficiency to the whole system.

As a summing up of the act itself and my opinions of it, I would say that this law goes beyond mere notification of violent and unnatural types of death by the postulate that where somebody dies under non-suspicious circumstances, that is, unattended by a physician or in an unexplained way — that is, no recent medical history, or unexpectedly — for the purposes of proper medical certification of death, the chief medical officer's office is called in. The reason for this is that a medical cause of death is required, as previously. Under the circumstances where the deceased was unattended, or died unexplainedly or unexpectedly, one does not begin the investigation by assuming it was apparently natural any more than one would begin by assuming it was unnatural.

Once again I congratulate the Attorney General for bringing this bill before the House, and I certainly will give it my support.

MR. SPEAKER: May the hon. minister conclude the debate?

HON. MEMBERS: Agreed.

MR. FOSTER: Thank you, Mr. Speaker. I'd just like to make two or three brief comments arising out of the excellent contributions by members of the House.

The concern over Section 30 and the obligation of pathologists: I think I touched on that in my remarks and suggested that that is an area for amendment. I'll be pleased to propose to the House, subject to the concurrence of my colleagues, that that be substantially rewritten.

I was interested to note other comments and will be happy to consider them for amendment. I'm not sure I can agree that the board of review should call an inquiry in all cases where it's recommended by the local medical examiner, although I recognize the problem. We may have to sort out communication and the administrative arrangements between the parties whereby each medical examiner, if his advice is not to be followed, is clear promptly as to the reasons.

I have had some personal experience where a medical examiner has recommended an inquiry and the board has not concurred, but the matter has got to my office and upon review I have ordered such an inquest. That has happened two or three times. I recognize the coroners' concern, and we are attempting to structure a communications system that will alleviate that.

I couldn't agree, as a matter of right, to call an inquiry every time a medical examiner requests it. I don't think I'm prepared to put quite that much

authority in the hands of examiners across the province, but I recognize that their opinion is usually the best and must be carefully regarded.

With respect to aircraft investigation, while the act does not specifically deal with it, it is not in my judgment precluded from the operation of the act. I will take that matter as notice and inquire further into it. Certainly we would have the capacity and authority to inquire into such aircraft deaths, and I'm not aware of any paramouncy in federal legislation in this area.

With respect to judicial manpower and the availability of it, raised by the Member for Spirit River-Fairview, as we all appreciate, all members of the provincial court are now judges for these purposes, and I don't anticipate any difficulty. In fact, I think I can look forward to a reduction in the time it takes to call and conduct an inquest. My feeling is that it will speed up rather than slow down. If I have one criticism it is that too often and for too long we have used the same one or two judges to conduct these matters. We need to have others around the province, and that is now being done.

The matter of the police investigation has been dealt with by other members of the House, and I appreciate their contribution. All of that is true. You might be interested in looking at the old Coroners Act and the new Section 9(2) — it was the old Section 8(3) — on this subject. The relationship between the medical examiner or coroner and the police is not essentially changed by the new legislation. But the working relationships and the authority and lines of communication, as has been pointed out, are subject to much greater clarification in Bill No. 60. The concern, expressed primarily by Edmonton City Police, I think, was that in their view there was confusion or possibility of confusion in the relationship between the constable and the chief of police. There was some suggestion that the medical examiner had the capacity to direct the constable in the performance of his duties. That's normally a responsibility of the chief of police. There's really nothing fundamentally different qua the authority of the medical examiner in the new legislation compared with the old. The obligation is to assist the medical examiner in carrying out the investigation. That's essentially the case in both matters.

In short, I am not concerned about the paramouncy of criminal investigations. A constable will have to exercise some judgment in the course of conducting these inquiries, but the legal obligation imposed on the constable is not materially different. Certainly it was not our intention to create it materially different and therefore further confuse the criminal investigation or medical examination of death.

The comment has been made about the adjournment of charges, if there are charges under any laws in Alberta. The use of the word "may" is permissive in the sense that the agent may adjourn these cases. I could say to you as a matter of policy that in criminal cases he will adjourn. In certain other infractions against provincial laws, depending on the infraction, depending on the severity of the case, he may not. So that's why there's a "may". There's a discretion there. But I say to the House, Mr. Speaker, that in criminal cases it's paramount, it should prevail, it would be improper if the inquiry proceeded, and in those cases the agents will in fact adjourn.

With respect to coming into effect on proclamation and not assent, we have a number of appointments to cancel and then reissue. I can assure the House that it's my concern and the government's concern to have this legislation brought into place as quickly as possible. We certainly don't intend to delay it. So it's really for administrative convenience; to allow us to cancel a number of appointments and reappoint others. Quite frankly, that can be done more conveniently, with less confusion and difficulty with everyone involved including the public, if it happens at a specific time and everything can be prepared for that moment in time.

I was interested in the comments from the hon. Member for Drumheller concerning the failure of jurors to show. I think his observations are well-taken, and I would be happy to reconsider that point. We will be bringing forward a number of amendments, and I would be happy to consider that as one.

I am well aware of the fact that in some respects the Workers' Compensation Board is also involved in the investigation of sudden death in the workplace, and that this will be a collaborative effort on the part of several authorities including the medical examiners and the police. It's our hope that this legislation and the working relationships will be co-operative and not competitive, and we'll do what we can to ensure that that happens.

Mr. Speaker, I think that deals generally with the comments made so far in the House. I look forward to any further suggestions and comments at committee stage, in which I'll propose a number of amendments.

[Motion carried; Bill 60 read a second time]

Bill 62
The Change of
Name Amendment Act, 1976

MR. HYLAND: Mr. Speaker, in rising to take part in second reading of Bill No. 62, the amendment stems from what one might call a legal loophole in the 1973 Change of Name Act. The basic thing in the bill is that when a parent applies for a change in name, they also change the name of any child to the name they are applying for. It was previously a little indefinite. It suggested that a person could change their name and change the name of the child, but it did not say to change the name of that child to the same name they are taking or applying for.

In conversation with the director of vital statistics this morning, he informed me that in a couple of cases the present act was not continuing in what they visualized would happen in the act when it was accepted in 1973.

As a little sidelight, Mr. Speaker, the two bills that I have presented in this House, The Change of Name Amendment Act and The Marriage Amendment Act presented in the spring — I have been taking a lot of ribbing about this lately, probably for one reason. They laughed at me in the spring when I brought in The Marriage Amendment Act, and now they're laughing at me again when I bring in The Change of Name Amendment Act, because in January I intend to do both to a certain girl.

MR. CLARK: What about The Child Welfare Act?

MR. HYLAND: That's right. The hon. Member for Olds-Didsbury suggests that. I think I'm really going to watch closely the next act I take through the House.

DR. BUCK: Mr. Speaker, I'm having a little trouble following what this act is trying to do and why it's trying to do it. We speak about bringing in legislation that is essential, and we speak more about bringing in legislation that quite often doesn't seem to be essential.

MR. NOTLEY: We have to do something to fill up the agenda.

DR. BUCK: When we go through clause-by-clause study of this bill, I am certainly going to try to follow exactly what it does do.

I would like to indicate to the members of the Assembly some of my concerns and some of the practical applications of what I have seen when mothers have changed their names through remarriage or just through a change of name and a teen-age son or daughter does not want to go along with that change. This concerns me greatly. Because when I called a young person by his previous name, he was really quite indignant. He said, my name is such and such. Then I did it in another instance, where there was a complete reversal. The other one was indignant because I didn't know that his name had not been changed.

So I'm sure that with the legal counsel the hon. member has received, there must have been some reason why we needed this. I am certainly looking forward, from the hon. member presenting the bill, to really what we're trying to do with this act and why it's needed.

Thank you, Mr. Speaker.

MR. TAYLOR: Mr. Speaker, there is another point I'd like the mover of the bill and the government to take a pretty careful look at. That is the principle that when a mother whose marriage has been dissolved wishes to change her name, the name of the child back to her maiden name, it requires the consent of the father of the child. I think normally that is a good provision. But in other cases it's almost an impossibility and it puts the former wife in a very, very difficult position.

I know of one case where the husband tried to shoot his wife. Finally she put up with his beatings and nonsense long enough and left, and the marriage was dissolved. She wants to change her name and the name of the child to her maiden name. It's an impossibility to get that man to agree that the child's name should be changed. But he has nothing to do with the child. Complete custody of the child has been given to her by the court. I just don't know why we put so much emphasis on getting his consent. He's out of the picture, he deserves to be out of the picture, and he should be completely out of the picture. I don't think the change of name of that child should hinge on his consent.

I know of another case where the wife was actually killed by the husband in front of the child. If I were a grandparent of that child, I don't think I would want

the child to retain that name. Yet there's no way that name can be changed legally by the now guardians of the child.

I would suggest that those responsible for this act provide some out, some provision for an application to a judge, or some way in which exceptional cases may be reviewed. Because I just don't think it's right to put them all in a common basket and say, all of these are going to have to tow the mark according to the way it is set out in one simple statement in the bill. If we provided an out, we could depend on the good judgment of a judge or of the court to do the right thing for the child — particularly for the child, because I think that's the one we should be most interested in.

I would appreciate it if the hon. member would review this during Committee of the Whole with a view to providing some out, possibly through an amendment.

[Motion carried; Bill 62 read a second time]

Bill 67
The Statutes
Repeal Act, 1976 (No. 2)

DR. WEBBER: Mr. Speaker, I'm pleased to move second reading of Bill 67, The Statutes Repeal Act, 1976 (No. 2). During the past year we have had a large number of obsolete acts repealed, and here we have five more redundant statutes which we'd also like to eliminate.

[Motion carried; Bill 67 read a second time]

Bill 68
The Ombudsman Amendment Act, 1976

MR. HYNDMAN: Mr. Speaker, in moving second reading of Bill 68, The Ombudsman Amendment Act, 1976, the sole purpose of this bill is to increase the salary of the Ombudsman by \$2,400 to \$36,400 a year, effective as of April 1 this year. Of course it is known by members of the Assembly, Mr. Speaker, that a select committee has been meeting, is meeting, and hopefully will be reporting some time in 1977 on the long-term future with regard to the salary and perhaps the mechanism for working out the salary of the Ombudsman in future years.

This is simply an interim change. It was the government's feeling that it should be made at this time. Bearing in mind that the committee will not be reporting until, I understand, 1977, legislation might not be possible until the spring of 1978. Looking at the salaries of the various ombudsmen within Canada — particularly in Ontario, one of the maritime provinces, and British Columbia — it would be appropriate to increase it by this amount at this time.

[Motion carried; Bill 68 read a second time]

Bill 63
The Students Finance Act, 1976

DR. HOHOL: Mr. Speaker, I wish to move second reading of Bill 63, The Students Finance Act, 1976. In doing so, I wish to recall two or three principles I mentioned at its introduction.

The first was expanding the board from three to seven members. In addition to the present expanded role of the board, and its anticipated [role] in the months and years ahead, the work now constituted for the board is in nature and indeed in amount too much for three people. The amendment anticipates a wider representation of people than is presently the case.

Secondly, Mr. Speaker, the bill intends to redefine the student, for purposes of student assistance, by increasing the characteristics of people who can qualify for student aid.

Thirdly, the bill intends to get support for more flexibility for the function of the board, with particular reference to the co-ordination of student assistance that may and presently does lodge in the various departments and agencies of government.

MR. NOTLEY: After introduction of Bill 63, I took the opportunity of having members of my staff meet with the Federation of Alberta Students to elicit some of their opinions on this important bill. Mr. Speaker, in dealing with second reading I would, outline a series of questions more than anything else, in the hope that the minister, when he closes debate, will perhaps be able to help us all understand the principles a little more clearly.

Mr. Speaker, the first concern that students expressed to me deals with the committee that can be established under the provisions of the board, namely the committee that will be able to make recommendations with respect to the amount of student financial assistance. The feeling of the students with whom I discussed this matter was that there should be some provision for student representation on that committee. As I understand the current situation, there is student representation on the appeals committee but not on the original committee. So I would ask the minister to respond on that particular question.

The second matter I would like to bring to the attention of the government, Mr. Speaker, deals with the payment of interest on loans that are being repaid. Obviously the principal should go back to general revenue, but under Section 6(3) — I apologize, Mr. Speaker, for referring to sections, but that's the only way I can raise the principle. Under the terms of that particular subsection the interest goes to the general revenue fund. Now, Mr. Speaker, the view of many students is that a useful innovation might be to take the interest and put it into a special fund which could be earmarked specifically for scholarships. I would ask the minister to respond to that particular question: whether the interest paid in, instead of just going back into general revenue, could be channelled into a special fund established for scholarships.

Another point, Mr. Speaker, deals with the entire Section 10 which allows the cabinet or the Lieutenant Governor in Council to set the terms and conditions under which students get financial aid, which is fair enough. I may differ with those terms

and conditions, but what I do find a little disturbing is the subsection which allows the cabinet to confer those powers on the board. Mr. Speaker, it seems to me we're getting into a reasonably dangerous situation by doing that, because I believe the students finance policy of this province should be made by elected officials.

We heard over and over again today from the Premier about how elected officials should be making the major decisions. We've heard that on the constitution, on 'de-control', on hospitalization, on education, and on municipal finance. That being the case, Mr. Speaker, I find it a little puzzling that we would be incorporating into this bill a provision which allows the cabinet to dump that responsibility, if you like, onto the Students' Finance Board. It seems to be inconsistent with what has been said in the House on previous occasions. I note that it is optional. Nevertheless, Mr. Speaker, I really question whether that kind of authority should be contained in the act. It seems clear to me that the responsibility for the policy should be determined by cabinet, and the government should be prepared to take the flak, if flak there is, as a result of the finance policies established.

Mr. Speaker, in general conclusion I want to deal with two or three matters concerning criticism among the student body on student finance generally in the province of Alberta. There seems to be some feeling that we should eliminate the stipulation that students must save a specific amount of money over the summer. I know that the old Puritan ethic would lead us to believe that if students save and scrimp, they are in fact better able to handle a loan, or assistance from the province in the form of a loan. But Mr. Speaker, the problem this creates is that students are not really able to go to summer school, nor are they able to take part in specialized programs that may, for that matter, be held in other parts of the country. I really wonder how much merit there is in this specific regulation that a certain percentage of money has to be saved.

The second deals with the stipulation that parents should contribute. Then we have the whole question of the definition of an adult. As I read the regulations, one almost needs to be a Philadelphia lawyer to figure out the definition of an adult. But under the terms of the regulations it would appear that almost anybody, unless he or she is married, has a child, or has three years of postgraduate, is an adult, which is inconsistent with The Age of Majority Act. We have an hon. member on the other side who is getting all sorts of attention for bringing in changes in the drinking age, and one of the strongest arguments against that is that it would be inconsistent with The Age of Majority Act. Mr. Speaker, if the age of majority is 18, if a person becomes an adult at 18, then quite frankly it seems to me that that should apply to the Students' Finance Board as well.

There is also some concern, Mr. Minister, that there is no financial aid at the present time for undergraduate Albertans studying outside the province, that the student loan repayment, which begins six months after graduation, imposes the heaviest burden of paying when the student's income is really at its lowest, and that what the government might do is consider a repayment schedule which goes up as the income of the student rises.

Also, the question of remissions: we have 50 per cent remission for the first year, I believe it's 40 per cent then and down as low as 25 per cent. The suggestion of the Federation of Alberta Students is that it should be 50 per cent across the board.

Finally, Mr. Speaker, there is some strong representation that despite all these questions I have raised as they relate to the majority of students, some special programs should be designed for underprivileged, particularly those of native background and the physically handicapped, to take the barriers away from these groups of people going on to seek postsecondary or university education.

In conclusion, Mr. Speaker, by and large I don't disagree with the provisions contained in Bill 63. Obviously I don't think it goes far enough in terms of eliminating the price tag from education. But the questions I have raised had been brought to my attention, and I would ask the minister to respond to those questions when he concludes the debate.

MR. CLARK: In second reading of Bill 63, might I say that I share some of the same concerns as the hon. member who has just spoken, but perhaps for a somewhat different reason.

I listened first of all to the comments the minister made when he introduced the bill and talked about it today. He talked about the anticipated role of the board, about future directions that student assistance would take in Alberta, and about more flexibility and co-ordination. Now those are really nice educational terms, but they don't indicate to one member in this Assembly what the minister has in mind for the board to do in the future.

If we are looking at adding to the numbers of people on the board strictly because the board is overworked at this time, let's call it that, and let's discuss it. On the other hand, if the minister has some plans in mind for the future, now is the time to lay them before us.

I say to the members, they would be very wise to look at Section 8 of the bill, because it outlines all those groups which can get student assistance. Fair ball. But after talking about people in colleges, universities, institutions that operate out of the Department of Advanced Education, private colleges, nursing schools, trade schools, "any other postsecondary educational institution where the course being taken is, in the opinion of the Board, not available ...", schools in Alberta operated by trustees of a school district ... Then we go over to Section 8(2) and it says:

In addition to those eligible to receive student assistance under subsection (1), the Lieutenant Governor in Council may designate other classes of persons who are eligible to receive student assistance.

Now, what other classes do you have in mind, Mr. Minister? It seems to me you've listed virtually every responsibility within your department's prerogative under 8(1), and you talk to us about the anticipated expanded role of the board. You talk to us about ...

MR. SPEAKER: I regret interrupting the hon. member, but would he please use the usual parliamentary form of address.

MR. CLARK: Yes, Mr. Speaker. The hon. minister was so eloquent in his introduction that he has just completely lost me in Section 8 with regard to the additional things his department is going to become involved in as a result of this clause.

Basically, as I see this clause — and I hope the minister will enlighten us — it would leave the power with the Executive Council to declare anybody in Alberta under any circumstances a student, for the benefit of student assistance. The minister nods his head, and it goes up and down. I assume that means yes. Well, if that means yes . . .

AN HON. MEMBER: Any hack.

MR. CLARK: . . . any hack, any Social Credit hack, any Conservative hack, anyone, would be able to get student assistance. [interjections] O.K. be serious about it. Anyone in the province can come to the minister and say, Mr. Minister, as the minister for the department you have the power to move in this direction. Now the minister is shaking his head the other way. We would be very pleased to hear comments from the minister in this particular area.

In concluding debate, I would like to say to the minister that I sincerely hope the minister will outline the additional role he sees for the board. The minister spoke about this on two different occasions. Might I simply say, Mr. Minister, that one area I think we would be wise to look at is the special problems that rural young people have when they come to our large metropolitan centres for postsecondary educational opportunities. It has been argued for a period of years, and I think quite successfully, that a very sizable additional cost is involved. If this is the kind of area the minister is considering, let's lay it before the Assembly right now, and we can become involved in a well-rounded debate on that in the course of the committee work.

So in conclusion, Mr. Speaker, I say to the minister that the terms were very broad. What specifically does the minister have in mind with regard to Section 8(2)? What specific uses does the minister expect to be making of that particular section? Secondly, where does the minister's thinking lie at this time with regard to reviewing this question of rural students, especially from the northern portion of the province? I recognize there is some assistance available now for them, but where does the government's thinking lie on that particular question?

MR. R. SPEAKER: In making one or two comments, I would also like the minister to elaborate on the responsibilities of the board. I've had no complaints from any of my constituents about the board's response or actions. I would like the minister to elaborate and give some cases as to exactly what he is talking about, and to support the reason for expanding the board at this time.

There are two other areas, though, that I want to comment on. One is the area of questioning whether a young person is independent or dependent. I find that this varies from individual to individual, and there is no clear definition. I have found that there are young people who want to borrow the money on their own. They have a good family environment; they are responsible young people. But they say that their education is going to be their responsibility, so

they make an application for student finance. Often a letter comes back, go get some money from your parents. The young person wants to be responsible for himself, but there is no way he can prove that.

I think there needs to be clarification in this whole area of independence and dependence and just what it means. If a person is 18 and wants to be on his own, we should go along with that particular proposal. That's my attitude anyway. Possibly if they're younger and can show independence, the board should take that into consideration. Because what we're talking about here is a loan. We're not talking about a grant of money to someone. A loan is a responsibility a person takes on, a responsibility to pay back the principal and the interest. The way I look at it, it's related directly to the judgment of the individual, not the judgment of some board. We should take people at their word. This is not an occurrence at the present time, but it has gone on for a few years. That's the first thing.

The other area I'd like to comment on is with regard to repayment of principal. I've had one situation where a young person had the capability of repaying the principal two years prior to the time it had to be repaid. During that two-year period, the person was going to take further training. He wanted to repay the principal at a reduced amount. The argument went as follows: if I pay it at a reduced amount, the government will have the money back, and by investing it they will have the same amount in two years. The board didn't go along with that type of proposal. I'd like to ask the minister: what types of arrangements can be made, what directions has he given to the board to make accommodation for such persons when they wish to negotiate settlements?

Mr. Speaker, those are the two comments I had.

MR. TAYLOR: Mr. Speaker, I would like to make two or three comments on Bill 63. This is a type of social legislation.

Dealing with the loaning of money on the scale that is carried out under The Students Finance Act, it would be very unusual if there were not some abuses and injustices. But over the years I have come across some of the abuses, particularly under the federal loan, where students were taking the money, investing it, and showing they could make money out of the loan; not using it for the purpose for which it was really intended. I believe that hole has been plugged.

And I have come across some injustices. But I can truthfully say that every injustice I have brought to the attention of the chairman has been looked into and corrected. As far as I'm concerned, that is a splendid record.

I would like to pay tribute to the chairman of this board. In my view, he has a great human interest and also a business interest. He's able to discuss the matter with anybody. He's willing to go over a case several times, if necessary, with several people. I think this is the approach I like to see, at least in this type of legislation. I commend the chairman and his board for the work they have done. As I said before, there are bound to be some injustices or maybe some abuses. But I hope both would be kept to a minimum and corrected when brought to their attention.

I have had representations about the handicapped, or special treatment for the handicapped. My view is that the bill already covers that type of case because

the board is empowered to pay up to 100 per cent of the costs of the education, if necessary. But it is expected that students would make some of this money themselves. Some handicapped students have been so enterprising that they have made a considerable portion of it themselves. This is to their credit. But when the bill does provide up to 100 per cent of the actual costs, obviously the costs are going to be far greater if you're in a wheelchair than if you're mobile, if you have the full use of your legs and arms. I have every sympathy for the people who go to university or postsecondary schools in wheelchairs and overcome that handicap, not asking for sympathy, but endeavoring to get an education where they can make a contribution to the country. They should be encouraged to the nth degree. I believe the present bill permits that without setting out any special clause.

The other point I was interested in making was on the point raised by the hon. Member for Olds-Didsbury in connection with other special classes of persons. I believe good legislation carries some type of omnibus clause. Even after several years' experience with an act like this, I don't think it's possible to know everything that's going to happen, everybody who's going to make an application. A government simply handcuffs itself if it doesn't leave some opening to provide for classes which nobody thought about or maybe even dreamed about, yet who deserve help and who don't fit into the category set out by the legal fraternity in Section 8.

Quite frankly, I can see nothing wrong with the Lieutenant Governor in Council having the authority to set up other classes. If it's done, it would be done by regulation, by order in council. It becomes public information. That's the way I like to see it done: above the table and by the Lieutenant Governor in Council, the government of the province, not by the board itself.

I'm delighted to see this type of clause in the legislation. I have no suspicions about its use, because this is social legislation. It's set up to help people get an education and try to equalize the economic opportunities of young men and women, whether from the poorest family in the country or the richest.

I would like to make one other point in regard to the interest from the loans. I adhere to the thinking shown in the bill that this should go back into general revenue. This money that's loaned belongs to the people of the province. If it were not loaned, it could be invested and could be earning for the people of the province. Consequently, in my view, any money earned through student loans should go back to the people. I have nothing against scholarship programs, but if we're going to establish a scholarship program, let's do it by setting out in an act or a program that the public is going to provide so much money for a scholarship program, not by a back door method of using the interest. The public's money is loaned. In my view, the interest should go back to general revenue because it should go back to the people. That is the property of the people.

The only other point I want to make is the very great expertise the board has used in dealing with this matter of independents and dependants. Sometimes we may disagree in regard to whether a person living away from home is altogether independent of

that home. I've had applications from my own constituency where the young person was living away from home and his parents were very well fixed. In my view, the parent had an obligation to assist that young man. Simply because he was living in an apartment didn't relieve the parent of the responsibility of looking after his son or daughter and helping them to get an education.

I've had other cases where [students] from apparently well-fixed homes were living at home and the parents were having a hard job making both ends meet. Sometimes a parent may appear to be well off but has obligations that everybody doesn't know about. Mr. Tietzen, in my view, was willing to go the second mile in looking into just why this parent was unable to provide assistance for his son or daughter. It was granted in one case where many people — if it were left to them it would not have been a proper loan at all from outer appearances. In my view it was a proper loan. It was looked into properly, because the family had obligations that were not apparent to the general public.

I suppose the independent dependant is one of the biggest problems with which the board has to deal. I can only go by my own experience with the board. I've already commended the chairman and the board for their actions to date. They've taken a second look at anything I have brought to their attention, reviewed it carefully, and in most cases the decision went in favor of the student.

So I am looking forward to a continuation of help to our young people who want to get an education, who are prepared to borrow the money, to pay the interest on it, and who are appreciative of the fact that they can secure the necessary capital with which to extend their own education. From that time on, of course, their earning power is vastly increased because they are able to get use of public money under a bill such as this.

MR. PLANCHE: Mr. Speaker, I'd like to make one remark about Bill 63, if I may. A lot of enterprising young people are able to work the five months of the summer and go a long way towards supporting themselves in university through the winter. However, the federal government withholding tax on their cheques causes them to submit for refunds somewhere around January 1. Those refunds don't come through until the end of April, which is just about the time school is over. As a result, they have that early spring slack in their finances which often causes them to have to borrow or make alternate plans.

I'm wondering if the minister has made any representations to the federal government so these students can be excused from paying tax if they'll sign some kind of undertaking that they're going to continue school, or some variety of that, so this could be relieved; and perhaps fewer of them would have to apply for loans.

MR. APPLEBY: Mr. Speaker, there have been some criticisms of this bill in a number of the clauses and provisions. I have some doubts as to why, as the Member for Spirit River-Fairview has suggested, the government should promote the feeling among students attending the postsecondary schools that they should become full-time professional students; that is, that the government should pay for their support,

tuition, books, and whatever, so they can attend school the year round. Not only do I have some doubt as to whether that should be encouraged, but I also feel that when a student is in one of these institutions, it's much more beneficial to spend part of the year at least in the world of work, finding out just what it means to earn some of the money that has to be spent in order to obtain an education. I don't think the government should be in the business of promoting professional students in this sense.

Mr. Speaker, the question of assistance for students in specialized programs was also raised. Now, I'm not too sure what the Member for Spirit River-Fairview referred to when he spoke about specialized programs. He mentioned no aid for undergrads who go outside the province. I think he should do some more checking into those instances, because we have clauses here which provide flexibility so that the Lieutenant Governor in Council can make financial provision for students going outside the province for specialized training not offered in Alberta. I have to think, in the instances at the present time, of training in veterinary colleges, in optometry, and I'm sure the hon. Member for Macleod would like to see some assistance to those taking chiropractic training which isn't given in Alberta.

There also has been mention, Mr. Speaker, about injustice in some cases when the board has been making a decision as to whether a student is qualified to receive assistance. I think we have to keep in mind that we are dealing with public funds. If the board has to make a decision where there is some doubt, and where some caution has to be exercised, I think it is only fair that that decision should be made, and the request might perhaps be turned down in the first instance.

But like the hon. Member for Drumheller, I have had several instances where a request for financial assistance was turned down, and on further investigation and the supplying of further information which had not been given in the first instance, the case was reconsidered and the student did receive the necessary assistance.

So I think the act is good, because in all instances this new act provides the flexibility needed to cover all cases that may arise. I think it deserves the support of all members of this Assembly.

MR. SPEAKER: Does the hon. minister wish to close the debate? May the hon. minister do so?

HON. MEMBERS: Agreed.

DR. HOHOL: May I or do I have to are probably two different things, Mr. Speaker. There were specific questions, and I shall try to deal with them very briefly, because in the discussion of the propositions and questions, most of them have been addressed and answered effectively.

I should mention only the following. With respect to the increase of the committee to seven, no determination has yet been made as to who will sit on the committee, except that the number of government departments which work closely with people who are students at some time, will be represented rather than one or two departments — for example, my own and that of Treasury. The public will be represented and will take careful consideration of the

remarks of the hon. Member for Spirit River-Fairview with respect to student representation. Because on the bill now before us, all people across Alberta, groups and individuals, will have an opportunity to be represented.

With respect to payment of interest, I think it's a matter of fiscal policy that the interest is really part of the principal in any business transaction. It can be no different here.

On the matter of Section 10, I think as it stands, the hon. Member for Spirit River-Fairview could well read it as he did. The intent as we have written it was different, and it would probably meet his objections if the "of" in Section 10(d) were changed to "on". There is no intent to extend duties other than those set down by the Lieutenant Governor. They would not be general but specific, a specific program, a specific regulation.

Two major areas of value judgments have attended on this act over the years and will continue to do so. I believe the board has done as well as it can in the complex circumstances of a loan depending on saving some money during the summer. There were just too many students who were not able to find work, or were not prepared to find work — in any case, not being able to invest in their own education. This is one way to do it.

On the other hand, it can be carried too far. For example, if someone is taking a summer course in the performing arts at Banff and finds it's a course he's been probably seeking all his life, he should then be able to qualify for a student loan for the winter, and indeed he can. It's important to go on record, Mr. Speaker, that if for valid reasons a student cannot save the kind of money that the board indicates he should to qualify for assistance, he will not be denied that assistance. It's not the policy of this government to deny people help; rather it's the policy to assist. That's the case in this instance.

With respect to the question of the definition of "adult" — and it came up with at least three hon. members — it's important to remember that that definition is necessary because The Students Finance Act also assists people under the age of majority, students in high school; therefore both definitions are unnecessary.

Undergraduates in other provinces do get help, as the hon. Member for Athabasca pointed out, including chiropractic training as a matter of fact. So that's in the regulation. A great deal of what we talked about is in regulation.

Of course, the repayment schedule is the other complex problem, and I will take under advisement the counsel from the hon. Member for Calgary Glenmore and try to deal with it with the federal people. It gives me the opportunity to inform the House that we're in constant negotiation with the federal department of the Secretary of State on this matter and other matters relating to student finance.

The question of the broad definition of the board's responsibility is one I must comment on. Over five years this government has talked about assisting those who over the years have had difficulty in finding entry into the work force for one reason or another, including in particular the poor for whatever reason, the native people, the handicapped, and women the second or first time on a job but having extreme difficulty. In addition, the board will address

itself to such matters as where the vocational bursaries should be. At the present time they're located in my department. It seems reasonable that with the expertise and competence of the board, where it does this work all the time as its function, vocational bursaries could be moved into the Students Finance Board.

We have constant relationships with the federal government with respect to language bursaries across the nation. Most of these are agreements that have to be reached bilaterally between provinces and Ottawa. This will be the work, and has become the work, of the Students Finance Board.

The hon. Member for Drumheller, who is not in the House at the moment, responded effectively in the area of an omnibus kind of clause. Mr. Speaker, I think this kind of legislation must have a kind of clause that anticipates a broader scope of aid to people in Alberta through education, training, updating, upgrading, or retraining areas that have not in the past been an overwhelming or real concern of governments. It is now, and it could well be that this is one area in which the Students Finance Board would have to do some research work, some recommendation kind of work, and other areas of work. So we do have an anticipative kind of clause that says, as we look into the months and years ahead, the work of the board will become more complex, it will become more difficult, and there'll be more of it. And there's a great deal at the present time.

Mr. Speaker, I would close by pointing out what the hon. Member for Drumheller and the hon. Member for Athabasca pointed out. We're dealing with extensive public money, and the greatest care and stewardship has to be applied in the capacity to be fair and just. But also to protect the prospective student who may be naive enough to put wrong information on an application form and not realize that's a criminal offence is something the board has to grapple with.

As the hon. Member for Drumheller and others pointed out, the board will look time and time again to make certain that with new information or new ways of looking at old information a student is not denied assistance. I think the record of our board is one that is properly commended by the hon. Member for Drumheller.

With those comments I believe — except for one, and again that's the one that's very value-laden. When is a person dependent, or when is he independent? A value judgment is made on it, and the best we can do is to keep honing and trying to improve, to see what's done elsewhere, and make certain that in the final analysis the person who truly qualifies gets the assistance from the board, as it is intended he would get such help.

[Motion carried; Bill 63 read a second time]

Bill 70
The Provincial Parks
Amendment Act, 1976

MR. ADAIR: Mr. Speaker, I am pleased to move second reading of Bill 70, The Provincial Parks Amendment Act, 1976.

Mr. Speaker, as I mentioned in the introduction of this act on first reading, it will provide both clarification and the authority to issue dispositions within provincial parks. Authorization was formerly with the Department of Lands and Forests under The Public Lands Act, and authority was inadvertently not provided in the creation of The Department of Recreation, Parks and Wildlife Act. I should point out that when the parks division and the lands division were together in one department, it was not necessary. This act covers the authority necessary to issue dispositions. Once again, dispositions are the vehicle, the grazing leases, cottage leases, leases for concessions, or any other lease for any other use of lands within provincial parks.

One of the other areas covered in the act is the provision to provide some expenses and remuneration for advisory board members for the excellent work they have been doing on behalf of the people of Alberta. That was not included previously.

Mr. Speaker, I think that basically covers the provisions under The Provincial Parks Amendment Act 1976.

[Motion carried; Bill 70 read a second time]

Bill 71
The Surface Rights
Amendment Act, 1976

MR. McCRAE: Mr. Speaker, it is a pleasure for me to move second reading of Bill 71, The Surface Rights Amendment Act, 1976.

Mr. Speaker, all members will be familiar with this act. It was passed in 1972 and is up for review again at this time. It was reviewed somewhat in 1974 when The Expropriation Act was passed. You will all recall The Expropriation Act, which encompassed a home for a home concept in expropriation procedures.

Mr. Speaker, as I mentioned Friday on introduction, the main purpose of this bill is to take the procedures for certain expropriations from The Expropriation Act of 1974 back into procedures of The Surface Rights Act of 1972 with amendments. I think this is a very important amendment that we're dealing with today. I do hope all members will assess it very fully and let it have their support.

Just to give you some idea of the importance of the Surface Rights Board, Mr. Speaker, since 1972, under the authority of The Surface Rights Act, it has issued some 6,000 plus orders consisting of right-of-entry compensation, amending and termination orders. It has also issued something like 600 decisions in which compensation for right of entry was determined by the board.

In respect to the procedures under The Expropriation Act and its predecessor, The Expropriation Procedure Act, the Surface Rights Board has issued some 690 orders consisting of termination and compensation orders, and 250 decisions awarding compensation which stemmed from actual hearings.

The principle of the amendment is to simplify the procedures under which the expropriations take place in the instances of oil and gas pipelines, power transmission lines, and telephone lines which were previously, as I have said, handled under The Expro-

priation Act by the Surface Rights Board, using those procedures.

It's interesting to note, Mr. Speaker, that under The Surface Rights Act the board cannot give fee title interest. That is important to, say, the power transmission companies or the power companies; so that in respect of power plant sites we have left the authority to handle the expropriations under The Expropriation Act, which will permit the board to handle expropriations there, and grant the power companies fee title to the plant sites themselves.

The idea of the amendment is to reduce the time it takes for some of the expropriations in oil and gas pipelines and other areas, and to make it a more flexible, less formal proceeding. It also reduces the time and the expense, and I think will be accepted by both landowners and the expropriating companies as a marked step forward in expropriation procedures.

A number of important principles are embodied in the amendment, not the least of which will be the power of the Surface Rights Board to grant annual rentals in respect of certain right-of-entry orders they make, particularly in respect to the power transmission lines of the power companies. I think most members will recall the report the Surface Rights Board prepared a couple of years back in response to public hearings throughout the province dealing with the question of the Surface Rights Board and the authorities and procedures that it would follow. A number of recommendations were made by rural groups to the end that they felt a board should have power to grant annual rentals in situations where there were above-ground structures on easements that were taken through the procedures of the board.

The transfer of the jurisdiction from The Expropriation Act to The Surface Rights Act will permit the board the discretionary powers in that statute to award annual rentals in certain cases. Members should be assured that this is prospective legislation only, not retroactive, so that we need not worry about going back and trying to reassess the many, many thousands of pipeline and power transmission lines, orders that are outstanding.

Another important principle in the amending statute is the section that gives the Supreme Court of Alberta the power, through action originated by originating notice, to enforce a statutory right of way to enter private lands for the purpose of conducting a survey. Under the present act, power is vested in a surveyor to enter Crown lands for the purpose of conducting a survey. The present act also provides that the court has a power to enforce right-of-entry orders and compensation orders. However, there was some doubt as to whether the court has power to direct or authorize a surveyor to enter private lands for the purpose of conducting the statutory right accorded him in The Surveys Act. An amendment to the act that we are considering today will permit the Supreme Court that jurisdiction.

Another very important amendment, Mr. Speaker, is the substitution in Section 18 of the statute of the word "may" for "shall". It sounds like a rather innocuous change, but really it isn't. Under the present wording of the act, in a situation where the Surface Rights Board has given a right-of-entry order, it is required that they should hold a hearing to consider compensation even though the parties may have agreed on the amount of compensation that

should be paid. To explain it better, if there were two parties contesting or in dispute over the route of, say, a pipeline application, the board having adjudicated and determined the route of that location of the pipeline would still be forced or required by the old legislation to hold a hearing to determine the compensation, even though the parties may have agreed what the compensation might be. Under the change, the substitution of the word "may" for the word "shall", the board will have it in its power to hold a hearing when in its judgment it feels it is necessary, but not when in fact there is nothing in dispute any longer.

Another very interesting amendment, Mr. Speaker, is the adoption of the home for a home concept out of The Expropriation Act. All members who were in the House in '74 will recall the discussion and debate on a very, very important concept, and its adaption into The Expropriation Act. That is being moved also into The Surface Rights Act, so that in a situation where in effect a person's home or residence is taken from him, or the usage of it in large part is taken from him, the board will have the discretionary power to order the replacement of the home, residence, or lands with something roughly comparable. It will be interesting to see how it is applied by the board.

Another very interesting amendment, Mr. Speaker, is that heretofore the board will have power, as courts have had for years, to order interest on compensation awards. Members will understand that it may take months, perhaps years, between the application for a right-of-entry order, the taking of the land, and the final award or decision of the actual amount of the award. Up to this point in time all a board could do would be to order the actual compensation amount without any interest. From hereon the board will be able to order interest in an amount to be determined by the board on the actual capital amount of the award.

I might also comment on the five-year review clause in the present act which provides that in situations where an annual rental or payment is provided under a surface agreement, whether a private contract or an award by the board, under certain circumstances the board could review the annual payment. That principle is carried forward with the new expropriation procedures; that is, power lines, transmission lines, and telephone lines that will be handled under this board.

I might comment on that area, Mr. Speaker, that a term or two back we had a lot of discussion in and outside the House on whether or not we should legislate retroactively a requirement that companies holding pipeline easements or right-of-way agreements should be required to negotiate retroactively an upward change in their annual payments; and whether or not the Legislature, in terms of right-of-entry awards, should not have the power to retroactively legislate changes or increases, or perhaps decreases, in the amounts of the annual payments under the orders. Well, part of the reason we didn't go ahead with that, Mr. Speaker, was that we thought, assumed, and appreciated that companies doing business in Alberta are, in large measure, good corporate citizens; and if given the challenge and the opportunity, they might well agree to an upward revision in the rates. It is very interesting to note, Mr. Speaker, that a substantial majority of the companies

having a substantial majority of the right-of-entry agreements or orders have in fact gone out and renegotiated with their landowners. In large part, I think the representatives of the farm community are happy with the results.

Another change in the amending bill, Mr. Speaker, is Section 38, which presently provides that the board may adjudicate on tort claims, both off and on right of way. The claims, however, must be made within 120 days, and the board is limited to an adjudication up to a maximum of \$1,000. In many circumstances, the extent of the damage to a farmer's or a landowner's land may not be known within 120 days, given the long winter season we have here. So in this bill we have provided an extension of the 120 days to six months. This will carry you through the winter season or a crop season and give you a much better understanding of the extent of any land damage that may have occurred. I think this will be welcomed not only by the farm community, but by companies and persons that have taken land by right-of-entry means.

The amending bill, Mr. Speaker, provides that proceedings presently under way shall continue under The Expropriation Act, rather than to try to transfer the many, many current proceedings forward into the new procedures that will be adopted under The Surface Rights Act. Also, Mr. Speaker, the effective date of the new legislation will be January 1, 1977.

There are a number of other consequential amendments to the act, Mr. Speaker, but those are the main principles. As I said, I think it is very good legislation and I hope it will have the full support of this House.

MR. R. SPEAKER: Mr. Speaker, I would like to say that I don't think I have any real disagreement with the basic principles of the act or the intent that the minister has outlined. In the application of the act, however, I would like to have the minister comment on the matter of power transmission lines.

At present, the power company out of Calgary wishes to build a transmission line to the south, down to Lethbridge. The proposed route is in a southeasterly direction out of Calgary, angling across a number of agricultural parcels of land. Later, after it's crossed the halfway mark to Lethbridge, it goes on the township line which I feel is a very sensible decision.

However, I think some direction should be given or some basic policy set out by government that farmland or agricultural land should be maintained in total parcels as much as possible without the placing of a power pole or some other obstruction in the middle of the line that is certainly an inconvenience to the farmer, or some type of structure that can devalue the land for the farmer.

I think at this point in time, with the hearing that's proposed — I forget the date of it but in the near future — farmers will certainly make that proposal to I believe it is the Surface Rights Board. They will make a proposal that they don't want these obstructions, these power poles on their land.

But I feel, as has happened in earlier cases, the farmer usually loses in cases such as that. The power company can indicate the number of dollars they are going to save by going at an angle. They can indicate that they are not really doing that much to

the land. The farmer can farm around the pole. But I don't think, Mr. Speaker, that's really good enough. I think that at this point in time even the farmers who will make individual representations need greater assistance. I would certainly urge that a question such as this be examined by the government. There should be some government policy that power lines, as such, are on the township line or on the range line out of the field of the farmer, so that he is not handicapped in any way.

The transmission line I am talking about is one that goes through a non-irrigated area. The problem compounds when we go into irrigated districts. Some of the earlier transmission lines built in the 1950s are causing a terrific number of problems, and are prohibiting farmers from irrigating land or putting land into maximum productivity just because of this obstacle. I think as a government and as legislators we should look ahead and certainly plan for those types of things and take that matter into consideration.

I recognize that this bill is certainly the authority for hearings of the public and any other interested party. That is all right. But somewhere along the line I think we have to have a little bit of planning and common sense in areas where power lines or transmission lines go.

MR. NOTLEY: I have three comments to make on Bill 71. First of all, I agree with the principle on page 5, Section 10, dealing with the amendment of Section 38 of the old act increasing the length of time from 120 days to six months and the amount from \$1,000 to \$2,000. That is probably necessary in view of higher land costs today.

I'd like to say two other things in conjunction with this bill, Mr. Speaker: first of all, to take this opportunity publicly to thank the Farmers' Advocate for the very excellent assistance he has given to me and I am sure other members in providing a pretty useful and accurate yardstick of what compensation is reasonable for right of entry by the oil companies to farmers. I found, Mr. Speaker, that once in receipt of that information, I've been able to put it in my local MLA's report in the papers in my constituency. It has been useful guidance for farmers in dealing with the oil companies over right of entry. I believe Mr. Entrup has provided a very useful service to the people of Alberta so that hopefully, as we move into the future, we can avoid some of the problems which I am coming to in a moment, the rather unsatisfactory situation in the Redwater area.

Mr. Speaker, the amendments made to The Surface Rights Act in 1972 at least make it possible to correct some of the future injustices. Post-1972 awards are subject to review every five years. But we have the problem of the pre-1972 situation, largely in the Redwater field.

I agree with the hon. minister when he says that most companies in this province have acted as good corporate citizens. Most companies have voluntarily agreed to upgrade those surface rights settlements, those right-of-entry settlements, so that the farmers are in fact getting something like a reasonable compensation for the present land value, crop value, what have you, for an oil well or pipeline being on their property. But Mr. Speaker, while most companies have been good corporate citizens, there is still the long drawn-out battle with Imperial Oil. Mr.

Speaker, I would say to the hon. minister in charge of Calgary that the farmers in that area are not going to be patient too much longer.

If my memory serves me right, we had a private members' bill in 1973 introduced by the hon. Member for Innisfail which would have allowed the board to review old awards. Now, Mr. Speaker, the farmers in northeastern Alberta particularly affected by Imperial Oil's unwillingness to conclude an upgrading agreement with them are very rightly urging some kind of action by this government.

I am just saying to the minister that there are some useful features of this bill, and therefore I intend to support it. But I say to you, Mr. Minister, and to the government that we cannot afford to sit back forever hoping this matter will be voluntarily resolved, when there is every evidence that it hasn't been; and the situation drags on from year to year without proper compensation being paid.

I would simply conclude my remarks, Mr. Speaker, by urging the government to review its position and, unless this matter is resolved, to be prepared to introduce legislation to deal with it as it relates to pre-1972 right-of-entry settlements.

MR. ZANDER: Mr. Speaker, I welcome the improvements in Bill 71, that is, that some of the expropriations proceedings be taken out and handled by the Surface Rights Board. I think the rural people of this province have come to know that the board is fair, has been fair, and will be fair.

We must remember that since the days of the old Surface Rights Act a number of years ago, we have learned [from] a lot of mistakes. They have been corrected as far as the old bill, I think it was 57 or 61, which was the new Surface Rights Board at that time. Some things, however, have been done in the past. I'm thinking of some of the above-ground structures that have been placed on farmland, and as mentioned before, have gone diagonally across farmland. It has been an inconvenience. It has been settled on the basis of: you take this money now and there will be no further compensation.

I would say, Mr. Speaker, that the companies as a whole, the corporate group that has been operating in the oil field business in this province since about 1973 and '74, have been very good corporate citizens.

I'm really surprised that the hon. Member for Spirit River-Fairview says that Imperial Oil is one of the villains in the Redwater field. I don't know. I can only say this, Mr. Speaker, that my experience with Imperial Oil in my constituency has been very good. It has been fair, as fair as most oil companies have been, and I think they have played a role in leadership in my constituency. I have a little difficulty with some of the not so mentioned good corporate citizens, although they are, by persuasion, slowly coming around to the fact that we're dealing in 1975 and '76 dollars rather than 1954 and '55 dollars.

I do believe that, as a member of the Legislature, when the upgrading occurs in a constituency or within your area, you are almost obligated to inform your people of what is to be a fair settlement. On a number of occasions, Mr. Speaker, I have sat down in my house with company officials and discussed the problems with the general public that we are confronted with. My experience has been that after the meeting the settlements have been very fair. I think

they have done a marvellous job in the large task. In my constituency, there are thousands of oil wells, and everybody is digging a new hole every day in the farmer's field. The farmers have come to accept that although resource development has to occur, fair compensation must follow.

I am surprised that we did not act much sooner on the above-ground structures that are there. A pipeline is hidden from view, and unless something happens to the pipeline, no further damage is done to the land affected. But these above-ground structures constitute another hazard; expense, time, and energy wasted farming around these structures. In one case in my constituency, structures go through a very valuable gravel deposit, but under the laws or the regulations within the province the farmer cannot utilize the gravel within a certain distance on either side of the power line or under it. You can well imagine that when you have a gravel seam 20 feet thick — and gravel today is the royalty to the farmers, anywhere from 25 to 50 cents a cubic yard — you can fully realize the problem the farmer has trying to dig this gravel out from underneath the power line, yet being caught doing it.

The other thing I may as well mention now — it is not in my constituency but it is continually brought up — is in the Devon area. Sand is a valuable item in the city of Edmonton, and the farmers are starting to encroach on the rights of way of the wellsites in that area. Of course there have been threats and counter-threats by people, the owners and the company, of what action they will take. I can't really blame them, because when a yard of sand sells in the city of Edmonton anywhere from \$12.50 to \$25, there is a valuable asset where this structure is sitting or whatever the lease comprises. I think in this respect, Mr. Speaker, we should have another look at what has happened since the structure was put there or the pipeline was buried; a subdivision occurs, and the land is devalued by reason of the structure or the pipelines. I think that is another thing we must look at.

You sign an agreement for 20 years, and nobody knows what is going to happen in 20 years. Therefore I have often warned my constituents, please do not sign anything that has a rider attached that it is for the duration of that time span.

Thank you very much.

MR. MOORE: On the amendments to The Surface Rights Act, first I would like to say how pleased we are to introduce legislation that helps two groups of people. A situation where the method by which one gained right of entry to construct power lines and pipelines under The Expropriation Act was for many of those involved in the construction work very time-consuming, expensive, and delaying. By moving it to The Surface Rights Act, we accomplished the fact that those people would be able to complete or start their work much more quickly and easily than they previously did.

In addition, as the hon. minister Mr. McCrae indicated on introducing the bill, it provides an avenue whereby individual landowners across this province can receive annual compensation for something which is becoming increasingly more difficult for a landowner. I am speaking about power lines and pipelines when you need to farm around them.

I would like to make two very brief points in relation to comments by the hon. Member for Little Bow about the development of power lines on angles across farm land. First of all, it is my understanding that line routing approval is not a responsibility of the Surface Rights Board in total, and that in fact the Energy Resources Conservation Board is the approving authority and, in the case he mentioned, I presume would be the authority holding the hearings. But the point I really want to make in that regard is that by the changes in this particular piece of legislation, allowing the Surface Rights Board to award compensation annually based on the degree of inconvenience in land that is taken and so on with respect to power lines will ultimately, in my view, move toward a situation where power lines are built on a square rather than on an angle. It is pretty easy to go on an angle across farm lands if you don't have to pay very much to put a pole.

I want to say as well that some two and one-half years ago the hon. Deputy Premier and then Minister of Agriculture mentioned in the Legislature that we would negotiate with the power companies and landowners in irrigated areas of southern Alberta for movement of existing power lines that run on an angle. I am pleased to say that our progress has been very good there, and I hope that within the next few months we might be able to announce a program of relocation cost-shared by farmers, the government, and the power companies that presently have lines running on angles across land which is readily available for irrigation.

I want to make a couple of comments with regard to the comments by the Member for Spirit River-Fairview in regard to the Redwater area. In addition to all the things we discussed in the Legislature last spring, I did ask a committee of landowners who were involved in the Redwater area to provide me with a copy of what they felt would form the basis of a formula for fair and adequate compensation to the landowners from Imperial Oil Limited.

I received that formula within the last couple of months, and upon receiving it provided a copy to the land man in Imperial Oil's office in Calgary. I've asked for their response in relation to that type of formula. I've not yet received it, but they have advised me they are considering the kind of formula that was there. I'm hopeful that the communications that have been going back and forth between the landowners and Imperial Oil, largely through my office, will result in the development of a formula suitable to both the companies and the landowners. I can assure you it is not yet there. It's a little too early to tell whether in fact the company will meet the conditions or the amount that the landowners are talking about, but I'm sure progress will be made in that regard.

I want to say as well in that particular case, Mr. Speaker: one must remember that the voluntary renewal of contracts, which is going on very well across this province, also has within it a mandatory five-year upgrading clause, so that five years from now those same individuals, if they are not satisfied with the compensation, can go to the Surface Rights Board and ask that they determine the level of compensation.

All in all, Mr. Speaker, I think the amendments here today will vastly improve the situation for a great

variety of people across our province: both the companies who want to gain access and farmers who own the land.

MR. HORSMAN: Mr. Speaker, just briefly, I thought it would be of interest to the members of this Legislature that one of the companies which is adamantly refusing to upgrade their contracts is Many Islands Pipelines.

MR. SPEAKER: May the hon. minister close the debate?

HON. MEMBERS: Agreed.

MR. McCRAE: Mr. Speaker, just a couple of comments in closing the debate. In response to the question of the Member for Little Bow, I could confirm, as the Minister of Agriculture has stated, that routing or location of power transmission lines does not come under this particular act at all, but under The Hydro and Electric Energy Act. So his comments, as meritorious as they may or may not be — I wouldn't want to comment on that at this particular time, except to say that if you go squaring rather than angling across the countryside, you must be aware of the tremendous costs that will ultimately have to be borne by the consumer. Because it is the consumer, through the rate base of the power company, who eventually bears the cost of that. Hopefully, if it is a large cost, the compensation factor may reward the landowner sufficiently so that it won't have to be passed on to the consumer. However, this is something we can look at in the future in another bill.

With regard to the comments of the Member for Spirit River-Fairview, we appreciate his support for the bill. I must say, sir, that your accolade to the Farmers' Advocate was certainly shared by many members of the House here. It struck me that it was unusual to see that kind of enthusiasm for many of your remarks.

With regard to your comments about the Redwater . . .

MR. SPEAKER: Would the hon. minister please use the ordinary form of parliamentary address.

MR. McCRAE: Mr. Speaker, with regard to the hon. member's comments about the Redwater field, it was my impression that the particular companies in that area had gone a long way to meet the farmer or landowner concerned about the level of rentals for the individual wellsites and pipeline rights of way. I believe that a large number of the companies throughout the province have. Whether this particular company has or hasn't . . . I believe discussions are presently going on which will perhaps assist in persuading the company to do it voluntarily.

I might also comment, Mr. Speaker, that we often hear members in this House suggesting that we should legislate in this area, in that area, and change private contracts here and change them there. I think we have to be aware that, as appealing as that may sound from time to time, it opens up a real Pandora's box. There's just no way you can get into one area without getting into several score others. So I would caution all members in the enthusiasm and emotion

of particular debates to not go overboard on suggesting legislative change in private contract.

Mr. Speaker, I believe the bill is a very good one, and I hope it will have the support of all members.

[Motion carried; Bill 71 read a second time]

MR. HYNDMAN: Mr. Speaker, this evening at 8 o'clock we'll proceed to Government Motion No. 2, wherein Mr. Musgreave adjourned debate.

MR. SPEAKER: The Assembly stands adjourned until 8 o'clock this evening.

[The House adjourned at 5:31 p.m.]

[The House met at 8 p.m.]

2. Mr. Lougheed proposed the following motion to the Assembly:

Be it resolved that this Assembly approve in general the operations of the government since the adjournment of the spring sittings.

[Adjourned debate: Mr. Musgreave]

MR. MUSGREAVE: Mr. Speaker, I welcome this opportunity to speak to the motion of the Premier.

When the government makes decisions new in concept, such as restricted development area around the city of Calgary, many people are certainly going to be uneasy about such decisions. Only time will tell if their concern is well founded. Of course, Mr. Speaker, a few people, no matter what we do, will be opposed philosophically to everything a Conservative government achieves.

A matter of more general concern, Mr. Speaker: there are those of us who would have us take a very difficult stand as far as provincial rights versus the rest of Canada are concerned. Many short-sighted people would have us spend our heritage fund, use up all our resources with no regard to our future needs or those of our children.

Mr. Speaker, in my view it is most important that we address ourselves to our place in Confederation. I do not agree with *The Albertan* editorial of October 15 that the Premier's speech was off-key. Certainly Alberta's interests were defended by the Premier. But to suggest we are in a state of siege is nonsense, in my view. Rather, as the editorial says, "This is still a nation." That's exactly the point the Premier was trying to make. The editorial goes on to say:

There is still a Canada. It is still a confederation, frayed and straining at the seams perhaps, but still a confederation — and Alberta still is a part of it.

Mr. Speaker, I would suggest the writer of that editorial, who suggests it's off-key, is obviously tone deaf. To me, Mr. Speaker, the Premier's message was very clear. Our province has an important part in Canada. It's a strong part of our nation. It's dedicated to helping fellow Canadians. This financial help has amounted to well over \$2 billion in lower receipts for oil because of our support to the provinces of Ontario and Quebec by us not getting world prices for our oil.

Right now, Mr. Speaker, we see the federal cabinet

falling apart over biculturalism and its handling of the economy. But our Premier's concern is that as a strong, vibrant part of our nation, our province should not have to continue to play the role of a minor colony to the empires of Quebec and Ontario.

Mr. Speaker, touching on some of the significant decisions of this government, I'd like to mention the following. First of all, \$300 million has resulted in twice as many housing starts and is certainly providing housing for many who, if they did not have this money, would have to live in poor housing, continue to live with relatives, or continue to pay high rents. Most of this money, Mr. Speaker, has gone to first homes, homes under \$50,000, gone to the young people in our society who desperately need housing. While I agree there is slight improvement in the rental situation in Calgary, Mr. Speaker, I do feel we have to get more apartments built in both Calgary and Edmonton. We have to get more apartments built in the older parts of the city. For example, in the city of Calgary over half the downtown area zoned for higher densities is still occupied by single-family homes. I think this should change.

On government-owned lands in downtown Calgary I think we should exercise our right of eminent domain and take over and enforce building. Mr. Speaker, in future I hope the programs will see more spending on apartment construction, because I do feel there's a great need.

As our province moves into a more industrialized state, it is important that we have adequate health standards for our workers' health and safety on construction jobs, in factories, and on the farms. For many years these have been neglected, and I am pleased to see we are taking positive steps in this direction.

In announcing our coal policy, I believe our government has taken a positive stand for its development. To many it appears our policy is one of severe restraint. Others are suggesting we are trying to force development of the tar sands as an energy source before the coal deposits are used. But, Mr. Speaker, of significance to me is the Premier's remark that "we are not going to do everything Ontario wants us to do," and, "ship it down to Ontario for their cheap electricity". I think this is the very essence of the coal policy for the future of our nation.

I think it touches on the very essence of Confederation that we have to move more decisions away from central Canada to other parts of Canada. We have to ensure that we are not merely the vassals of Ontario and Quebec, and the sooner we do this the better. I remember a cartoon during the war, of a Canadian cow. The western provinces fed it, Ontario milked it, and the Maritimes kept the stables clean.

Mr. Speaker, I trust those days are gone. In my view all provinces in Confederation are important. The rich have to help the poor to climb out of their poverty. They have to try to make sure they take their part in building the fabric of our nation, and not drive them into further problems by making some parts of our nation poor at the expense of others.

On the matter of education, I applaud the Premier's remarks about our curriculum content. Just last week I was speaking to a high school teacher in Calgary. He gave a test to 74 students in grade 11. Of the 74, 14 passed. In his view they cannot spell, they cannot construct a simple sentence, they cannot

construct a simple paragraph. The citizens are concerned. We've provided good buildings for the educational system. We are paying our teachers good salaries. They are well equipped, and they have improved libraries in our school system. The people want a better product and they're going to get it.

On the matter of the heritage fund, I think all members will agree that our first investments in housing, in medicine, and in energy resource development are wise. I can't think of a better way to spend money than to house the citizens of the community or to ensure they have good health. Naturally it's important that the industry that was fuelling much of this richness, our resource industry, should have further investments in it.

But what I hear, I strongly agree with the Premier, is in the financial restraint by ordinary citizens. Our heritage fund is a saving for the future. Now I know there are those who say the future is here now, and this is a now government, and the people want us to spend it now. But there are more who want this government to continue to exercise strong financial responsibility. The citizens want fewer taxes and fewer civil servants, and they want us to get out of their homes and off their backs.

I would like to touch on civil servants. They are a cost to our community. They don't grow wheat. They don't raise livestock. They don't brew beer. They don't build homes. But they use all these products. And if one goes back and looks through civilizations, those that have crashed have quite often had huge bureaucracies: huge numbers of drones that all the citizens had to carry. There are too many people doing too little for too much money in government services, at all levels.

I was pleased to hear that the Leader of the Opposition is concerned about the growth of the public service. So are we, Mr. Speaker. I applaud the concern of the hon. Member for Olds-Didsbury. It should concern us all, particularly at the federal level where the governments are becoming too big, too costly, and too overbearing. As the C.D. Howe Research Institute pointed out just recently, we have not had the cleansing effects of a depression. As a result, there is dead wood in all areas of our society, particularly in government. The richer the government, the more difficult to use a pruning knife.

If, as the Premier says, we are going to compete on world markets, we are going to require good stewardship in government, in industry, in schools and hospitals and in our homes. Because the Germans, the Japanese, and most important, the Americans, our biggest customers and our biggest competitors, are good stewards. They work harder. They have fewer civil servants and they all get paid less for doing their job.

I'd like now to move on to respond to some of the remarks the Leader of the Opposition made with regard to financing of our cities. I know he spoke very briefly about the father-mother relationship pointed out by our Deputy Premier and the fact that the strings are still being kept rather taut. I know from past experience that many cities have made some bad financial moves and we've had the province bail us out — this government and the previous government.

I also know we've had some problems forced on us by governments. I recall the provincial board of arbitration making us settle a strike with some bus

drivers. They said if you can afford \$0.5 million for a mall, you can spend \$600,000 on a wage settlement — of course, glossing over the fact that a wage settlement is for many years, not one. Some very unwise planning decisions have been forced on us by the provincial planning board. But whether we like it or not, Mr. Speaker, the citizens of the province consider this level of government — and I would say this government — to be more wise, more mature, more responsive than those who represent us at the local levels of government. It's obvious from the turn-out at the polls. Far more people respond in the provincial election than in the civic. We know that the governments at this level have established policies. We know that if they don't adhere to them we can throw them out of office.

I would like to mention too, Mr. Speaker, that the Premier did not say that there would be no further consultation on financing of cities, but rather, there was the point in establishing the Provincial Municipal Finance Council. It is looking for suggestions. We are doing a lot of studying. It's a very difficult, complex subject. If we are to overcome and make decisions that will be of lasting benefit to us, it's certainly not going to be achieved in a few months.

To give you one of the difficulties we don't want to get into, we certainly don't want to come up with an *ad hoc* decision such as sharing of income tax, sharing of oil revenues, or something of this nature, then have it arbitrarily snatched away when the provincial caucus felt a bit of a twitch as they did during the reign of the Social Credit government when they took from us our share of the provincial oil royalties. Having listened to two governments, when I was an alderman, Mr. Speaker, Social Credit and Conservative, I felt it was rather interesting that those members of the opposition would always praise the local autonomy. Then when I see them in action, I am reminded of a line from Julius Caesar: methinks they protest too much.

In spite of all the hand-wringing about cities and the control of provincial governments, I'd like to point out a few facts about Calgary's situation in 1975. Of a total revenue budget of \$176 million, government grants amounted to \$17 million from all sources, all governments — or approximately 10 per cent of the total budget. I'd suggest, Mr. Speaker, that we'd be ill advised if we think that a city of 461,000 people who have 90 per cent control of the budget are suggesting that we're telling them what to do and when to do it. Now I know the cities have debts to pay. Again, in the case of the city of Calgary, out of a total debt of about \$328 million, 95 per cent of it is owed by the citizens of Calgary to the citizens of Alberta. I suggest today they are one and the same thing.

I know they should have more control in policing their communities. I know they are upset about some of our decisions on roads. I know they get a little upset about some of our policies on education and recreation. But as long as our province has sources of revenue available to us — such as income tax, sales tax, and resource revenues, Mr. Speaker — the provinces will continue to be rich. We do have a problem of a child-parent relationship. Governments will always bail out children in trouble, particularly if we're moving toward an election. After all, we're politicians and we would like to get re-elected.

But I don't feel any ground swell of support for a big change in the way the government is established, Mr. Speaker, or in the way the municipal governments are established in our province. I suggest there are areas, such as housing of our elderly and ambulance costs, where we should take over entire responsibility. But the real structure of civic government should, in my opinion, be reviewed and some firm policies laid down as to how we're going to share power. Because, Mr. Speaker, that's what it's all about, this sharing of power. Not too many politicians anywhere in the world, never mind just in Alberta, are going to give up power they've fought hard to win, that they are charged with the responsibility of exercising wisely and, most of all, that the citizens seem to want them to exercise. There's not going to be any significant change, in my view, in the way provincial governments in Canada respond to the cities of Canada until the provincial politicians are convinced there's a great ground swell among the citizens for a significant change.

For example, about 65 per cent of the people in the province turn out at the polls to vote; in federal elections about 75 per cent; and in city elections less than 50 per cent. So I'm certainly sympathetic to their concerns, Mr. Speaker, but I'm not too convinced that any significant change is going to be made unless we hear much stronger voices than we have in the past from both sides of the House.

In conclusion, Mr. Speaker, I'd like to say that this government has taken some strong steps into new areas. Some of us are concerned. Some of us will be watching very carefully, but I'd be much happier to be part of a government that is charged with doing things than one that is charged with being a laissez-faire government.

But I'd like to return to what I think is the most important point the Premier made in his speech, that we have to strengthen the fabric of Confederation by speaking up for those provinces which are in jeopardy of losing their very lifeblood. I speak now of provinces like ours with our natural resources, or it could be the maritime provinces with their natural resource, the sea. I think it's most important that we exhibit as much strength as we can, both here and in councils elsewhere, to see that this country remains a confederation in the true sense of the word, and that we each have our true part in making the decisions that affect all of us.

MR. NOTLEY: I welcome the opportunity to take part in the debate on Motion 2.

Before commencing my remarks I'd like to offer my congratulations to the hon. Member for Wetaskiwin-Leduc on his elevation as Associate Minister of Energy and Natural Resources. I would simply say, Mr. Speaker, that those farmers who are concerned about lands policy look with a good deal of pleasure at the Premier's decision to appoint the hon. Mr. Schmidt as minister in charge of public lands in the province of Alberta. That of course will free the hon. Minister of Energy and Natural Resources to really chase after oil wells, coal, and what have you, which is his major line of interest in any event.

Mr. Speaker, I'd like to begin by saying that as to the two questions raised in the previous speaker's remarks are concerned — the heritage fund and the future of Confederation — we are going to have, as I

understand it, a debate on constitutional amendment. This will offer an opportunity for all members to state clearly their position not only on constitutional amendment but perhaps on the larger question of just what this province's role will be in the future of Canada. Similarly, with respect to the heritage trust fund and the initial portfolio of investment that was announced a few weeks ago, when we get to that bill we'll have ample opportunity as well to state our views on both sides of the House.

Mr. Speaker, over the summer several important announcements were made as far as rural Alberta is concerned. The first announcement I want to refer to is the cow-calf program announced several weeks ago. I would have to say, Mr. Speaker, that while it would have been much better had this program been implemented a year ago, and while I feel that the amount is still not going to cover the losses incurred by farmers and ranchers in the province of Alberta, nevertheless it is a step in the right direction. The concern I would express at this time however, concerns the \$8,000 ceiling both for the assistance and the taxable income. Mr. Speaker, I suggest to the Minister of Agriculture that he's going to have to keep close tabs on this. I listened to his answer today, fair enough. It may well be that it will cover most of the people who need it. But if we as members of the Legislature discover, as I suspect we may, that we receive a number of complaints, especially from younger operators who have had to work on oil rigs and have earned substantial enough amounts that they are over that limit — keep in mind we're talking about a \$4,500 limit, because the \$8,000 is both the assistance and the taxable income — then I would suggest, Mr. Speaker, that the government may very well have to reassess that \$8,000 ceiling.

The second question, relating to agriculture, was the announcement in July concerning the Dodds-Round Hill project, and the decision of this government to say no to that project. As a member of this Assembly who has opposed the Dodds-Round Hill project from 1974 on, I welcomed that decision. Most members of the Assembly, and I think most people in the province, assumed the decision was made because the government had concluded in their wisdom it was just immoral to take that much agricultural land out of production in order to go ahead with a major project. The sanctity, if you like, of preserving agricultural land was certainly the main theme of the Premier's news conference, and again when I listened to the Premier the other day he seemed to underscore that point of view.

But, Mr. Speaker, and I'm sorry the Minister of Utilities and Telephones isn't here, on Wednesday the minister tabled the report on thermal coal alternatives prepared for the provincial cabinet by the ERCB. Mr. Speaker, that report contains some very interesting information that was compiled and presented to the government in June of this year. On page 17 of the report, the ERCB shows that Sheerness is not only preferable in terms of not disrupting valuable farm land but, more important, and this is something most Albertans are not aware of, it will mean cheaper power. On page 17 of the report, the ERCB compares Dodds-Round Hill and Sheerness, not only the cost of building the thermal plant itself but the transmission costs. I'm going to table this when I complete my

remarks. If one cares to peruse the statistics, one will find that Dodds-Round Hill will mean 6 per cent more expensive power than the Sheerness site.

Mr. Speaker, if Sheerness was a better bargain all along, and if there's sufficient coal in Sheerness — and the ERCB shows there is — one can legitimately ask the question, why did we take two years to investigate this matter? Why for two years were the people in the Dodds-Round Hill area on pins and needles over the future of their farms? Why for two years was the government's primary concern, from a planning point of view, Dodds-Round Hill? Well, Mr. Speaker, if we read on a little further in the ERCB report, on page 37 it says:

In the Board's analysis and consideration no recognition has been given to the particular ownership or contractual arrangements regarding the respective coal deposits. The Board recognizes that such matters could well impinge on a particular site being selected but it believes that if this were permitted to occur it would negate optimum planning and development.

Mr. Speaker, "it would negate optimum planning and development". Why did we get involved for two years in Dodds-Round Hill? For a very simple reason: Calgary Power and CanPac had the leases and mineral rights there. That's why we spent the time on it — not because it was better for the province, not because it was cheaper, not because of all the arguments that were presented for two years, but because Calgary Power had the mineral rights there. In the case of Sheerness, Alberta Power has the primary mineral rights. So we had, if you like, a battle between the two power companies over who controls the contractual rights.

But, Mr. Speaker, the important point to remember is that the most objective source we can find in this province, the ERCB, has concluded that Sheerness will provide less expensive power for the people of Alberta. That has to be taken in mind as we review the Premier's statement in July. Perhaps other economic considerations in addition to the preservation of farmland prompted the cabinet to make what was the correct decision. I still say we've got two years which, in my judgment anyway, the Minister of Utilities and Telephones will have to explain in this Assembly.

Now, Mr. Speaker, we move on to review the Premier's address itself. During the last several years we have heard, in this House and outside, the claim that the Government of Alberta spends more money per capita on education, health, and social services than any other province in this country. Then I listened to the Premier on Wednesday of last week. The Premier didn't add social services, but he did say education and health.

Let's take a look at the recent statistics compiled by Statistics Canada comparing the budgets of the various provinces. Yes, I think it's fair to say we are first in health. But when we look at education we are not first, we are third. When it comes to social services we are not first, we are sixth. When it comes to transportation, we are not first, as many of us have often believed, but eighth. Of course, as has been pointed out many times in this House, when you look at something like library services as part of social services, we are twelfth after the other nine provinces and two territories. So, Mr. Speaker, I think

these statistics show pretty convincingly that we've got a long way to go in providing adequate social services, education, and health programs for our people.

Let me take those expenditures — sixth in social welfare, third in education, eighth in transportation, twelfth in library — and compare them to consulting reports.

Members will recall that when the anti-inflation program came in, a program this government embraced, one of the the recommendations in the federal white paper was that there should be a 10 per cent reduction in consulting reports — not an unreasonable proposition. You're going to trim the fat and lower the cost of government you know, cut out some of the consulting reports. Well, Mr. Speaker, what has happened in Alberta? In 1975-76 we spent \$57,500,000 on consultants; this year \$70,132,000, an increase of 22 per cent. While the federal white paper called for a 10 per cent reduction to cut out the fat, we have added 22 per cent. Mr. Speaker, in my view, that is a highly questionable form of budgeting.

The Premier spent a good part of his remarks talking about sound, businesslike administration. When I was on a trip through southern Alberta in the Crowsnest Pass region, I met with the local council. They differed on many things but were unanimous on one argument: no more consultants, we're tired of being studied. The local secretary-treasurer said that within the space of one week they had had three different consultants there studying them. They're simply saying, that's an area that we could defer, delay. I know it might put a few of the Tory consultant firms out of business, Mr. Speaker, but if we're going to cut the fat let's cut some of the consultants.

DR. BUCK: They'd never use Tory consultants.

MR. NOTLEY: Hardly ever. They're the same general principle as lawyers, I would say.

Now, Mr. Speaker, I must confess, despite the fact that the Premier delivers his remarks in very sonorous tones, a little bit has to be taken with a grain of salt, and nothing more so than his remarks, his call that we must avoid special interest groups — you know, warning us about the dangers of being too influenced by special interest groups. Well, Mr. Speaker, that's a new Premier Lougheed and a new Tory party. Because, in the two months before the last election was called in 1975, we had the front bench across the way chasing every interest group in the province with a bag of money in one hand and an 'on the team' sticker in the other hand.

Mr. Speaker, let's just review some of these announcements. I recall that that short three week session we had. Every day there was a new ministerial announcement. One by one, the ministers got up to go after a specific interest group. January 29, 1975, we had the Provincial Treasurer stand up and tell us about a small business incentive and taxation system. Everybody was all smiles, all the small businessmen in particular. Two days later, on January 31, 1975, we had the, at that time, Minister of Culture, Youth and Recreation, with the biggest smile on his face, and he got up and announced a two

hundred million dollar major multipurpose recreational facilities program.

AN HON. MEMBER: Old money bags.

MR. NOTLEY: Then, on February 4 we had the Premier announce the Syncrude agreement, and that certainly pleased Syncrude. On February 10 the Minister of Education rose: \$750,000 for declining enrolment grants. February 11 the Minister of Education again, more education grants. February 12 the Minister of Manpower and Labour, and I see him in his seat today. One of the commitments of the Tory party in 1971 had been collective bargaining for civil servants, or so they thought. And, by George, on February 12, the Minister of Manpower and Labour rose in the House and announced the joint CSA-Government task force to consider legislation re collective bargaining. Then on February 12 we had the Minister of the Environment — oh, there he is across the way — get up and announce the agreement with the City of Edmonton regarding Capital City Park — \$35 million at that time, Mr. Speaker. Were it \$35 million now, we'd all be very happy.

And then, of course, we had the Budget Address on February 7. In there we had the income tax reduction of 10 points, the renter assistance credit, the increase in WC pensions, social assistance rates increased, et cetera.

Mr. Speaker, for the Premier now to piously stand in this House and say, oh, don't play around with special interest groups, is a classic example of the pot calling the kettle black. No, Mr. Speaker, there is a real credibility gap when our honorable friends across the way pass out that kind of advice. It may appeal to a few of the backbenchers, but it's not going to wash with the municipalities in this province, it's not going to wash with the organized groups in this province and, quite frankly, Mr. Speaker, it's not going to go very far with the average person either.

Now, Mr. Speaker, I want to move from there to deal with the day of protest that occurred on October 14. There is no doubt that, regardless of how one views the rallies that occurred in Canada, the fact that over a million men and women left their jobs is a pretty convincing argument that there is massive dissatisfaction with wage and price controls as we know them in this country.

I think that is confirmed by the results tonight of the two by-elections where, in a working class riding in Newfoundland, the Liberal Party was not only defeated but for the first time in its history ran third in a Newfoundland riding.

AN HON. MEMBER: Who won?

MR. NOTLEY: The Tories won, but by a small margin, my friend, by a small margin. The Liberal party ran third in Carleton. A seat that had been held for many years changed hands.

SOME HON. MEMBERS: Who won it?

MR. NOTLEY: You'll find the Tories won. I'm not arguing that.

AN HON. MEMBER: Who ran third?

MR. NOTLEY: And it would be interesting, you know, where the leader of the federal Tory party finally stands on this matter.

But I think the point has to be made that there is widespread dissatisfaction with wage and price controls. Why? Because prices have been allowed to increase almost without control since the program went into effect. Wages have gone up. But, Mr. Speaker, the program has clearly worked at the expense of wage earners. The control over wages has been relatively effective as one sees from the rollbacks of the AIB.

Let's take a look at some of the prices: the price of gasoline up 9.4 per cent in this last year, up again in January by probably another 6 or 7 per cent. Utility rates: Calgary Power rates have gone up 25 per cent with the possibility of a 15 per cent application on January 1, 1977; Northwestern Utilities, an increase of 21 per cent; Canadian Western Natural Gas in Calgary, an increase of 17.4 per cent, but an application before the board for another 10 per cent January 1 and possibly an increase of 30 per cent after April 30, 1977.

The price of housing: MLS listings in our two major cities, just in the space of the so-called AIB, wage and price program, up 25.2 per cent in Edmonton, 35.6 per cent in Calgary. Mr. Speaker, we have the rather phenomenal increase in the profits of land developers operating in this province. Set aside the land developers elsewhere, but take a look at Genstar — an increase this year over last year of 28.7 per cent; Marathon Realty, for the first six months to June 30, an increase of 50.2 per cent; Nu-West Development, an increase of 68.8 per cent.

Or, we have the phenomenal increase in the income of the chartered banks. It always amuses me when we get people standing up and saying we've got to fight inflation by increasing interest rates. The people who say that loudest are the bankers, presidents of all the chartered banks, who conclude that if all we do is tighten the supply of money, increase the interest rates, that's going to bring inflation under control. About the only thing it does conclusively, Mr. Speaker, beyond any shadow of a doubt, is increase the income of the banks. Between '74 and '75, when tight money began, the Royal Bank went from profits of \$107 million to \$153 million; the Bank of Commerce from \$101 million to \$134 million; the Bank of Montreal from \$56 million to \$102 million; the Bank of Nova Scotia from \$70 million to \$111 million; the Toronto-Dominion Bank from \$69 million to \$91 million. Mr. Speaker, in one year alone, between 1974 and 1975, the chartered banks had an increase of almost 50 per cent — 48 per cent to be exact. Small wonder these are the people who cry for tight money, higher interest rates to fight inflation.

The reason that more than a million people went out on October 14 is that there is a widespread consensus that the present program is not fair, that it is not even-handed justice at all. The former Tory leader Mr. Stanfield said that at best wage and price controls are rough justice. Well, Mr. Speaker, a year later Canadian workers are realizing just how rough that justice is.

What will we be doing in the province of Alberta? I'm sorry this government has not committed itself to present its position on where we go after March 31 to this fall session of the Legislature.

I really suggest that if, as the House leader was quoted as saying before the session began, the purpose of a fall session is accountability, this would have been the time to announce what we propose to do after March 31. Are we going to carry on with the program for a year or for the continuation of the two years? What will be the case? If the province of Alberta decides to pull out of the program, there are going to be some pretty important implications about that move too: local government or school boards or hospital authorities will want to know. Indeed, when I met with local officials in my own constituency, one of their primary concerns was what happens if the temporary anti-inflation measures program isn't carried on. What happens if we then find that the normal free market situation prevails? That's a position I quite frankly hope does happen, because I don't think the present program is fair or equitable. But what happens? Are we going to make additional money available or are we going to lock the hospitals in to a program budget which is already set so that the only thing they can do if wages go up is to cut service, lay off staff, or close beds? What's the option? What's the option for the school system? What's the option for local government? They want to know, Mr. Speaker, and they have every right to know.

I suggest it may be well and fine to try to play cat and mouse with the little opposition of six members in this House. But the people of Alberta have a right to know. This government had an obligation, in my judgment, to lay the cards on the table during the fall session of the House.

Mr. Speaker, in the remaining time at my disposal tonight, I want to move from that question to deal very briefly with another issue that the Premier raised in his remarks. He talked about the need for agricultural processing. Nobody in this province, with the possible exception of Nick Taylor, opposes agricultural processing. As a matter of fact I think there is widespread consensus that if we're going to diversify our economy in this province, we're going to have to place much greater emphasis on agricultural processing than we have to this point in time.

One looks at the alternatives. Yes, the timber industry will offer some jobs, no question about that, but not enough to take up the slack. The tourist industry in a province as big and beautiful as Alberta will always be a vital industry, but again not enough to take up the slack. With the higher price of gasoline we may very well find that our tourist industry, while I don't think it will ever go back, will not move ahead quite as quickly as we may have hoped before. When one looks at the serious options for diversifying the economy of this province, there really is no doubt our principal focus has to be agricultural processing. I find Mr. Taylor's suggestion the other day that value-added is somehow inconsistent with maximizing farm income is just an outrageous and ridiculous statement.

Mr. Speaker, even though as opposition members and as leader of one of the opposition parties we fully support agricultural processing, neither should this government expect that with the sweep of the oration that we need to do it, an opposition should not be vigilant about those deals that go wrong. Quite clearly our job in the House is to probe, to ask questions — sometimes to ask embarrassing ques-

tions — but always to try to bring the facts before the public.

AN HON. MEMBER: Ask for resignations.

MR. NOTLEY: I suggest, Mr. Speaker, — yes, and sometimes ask for resignations — that that's not inconsistent with support for the general principle of agricultural processing.

Mr. Speaker, the crucial question that Premier Lougheed left out of his remarks was not whether we support such a move to value-added in our agricultural production, but rather the more important question of where we make the trade-off between our oil industry — a huge non-renewable resource industry that is gradually and inevitably declining as the reserves are used up — on one hand, and agriculture, a renewable resource which will be there forever. That's the important question. That's the crunch question, Mr. Speaker, that has to be answered by any government in this province, be it right or left. Where are we going to make that trade-off?

At this stage, the government has essentially said we'll do both. To ringing applause from the Tory benches last spring, the Premier got up and said, oh, we're not prepared to bargain oil prices for freight rates. We want the world price for oil and we want fair freight rates too. Well, Mr. Speaker, the Premier is a wise and sagacious enough politician, and so should we [be], to know that in this unkind old world, you're not always able to get everything you want. Sometimes you have to make trade-offs.

One of the most important events of the last six or seven months in western Canada, and in Alberta, has been Mr. Justice Hall's commission into grain handling, and the impact that commission, as well as the Snavely commission on freight rates, will have on the future of the province. In the remaining minute or two I have left, Mr. Speaker, I suggest that we have to be prepared to bargain on energy in order to get fair freights. I look over the Alberta government's presentation to the Hall commission report and see that they say, we're going to keep the Crow rate. Then, in the next breath, one isn't quite so sure. Mr. Lang would like to see the Crow rate on grain abandoned and a slightly lower rate on finished products. That's not the kind of trade-off we need. If we're going to have viable agriculture processing industries that can compete on the world market, we have to have access to that market, not at just slightly lower rates than is presently the case, but at substantially lower rates. In the second or two left, I say we have this choice.

The hon. Member for Calgary Millican raised the question of the heritage trust fund. If we are not able to bargain freight rates for the present energy price or something thereabouts, Mr. Speaker, I think we have to be prepared to use part of the heritage trust fund in a transportation equalization fund financed in part from our surplus oil revenue, so industries set up here are able to compete in the markets of the continent and the world. Mr. Speaker, I think that will not solve our problem, but it is one of the things we must clearly do if agricultural processing is to be anything more than idle rhetoric.

Thank you.

MR. HORSMAN: Mr. Speaker, I thought I might take a few minutes this evening to respond to the remarks of the hon. Member for Spirit River-Fairview and to the remarks made the other afternoon by the Leader of the Opposition.

May I say how disappointed I was in both speeches. That may not surprise either of them or most of the members of the Assembly, but it seemed to me that tonight the Leader of the NDP was particularly disappointed in his remarks. His usual flair and verve seemed to be missing. It occurred to me that perhaps it was because of two recent occurrences — one just the other day that didn't go as well as he might have hoped, and the other in Ottawa Carleton, which was widely predicted to be an NDP win by leaders in his party in Ottawa — that he was perhaps a little reserved in his remarks this evening.

AN HON. MEMBER: [Interjections]

MR. HORSMAN: Oh well, you don't recognize that leader. Well, it's not surprising that he doesn't recognize his national leader.

I thought I'd say that it was interesting that he talked about banking in his remarks this evening. Well, Mr. Speaker, it seems to me that while it was an interesting exercise, I would suggest that he review the British North America Act because this Assembly has no jurisdiction whatsoever over the banks in Canada. Now, perhaps we might have under the BNA Act that the NDP would patriate, but at present I suggest he has wasted a good deal of the time of the Assembly in charting out those figures about banking, because we cannot do anything about them. Those are a federal responsibility and the federal government will have to accept the responsibility for those particular profits.

But I did want to talk this evening about what was said in regard to the accessibility of government, and the charges made the other day by the Leader of the Opposition. Well, once again — I've said it before in this Assembly, and I'll say it again this evening — *Hansard* is a marvellous thing, introduced into this Assembly by the present government. It's a marvellous thing because you can go back and read what you actually said. I read what was actually said last Friday, and I can scarce believe my eyes. It was tough listening when I listened to it, and it's even tougher reading to read it over again. But I did it just the same.

In this Assembly one has to proceed from certain assumptions. Sometimes they're the wrong assumptions. I made one this afternoon. I assumed that everybody in the House knew that Many Islands Pipelines was owned by the Government of Saskatchewan, and I was wrong. Everybody didn't know that, including the leader of the NDP. But I'll tell him that right now. [interjections] I thank the hon. Deputy Premier for that suggestion, but I'm afraid the Speaker may be frowning at me for introducing something which is slightly off the topic of the debate this evening.

Another assumption one can make is that one has forgotten everything that happened in this province before 1971. I think that's the assumption made by the Leader of the Opposition last Friday in this very House, when it came to the question of government accountability and accessibility. May I say, Mr.

Speaker, in that respect, that his charges of inaccessibility of this government are total nonsense. I regret he's not here this evening to hear my remarks, but I'm sure the Member for Clover Bar, who is a good talker, will carry those remarks back to him. Furthermore he can read them in *Hansard* tomorrow or the next day, and I'm sure he will. Is he too inaccessible to listen to the members of the House and to read what they say in his absence? I trust not.

DR. BUCK: We have 75 per cent of our members here, how many do you have?

DR. PAPROSKI: Eighty-five.

MR. HORSMAN: Well, let me talk about cabinet tours, because that was one thing that really interested me in what he had to say the other day. It was really interesting, and may I just refer to the *Hansard* of Friday last, when he said:

If what this government means by accessibility is having cabinet tours across the province, this province has had cabinet tours for years — before there was one of the present Tories in this administration. The only difference was that they weren't highly staged ventures . . .

Well that's true, because hardly anybody heard about them. In 16 years in Medicine Hat, Mr. Speaker, there was only one cabinet tour sponsored by the previous administration. On that occasion, I recall it well, four ministers of the previous government came to Medicine Hat and had a cabinet tour.

DR. BUCK: They had a good MLA, Jim, they didn't need it.

MR. HORSMAN: Well now, Walter. Excuse me, Mr. Speaker. The hon. Member for Clover Bar has interjected an amusing aside.

When that group of cabinet ministers came to Medicine Hat, they came to the court house and elevated themselves on the bench like judges. The only one I can recall was the Hon. Edith Rogers, I think her name was.

MR. NOTLEY: She was 1935.

MR. HORSMAN: I remember that occasion well, Mr. Speaker, because the Medicine Hat Chamber of Commerce suggested that air conditioning in the hospital in Medicine Hat was a very essential thing. I remember that particularly well because it was just before the 1971 election. Do you think any encouragement was given to the Medicine Hat Chamber of Commerce on that occasion by that elevated cabinet tour? No indeed. I suggest that the only reason the cabinet tour, in its minor form, ever came about was in response to Peter Lougheed and the members of the opposition breathing down their necks. Because for the first time there was a tour by the entire official opposition throughout Alberta. It was in response to that that the great dinosaur of the Socred administration finally lumbered out of Edmonton into the fields of Alberta, extinct, dying. The remains are here today.

What a difference indeed, Mr. Speaker, the first tour of the entire cabinet in southeastern Alberta in the fall of 1974, followed two years later by a second

tour. That just took place in southeastern Alberta, and I want to tell you what happened there. That was open government, because it was a government coming to the people and it wasn't just special interest groups that were heard, oh no. It is true that the city of Medicine Hat, the Chamber of Commerce, the town of Redcliff, the Medicine Hat and District Tourist Council, the Medicine Hat branch of the Alberta Motor Association, the Royal Canadian Legion of Redcliff, the Redcliff Senior Citizens' Council, and the board of governors of Medicine Hat College all met openly with the government of this province. The Elkwater recreation association — I'm particularly glad the Minister of Recreation, Parks and Wildlife is here tonight, because he heard, some tough comments in public. He responded to those by saying he would listen, and that his department was going to take into consideration what was said by that association that evening. It was a tough position and it's a tough problem. We haven't dealt with it yet, but we will because this is a government that listens.

For the Leader of the Opposition to come into the House the other day and make the remarks — oh, here's another one — he said "no closed doors either". Let me tell you something about what happened in Medicine Hat. The meetings were public to the members of the associations or groups who wished to come before cabinet. If they did not request a private meeting, the meetings were public and covered in full by the media. On the other hand, many groups and individuals asked to meet privately with ministers or groups of ministers because of the confidential nature of their problems. Would anyone [of] the members of the opposition suggest that it be done otherwise?

Let me quote from a public brief presented by the city of Medicine Hat. I want the members of the opposition who come into this Legislature and cry about a closed-door, inaccessible government and all that claptrap to keep this quotation in mind. I know that members of the opposition are well acquainted with the mayor of Medicine Hat. He doesn't say things like this lightly or perhaps even easily, but he said this:

At the outset Mr. Premier, let me assure you and the citizens of my City that the council's relationship with your ministers has been excellent. We have not received our every request, but we have always felt that we have had access to your ministers and that we have had fair analysis of our problems.

Remember that when you prate about the province that this is an inaccessible government. Furthermore, in discussions with members of each of these associations and groups in Medicine Hat after the cabinet tour, including the mayor of Medicine Hat, they were astonished at the immediate response to some of their requests, and I say immediate response to a very serious request raised in their brief: that the river valley throughout Medicine Hat be examined carefully with regard to recreational, industrial, and other uses on a cost-sharing program with the province and the city of Medicine Hat. They received an immediate response from the Premier, right there across the table, that that request was reasonable and could be responded to positively. That is open government. I suggest that the members of the opposition who try to mislead the public that it's

anything other than that take a look at what is being said at these cabinet tours and listen seriously. One other thing, I'm sorry the Minister of Education isn't in his place this evening, because I want to hand him a compliment.

DR. BUCK: It would be the only one he gets.

MR. HORSMAN: Now listen, Mr. Member for Clover Bar. Your leader said this the other day:

I would suggest they go and talk to a number of school boards across this province and ask them how accessible the Minister of Education is.

Well, let me tell you a little bit about how accessible he is. In June this year the Minister of Education was the guest speaker at the Alberta Teachers' Association retirement night in Medicine Hat. He came to speak there on a Saturday evening, after having spent a full day at the meeting of the ASTA in Banff. I had the pleasure of arranging his visit to Medicine Hat for the ATA retirement night, which was a very pleasant occasion on which the ATA honors retiring teachers from three school boards in the district: the public, the separate, and the district school board that covers the rural areas.

On his own, the Minister of Education volunteered to spend his entire Saturday afternoon meeting with those school boards. There had been no request from those boards to meet with him. Instead he called each of them and said, would you like to spend part of the afternoon with me on this occasion. He did, and I can assure you that what he did stood him in good stead. He listened to the problems. I sat in with him on the two boards with which I was directly concerned, and the Member for Cypress can tell you that he sat in with him on the district board hearing. He listened to their problems, and he has responded and he has acted. For the Leader of the Opposition to come here and say:

I would suggest they go and talk to a number of school boards across this province and ask them how accessible the Minister of Education is.

Fine, go to the Medicine Hat School Board and ask them that question. I think you will find that the answer is not one which will please the Leader of the Opposition. I can assure the members of this Assembly, Mr. Speaker, that in the 16 years I have lived in Medicine Hat this has been the most accessible government to the people of southeastern Alberta. Since the election of 1975, Mr. Speaker, Medicine Hat has been flooded with cabinet ministers . . .

MR. BUCK: Small margin of victory . . .

MR. HORSMAN: . . . all of them bearing gifts, Walter, I mean Mr. Member for Clover Bar. Mr. Speaker, I apologize to the Chair for referring to the Member for Clover Bar by his first name. I've come to know him so well on the select committee on trucking regulations that it's hard to sit in the House with him and be a little more formal.

The Premiers' Conference in Medicine Hat — and I do wish to refer to that again for a moment, Mr. Speaker — is another example of the deliberate effort on the part of the Premier of this province to take the government of this province to the people. Not just the government of this province, but the governments of all four western provinces came to Medicine Hat.

When was that ever done by the previous administration? Did they in fact meet with the other governments in western Canada? I'm not sure of that.

AN HON. MEMBER: Gave it away at Victoria too.

MR. HORSMAN: One of my colleagues has interjected something that has thrown me a bit off stride. I think the comments he has made, Mr. Speaker, will best be reserved for another occasion which will come about shortly in this House when we can have an explanation of accounting and accountability to the people of Alberta, no doubt from the Leader of the Opposition, who was in Victoria, I understand, to discuss the British North America Act. But I shall leave that for another occasion.

May I say in closing, Mr. Speaker, that since my election as member of the Legislature for Medicine Hat-Redcliff, I have never on one occasion found that the ministers of this government are inaccessible, nor have I had any difficulty arranging for meetings of elected bodies or groups with those ministers. This is a myth the members of the opposition are trying to perpetrate about this government.

MR. NOTLEY: Succeeding too.

MR. HORSMAN: Success is in the mind of the thinker. So, Mr. Speaker, I will conclude my remarks on that note. The Leader of the Opposition, referring to the question of meeting with constituents, town councillors, chambers of commerce, and other people in the community with serious problems, said: "Mr. Premier, you're doing a bloody poor job in this area and you should straighten that up." He doesn't know what he's talking about, Mr. Speaker. But the people of Alberta know what the Premier's doing for open government, and I support him all the way.

MR. ZANDER: May I also take this opportunity to echo the comments [about] open government.

DR. BUCK: Do you represent the views of the unity party?

MR. ZANDER: Well I don't represent the dental association, which has strawberries on its mind. Mr. Speaker, I welcome the opportunity to speak on this resolution. I think one must look back a few years, before this government took office in 1971, and acquaint oneself with the memories of that government.

I can vividly recall the now Leader of the Opposition, who was the Minister of Education at that time. On about six different tries the elected local officials tried to get an appointment and were unable to do so. I just wonder where on earth he had [it] that the former government was an open government.

I think we must also look back at the dramatic change that came about in the resource policy of this government. We only have to look back some seven years [to] find that we supplied central Canada with cheap oil and gas. I can recall reading in the newspapers, and it was said the former Premier, E.C. Manning, had made this statement — I've never read it, but I've heard it said — that jobs are on the other end of the pipeline. It was a true statement. He said no gas or oil shall leave this province until we

have at least supplied the job necessities in this province. I wonder if that could have been said at the later stages of that government.

Today we have the position where Alberta is not a have not province — a people who are proud to be led by the Premier of this province. The focus of all the governments of Canada is on the actions of this province. I was very interested, Mr. Speaker, to read just last week in the *Journal* that one of the government MLAs in Ontario had said the oil and gas of Alberta belong to Canada. After that many years of subsidization, it's hard to believe that now they say they also own the Alberta gas and oil. The one thought that is going through the rest of Canada is the envy that Alberta has the natural resources and is managing them in such a manner that we as Albertans are proud to have that leadership in the Minister of Energy and Natural Resources.

We've heard the Leader of the Opposition say we are not sharing the resources in assistance grants to municipalities. I just took a sampling of a few. Just going back, I think the former government can readily remember when they backed off sharing the 30 per cent of the natural resources. If you consider the percentages at that time and what they are now, we can look at rural municipalities, and maybe the cities, towns, and villages, enjoying anywhere from 300 to 400 per cent increase in their assistance grants. Some have suggested that the assistance should be based on a percentage of personal or corporate income tax. I think the former government knows what it means to be tied to a resource of money and then cannot produce it. I think we all are familiar with that case.

Some of the larger centres, and to some extent I cannot blame them, say there should be a user fee for people who use the facilities in the cities or towns. They should pay at least a percentage for using the facilities within their jurisdiction. But I think if we look back just a little further, Mr. Speaker, maybe two years ago, we saw the heavy borrowings of municipalities. Some were borrowing for larger recreational centres, some of the things the smaller communities could not or would not afford. They would not put themselves in a position where they had borrowed beyond their means. They used restraint in the matter.

In my own town there was some talk of entering into an agreement to borrow money for an enclosed swimming pool. But I'm sure the council came to the conclusion that it was a good suggestion not to borrow until they had at least some funds, so there would not be an overburden on the taxpayer. Some municipalities have gone overboard. Some have not budgeted well. I don't think we have to go too far to find some that have budgeted for a continual deficit over the last three or four years. They were afraid to put the mill rate where it rightfully should have been.

We talk about the hospital problem. We have a very serious problem in the hospital situation today. We have more active treatment beds in hospitals across Alberta than the national average, far in excess of what we should have. So by our own making and also by the former government, we had hospitals being built in almost every community that needed a hospital. Maybe it was an election gimmick, I don't know. But we had overbuilding of active treatment hospitals. Now this has come to haunt us.

What we do need is auxiliary hospital or nursing home beds. We can easily convert or designate some of these wings and floors in hospitals as auxiliary hospital beds. I think it will have to be done. The government grants to hospitals and municipalities have been generous enough. The 11 per cent guidelines imposed by the government a year ago last September had at least shown the people of Alberta that restraints must be placed on spending because we could spend ourselves out of existence.

In his speech to us, the Premier stressed the economic position of our nation as a whole. Mr. Speaker, it was very interesting for me to pick up articles and compare. Statistics prove that we have priced ourselves out of the market place. Why should a tractor manufactured in Canada sell for almost \$4,000 less in the United States than it does in Alberta? Why should the Kodak company manufacture cameras in Canada that sell for less in the United States than in Canada? Because we cannot compete with the market in the United States. Somebody has to bear the burden, and Canada is forced to do so.

Mr. Speaker, it seems that the leaders of the nation at this time [say] bilingualism is the problem. But I do not see bilingualism as a problem in Canada. I think it's trying to ram bilingualism down the throats of the people who do not wish to have it. I think if we took it easier maybe it would take a generation, perhaps two, to achieve this. When we consider the amount of money — and it's been said that \$1 billion has been spent on bilingualism in Canada — we can see the resentment not only across western Canada but central Canada and eastern Canada as well.

It has been said that people in the national employ who are forced to take the second language, people in their 50s, can never hope to become bilingual. They can barely get along in the French language. In some instances that were mentioned, one of the customs people at the border said you only have to use it maybe once a year, yet we spend thousands upon thousands of dollars to try to convince that we need it.

Mr. Speaker, the leadership of this great nation is weak, to say the least, at a time in history when it should be strong. Economic issues should be the menu of the day instead of regional issues and bilingualism, which tear this nation apart.

Statistics clearly show that labor in Canada, on an hourly basis, enjoys a dollar more per hour than our counterparts south of the border. Mr. Speaker, I think it's time that management, labor, and government sit down on wage settlements and agree that the national issue shall be the basic issue and not dollars and cents alone.

Mr. Speaker, I sometimes wonder whether the issue in politics is the eagerness to get elected or to do what the people want. Most of the time I can see that on the national issue it is so easy to do not what the people want but what the government desires. The opposition speaks of the openness of government. But never have I been unable to arrange a meeting with the ministers or a group of ministers. There has never been a time when I, personally, have not been able to walk into a minister's office, if I have a problem, to discuss it with him to try to set matters right.

Maybe the hon. Member for Clover Bar has not been able to do so. I don't know why. The doors of

the ministers' offices are always open, and it only needs a telephone call to make an appointment. [interjections] Maybe you don't dial the right number. Maybe you're dialing upstairs somewhere and you don't get an answer.

DR. BUCK: I wore my finger out.

MR. ZANDER: But you know, if you dial the right number, you'll get the right answer and you'll reach the right people. [interjections] Simply to criticize unjustly is not being a politician.

DR. BUCK: Mr. Speaker, I didn't expect to get into this debate this late in the evening. [interjections] But I think it's only right that I do say a few words in the areas of concern I have.

I'd like to say to the hon. Member for Drayton Valley that I should hope he wouldn't have any difficulty getting to speak to one of his ministers in his government. I would like to say to the hon. Member for Medicine Hat-Redcliff that I hope he wouldn't have any trouble getting to speak to any of his ministers. But I'd like to say to those two honorable gentlemen, and the members opposite, that the man in the street doesn't have that good luck trying to see those ministers. [interjections] If the hon. members are relaying that type of information to the Premier, I can understand why the Premier thinks everything is going along so beautifully. He is being insulated by his cabinet and by his MLAs from what's going on in Alberta. That is a fact. Mr. Speaker, when we go and speak to town councils, rural municipalities, counties, school boards, the story is always the same: we can't get to speak to those ministers.

AN HON. MEMBER: That's just in your constituency.

DR. BUCK: That is not just in my constituency. We can get in here. We're fairly close to the city of Edmonton. But let's get out a little bit further.

AN HON. MEMBER: Get out a lot further.

DR. BUCK: Speaking about arrogance, Mr. Speaker, when the Leader of the Opposition was making his presentation in the House, number one, the Premier didn't get here until quite a while after the hon. Leader of the Opposition had started. The other ministers of the Crown were going about their daily tasks, doing their little bit of homework on their desks. Mr. Speaker, they didn't even have the courtesy to listen to the speech of the Leader of the Opposition.

MR. DIACHUK: Point of order, Mr. Speaker. If I may . . .

DR. BUCK: What is the hon. member's point of order. If he'd like to sit down and make a speech, you'll have to . . .

MR. SPEAKER: Order please. Possibly the hon. Member for Edmonton Beverly would like to do his rebutting under other circumstances.

MR. DIACHUK: Mr. Speaker, on a point of order . . .

DR. BUCK: You may not, he said. I can see, Mr. Speaker, why he's not the Deputy Speaker any more. If the hon. Member for Beverly knew the rules of the House, he'd know I don't have to sit down on a point of order that's not a point of order. So, Mr. Speaker, if I may be permitted to carry on . . .

MR. DIACHUK: It's not a rebuttal, Mr. Speaker, just a point of order. For the benefit of the House, the hon. Member for Clover Bar should be informed that the Premier was receiving the delegation from Quebec in that particular incident.

DR. BUCK: Mr. Speaker, now I doubly see why the member's not the Deputy Speaker.

But, Mr. Speaker, there is an air in this Legislature that was not here two years previously. That is what happens when you get too large a majority on one side and practically nobody on the other side. [interjections]

That's right. I would like to say to the hon. members of the government that I did not think it was healthy when the former Premier of this province had a large majority.

AN HON. MEMBER: Did you say so?

DR. BUCK: And I think it's even less operable now. But at that time, Mr. Speaker, at least we had a benevolent dictatorship. Now all we have is a plain dictatorship, and there's a big difference. Because that dictatorship is insulating itself from the people. We may have these little staged tours across the province. These are beautiful. These are great, and they're a great political vehicle because the taxpayer pays for them. You know, how can you campaign right throughout the province and have the taxpayer pay for that campaign unless you're on a cabinet tour. How could anybody ever accuse the government of it being anything but a *bona fide* expenditure of the taxpayers' money. It would be good if something came back. I'm still waiting for some replies to questions that were asked in Fort Saskatchewan three or four years ago when we had the first of these great, beautiful, magnificent tours. We haven't had any answers yet.

AN HON. MEMBER: Talk to your MLA.

DR. BUCK: Mr. Speaker, do any of the hon. members of this Legislature know how they can pick up a telephone, look in the Edmonton telephone directory, and phone the Premier of this province? You could do it with Premier Manning, you could do it with Premier Strom. You can't even get the Premier through this office. I just challenge any of the hon. members to take 10 of their constituents and get those people to phone and try to get in touch with the Premier and see how many of them get through. So don't give me that stuff that the cabinet and the Premier are so accessible, because it's not a fact.

AN HON. MEMBER: Hear, hear.

DR. BUCK: You know, it almost verges on my having to stand in my place and say the Premier is mislead-

ing the people in this province when he says they originated the cabinet and the cabinet committee tours, because that is not a fact.

AN HON. MEMBER: I'm glad you said cabinet committee, Walter.

DR. BUCK: All members of the Legislature know there have been former cabinet committee tours throughout this province, also full cabinet tours.

AN HON. MEMBER: How many were you on?

DR. BUCK: But there was one significant difference, hon. Member for Medicine Hat-Redcliff, it wasn't a big, staged PR promotion. That is the big difference. Our ministers were out there to find out what the people were telling us. It wasn't to go out there and put on a big show.

Mr. Speaker, I would like to talk about hospitals for a minute or two. I was in Elk Point this past Sunday. A \$2.5 million hospital, and I stand to be corrected if there are any more than 18 adult active treatment beds in that hospital. There are other beds, Mr. Speaker, but I say only 18 adult active treatment beds for \$2.5 million. It's a beautiful structure, but never in my life have I seen so much waste space. I don't think we can do that. I don't think the taxpayers of this province want us to build architectural masterpieces. They want functional hospitals. They want hospitals that will look after sick people, not architectural masterpieces. Mr. Speaker, I really find it very difficult to justify in my own mind how we can place in the village of Islay an active treatment hospital — I'll qualify that — a hospital; I don't know if it's just active treatment and chronic. This may not make me very popular in Islay, but I just happen to come from within fifty miles of that area, and I believe I was giving that hamlet the benefit of the doubt when I said there were 94 people. To me, this has to look like a political decision. It doesn't look to me like it's a decision where studies indicated that a hospital should go into that area. It is a short distance from Vermilion, it is not that far from Lloydminster, and it is within 35 or 40 miles of Mannville where we have just opened a new facility. So, Mr. Speaker, I would hate to think that the decision to put a hospital in that area was a political decision. I would hate to think that, and I hope it is not.

When we speak of education, I was speaking at a home and school meeting in my constituency and there were many voters from the county of Leduc. Just doing a cross sectional poll of what the people at that gathering were thinking and saying, I would say to the hon. members of the government that at one time, out of that meeting of about 100 people, you had 60 votes. But I would like to warn you right now that out of that gathering of 100 people you'd be lucky to have 30 votes. That's how unhappy those people were about what is happening to education in this province. They feel that something has gone awry as far as the priorities of this government go. They're not asking that the moneys taken out of the heritage trust fund go just to education. But they are wondering what has happened to the priorities of this government, and that's why they find it very, very difficult to believe there isn't sufficient money to educate their children, to provide other than the three

R's — to provide bands, to provide some of these other things that go towards making an education.

They also can't understand why their buses are overloaded, overcrowded, and some of the children have to travel an hour or more to go to school. Even that, Mr. Speaker, doesn't bother them as much as the fact that they have been assessed \$10 per pupil so that their children can keep going to school. If that isn't double taxation, unequitable taxation, Mr. Speaker, I don't know what is. Many people in the western part of that county, constituents of the hon. Member for Drayton Valley, Mr. Zander, can't afford \$10 per head to send those children to school, because they've already paid their taxes. They're standing on principle. They say, if we send \$10 per pupil now, next year they may be asking for \$25, the year after that it may be \$50, it may be \$100. They say the principle is wrong.

Where are the priorities of this government. They say, are they building the hon. Mr. Yurko's bicycle paths throughout the river valley in Edmonton for a supposed \$35 million. It has never been laid on the table of this Legislature that it is going to be \$35 million.

MR. YURKO: The agreement is public.

DR. BUCK: The agreement is public. I hope the hon. Minister of Housing and Public Works and I are both around here when that park is completed, Mr. Speaker, so he can stand in his place and tell me how much money that lost the taxpayer of this province. I will say right now that it will be considerably more than \$35 million. But what government, other than this big, big government, has the nerve to come in and say, we're going to do the Capital Park project, and it's going to cost \$35 million. And don't question us how we arrived at that figure because we know. What a way to run a government.

The hon. members of the cabinet, many of whom have been successful businessmen — some not so successful — know they couldn't get away with that in private business. Why should they be allowed to do that in this Legislature? Let's see these studies that indicate that that park is going to cost \$35 million. I'm not against the park. But it's our responsibility to know how much it's going to cost, and we have never been shown that figure. I think that a dereliction of duty, Mr. Speaker.

Mr. Speaker, I have always tried to convince my former colleagues in government that the session should start earlier in the spring than it does. But every year we get that same old story. We can't get our legislation into place, and we can't get our budget ready by that time. I'm sure the backbenchers are getting that same old story from their cabinet ministers now. We can't get it into place, and it isn't possible. I say cut off one week of that trip to Hawaii and get the thing in here. Mr. Speaker, that is costing counties a lot of money in interest, because the grants are not getting out in time. [interjections]

I'm sorry, hon. Mr. Dowling. He says, please do not rustle the papers because it upsets his hearing aid. I will not pound my desk any more, hon. Mr. Dowling.

AN HON. MEMBER: It's better than your gnashing of teeth.

DR. BUCK: But this is an area of valid concern, Mr. Speaker. When the sum is very, very large, the interest rate goes anywhere from thirty thousand to hundreds of thousands. I think the people on these boards have a legitimate concern. I would like to say to the hon. Government House Leader that he use his influence to get the cabinet ministers to speed up their legislation, speed up their budgeting, and get started early in the spring.

That way the hon. Minister of Transportation can fly in and out of Barrhead that much more often because the days are longer in May, and he won't overshoot in his King Air or Queen Air as he comes flying in to see the faithful.

AN HON. MEMBER: And they're faithful too.

DR. BUCK: The people out in Barrhead say, you know, we've heard old Uncle Hughie — I mean the hon. Deputy Premier — say for many years that this is his last term. They say, we'll believe it when we see it. But they said, well, we've got roads coming from the east, and we've got roads coming from the south. We should really have one from the north and one from the west. By that time it will be time for Uncle Hughie, I mean the Deputy Premier, to go out to pasture. So they have a few things to wait for yet.

Mr. Speaker, in a more serious vein . . . [interjections] I know this government has to get pushed into things. There's one thing I'd like to have them get pushed into, and that is doing something to make sure the Alberta Game Farm stays in this province. This government plays the game very, very cagily. They will put up a big resistance, and when the pressure becomes unbearable they will do something and say, what great fellows we are, we are listening to the people.

I hope they can read. Because if they've been following the *Edmonton Journal* some two months previously, just about every night people were writing letters to the editor, beseeching this government to make sure the Alberta Game Farm stays right here. When we start speaking of heritage and heritage trust funds, can any of the hon. members think of a better heritage than keeping that game farm right here in Alberta? [interjection] Now, I know that the hon. government members say that's a lot of money. It may be overpriced. But did any of the backbenchers even know we were paying a premium for PWA? [interjections] They read in the paper that we'd bought it, the same as the rest of us. I'm sure there wasn't any whole caucus before that decision was made. I say, Mr. Speaker, that 25 per cent of \$32 million, approximately \$8 million which was paid as a premium for PWA, would have funded the game farm. But, Mr. Speaker, that game farm is something that touches the ordinary citizen. He can understand that. He can't understand that the Minister of Transportation would overspend \$100 million, or that in the first three years of this government's administration there was a deficit in special warrants of \$300 million, give or take a few million. Then the Premier invented oil, and he invented the Israeli-Arab fight to make the price of that oil go up so we got the books into balance.

But the people want the game farm and, hon. members of the government, you don't make too many mistakes politically. You know when to hand out the money. I think this would be a very justifiable time to take some action. [interjections] This would be a very justifiable time. Mr. Speaker, the people want it and I think it's the responsibility of this government to make sure it stays here.

Mr. Speaker, we get to Stalag 17, or the Fort Saskatchewan Correctional Institute. I'm sorry to see that the Solicitor General is not here. Mr. Speaker, it's really quite regrettable that the government was so concerned about prime agricultural land that it did not take some stand on the federal penitentiary going into the Oliver-Horse Hills area. But I can understand why they wouldn't take a strong stand. That would mean they wouldn't have to take the flak from the people from the area, and the institution would serve some of our overflow for some of the people who are in for more than two years plus a day.

The institution at Fort Saskatchewan is certainly outdated. I always give the hon. Solicitor General his due. He tries to do a good job. But his only mistake is that he's not letting the people out there run the institution. He's got some of his little, fair-haired PR boys up here spread out under the dome. Thousands of civil servants are looking after the correctional institutes. They in their wisdom are trying to run Fort Saskatchewan from under the dome, and that can't be done. If you do not have sufficient confidence in the man you hire to do the job, get rid of him and get somebody you think can do the job. Don't let your little, fair-haired PR boys up here try to run that place, because it just doesn't work. I wish the new warden well. The people in our community are starting to say, we've had just about enough. We have taken for granted that the institution is there, and we've never really had that much of a problem. But it has become a problem in the last while. So I would say to the Solicitor General, if you think you've got the man there to do the job, let him do the job.

Mr. Speaker, I would like to make a few comments on some of the feedback I get on the anti-inflationary measures. As the hon. Member for Spirit River-Fairview mentioned, the workingman feels frustrated. Mr. Speaker, I can't understand why this government takes such an anti-labor stand. You know, labor has been good to this province; it has built this province. I say the government does take an anti-labor stand. The man who has had his wages frozen cannot understand why utilities, gasoline, natural gas, housing, and all these things have gone up. He can't understand that some government spending has gone up 22 and 25 per cent. He can't understand why the bureaucracy is growing and growing and growing.

His major complaint is, I have had my wages frozen. How about everybody else? I think that's a legitimate concern, Mr. Speaker. When we talk about this open government, why do we not ask people to come in here — management, labor, interested groups — sit in on this Legislature in committee and tell us what they think should be done when we are in a position where we may take these controls off.

To this day the government has not indicated what it is going to do, and surely the people out there are entitled to know. If nobody else knows the answer, I'm sure the hon. Member for Calgary Buffalo does.

He knows the answer to just about anything and everything, and I would like to hear how he would suggest we look at this when the wage controls come off in March. I'm sure the hon. member would have a lot to contribute. Other members would have things to contribute. But most important, we get tunnel vision. We start believing all the stuff we tell each other in the confines of this chamber. [interjections]

Mr. Speaker, I don't believe too much of the stuff I hear from some of the cabinet ministers. But what we want to know and what we should welcome is people coming into this Chamber — leaders in business, leaders in unions, and the ordinary man in the street to tell us what they feel should be done. I think it behooves this government that we know their position before we come into the Legislature in the spring, because by that time there isn't going to be adequate time to look at all the ramifications. The government should have had a definite position by now, so there would be adequate debate between now and the spring session.

Mr. Speaker, there are only one or two other areas I would like to mention. The first one is foreign ownership of land. Mr. Speaker, I find very disturbing the government's and the Premier's position that there is not a problem. I think there's a problem. People phone me and tell me they think there's a problem. Surely the hon. government members must be getting that kind of feedback. Do they not have the intestinal fortitude to tell the Premier? If you don't want to do it on the floor of the House, at least tell him in caucus so he will listen to what's going on at the grass roots. People are not happy, and they want to know what the government is going to do.

One of the hon. members was speaking about some of the development companies when we're looking at housing for young people. When I listened to the Premier's speech last Wednesday, Mr. Speaker, to me it sounded exactly the way a lawyer and an MBA would say it, the way they would tell it at a board meeting. We have spent X number of dollars, we have done this, we have done that. You've got to be happy. You can't be anything but happy.

MR. R. SPEAKER: Who got the benefits?

DR. BUCK: But who got the benefits? Can anybody in this Legislature tell me how lots in Fort Saskatchewan — in the small, still a town, of Fort Saskatchewan — can be \$15,000 to \$17,000 one day. Genstar buys out Abbey Glen and they go to \$30,000 the next day. Can anybody justify that? Does the Minister of Housing and Public Works monitor that? Is he aware of that?

I have to give the minister some due. He had the guts to tell some of these people that their profits were just out of line. And hair on the minister. That took some intestinal fortitude. It didn't win him too many favors with some of the land developers.

Every company is entitled to a fair and just profit. But when it goes from \$15,000 or \$17,000 to \$30,000 overnight, how can anybody justify that? How can any company ever come back and say to this government, you've put in a speculative land tax. What are you doing? We can go back and the government can go back and say, gentlemen, how do you justify this, and this, and this? Because in my

own mind — sorry hon. Mr. Dowling — there is just no way I can justify to the young people who are coming into my town how they have to pay \$30,000 for a lot in Fort Saskatchewan. That is a lot. [interjections] And, hon. member Mr. Zander, I do not own it. But with those kinds of profits, it would sure be a lot better business than politics.

Mr. Speaker, I would like to conclude — because you sent me the three-minute warning, but you didn't send me the one-minute one — that I think the worst thing that happened in 1975 was that there are 69 on the government side and 6 on the opposition side. Some of the best legislation in any of the provincial houses or the federal house is brought in when both sides of the house are equally represented. Mr. Speaker, the challenge I issue to the government House members, is be humble and really listen to what the people are saying out there.

Thank you, Mr. Speaker.

DR. WEBBER: Mr. Speaker, I beg leave to adjourn debate.

MR. SPEAKER: May the hon. member adjourn the debate?

HON. MEMBERS: Agreed.

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

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

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until tomorrow afternoon at half past 2.

[The House rose at 9:50 p.m.]