

LEGISLATIVE ASSEMBLY OF ALBERTA**Title: Monday, October 25, 1976 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF BILLS**Bill 79
The Mental Health
Amendment Act, 1976**

DR. BACKUS: Mr. Speaker, I beg leave to introduce a bill, being The Mental Health Amendment Act, 1976. The purpose of this bill is to bring into legislation certain things that already have been policy; that is, to treat records of the mentally ill who receive care in treatment centres other than hospitals and government institutions with the same degree of confidentiality as occurs with records of patients in hospitals under The Alberta Hospitals Act.

[Leave granted; Bill 79 introduced and read a first time]

MR. HYNDMAN: Mr. Speaker, I move that Bill 79, The Mental Health Amendment Act, 1976, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: TABLING RETURNS AND REPORTS

MR. LOUGHEED: Mr. Speaker, I'd like to table the report of Alberta Treasury, fiscal planning, August 24, 1976, entitled Perspective on the Public Sector in Alberta, relative to those portions that relate to remarks I made in the Legislative Assembly on October 13.

DR. HORNER: Mr. Speaker, I'd like to file with the Legislature a number of documents, primarily the result of submissions the government has made to a variety of commissions that have been travelling western Canada. I think it's important that they be available in the Legislature Library so we can develop an expertise amongst a great variety of Albertans, because we're going to need all the experts we can get in the future.

There are the two submissions we made to the Jones Commission, which was on rail passenger services; five different ones to the Hall commission;

two different sets that were joint submissions of Alberta, Saskatchewan, and Manitoba to the Snively commission. In addition, I would like to file the Alberta Airship Study Report which was done for the former Minister of Mines and Minerals, relative to the use of airships and how they might take place in Alberta transportation.

MISS HUNLEY: Mr. Speaker, I wish to table a reply to Motion for a Return No. 209 required by the Legislature.

MR. RUSSELL: Mr. Speaker, I wish to table the last annual report of the Department of the Environment.

MR. ADAIR: Mr. Speaker, I beg leave to table the response to Motion for a Return No. 153.

head: INTRODUCTION OF SPECIAL GUESTS

MR. SCHMID: Mr. Speaker, I would like to introduce to you, and through you to the members of this Assembly, 45 interested and bright young students from the Edith Rogers Junior High School. They are in the members gallery and are accompanied by their teacher Bill Gordon. I'm quite sure everyone is interested that he is presently instructing his class on the parliamentary systems of Canada, and for that I would like to congratulate him. In fact, he calls his class the criminal law class of the school, because they are presently also discussing this aspect of how these kinds of laws are made and passed. I would like them to rise and be recognized by this Assembly.

MR. TRYNCHY: Mr. Speaker, it is my pleasure today to introduce to you and to the members of the House some 19 junior and senior high school students from Sangudo in my constituency. They are here with their teacher Mr. Jendyk. They are sitting in the public gallery, and I would ask them to rise and be recognized by the House.

head: MINISTERIAL STATEMENTS**Department of
Advanced Education and Manpower**

DR. HOHOL: Mr. Speaker, I should like to announce the provincial government's decision to fund, in part, the Arctic Institute of North America, and to increase funding of the Boreal Institute for Northern Studies.

Annual grants of \$160,000 will be made to each of the two institutes for a three-year period. In addition, the Arctic Institute will be paid relocation costs to a maximum of \$120,000. Further, Mr. Speaker, a council will be created and charged with responsibility to submit annual reports to the minister on the use of provincial government funds. At the end of the three-year period the situation will be reviewed by government, at which time a determination on future funding will be made. The council will have representation from the two institutes, the universities of

Alberta and Calgary, as well as public representation.

I feel confident that both Arctic and Boreal Institutes will continue to be excellent centres of research and learning. With additional support from the provincial government, the Boreal Institute should increase its significant work on northern studies.

I'm sure the Arctic Institute will not only maintain but better its research ability and define its priorities in view of the provincial support.

head: ORAL QUESTION PERIOD

Grants — Auditor's Recommendations

MR. CLARK: Mr. Speaker, I'd like to direct my first question to the Premier. The questions flow from the Special Investigation: Grant Payments By Government Departments, done by the Provincial Auditor at the request of the Premier. My questions come from the recommendations portion of the Auditor's report.

The first question to the Premier is: has a third-party group been set up, either a grants committee or by Treasury Board, to review the grant proposals that are made by the variety of government departments, which was recommended in the Auditor's report to the government?

MR. LOUGHEED: Mr. Speaker, I would have to refer that question to the hon. Provincial Treasurer.

MR. LEITCH: Mr. Speaker, I'm not sure of all the areas of that report that we've been working on. Perhaps I could check on it and respond to the Leader of the Opposition tomorrow.

MR. CLARK: Mr. Speaker, a supplementary question so the Treasurer has a chance to do perhaps more checking. Might I also ask the Treasurer if his department has taken the direction recommended by the Auditor that predetermined grants should be included in the Estimates themselves and in fact would appear in the breakdown of estimate expenditures MLAs would get. Will this be a part of the budgeting procedure that we'll be able to see when we get the budget next spring?

MR. LEITCH: Mr. Speaker, I'll respond on that matter at the same time.

MR. CLARK: A third supplementary question to the Provincial Treasurer. In light of the Auditor's recommendations for visibility given to grants to be paid, and his recommendation that they would appear in the details of expenditure or by publishing such lists in *The Alberta Gazette* prior to the submission of documents for payment, has the government made a policy decision on this matter?

MR. LEITCH: Mr. Speaker, a number of those areas are under discussion and will be dealt with at the time we're dealing with legislation implementing the office of Auditor General and the office of Controller within the Treasury. It may be a bit premature to discuss those. But I will do some checking in

response to the Leader of the Opposition's questions and give him such definitive answers as we can tomorrow.

MR. CLARK: Mr. Speaker, a further supplementary question to the Provincial Treasurer. Can the Provincial Treasurer indicate what administrative steps have been taken by this government in light of the 14 recommendations the Auditor made for cleaning up the situation that he revealed to Albertans in December of 1975, when he released the report to the public? What concrete steps has this government taken to sharpen up the administrative procedure that obviously had broken down?

MR. LEITCH: Well, Mr. Speaker, that's an area that I'll cover at the same time.

MR. CLARK: Can't you cover any of them?

MR. LEITCH: There were a number of them, Mr. Speaker, but I don't know that it helps to answer these questions partially. I think when I give an answer to that kind of question, I would want to be sure I'm giving an entire answer.

Pacific Western Airlines

MR. YOUNG: Mr. Speaker, my question is to the hon. Deputy Premier. I would like the Minister of Transportation to indicate when the government expects a decision of the Supreme Court of Canada in its matter of Pacific Western Airlines.

DR. HORNER: Mr. Speaker, I naturally can't give a definitive answer to that question. The court has reserved its ruling relative to the legal matter. We're hopeful that that ruling will come as quickly as possible so the matters can be resolved.

MR. YOUNG: As a supplementary, Mr. Speaker, perhaps the minister would be able to indicate what, if any, alternatives are open to the government in the event of a negative decision.

DR. HORNER: Essentially, Mr. Speaker, a negative decision would mean that a public hearing would have to be held. I would say immediately we would welcome such a public hearing, because we think we would be able to show, not only to the people of Alberta and Canada but to the people of British Columbia, that the strength this government can put behind Pacific Western Airlines would make it a very adequate and proper owner.

DR. WALKER: A supplementary to the Minister of Transportation. Does the government have any plans for providing financial support and backing with regard to the long-term operation of Pacific Western Airlines?

DR. HORNER: Mr. Speaker, we're now in the process of developing through the board of directors of Pacific Western Airlines just such a long-term financial organizational plan that would, we think, be effective

in maintaining Pacific Western as a very strong economic unit in our transportation system.

Municipal Government

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Municipal Affairs. Has any decision been made on bringing in legislation to permit villages to elect more than three councillors?

MR. JOHNSTON: Mr. Speaker, the municipal government act will be introduced within the next couple of weeks, and there will be a recommendation therein.

Physical Fitness

MR. WOLSTENHOLME: Mr. Speaker, my question is to the Minister of Recreation, Parks and Wildlife regarding the physical fitness tests conducted in this building last Thursday and Friday. I wonder if he has any report or recommendation for the better health of his colleagues.

MR. ADAIR: Mr. Speaker, the one recommendation I might make is the fact that generally each individual is now aware of what his or her physical condition may well be. From this point on, please direct yourselves to the self-motivation necessary to improve that, as I think most of us are in the category of the 60 per cent at the minimum standard. I happen to be one of those, and some have a much better condition. But I think the whole idea behind that particular test was to indicate to you that there is a need for some physical fitness, some fitness programming, and some individual consideration of what you can do to better your own physical condition.

Aerosol Sprays

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Consumer and Corporate Affairs. Has the minister been contacted by the federal government in regard to the control of fluorocarbons and aerosol sprays?

MR. HARLE: Mr. Speaker, I believe a letter was received and passed on to the departments involved within this government.

MR. MANDEVILLE: A supplementary, Mr. Speaker. I understand the federal government will be contacting all the provincial governments. Does the provincial government have any position on this particular matter?

MR. HARLE: I believe I am correct in saying that a letter of response did in fact go to the federal minister.

MR. CLARK: What did it say?

MR. HARLE: Well, Mr. Speaker, if the hon. Leader of the Opposition would like a copy of that correspondence, I am sure it could be obtained.

Education Funding

DR. BUCK: Mr. Speaker, I'd like to ask a question of the hon. Minister of Education. It comes out of a portion of the minister's speech given in Jasper Friday last. I would like to know, Mr. Speaker, from the hon. minister if in fact it did say there would not be any change in educational funding until possibly 1978.

MR. KOZIAK: Mr. Speaker, I was there giving the speech, and I recall the hon. member being present listening to it. I don't recall any remarks dealing with funding being made at that time.

AN HON. MEMBER: In the beverage room.

Suicide Report

MR. MUSGREAVE: Mr. Speaker, I would like to direct my question to the Minister of Social Services and Community Health. I understand a report on suicides in Alberta and several recommendations have been filed with the hon. minister. I'd like to know if the minister could advise if she intends to respond to the report and make some recommendations in the near future based on it.

MISS HUNLEY: Mr. Speaker, the report has indeed been made public and is in the hands of my department. The first action we took was to ask the same consultant, Dr. Boldt, to do some additional assessment which needed to be done. As far as I know, that has not been received.

The recommendations in the report are very far-reaching, and I doubt very much that we have the manpower or the plan we could put immediately in place if we were to follow explicitly all the recommendations. So I can only advise the hon. member at this time that they are being considered. As and when they are feasible, they will without a doubt be put into place.

Grants — Auditor's Recommendations (continued)

MR. CLARK: Mr. Speaker, I will pose a question to the Provincial Treasurer again and ask him very specifically: has every grant program been placed under the control of an appropriate deputy minister?

MR. LEITCH: Mr. Speaker, I'm not sure I can answer either yes or no without checking.

Neegan Society

DR. BUCK: Mr. Speaker, I'd like to address my question to the hon. Minister of Advanced Education and Manpower. I would like to ask the hon. minister if

there is any opportunity for the Neegan Society, which the minister removed funding from, to receive additional grants to cover some of the costs that have been incurred in the Spirit River area — quite large outstanding bills in many instances. Could the minister make a statement on this?

DR. HOHOL: Yes, Mr. Speaker. In the circumstances in which the society is at the present time, there is no opportunity for additional funding for it or for setting aside some of the costs they have. One of the creditors is in fact the provincial government, so we couldn't be in that circumstance with them.

DR. BUCK: Supplementary, Mr. Speaker, to the minister. Is the minister saying that the individual storekeepers and businessmen who had advanced supplies and materials to the society will not be reimbursed whatsoever?

DR. HOHOL: Mr. Speaker, I have to explain the situation in these terms. The Neegan Society was funded in part by the provincial government. Thereafter it got into buying, selling, servicing, and other kinds of relationships with entrepreneurs in the community. That entirely excludes the government from any relationship that the Neegan Society had with any entrepreneur in the community.

Speech Therapy

MR. CLARK: Mr. Speaker, I'd like to direct a question to the Minister of Hospitals and Medical Care and ask if he has had an opportunity to check with Glenrose Hospital officials concerning the speech therapy problems in the Minburn-Vermilion Health Unit.

MR. MINIELY: Mr. Speaker, I can report that the day the hon. Leader of the Opposition raised it, the Member for Vermilion-Viking had been in my office, but unfortunately I was tied up in a meeting with respect to the specific the hon. leader raised last week. I can report, then perhaps my colleague the Minister of Social Services and Community Health might like to add to my comments.

A joint committee of Hospitals and Medical Care, and Social Services and Community Health is examining the entire area of speech therapy services in the province, so the particular action of the Glenrose Hospital the hon. leader referred to is accurate. But it has to be put in the context of the fact that the numbers of speech therapists and the provision of speech therapy services on a province-wide basis are currently under study by a joint committee.

Perhaps my colleague the Minister of Social Services and Community Health might like to add to my response.

MISS HUNLEY: I have nothing further to add, Mr. Speaker, other than to say it is under review, and at the request of the hon. Member for Vermilion-Viking I have asked for a specific answer as to what we might do there.

MR. CLARK: Mr. Speaker, a supplementary question to the Minister of Hospitals and Medical Care. Is the minister in a position to confirm that in fact the

Minburn-Vermilion Health Unit has something like 61 people who, according to their statistics, need the services of a speech therapist, and that these services were available until the Glenrose Hospital had to cut back its program because of budget restraints?

MR. MINIELY: Mr. Speaker, perhaps I wasn't very specific. That's a specific matter which the Member for Vermilion-Viking, my colleague the Minister of Social Services and Community Health, and I are still examining. But we will also examine the same in relation to the fact that a province-wide study is being done on speech therapy services.

MR. CLARK: Perhaps I could rephrase the question so the minister could understand it or would be able to respond more directly. The question would simply be this: has the minister checked with the Minburn-Vermilion Health Unit, and can he confirm that 61 people, mainly young, are awaiting the services of speech therapists in that area, and that those therapists' services had been available from the Glenrose Hospital before the minister's restraints cut the program back?

MR. MINIELY: Mr. Speaker, I don't how much more specific I can be. Surely the hon. leader understood that the import of my remarks was that the matter is currently under examination.

Cow-Calf Program

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Agriculture. What has been the response to the provincial cow-calf program announced recently?

MR. MOORE: Mr. Speaker, the genuine response throughout the province has been very good to the general principles behind the cow-calf stabilization program. Quite naturally, I suppose, I have had some concerns expressed with the maximum [number] of cows which will be eligible under the program, as well as the income tax level. I would have to say, though, that generally those concerns have been very few and it's been well accepted, not only in central and northern Alberta but in southern Alberta as well.

MR. TAYLOR: A supplementary to the hon. minister. Has any analysis been kept of the applications in regard to whether they're coming from relatively new people in the field or from long-time ranchers?

MR. MOORE: Mr. Speaker, the application forms were only in district agriculturists' offices last Tuesday. Rather than do a survey based on the first three or four days of the applications, I have asked the staff to consider after a two-week period of time — which would be a week from tomorrow — the volume of applications coming in and such questions as the hon. member poses. I may at that time be in a better position, although of course not on an individual basis but as a result of the total, to indicate the degree of applications and where they're coming from.

Kidney Transplant Study

MR. KUSHNER: Mr. Speaker, I wish to direct my question to the hon. Minister of Hospitals and Medical Care. Is the minister in a position at this time to inform this Assembly [of] the study that has been made under the chairmanship of Judge Hughes in regard to the operation of the kidney transplant in the Foothills Hospital? This advice was to be supplied to the board.

MR. MINIELY: Mr. Speaker, as the hon. member indicated, I believe that study was done for the board of the Foothills Hospital. I would have to check with the board as to the nature and content of the study. I'm not sure it is my prerogative as the minister to require the study from the Foothills Hospital board, being that I believe the study the hon. member refers to is one that was done for the board.

Immigrant Assistance

DR. PAPROSKI: Mr. Speaker, a question to the Minister of Advanced Education and Manpower. I wonder if the minister would indicate to the House whether he has information to indicate if his department will be funding a multicultural immigrant centre for counselling and direction of new arrivals, that is new immigrants, regarding jobs, teaching, teaching of the English language, and so forth.

DR. HOHOL: A great deal of these activities are ongoing and are part of what we hope to do in the area of settlement responsibilities that provinces are claiming as appropriate responsibilities for them in contrast with the federal government.

It would not be my personal view at this time that one centre would be a better approach than some of the existing councils, societies, associations of various kinds that might do this kind of work with our assistance, and in many cases without our help.

DR. PAPROSKI: A supplementary, Mr. Speaker. Would the minister indicate to the House whether he has information to indicate if cultural groups or a group has approached the minister to request that such a centre be developed and funded?

DR. HOHOL: Yes, Mr. Speaker, I have been in discussion with several groups in the last year and a half on the problems of immigration, with particular reference to settlement. While this has not been a strong and a specific recommendation, it has been viewed as one of several alternatives. I've indicated, as I did in the previous question, that it was my view that the long-term success of this kind of difficult and complex problem is better achieved through a multi-approach rather than through that of a particular centre designed to do this kind of work.

DR. PAPROSKI: A final supplementary, Mr. Speaker. Will the minister indicate to the House whether he or his department is still actively reviewing the matter with the hope of arriving at a definitive conclusion in this area?

DR. HOHOL: In saying that we're keeping an open mind on all the alternatives, I would not want to raise the expectation that I feel this would be the best way to go in this kind of work. I prefer the one I outlined in the initial basic question.

Petroleum Marketing Amendment Act

MR. CLARK: Mr. Speaker, I'd like to direct a question to the Government House Leader and ask if he could give us some indication of the manner in which the government plans to deal with Bill 82, The Petroleum Marketing Amendment Act. Is it expected the bill would go through this session or stay?

MR. HYNDMAN: Mr. Speaker, the intention at the moment is that the bill would stay where it is on the Order Paper, that is at the first reading stage, would die at the end of this sitting and be reintroduced in the spring.

Deaths Near Onoway

MR. PURDY: Mr. Speaker, I'd like to address a question to the Minister of Labour. It's in regard to the tragedy that happened in my constituency on the weekend. I'm led to believe that the deaths of four people in the Onoway area were caused by a converted stoker coal furnace. Has the Minister of Labour any information if this is the fact or not?

MR. CRAWFORD: Mr. Speaker, it's certainly clear that the tragic circumstances of the deaths of four people near Onoway over the weekend, as the result of asphyxiation by the escape of gas in the farm home, is a matter that should draw to the attention of anyone who learns of those tragic circumstances the importance of following safety standards, and of obtaining and following the advice of qualified people in respect to the operation of appliances and utilities in the home.

The heating unit being operated in the house at the time was one for which no permit existed. A preliminary investigation — it can only be preliminary at this stage — indicates that although a permit was given for a new unit, the new unit had never been installed and the old one was wrongly in use. So, Mr. Speaker, I want to stress that that's the result of a preliminary inquiry into those tragic circumstances, but certainly outlines the need to follow safe practices.

MR. PURDY: Supplementary question, Mr. Speaker, to the Attorney General. Has the Attorney General's Department decided if they're going to hold an inquest in regard to these fatalities?

MR. FOSTER: Mr. Speaker, that matter would probably not have come to the attention of the Chief Medical Examiner and his staff in terms of a review of the matter for making a decision as to whether or not a public inquiry should be held. I think all members

realize, particularly with the fatality inquiries act before the House, that the office of Chief Medical Examiner in this situation is charged with the responsibility of determining where, how, why, and under what circumstances an individual or individuals came to their deaths.

It is a matter of concern to me, Mr. Speaker, that persons come to their deaths as the result of this kind of accident. I have no doubt that the Chief Medical Examiner would take the view that circumstances such as this should be examined by an inquiry to determine whether or not practices of these individuals may have prevented the deaths, or unsafe conditions or the like should be reviewed.

Beef Prices

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Consumer and Corporate Affairs. Has the department completed a study indicating why there is such a wide margin of difference for, one, a pound of beef as paid to the producer and, two, as paid for by the consumer?

MR. HARLE: Mr. Speaker, I know of no such study.

Stray Animals Act

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Agriculture. Could the minister indicate to the Assembly when The Stray Animals Act is going to be proclaimed?

MR. MOORE: Mr. Speaker, I'm sorry I can't give a definite date, except to say that officials of the department have been working with municipal governments during the course of the last several months to determine what types of regulations and so on are required to make the act function appropriately. It would be my hope that it could be proclaimed before the end of the year, but that would be subject to further checking on the progress they're making.

MR. MANDEVILLE: One supplementary question, Mr. Speaker. Could the minister indicate if anyone from the cattle industry has been in contact with his department in regard to some amendments to The Stray Animals Act, or are any amendments anticipated for this session?

MR. MOORE: Mr. Speaker, the association of rural municipal districts was in contact with my office regarding certain aspects of the act. However, after having explained to them the reasons the act was passed in the form it was in terms of certain sections they readily agreed, I believe it's fair to say, that the act should come into force and we should see how it operates in its present form for a year or two. It's quite likely that after some experience with the act amendments would be brought forward, but I don't anticipate any amendments prior to its proclamation.

ORDERS OF THE DAY

head: GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 73 The Environment Statutes Amendment Act, 1976

MR. BRADLEY: Mr. Speaker, in today's ever more complex society, we are becoming increasingly aware of the balance that must be struck between the extraction and processing of our natural resources and the preservation of the environment in which we live. It is important that we recognize our society requires resource extraction and processing to meet our energy requirements and other basic needs. In doing so, we must ensure that our surrounding environment — our water, air, and soil, our flora and fauna — is not adversely affected.

The role of government, in expressing the desires of the people who elect it, is to set standards in order to maintain a clean environment not only for the present generation but for those generations that follow us. Through The Clean Air Act and The Clean Water Act, our government has set high standards for the permitted level of pollutants allowed in air emissions and in water discharges in this province. I am proud of those standards, and I believe the citizens of this province are proud of them also.

I recognize it is often not easy for industry to conform immediately to standards set by government, other than perhaps to shut down their operations and put people out of work. That is not an acceptable approach to me, unless lives are in imminent danger. Government and industry must act in a spirit of co-operation in order to achieve environmental goals, particularly as they pertain to existing operations. For we must realize that it takes time to develop, design, and test emission control processes and finally to construct and integrate them with an existing industrial operation.

The amendments proposed under The Environment Statutes Amendment Act are threefold. Amendments to both The Clean Air Act and The Clean Water Act will clarify that the director of standards and approvals may attach the same requirements to a permit or licence as the minister may set out in regulations. The terms, conditions, or requirements of a permit or licence would not be less stringent than the requirements of the regulations.

Also, amendments will clarify the authority of the director of pollution control to enforce prescribed limits of discharges and emissions under both The Clean Air Act and The Clean Water Act. There will be a provision for a company to apply for a certificate of variance under both The Clean Air Act and The Clean Water Act. This amendment will recognize that on occasion prescribed limits may be exceeded unintentionally due to unusual conditions beyond the control of an operator of a plant, that measures to correct the upset may require a reasonable length of time, and that reasonable variation of the prescribed limits may be required before remedial measures can be

effected.

Also, a minor amendment to The Department of the Environment Act will permit the Minister of the Environment to dispose of an interest or piece of land for a given period of time.

Mr. Speaker, I move second reading of Bill No. 73, The Environment Statutes Amendment Act, 1976.

MR. CLARK: In speaking on second reading of Bill 73, I simply want to say that in principle we're prepared to support the bill. I would hope that the hon. member, or perhaps the minister, when we become involved in committee would be able to give us some indication as to how many times this last year, or perhaps the year previous, the department would have used this new section, which allows the department to have the flexibility of not shutting plants down, had they had this kind of section in the bill. It seems to me rather logical that that kind of information would be available for members of the House in giving consideration to whether this move is in the right direction.

Frankly, I believe it to be. It would seem to me also, Mr. Speaker, that there would be a real advantage if the minister would perhaps either agree to, or we could ask each year that a return be given to the Assembly showing the number of times in the future that this section is used, on the assumption the bill goes through.

[Motion carried; Bill 73 read a second time]

Bill 76
The Municipal
Taxation Amendment Act, 1976

MR. JOHNSTON: Mr. Speaker, I move second reading of Bill 76, The Municipal Taxation Amendment Act.

As I stated when I introduced this bill, Mr. Speaker, the intention of this legislation is to improve an existing irregularity which does not allow too much discretion on behalf of the assessment of single-family homes which are found in an urban area within a commercial zoning area. It is intended here that the discretion will lie with the assessor, and in those cases where undue hardship would fall on the owner, that indeed some possibility for relief exists.

Beyond that, Mr. Speaker, there is the opportunity in this legislation to improve some of the technical operations of the municipalities.

[Motion carried; Bill 76 read a second time]

Bill 77
The Consumer and Corporate
Affairs Statutes Amendment Act, 1976

MR. HARLE: Mr. Speaker, I move second reading of Bill No. 77, The Consumer and Corporate Affairs Statutes Amendment Act, 1976. Mr. Speaker, this bill refers to several pieces of legislation within the portfolio responsibilities of the Minister of Consumer and Corporate Affairs, particularly The Bread Act, The Companies Act, The Co-operative Associations Act, and The Credit Union Act.

With regard to The Bread Act, a certain piece of federal legislation, namely the Proprietary or Patent Medicine Act, was repealed. Therefore the section to which this matter refers in The Bread Act is being removed from the existing legislation in this province.

There are several sections in the act which are now virtually superseded by federal legislation relating to weight — that is, the Consumer Packaging and Labelling Act — which necessitates us removing certain sections because of inconsistency with the federal legislation. We are nevertheless maintaining a requirement that the weight of bread sold in a bake shop or other premises be posted for the information of consumers.

With regard to The Companies Act amendments, members will recall that there were additions to The Companies Act which related to professional corporations. Because a professional corporation can consist of one person, it was felt necessary to put in the legislation an amendment which would permit action to be taken by a corporation made up of one individual. Members will realize that in most corporations it's two or more people, and they can hold a meeting; it's rather difficult to indicate whether an individual can hold a meeting with himself. So to get around this problem as it relates to numerous sections of The Companies Act, it was felt necessary to make a clarification of this point.

The creation of legislation which relates to professional corporations requires that approval be obtained from the professional bodies affected. The feeling is that if the professional body for some reason or other discontinues the right of an individual member to act in his professional capacity, it will necessitate the registrar of companies being able to take away the right to use the "professional corporation" terminology in the name of the company. An amendment is placed in the act by this bill whereby the registrar can in effect remove the words "professional corporation" from an existing company.

The volume of work being handled by the companies branch is increasing, and the reports that come to me from the department seem to indicate an ever-increasing volume. For that reason it has been felt necessary to create in the legislation a deputy registrar of companies, which will then commit the deputy to do a lot of the formal work required, hand signing of documents, and thereby relieve the registrar so he can handle things of more consequence.

There is also in the bill an amendment because of some legal concern about the liability of the registrar issuing certificates of good standing. These are required many times throughout the year for specific purposes. It has been felt necessary to make a clarification of the use of certificates of good standing and the liability of the registrar when he issues them.

Certain amendments have been placed in the bill which relate to fees, the updating of fees, and the structure of those fees when registering companies.

With regard to the amendments to The Co-operative Associations Act, the present director can delegate under The Co-operative Associations Act. The amendment will continue to allow such delegation of authority, and permit delegation of that authority when he acts in relation to The Rural Electrification Revolving Fund Act, The Rural Electrification Long Term Financing Act, and The Co-operative Marketing Associations Guarantee Act,

again because of the volume of work and the necessity to permit a streamlining of the exercise of authority by the director.

With regard to the amendments to The Credit Union Act, the Credit Union Federation of Alberta is very anxious to qualify at the earliest possible date for membership in the Canadian Co-operative Credit Society. Membership in the Canadian Co-operative Credit Society is important to add stability to the credit union system in this province, to enhance the liquidity base within the system, and to permit the federation to associate with the Canada Deposit Insurance Corporation for its lenders of last resort service.

Also the credit unions have an investment in federation shares. The Credit Union Act simply implies authority for credit unions to invest in shares of the federation. But the federation, on the recommendation of its solicitor, has made a request to the department that it would have a better chance of becoming a member of the Canadian Co-operative Credit Society if the Credit Union Act were amended to provide specific authority for credit unions to invest in shares of the federation.

There is a removal of the requirement of fees. For many years there has been a 25-cent fee when admitting a new member. As the credit unions no longer charge such entrance fees, it has been felt that this is really superfluous and should be rescinded.

I think the big question for credit unions at the present time is the impact upon liquidity in the area of large business loans made by credit unions. With the establishment of the stabilization fund, there is now a request from the credit unions to beef up the supervision, particularly of large business loans. Therefore we have introduced in the bill a new section which will give the board of directors of the stabilization corporation the authority to set up special credit committees to assess and approve certain types of loans.

The committee itself will consist of a lawyer, a chartered accountant, a credit union manager, and a staff resource person from the Credit Union Federation of Alberta. The board of directors will be given the right to pass by-laws governing the amounts and types of loans which must be referred to the special credit committee. Basically the by-laws will consist of a requirement of increasing size of assets in dollars, and provide that loans exceeding certain sums should be referred by an individual credit union to the special loans committee. They will increase something in the neighborhood of — where the loan is \$10,000 in a million dollar credit union, it will go to the special loans committee, and so on, with a rising scale up to a credit union with \$20 million in assets submitting loans which exceed \$200,000 to the special loans committee. There is provision for exception in cases where loans are secured by real estate where there is an appraisal and the loan does not exceed 75 per cent of the appraised value.

Mr. Speaker, I urge everyone to support this bill.

MR. TAYLOR: Mr. Speaker, I'd like to make one or two comments on Bill 77. First of all, in regard to The Bread Act I get the impression from reading the bill that from now on there will be no weight requirement for a loaf of bread, that that will be left entirely up to

the baker and, whatever the weight is, he puts it on the wrapper or posts it in his bake shop. I'd like the hon. minister to comment on two points. Number one, is there going to be a legal minimum weight for a loaf of bread? Secondly, will it have to be on the wrapper, as well as posted in the bake shop?

The second point I'd like to make, in connection with The Companies Act, is one of commendation. The Companies Act, in my view, has been swamped with work for the last two or three years, possibly more than they've ever had before. I would like to commend them on the very excellent service that has been given in spite of this. I'm certainly very pleased to hear that a deputy registrar or deputy director is now being appointed. This should help to continue the very fine service we get from the companies branch.

My third question is in connection with The Credit Union Act, particularly the special loans committee. I have no objection to the special loans committee, but I'm wondering why this is now coming to the fore. I thought they had special loans committees a number of years ago and that they were using these. Is this a requirement because they're going into the Canadian Federation of Credit Unions, or is it something that has developed, I hope not out of a bad experience but out of the mass of work that's coming to the credit unions?

I would like to pay a tribute to the credit union movement. I think the credit union movement is not only giving people experience in handling their own banking facilities but is also making a real contribution to the people of the province. I'm glad to see they're thinking about linking up with the Canadian Federation of Credit Unions. It seems to me that will only strengthen the credit union movement in this province. It has been strong for many years and is getting stronger. I think we should do everything we can to try to make sure that is so.

One third question in connection with credit unions: what reinsurance is done by credit unions? Is this required by law? Do the various credit unions do their own reinsurance, or is it done by the head office?

MR. SPEAKER: Does the Assembly agree that the hon. minister may conclude the debate?

HON. MEMBERS: Agreed.

MR. SPEAKER: If I just may advert to the rule of relevance, on the second readings of these bills there seems to be a tendency to review the subject generally. Once that happens it is impossible to confine the remainder of the debate to the subject matter of the bill. If, for example, on the credit union bill we start to discuss credit unions generally, once a speech of that kind has been made, it has to be open to other members to either agree or disagree with those comments if they wish to. I would suggest that perhaps other occasions should be sought for a general discussion of the topic of an amending statute.

MR. HARLE: Mr. Speaker, with regard to the requirements of weights on breads, it's my understanding that there are breads of many different sizes on the market. I think it simply becomes impractical

to have minimum sizes when you have such a variety of products available. The Consumer Packaging and Labelling Act, which is the federal legislation, requires that the net contents be declared in units, as set out in the Weights and Measures Act, and in a manner prescribed by the regulations under the consumer packaging and labelling legislation. For that reason it has been felt really unnecessary to have specific requirements in provincial legislation.

The declaration of the net contents, of course, is provided for in the federal packaging legislation. Again, it appears on the wrapper. But because of sizes being so varied among products and new products coming on the market, it was felt there was no necessity to include minimum sizes in this provincial legislation.

With regard to the business loans of credit unions and the creation of special loans committees which will now be able to deal with them, it has in fact been the practice of credit unions for some time now, especially since the creation of the stabilization fund, to deal with large business loans with a committee. But at the moment the requirement to refer a business loan to this committee is strictly voluntary on the part of the individual credit union. It's felt there must be a legal requirement for reference in the business loan areas I've described, depending on the size of the credit union and the size of the business loan being applied for, and in that way further protect the credit union system through the provision of the stabilization fund.

On the question of reinsurance, I'm not quite clear what the hon. member is alluding to, and I will check *Hansard* when it is printed to see if I can respond to it in more detail when we come to committee stage of the bill.

[Motion carried; Bill 77 read a second time]

Bill 83

The Police Amendment Act, 1976

MR. FARRAN: Mr. Speaker, in rising on second reading of the bill, I thought I would concentrate more on the reasons than on the principles themselves, which I gave in some detail on first reading.

I judge from editorials in the local daily paper that there's a school of thought, I hope a small one, that believes the police commissions only have or ever have had the minor, narrow function of dealing with disciplinary matters and acting as a form of disciplinary tribunal. Of course, this isn't true and it never has been.

The main function of the police commissions is to set the broad policy on law enforcement within their areas of jurisdiction. It's the obligation of the chief of police to carry out that broad strategy. Of course it would be improper for them, and in fact it's prohibited by the act, to interfere in the day-to-day tactics of the police force; that's up to the chief. But their concern is definitely with the strategy of the police force in fighting crime in their area.

It's also a principle in a democracy that the civil power is paramount, so it's vital that we have these police commissions. I suppose the outstanding example of this principle in history was when President Truman fired General MacArthur on short

notice, because he thought that with his tremendous military reputation and almost unchallengeable power he was bigger than the civil power of the United States or indeed the United Nations. He was actually conducting a police action on behalf of the United Nations. Remember that when he then insisted on the bombing of the bridges over the Yalu, he was very quickly relieved of his post.

The function of the police commission is not to interfere in the day-to-day tactics, but most definitely to set broad policy at the local level, just as it's my responsibility to set broad policy on a provincial level. The police commissions also oversee the preparation of the budget. They have the major input into the budget, which is then presented to their local council. So they have the most important responsibility in terms of the logistics and supply of the police force.

This act emphasizes the paramountcy of the civil power by also ensuring that the local police commissions have the ultimate responsibility for police manuals. The present act appears to hold that this is either the responsibility of the chief of police or, as one legal opinion had it, my responsibility. This was never the intention of the government. Those sorts of responsibilities pertain to the local police commission. They include such things as:

- (a) the conduct, dress, deportment and duties of members of the police force,
- (b) the prevention of neglect or abuse in the discharge of duties,
- (c) the efficient discharge of duties . . . of the police force, and
- (d) punishment for [minor disciplinary] contraventions of the rules.

Now I make it quite clear that this is the responsibility of the local police commission.

The local police commission also has these responsibilities under the existing act. I want this very clearly read into the record so the people will understand what an important body a police commission is. The commission is responsible for the policing and maintenance of law and order in the urban municipality. The members of the police force shall be appointed by the commission, but the appointment of the chief of police is subject to ratification by the local council. Every member of the police force, however he is appointed, is from the time of the by-law establishing a commission subject to the jurisdiction of the commission, and shall obey the lawful directions of the commission. However, under the act a commission is barred from giving direct orders to any member of the police force as opposed to orders through the proper chain of command of the chief. The commission has the power to conduct a hearing to inquire into the administration, operation, or requirements of a police force, and has all the powers of a commissioner under The Public Inquiries Act. Finally, the commission has the responsibility to report to a council of an urban municipality on any matter the council may want information on concerning the efficiency and financial requirements of its police force.

I consider this question of the civil supremacy of the police so important that the act also makes it clear that the urban municipalities must have a police commission. Some municipalities have regarded the police commission as a sort of sideline to be included in a council agenda as a secondary matter. This is

just not good enough. It has resulted again in many petty problems being referred to my office, problems that could have and should have been dealt with by local police commissions.

The other point in the act is the whole idea of the Law Enforcement Appeal Board. This body was set up in 1972-73 to remove the disciplining of policemen from the atmosphere of politics. This was done for very important reasons. Prior to 1971 some commissions had been something akin to civilian review boards, which have doubtful distinction in New York, or similar to the guillotine tribunals in the French Revolution. Agitators with political axes to grind were constantly bringing frivolous complaints to the commission, and it was clear that their main intent was to undermine the integrity of the force and promote disrespect for the law.

If you'll throw your minds back to that period, it was around the time of very considerable civil agitation in the United States and the unfortunate incidents in connection with the Democratic convention in Chicago. Others simply tried to get back at the police because they knew their unfounded criticisms had a forum, not only before the commission but in the columns of newspapers. They could utter lies and slanders with impunity, and the accused policemen had little protection.

Other police commissions reacted to this problem in a different way. In the interests of shielding the integrity and the fair name of the force, they leaned more towards whitewash and cover-up, and legitimate complaints by citizens were not properly investigated. That aspect was just as bad as the other one. There were complaints that the police were invulnerable and only investigated themselves — complaints which have recently been echoed in Toronto.

So the government set up an independent body to hear both sides, the side of the aggrieved citizen and that of the constable who felt he'd been unjustly punished by the chief of police. Under the existing act this board has all the powers of an inquiry commission, powers to engage separate legal counsel and so on. It was a board put beyond politics, beyond the local scene, and completely impartial. The custom was that the chairman should be a judge of the district court, and at the present time it's Justice S. Legg. Now we strengthen this board by making it mandatory that it must always have a judge. The principle has been proven in the field, so to speak, and it seems completely logical that it should be headed by a judge.

The amendments strengthen the powers of this body by adding the right to impose a punishment. Before, under the existing act, they could only vary the punishment of a chief, in regard to a minor disciplinary matter, or refer it back to him for reconsideration. Mr. Speaker, you realize that here we are mostly dealing with minor disciplinary punishments analogous to small punishments under military law in the armed forces. They could be as petty as a policeman not polishing his boots right up to being discourteous to a citizen. In the event of evidence being revealed that constitutes the possibility of a criminal charge, it is the obligation on the board to refer the matter immediately to the Attorney General or the Crown prosecutor.

We now also make it clear that the board not only has its existing power to conduct an inquiry on its

own motion or to inquire when a complainant lodges a grievance on the instigation of a citizen-at-large, but they should also inquire when requested by a police commission or by the Solicitor General. Previously the only way I could get this board to carry out an inquiry into something of a disciplinary nature in the police that concerned me was by pointing to the fact that I was a complainant. In point of fact, perhaps I was not a complainant, because I wasn't as sure of the total circumstances. Then I had to plead with the board to start an inquiry of its own motion. They always have so far, but we thought we'd make it clear in the act that the Solicitor General should be able to request an inquiry.

Mr. Speaker, this system has been praised by the royal commission into disciplinary matters in the Mounted Police, called the Marin commission. They've said the system in Alberta is very good indeed, and they recommend that a similar system be instituted right across the country.

Mr. Speaker, I think that is a good summary of the three simple changes in the act. We have built into our system very careful provisions to shelter the courts from disrespect. One minister in eastern Canada found, to his cost, that this is a very important principle in our system. I don't suggest that the police should have a similar protection out of the interests of maintaining the integrity of the justice system, but they should have some. The setting up of this Law Enforcement Appeal Board as a separate judicial body to handle complaints about the actions of the police accomplished as much as can be accomplished towards protecting citizens and the system, and avoiding the unfair undermining of the integrity of law enforcement agencies.

Thank you, Mr. Speaker.

MR. KIDD: Mr. Speaker, I have one brief question for the Solicitor General. While clarifying the position of the Solicitor General with regard to triggering an investigation, do the rights of the private citizen to trigger such an investigation still remain?

MR. FARRAN: Mr. Speaker, I believe the question referred to citizens' arrest, did it?

MR. KIDD: No.

MR. FARRAN: Maybe I'll deal with that at the end, Mr. Speaker. Otherwise I'll be closing the debate, which would be unfair to the other members.

MR. CLARK: Mr. Speaker, in making just a very brief comment with regard to Bill 83, might I simply say to the Solicitor General that we've had the opportunity to speak with some people concerned in this area. We haven't received the benefit of their judgment. I believe the legislation was introduced on Wednesday or Thursday, so I would ask the Solicitor General if we might perhaps hold the bill and not go through committee today. Perhaps if we could hold it until Wednesday or some time like that, we'd have an opportunity to get more feedback.

Specifically, I would like to ask the Solicitor General if in fact he has discussed the legislation with representatives of the police commissions in Edmonton and Calgary and if the police commissions in

Edmonton and Calgary have basically endorsed the legislation before the House.

MR. FOSTER: Mr. Speaker, I'd like to say two or three words with respect to this bill at second reading, since it's not at all unrelated to the administration of justice. I was very grateful for my colleague's very clear description of the role and function of a police commission.

I think, however, that I'd like to underline something the Solicitor General said, and that is the reference to Section 25 of The Police Act which says simply that the commissions are "responsible for [the] policing and maintenance of law and order in the urban municipality". That is a very considerable order and a very considerable responsibility to cast to a group of citizens of any community, and I think it is appropriate that it be done. I'm grateful that citizens in Edmonton, Calgary and, in the past, other areas of this province have been willing to assist law enforcement and justice by their participation.

I'd like to point out something else in The Police Act. It is implicit in our structure of government and in the history books, but is also found specifically in Section 22 of The Police Act, and that is the clarifying of the authority of my office as responsible for the administration of justice and the enforcement of laws. In addition to the many responsibilities that the Solicitor General has quite properly pointed out are the responsibility of police commissions, I would like to emphasize that police commissions have the responsibility of participating in the administration of justice and in the evidence-gathering and investigative function the police form in the administration of justice. My colleague quite properly drew the distinction between operational control and policy control over the police forces of the state, and I think that is something we have to keep in mind.

Not too long ago I had occasion to meet with the agents of my office, and discussed with them the quality of law enforcement at the community level. Once in a while I meet with the police commissions of Edmonton and Calgary, not as often as my colleague but certainly once in a while. When this law comes into effect there will be other police commissions in the province which will require some of my time as well because of their general broad responsibilities.

Mr. Speaker, I rise only to point out that I believe this is a very, very important initiative, and a very significant one. I hope the men and women who participate in police commissions across this province will be extremely conscious of their legal responsibilities under this act, and of what I think is a very important role they will play in the administration of justice.

I have asked my agents if they would as a matter of conscious effort approach the local civilian authorities responsible in the administration of justice. Surely that is either the representative of the local council, the local police commission, or the local police authority, as the case may be.

From time to time smaller communities in particular approach my office with complaints, problems, or difficulties with policing — although most of them involve my colleague the Solicitor General — with how the police are functioning in support of their investigative responsibilities for courts. Most citizens

don't understand that they do have a voice in policing and in maintenance of law and order in their municipalities. Sometimes they are very reluctant to express it. Sometimes they feel that because the justice system is somewhat remote, it's improper for them to complain against the system. Clearly it is not, and there must be procedures and mechanisms that will allow those complaints and concerns to flow. So I have asked my agents if they would meet, particularly in the smaller centres, with local senior police people, mayors, or reeves, as the case may be, and discuss with them the problems they find in the administration of justice, particularly as it relates to community response to certain kinds of sentences that are being imposed by the courts.

Often you will find that a community is very upset with certain kinds of sentencing. The Crown needs to know that, and the Crown needs to appeal in cases where we have not been appealing in the past. This, I suggest, is all tied up in the law enforcement and justice system. I fully expect that the police commissions will be a very, very valuable source of citizen response to my agents across this province as they assess the quality of law enforcement and justice, and administration of that justice in the courts.

I know there are people who are reluctant to see police commissions in smaller urban areas. That's largely based on past experience. Let me suggest a good example. If I may, Mr. Speaker, I'll use my own community of Red Deer, where not that many years ago I was a member of one of these commissions. I must say that much of our time and effort was spent and concerned with the number of traffic tickets issued, the amount of revenue that flowed to the municipalities as a result of traffic tickets, and the like. It may be that we just happened to have a particularly good police force and a particularly good chief Crown prosecutor — who, incidentally, is currently the Deputy Attorney General — in that city during those years. The police commission of that day probably didn't need to inquire into the actions of the police or to carry out the functions my colleague and I are talking about.

So, Mr. Speaker, while some may have the view that these are public relations functions, I think my colleague and I have said they are much more than that, and can be much more than that if citizens across this province are willing to dig in and assist in the maintenance of law and order and policing in their communities.

As well, I know that people sometimes feel that because the local officer, often in charge of the RCMP, is often responsible to a higher authority, they really have little or no capacity to influence policing in their community. I don't believe that to be the case. I believe the citizen has the right to know much more of what's going on in this area than he feels he has the right to know. With common sense, good will, and some determination on the part of the citizens in this province participating in police commissions, I have no doubt that that level of awareness will improve and increase. As well, I have no doubt that the quality of law enforcement and justice as we know it will also improve and increase.

I know as well, Mr. Speaker — at least I have every reason to believe — that the law enforcement officers of this province would welcome this kind of knowledge, concern, and awareness on the part of the

citizens. I think they will be very grateful, as I am, for citizen participation in this very important role. I think it is significant and important that more citizens participate in auditing the quality and recommending, not only to my colleague the Solicitor General but to my agents and me, where the justice and law enforcement system as we know it today can be strengthened and improved.

MR. TAYLOR: Mr. Speaker, the police commissions and justice are certainly tied together in a very definite way. It is very difficult to discuss one without the other. Police commissions are now a requirement in areas where there are 1,500 people or more, in cities, et cetera. But they are not a requirement in the smaller centres. It's the smaller centres that I'm a little concerned with at the present time. I find that the rank and file of the people are generally very satisfied and very happy with the work being done by the police forces. But the police and the general public are at times very frustrated by the sentences handed out by the courts. I think there is a very definite relation.

Last Friday evening I attended a meeting in the town of Gleichen. The RCMP were present along with other citizens very concerned about justice, policing, et cetera. But the major concern was what was happening after the police were able to get hold of the people who were causing the trouble.

For instance, a few weeks ago some 13 boys, all 14 years or younger, one around the age of 10, vandalized a hardware store; stole glue and turpentine and such items, threw the alarm system out on the street, and dumped paint all over the place. There was a few hundred dollars' damage. The police had the culprits within hours. But when they appeared before the court and the provincial judge saw a 10-year-old boy, he simply dismissed the case and said, we'll have nothing to do with it.

I think the worst possible training for these young people is when they cause damage like that and are simply let go scot-free. I would hope the hon. Attorney General could talk some rhyme or reason into the minds of the provincial judges that they are doing those boys no good at all by simply saying, you're free. As a matter of fact, if that continues these lads will be the ones who fill our prisons a few years down the road.

So I agree with the hon. Attorney General that there is a very definite connection here. I wonder if the hon. Solicitor General has given any thought to establishing police commissions in areas smaller than towns that have 1,500 people or more. Possibly a police commission is a body that might enhance justice in these smaller areas, particularly today where many people are feeling very bad about the quality of justice.

MR. ZANDER: Mr. Speaker, I have one question to the minister. Does this bill also pertain to the hamlets within a rural municipality or county which have their own police forces — I think you know who I'm referring to. Will they be obliged to have a police commission similar to those of other centres? I believe the population is over 1,500. Under the present act will they also have to have police commissions?

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

HON. MEMBERS: Agreed.

MR. FARRAN: The requirement for police commissions is only for urban municipalities over 1,500 in population who are obliged under The Police Act to pay for their own policing. In the rest of the province — the counties and municipal districts, the improvement districts, and special areas — the province pays the total cost of policing under its main provincial RCMP contract. There are no local detachments. The deployment can change according to the game plan of the commanding officer of K Division and me. So there is a difference between the urban municipality, which in a small town has an obligation to supply a police force, say, of at least three constables, and a county and a municipal district.

The act does not purport to place any requirements on the so-called county police, who are in effect by-law enforcement officers. I do swear some of them in to enforce provincial statutes, such as The Highway Traffic Act and The Liquor Control Act. But they don't enforce the Criminal Code.

At the present time there is no dual policing in Alberta with regard to the Criminal Code. The Criminal Code, of course, is the main body of the law as far as Canada is concerned, law that the general citizens regard as the law. I'm not saying the provincial statutes we pass in this House are not important too, but I'm talking about the Criminal Code.

So there is no thought of police commissions for hamlets, counties, or municipal districts. This is entirely my responsibility and the responsibility of the commanding officer of K Division.

The Edmonton and Calgary police commissions have shown some endorsement for the principle in comments in the press, at least in Edmonton. The changes in regard to the manual were at the request of the Calgary Police Commission. They were the ones who had the legal opinion that I was responsible for the manual and not them.

MR. CLARK: Is that some endorsement?

MR. FARRAN: Yes.

MR. CLARK: Not full?

MR. FARRAN: Well, I haven't had an official response, but I can say that the reports in the newspapers appear to be favorable, that they have applauded the principle. We have been consulting on the general format of the amendment act over the entire year, both at an official level and at my level.

Thank you, Mr. Speaker.

[Motion carried; Bill 83 read a second time]

MR. HYNDMAN: Mr. Speaker, I move you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider certain bills on the Order Paper.

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

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair]

**head: GOVERNMENT BILLS AND ORDERS
(Committee of the Whole)**

[Dr. McCrimmon in the Chair]

MR. CHAIRMAN: The Committee of the Whole Assembly will now come to order.

**Bill 66
The Attorney General Statutes
Amendment Act, 1976 (No. 2)**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. FOSTER: Mr. Chairman, I move the bill be reported.

[Motion carried]

**Bill 61
The Vital Statistics
Amendment Act, 1976**

MR. CHAIRMAN: There are some amendments to this bill. Are you all familiar with the amendments thereto? Are there any comments, questions, or amendments to be offered with respect to any sections of this bill, other than the amendments proposed?

[Title and preamble agreed to]

MR. WOLSTENHOLME: I move the bill be reported.

[Motion carried]

**Bill 59
The Dependent Adults Act**

MR. CHAIRMAN: There are some amendments. Do you all have amendments to Bill 59, and are you familiar with them? Are there any comments, questions, or amendments to be offered with respect to any sections of this bill, other than the amendments before you?

[Title and preamble agreed to]

MISS HUNLEY: Mr. Chairman, I move that Bill 59, The Dependent Adults Act be reported as amended.

[Motion carried]

**Bill 62
The Change of Name
Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. HYLAND: Mr. Chairman, I'd like to answer a couple of questions that came up during second reading of this bill, one being a question from the Member for Clover Bar as to a mother getting remarried and a child having to take her new name.

Section 4 of the act as amended in 1973 states:

A person may not apply under this act to change a given name or the surname of a child who is 12 years of age or older without the consent of the child.

This may get me into trouble; I'm going to give a layman's view of a legal interpretation. Nevertheless, I've been told that in point of law, marriage is a social type of contract and not a legal contract per se. Thus the child wouldn't have to have his name changed because the mother got married. If he wants to change his name, there's the fact of Section 4 of the 1973 act that a child over 12 years of age has to give consent.

To answer a question from the hon. Member for Drumheller, hinging on the consent for changing a child's name, if a mother can't achieve the father's consent for one of many reasons you have suggested, whether it be beating or anything like that, Section 11(3) of the act reads:

Where on an application to change a given name or the surname of a child the consent thereto of some other person is required under section 5, 6, 7, 8 or 9 and the applicant is unable to obtain the consent of the other person, the Supreme Court, having regard to the best interests of the child, may dispense with the consent of the other person to the change of name.

I think, Mr. Chairman, it's just the two answers that came out of second reading of the bill.

DR. BUCK: I'd like to ask the hon. member presenting the bill — I did ask one other question — I can't really understand the purpose of the bill, so I'd like the hon. member to indicate that to me. Secondly, the point is made that anyone 12 and over may ask to have it changed or not to have it changed. I really find it quite ludicrous that somebody below what I would consider the age of reason would really know, legally or illegally, why he would want to or why he could or couldn't change it. Secondly, if a youngster at the age of 12 decided to have his name changed, maybe some of the members of the legal profession can tell me what steps he would go through if he wanted to change it back to his former name, if at the age of twelve and a half he decided he wanted it changed. I'd just like to ask the hon. member those two questions.

MR. HYLAND: To answer the last one first — I'm sorry, I'll have to ask you to repeat your first one, Walter, I couldn't hear you quite properly. Mr. Chairman, you know I'm not a lawyer so I can't give a legal interpretation, but the understanding I got was that if the parent is going to change a child's name.

and the child is over 12 years of age, he or she has to have the consent of that child. Why? The rules just say that.

DR. BUCK: Maybe the hon. member presenting the bill can indicate to me why the legislation was needed in the first place, or maybe some of the ministers, the hon. Attorney General or the Minister of Social Services and Community Health, can tell me why.

MISS HUNLEY: Mr. Chairman, perhaps I can clarify. In 1973 considerable change was made in The Change of Name Act. Some of it was done to clarify the very concerns that were expressed by the two hon. members on second reading of this bill. My colleague from Cypress has attempted to clarify that the concerns they indicated have already been taken care of. However, there was some omission that was overlooked in the drafting in 1973, and we are now attempting to consolidate it and make it consistent throughout, which is the reason for the amendments before us today. They match this very similarly, but some words have been omitted.

[Title and preamble agreed to]

MR. HYLAND: Mr. Chairman, I move the bill be reported.

[Motion carried]

Bill 63
The Students Finance Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. TAYLOR: Mr. Chairman, we had some debate on the bill in second reading. At that time I made some comments on the excellent service we had received from the present committee, particularly the present chairman. Is it the intention of this bill to continue the services of the present chairman and board, then add to that?

DR. HOHOL: I would say, Mr. Chairman, that with respect the question is outside the contents of the bill itself. The bill says that the minister shall appoint a chairman, and the chairman is in the employ of the government. I have not conceived or viewed a bill as dealing with a specific person. But the bill does provide that the minister shall appoint a chairman.

DR. WALKER: Mr. Chairman, under Section 8 I would like to refer again to the hon. minister's remarks, and bring up that chiropractic students are receiving almost a quarter of a million dollars from this government to attend not only our Canadian chiropractic college but also chiropractic colleges in the United States. Yet none of these institutions receive any academic acclaim from any academic institution in the world, nor are they recognized by the government of Ontario, where the chiropractic college is situated, nor by the government of Canada. In a release last March, the Hon. Marc Lalonde

stated that chiropractic X-rays, for instance, should not be permitted anywhere in Canada. Yet we are sending students with grants and loans from this government to institutions that are academically unqualified and unaccredited. This is a misappropriation of public funds and should stop now, completely and forever.

I can document this in any way the minister would like. There are numerous documentations including probably the biggest one, the health, education, and welfare report to Congress few years ago. The recommendations in that were that in no way would they recognize chiropractic education as acceptable or registrable in the United States. They also listed the so-called degree of Doctor of Chiropractic as counterfeit and made no bones about saying so. I would like to suggest that the minister cease from these grants and loans to students at unaccredited institutions.

MRS. CHICHAK: Mr. Chairman, I would like to make a few remarks, taking the opposing view, on the very point the hon. Member for Macleod makes. The hon. Member for Macleod may perhaps have some validity to his points; however, I think that to make such a strong representation and demand to the minister at this time, without both parties having had the opportunity to make their representations, is truly an unfair one, putting the minister in an untenable position of having to make a decision either in favor of or against a professional group, whether we agree with that professional group or not.

I am very concerned with regard to professional standings and standards in the province, as much as the hon. Member for Macleod. However, I do not think we are in a position at this point where we can take such a stand in view of decisions or directions in other countries at some periods of time. We are really not aware of what material was taken under consideration; what period of time that was in; whether in fact the educational standards, the requirements, the courses have been updated; the scrutiny or disciplinary measures that are now in place with regard to the entire practice; what it currently is here in the province.

It seems to me that some years ago the former government recognized the group as a professional group and gave it certain status of service to the community in this province. I do not think that just by the stroke of a pen or by a single representation and without benefit of hearing all those concerned — not only the two professional groups that have been referred to but all other members and the people who have certainly benefited, as they interpret, from the services of this profession — we can seriously entertain such a request of the minister.

Thank you, Mr. Chairman.

MR. APPLEBY: Mr. Chairman, I certainly have taken the issue with the attitude expressed by the hon. Member for Macleod. I think the interpretation of the act is a different matter from allowing certain people to receive benefits under it. I have to keep in mind that some years ago at the University of Alberta, we had no provision in our faculties for instruction in forestry. Our forestry students, people we very much needed in the industry in Alberta, had to go to the University of British Columbia, as the closest one, to

get this type of instruction. I think it was certainly in keeping with our policies in Alberta that we should support and encourage such training. Of course, another vital thing in the province of Alberta is to have people trained in veterinary science. We have supplied support and financial assistance for people taking this type of training.

Mr. Chairman, I submit that the type of people or the type of subject or the areas in which the support is to be given are not what is being considered in this act right now. It provides that they may designate certain classes of people. But if that is to be argued, that is a separate issue from whether we should pass this act.

MR. TAYLOR: Mr. Chairman, I would like to make just two comments in connection with the bill. The hon. minister didn't help me too much when he answered my last question. The wording of the bill is:

The Board shall consist of not more than seven persons appointed by the Minister, one of whom shall be designated by the Minister as chairman.

I realize it is not the function of the Legislature to make the appointments to the board, but I get the feeling from the wording that we are going to have a brand new board. I hope I'm not right, because the service we've had from the present board has certainly been excellent as far as I'm concerned. I've heard no complaints about them. As a matter of fact, I think the other day the minister himself joined in appreciation for the work done by the chairman and other members of the board. I would simply make this comment: when choosing the board, I hope the hon. minister will give cognizance to services rendered by the people already holding those positions. I suppose that's as far as a legislature can go.

In regard to the point raised by the hon. Member for Macleod, I think we have to recognize the points raised by the hon. member Mrs. Chichak, in that the Legislature of this province — not the government, but the Legislature — has recognized chiropractors, has incorporated them, given them a bill, and set out their educational requirements, et cetera. The Workers' Compensation Act recognizes chiropractors for certain ailments, and many medical men send patients to chiropractors.

So I would think the fact that there are many people who believe in chiropractors and who use their services, and many young people who want to become chiropractors, should certainly put them within the ambit where they can get assistance if they want to study to become chiropractors. I think this bill would be entirely the wrong one to ban the use of public money for young people who want to become chiropractors, a profession recognized by the laws of the province at the present time.

MR. COOKSON: Mr. Chairman, I think probably the Member for Macleod has raised something that should be of concern to the Assembly, to the taxpayers of the province, and to the people who are responsible for the moneys this government allocates for use in the various faculties. So I don't think we should discount the importance of what is said, in that whatever public funds we use in any way through our legislation should be used in a wise, constructive way which will make some kind of contribution to the province and its growth.

However, as has been pointed out, I think the problem of whether chiropractic services and qualifications are of a professional nature or not is something that perhaps should be dealt with in legislation other than this. It seems to me it is a separate issue, but it does bear consideration. The hon. Member for Edmonton Norwood who did all the research work and study on the various professions and tabled it in a report to the Legislature which still has to be dealt with — perhaps this should be given careful consideration in that area.

I'd like to say to the minister again that people often say to me, why does government get into this thing. Once government gets into it, it continues to grow. But again we have to see the necessity for Bill 63 to assist those students who are, through no fault of their own, unable to finance their way through the various institutions we have in the province.

The very fact that the province has seen fit to assist them financially, however, doesn't necessarily guarantee that those students will be successful. We find this often in the university. Students attend college, university, NAIT, and SAIT, spend a year there at considerable cost to the taxpayers — and perhaps they've been financed in addition to this — and they are really mislocated. They are unsuccessful. They're failures in many instances.

So I guess the board which will be set up under The Students Finance Act has to pay particular attention to the success rate of students within its jurisdiction. If we're going to finance students and upgrade their training, we should be really concerned too about their success rate.

I'm not sure, Mr. Minister, whether any studies have been done to indicate whether we're getting value for our money, but it would be interesting to know whether the board sometimes perhaps tables a report of some type which would indicate to us the areas they are financing and the degree of success they have.

MR. CHAIRMAN: Are there any further comments with respect to Bill 63?

DR. HOHOL: Mr. Chairman, I feel a constraint to respond briefly in two or three ways. First to the hon. Member for Drumheller because he's always so eminently fair; I want to be no less. It's with no intent to [answer] a question that's short of the mark. But I made that response, and by inference make it again on principle, that the board will be different in terms of number. For example there's a board of three. The board shall be seven on January 1, so in some respects surely it will be different. That the principles of continuity and effective service are important considerations is also true, Mr. Chairman. I want to state them here in the House, and hope that comes just a bit closer to the hon. member's expectations from my reply to his original question.

With respect to the matter brought before the House now and on second reading by my honorable colleague the Member for Macleod, I agree with the hon. Members for Edmonton Norwood, Athabasca, and Lacombe that the debate belongs elsewhere. The issue is an important one. I am not impressed by the statement the hon. member made and confirmed by the Member for Edmonton Norwood that the statement was an important one and a position clearly

taken. I am impressed by the importance of the statement but I believe the debate belongs elsewhere.

I want to point out, and it's important, Mr. Chairman, that the House be clear on the responsibilities of the Students Finance Board with respect to assigning awards or financial assistance. The assistance is based on student needs, not on the institution. It reads, and I quote from Section 8(1):

A person is eligible to receive student financial assistance under this Act who is registered in a course of studies . . .

It's important to note "a course of studies" — not a degree, not a diploma, a "course of studies". Section 8(e):

at any other post-secondary educational institution where the course being taken is, in the opinion of the Board, not available at any institution referred to . . .

In all the other clauses under Section 8, that's the consideration of the board. That's the zone of tolerance it has in which to operate.

So we're really speaking of two issues: the aid to a student not available in Alberta. The institution itself which is elsewhere — one in Ontario, one in the United States — is a different matter. They don't have to be registered or accredited. We don't support the institutions but the students. That the debate is there is clear, because the member properly staked it out to be a debate. And I'm prepared to consider it, as I'm sure other people will be, when the final dispensation or disposition of the professions and occupations act and other private bills come before the private members' committee and then before the government and the House. That's where that important debate belongs. But I very much appreciate the clear expression of views on both sides of this important issue.

MR. CLARK: Mr. Chairman, I wonder if I might pursue a little different area with the minister. Mr. Minister, can you give us some indication where we stand with regard to default of payments from the student assistance board?

DR. HOHOL: I couldn't, sir, because it's of significant detail. But I'll undertake to get that information and give it to the hon. Leader of the Opposition either in a memorandum or as a response during the question period should the hon. leader wish to put it in those terms tomorrow afternoon.

MR. CLARK: Mr. Chairman, I want to just follow that up. I appreciate the minister's willingness, but really what I'd like is some sort of assurance that we're doing reasonably well. If I recall the figures, the amount of default some time ago was very minimal. While I can appreciate you don't have those kinds of figures at your fingertips, I think it would be helpful for perhaps all hon. members to recognize the volume of money we're really talking about here.

If I recall the last rather accurate figures I saw, the repayment was indeed excellent. There was a very, very high percentage, well over 90 per cent — in fact in the high 90s, if I recall — of repayment of the student loans. It's pretty easy on occasions for individuals to be critical of student assistance and talk in terms of all the defaults and so on. It's those defaults we hear about from time to time, but if my recollec-

tions are accurate, with a very, very large bulk there's a very enviable repayment record by the young people of this province, whether they've gone to institutions in Alberta or outside the province. I'd really like the minister to straighten the record as far as that's concerned.

DR. HOHOL: Yes, I will in detail. Mr. Chairman, when the hon. member puts it in those terms, rather than dollars and cents at the present time, yes, it's the best in Canada. There's no question about that.

While I'm on my feet, in fairness I really should respond to the hon. Member for Lacombe by saying that the amount of success is a very critical issue in the continuance of aid to a student at any course of study at any institution. That is to say, his progress throughout the year is charted, and if he's an abject failure at Christmas, he gets a "Dear John" letter and doesn't come back. So there is a very, very strong component of success in both ways: a student has to be successful to get continued assistance; and successful in a second sense, that the student finance people do get over 90 per cent of the loans repaid. The success ratio there is very high.

DR. BUCK: Mr. Chairman, a short question to the hon. minister along the lines of the one the hon. Leader of the Opposition asked as far as what percentage of the money is returned. Can the minister find out just how extensive the procedures are to collect some of the delinquent accounts? The only reason I ask that is that I get a letter from the University of Saskatchewan [asking] do I know John Doe, or do I know his forwarding address, et cetera. I would like to know if he could just give us a brief *modus operandi* of how they go about collecting some of these debts.

MR. CLARK: I wonder if I might go back to the minister and deal with Section 8(2) of the bill. That's the section of the bill that gives the minister all sorts of power to become involved in a wide variety of programs. I recall that last day when we debated this on second reading, the minister used a term something like "an anticipation clause" — anticipation that almost anything can go on here, I suppose. That's not the minister's terminology. It's really my comment on it.

But in the course of defending this section, the minister talked in terms of assistance to native people, assistance to handicapped people, assistance to people who need language assistance. I say to the minister that quite frankly we have no difficulty at all accepting assistance in those areas. But I would say that once you establish programs in those areas, it seems to me it would be sound legislative practice to come back to the Assembly and add those areas under Section 8(1). Because if we don't — and I'm not suggesting the present minister would necessarily do this — any minister, regardless of who he or she may be in the future, would never have to come back to the Assembly at all to discuss in any way, shape, or form the question of the broad application of grant programs.

So I ask if the minister would be prepared to respond and to say, okay, once we have a program developed that's outside the terms of 8(1) — if the minister would give us an undertaking that he'd be

prepared to come back with legislation that then enables the members of the Assembly to really become involved in the debate as to whether or not we should extend the program in that area. Up until that time, it's simply a decision made by the Executive Council.

DR. HOHOL: Mr. Chairman, I'd like the *Hansard* records to show that I'd be very favorable to that kind of approach. It's not unreasonable to say that had that kind of approach been used, by placing the caveat, the government finally has the responsibility and accountability, as indicated here this afternoon, for the programs it sets down for student finance. Had the kind of program the hon. Leader of the Opposition outlines been in place, clearly some of the misunderstandings and difficulties we're having with one particular occupation would not be before us, using that as an example. Just on the virtue of the principle at face value, I accept that proposition, but remind him again of the caveat. The government finally has to approve programs after discussion in the Legislature and take responsibility and accountability for them.

I thought the hon. Member for Clover Bar was out of the House, but I notice him between benches, between chairs. That's a tough place to fall sometimes, so I know he'll be watching it. But in collecting the fees that don't come back on due date, the board has found that rather than set up a bureaucracy, not so much the easiest but the most effective way is to use services in place, collection agencies, to do this kind of work for it. The cost of this I can again reflect to you because it's a detail.

[Title and preamble agreed to]

DR. HOHOL: Mr. Chairman, I move the bill be reported.

[Motion carried]

Bill 64
The Cancer Treatment and
Prevention Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. KROEGER: Mr. Chairman, I move that Bill 64 be reported.

[Motion carried]

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

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

DR. WEBBER: Mr. Chairman, I move that Bill 67 be reported.

[Motion carried]

Bill 68
The Ombudsman Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move the bill be reported.

[Motion carried]

Bill 70
The Provincial Parks
Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

DR. BUCK: Mr. Chairman, just one section, Section 4, the appointment of the advisory committee. In all these advisory committees, Mr. Chairman and Mr. Minister, is there a set rate that all the people on advisory boards are paid, or is there a variable rate? Can the minister indicate this?

MR. ADAIR: Mr. Chairman, I think the inclusion of that particular clause is to be able to provide that. Right at the moment, we do not provide any remuneration at any set rate for those members who are on boards. So we're putting the provision in there so we can, in fact, make that available to members who would be sitting on any new advisory committees we may create.

[Title and preamble agreed to]

MR. ADAIR: Mr. Chairman, I move Bill No. 70 be reported.

[Motion carried]

Bill 72
The Hospital Services
Commission Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. MINIELY: I move the bill be reported.

[Motion carried]

Bill 75
The Improvement Districts
Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. CLARK: Mr. Chairman, perhaps it might be an appropriate time to ask the minister, really, what is the philosophy of the minister or the government as far as future changes with regard to municipal taxation. I see we have Bill 75 which deals with the assessment situation in improvement districts. Another piece of legislation is before the House right now dealing with the assessment in cities as far as second residences within the same house are concerned.

Are we going to go with what I might refer to as a somewhat piecemeal approach? Do we expect more amendments from the standpoint of municipal taxation in the spring session and more next fall, or is this part of a rather carefully set out plan the government has? Perhaps the minister would like to outline: can we expect this kind of piecemeal approach? Can we expect a major municipal taxation package in the spring? Just where is the minister on the matter?

MR. CHAIRMAN: Are there any further comments with respect to Bill 75? Mr. Minister, do you wish to make any comments?

MR. JOHNSTON: Mr. Chairman, I noticed that the Provincial Treasurer tabled in the House today the summary of statistics prepared by Treasury which sets forth some very informative and objective data, data which point to one or two obvious conclusions which were commented on by the Premier in his state of the province address. I'm sure when the hon. Member for Olds-Didsbury reconsiders, he will probably find it does indeed substantiate the arguments we have been making that the province of Alberta has contributed substantially to the municipalities, and that there is a great deal of flexibility remaining in the municipalities' hands for further revenue potential. I draw only the quick summary that approximately 52 per cent of the revenue generated by municipalities across the province is generated from provincial assistance.

What that means is: if the general direction of the government was — and I'm underscoring the word "was" — away from revenue-sharing, presumably there is a very substantial potential left in the property tax base. This property tax base in Alberta — and I'm talking from memory again — probably accounts for roughly equivalent to the amount of personal income tax raised in the province. Therefore you can see it is a very substantial source.

If we allow the municipalities to stay in this field,

which is a very dynamic, flexible, and growth field, one which is growing in this province at a very substantial rate, given the rate of real capital formation now anticipated and expected for the province, then I'm sure municipalities will find that this tax base will substantially improve, and perhaps will expand dramatically in the next few years. What I am indicating is: if we allow the municipalities to stay in this field, presumably we should change some of the irregularities which now exist in the property tax and assessment field.

As one of my priorities for '76-77 and '77-78 I will, among other things, propose some substantial adjustments to the assessment manual, which has the routine regulations in which we deal with assessments. Perhaps I'll be making some suggestions in the area of growth, industrial and commercial sharing, and a general review of the question of machinery and equipment, pipeline and power assessments. We will also have to consider in caucus the question of home site taxation.

So what I have said is that we have sketched for ourselves a very substantial and comprehensive program of assessment review which balances with the general direction the government is taking that the municipalities should be left with the property tax as a very substantial source; but if they are left with that source, with that tax base, that we have to provide an adequate means to allow them to administer, to assess, and to collect the tax.

DR. BUCK: Mr. Chairman, I'd just like to ask the minister a question or two. I've been rather disturbed in the last year or two, Mr. Chairman. I get the feeling that this government is moving away and placing less import on the Department of Municipal Affairs. I made the statement last year that this was indicated because the government had put in a new minister — and I'm sure the minister who is now in the portfolio is capable — but it does take a few years for the Department of Municipal Affairs to train him. So I would like to say that the minister is being quite well trained, but it does take time.

But the move away from local autonomy by this government certainly disturbs me. In the seminar I attended in Jasper last week on municipal finance, the people in small municipalities, large municipalities, and counties have sort of started feeling that to the local people they're nothing but a sounding board and a punching bag, for the shortcomings of what the provincial government is doing for those municipalities. This is a beautiful system where you can hand out grants and then blame it on the municipality because there isn't enough money to go around.

So I think it behooves this government and the minister to sit down and really find out in which direction they're going to go. Do they believe in local autonomy or do they not? If they do believe in local autonomy, Mr. Chairman, I say they have to do a lot better job than they're doing.

It's nice to talk about decentralization, but just the opposite has happened with this government. It has not decentralized; it has centralized. All the Minister of Municipal Affairs has to do is talk to the municipalities, the school boards, and the hospital boards, because there has not been a decentralization per se. There has been a centralization. So it certainly will be interesting to see what this government does in

some of the municipal affairs legislation it brings into this House.

I'd like to say that the minister does one thing and he does it well; that is, fly balloons for this government. He does that very, very well. But the people are not really sure if he's just flying balloons or if he really means what he says. If he means what he says, I can say that right now we are going to have taxation of farm homes by this government within a very short while. When the minister flew this balloon about taxing farm homes, nobody really raised that much ruckus, so I say that's probably what's going to happen. But I think it behooves this government and this Legislature to know what is going to happen in Municipal Affairs.

So I say, Mr. Chairman, the natives out there at the local level are becoming restless because they are taking all the static for some of the shortcomings of government programs. Some of the feedback I got is that just too many strings are attached to the grants. The old carrot principle that this government uses so well just does wonders. But the people who have to worry about how big the carrot's going to be and how far it's going to stretch are the local county boards, the municipal boards, school boards, and hospital boards. You know, their shoulders are only so broad.

As I said to those people in Jasper, it's a beautiful system for the provincial legislators. We say, people, what a great job we're doing, we have given you X dollars. But the taxpayer in the local area says to the local board, what have you guys done with our money? And the local elected officials try to tell the local people, look, we don't have any money, we just have what the provincial government has given us.

If this government believes in local autonomy, Mr. Chairman, I say to the minister, let's start moving back to the direction of that local autonomy, because this government has gone the opposite direction, and that is to centralize. To me, that is not the true democratic process. I would like to see the minister reverse that procedure, reverse that direction.

A very interesting point came out in the seminar that no provincial legislator would want to move in this direction because immediately you'd cut off eight ministries. Because there are about that many ministries set up just to follow what is happening to the strings-attached grants. The member who made this proposal says, well, my heart bleeds for you provincial people because you may lose eight ministers, plus the multitude of deputy ministers and assistant deputy ministers who go along with that ministry. But if you really believe in local democracy, get rid of those eight ministers, give the money back and the autonomy back to where it belongs, and that's at the local level.

Thank you, Mr. Chairman.

MR. JOHNSTON: Mr. Chairman, I'd have to weigh carefully the comments, first of all in terms of the learning process, of the hon. Member for . . .

DR. BUCK: Clover Bar.

MR. JOHNSTON: . . . Clover Bar — that's right. He made an interesting comment about the government's policy on balanced economic growth and decentralization. As I understand it, he still represents the town of Fort Saskatchewan, which has

received major benefits as a result of that program, which suggested that real capital formation should take place in centres outside the metropolitan areas. If the hon. member is not in favor of that, presumably he should talk to his own constituents, because the last time I heard they were indeed in favor of that position.

With respect to the grant situation alone, I also just happen to have some data which my department has compiled. You state that the amount of assistance to the towns, conditional or unconditional, is not really enough and not really substantial. For example, I have in front of me the data on the town of Lamont, which I believe is in your constituency, if I recall. The grants alone from my department to the town of Lamont have eased the tax base by 44 mills this past year. In other words, if we had not contributed, you would have had to pay 44 mills more in that constituency. That is flexibility, and that reinforces the idea that autonomy is going back to the people, because they then have their own choices within the budgetary flexibility; that is, they can increase the tax on the property should they wish, because in the province it is the lowest of any province in Canada.

There has been no indication in my mind that the direction of autonomy is reversing. In fact, just the contrary is the case. I can cite many examples where indeed that is what's happening. Planning, for example, comes to mind, where we have suggested that more autonomy is being taken by the regional planning commissions. These really are reflections of elected people. They have the right to decide land use questions, to decide on subdivisions, and we're not moving away from that.

But I am suggesting to the hon. Member for Clover Bar that perhaps if you want to measure performance I'd like to measure his. It's very difficult to see his performance in this House in terms of how he has represented his constituents. I would suggest that if you want to look at the performance over a five-year period, I'd be prepared to match it with his.

MR. JAMISON: Mr. Chairman, I would like to ask a question of the minister on planning. I wonder if the minister could enlighten the Legislature as to how many appeals are presently before the provincial planning board which possibly could have been handled either by the local governments or their planning boards. Would you have any idea how many are before them right now where decisions of autonomy could have been looked after?

MR. JOHNSTON: Mr. Chairman, that's a very difficult one involving statistics which I don't have available.

MR. CLARK: I'd just like to follow along on the discussion my colleague from Clover Bar commenced. Frankly, we're pleased to see the minister take that attitude, because that's the attitude that municipalities say the minister takes when they deal with him. We're pleased to have seen an example of it here this afternoon.

I'd like to go back to the minister's comments on the assessment manual, and ask him when he's dealing with the revision of the assessment manual: is this the area he's going to be looking at and making adjustments in, the question of machinery, pipelines,

and power lines? When might we expect these adjustments?

Secondly, could I ask the minister to elaborate just a bit on the industrial tax-sharing ideas he's talked of publicly, specifically with reference to the idea of industrial tax sharing of all industry in a community. Or is the minister in fact talking in terms of industrial tax sharing of new industrial assessment from a certain base period on?

MR. JOHNSTON: Mr. Chairman, first of all recognizing the assessment question is one of a very technical nature, and while I'm in a learning process as the hon. Member for Clover Bar has indicated — indeed I am, and I admit it's not an easy subject to embrace totally — what I can state is that my proposal for the assessment manual is to eliminate some of the necessity, for example, to go in and assess such things as colored fixtures and shower hoses. These sorts of things really add nickels and dimes to the total assessed value and add even less to the total tax package, and they really require an awful lot of time. These things can be smoothed out of the assessment manual to make it more easily understood by those who are assessed, by the persons receiving the assessment notices. That is really where the difficulty is created in trying to interpret what the assessed value is and relate it to the market value on one hand. As a general premise, that's what we'll attempt there.

With respect to the sharing of municipal commercial and industrial growth, except to say in a very general way — because I expect I can release a study very soon when I get my colleagues' approval — I would imagine it will be the growth entirely, not taking any of the existing industrial assessment away, but concentrating on the growth. It would be a preliminary arrangement which, in my recommendation, would recognize such things as some of the regional disparities, fiscal disparities if you like. But a very comprehensive study has been done by the Provincial Municipal Finance Council, and I hope I can get that out very soon.

MR. CLARK: Mr. Chairman, just following along. Mr. Minister, can you give us some sort of indication of where the government's or the minister's thinking is with regard to the question of home site taxation? In the course of the minister's comments earlier, in addition to the assessment manual and industrial tax sharing, the question of home site taxation was also mentioned. So I think it would be helpful to members in understanding what we may be looking at come the spring session.

From what the minister has indicated, we could well see some, at least hear of and hopefully see, changes in the assessment manual by that time. Basically, I think the kind of changes the minister talks of have some merit, at least on the surface. If the minister could enlighten us somewhat with regard to his thinking on home site taxation, also some sort of time line as to what the government's looking at. Are we looking at a number of these things possibly in the spring session?

MR. JOHNSTON: With respect to the proposed legislation, I think the major challenge I have for the spring, of course, is the planning act, which would

probably draw your comment anyway. That in itself is a major piece of legislation which reflects the land-use considerations.

The reason we looked at the taxation of farm home sites was that there have been three recommendations, three positions taken by very substantial groups throughout the province. The Farmers' Union of Alberta, the Alberta Association of Municipal Districts and Counties, and finally the Land Use Forum suggested we review the question of how you tax farm homes or whether or not you should tax farm homes, the need for some clarification as to who is a farmer and who is not a farmer. These kinds of appeals are the ones that cloud the assessment appeal courts, and that's why we went into the study.

Actually we did a very detailed study in the county of Wetaskiwin. We did a perhaps cursory review of the taxation of farm homes, and we have a model study which we're working with through the Finance Council. But I think we're quite a way from a caucus decision on whether or not we will take that direction. I'm really suggesting that it's one of the things we have to review in the total package of assessments. It's one of the items which we'll articulate with a total program.

MR. CLARK: I would like to ask if the minister is in a position to make available to us the results of the cursory study that was done in the County of Wetaskiwin? When my colleague and I met with the county council in Wetaskiwin, the question of home taxation and so on came up, and it was indicated that yes, the county of Wetaskiwin had been used as a pilot project to look at this question.

I should say we did not ask the people in Wetaskiwin, but I would like to ask the minister if it's perhaps possible to have a copy of the working documents or the information gleaned from that study. Because as the minister rightly points out, on the one hand we have Unifarm saying no to the question of taxation of farm buildings, as I understand their position. On the other hand, you have the municipal organization and the Land Use Forum, which have taken the other position to quite an extent. For that reason the information gleaned from Wetaskiwin may well be helpful to all hon. members in assessing what kind of position we should be looking at as far as the Assembly is concerned.

MR. JOHNSTON: Mr. Chairman, one of the reasons I did the study of Wetaskiwin was as a direct reply to the Alberta Association of Municipal Districts and Counties, because their position is almost a third position. It is described as the either/or concept, which would tax either the home or the farm land, whichever is greater.

I didn't agree with that concept myself for many reasons, and I suggested we needed more information not only on the broader question but more specifically on that choice. So until I've had a chance to get the reaction from the AAMDC, I would rather hold that study until perhaps sometime in November. But I can see no reason why it shouldn't be made available after that.

DR. BUCK: I'd just like to ask the hon. minister one thing and make one suggestion in our continuing process of educating the minister. See Dick run. See

Dick jump. Hear Dick speak. I would just like to suggest to the minister that one of the criticisms that came out of the conference I attended was the present lack of co-ordination in the Department of Municipal Affairs. It used to be there. An example: the department of health says to a village or community, you have to update your sewage treatment. The Department of the Environment gets involved and says, yes here's some money. Then Municipal Affairs says, you cannot have any more because you've overreached your borrowing powers. The left hand doesn't seem to know what the right hand is doing.

I would just like to know if the Minister of Municipal Affairs is responsible for this co-ordination. I'm sure the rural members know of what I speak. This goes on time after time. One department of government says, thou shalt; the next one says, we shall help thee; and the third one says, no you can't borrow any more money because you've reached the limit of your borrowing power. I would just like to know if the minister is aware and if his ministry is responsible for the co-ordination of in this case three different departments.

MR. JOHNSTON: Mr. Chairman, I don't know if Municipal Affairs is responsible for the co-ordination, but it is one of the departments which has direct contact with the municipalities, as the hon. member pointed out. It is to this department, the Department of Municipal Affairs, that many general inquiries are directed — inquiries as to available programs, assistance, consultation, and a various range of problems. I don't know that we co-ordinate what Environment does, in a broad sense, but we certainly make information available.

Where the difficulty arises, of course, is that the Local Authorities Board, which is responsible to me, is that agency which passes judgment on the financial potential of the municipality as to whether or not it can incur more debt or whether it can do substantially expanded items if it's a new town.

I suppose the clincher is that if the Local Authorities Board does not provide for the expansion of debentures, generally through the Alberta Municipal Finance Corporation, then antagonism is generated. That's based on a restriction, on a control feature which has been built in from your government days through the LAB back in 1963, and it continues today.

I think it's not a bad check and balance, given some of the problems municipalities are having, both in terms of their rate of escalation of expenditures throughout the province in an anti-inflationary period, the debt which has been substantially increasing as well, and perhaps some of the lack of planning which is obvious in some of the municipalities.

DR. BUCK: I would make one point to the minister and speak on behalf of some of the small towns and villages, especially the villages. If the minister would just look into the problem of trying to get somebody within his department to help the villages in situations where the Department of the Environment says you should do this and the other department says you should do that. Because these small towns and villages, especially the villages, just haven't got the manpower. They can't be running somebody back and forth to Edmonton to bring to the minister's

attention that they have been told something they must do and they just haven't got borrowing power to do it. I would just ask the minister if he could get somebody in his department to ride shotgun over some of these. It would certainly help some of the small town and village secretaries to co-ordinate these things.

MR. JOHNSTON: Mr. Chairman, I might report to the Assembly that we did have some difficulties in the municipal services section. In May of 1975, we hired a new deputy minister who stayed with us for five months, and then returned to Vancouver, of all the contrary things. I couldn't imagine a worse place to go. Anyway he left us after a very short period. Now, effective October 15, we have hired a new assistant deputy minister. If there was some slackness in terms of the organization, that will be improved.

MR. ZANDER: Mr. Chairman, did I hear the minister correctly a few moments ago, saying that the rural association had endorsed the policy of the assessment and taxation of farm homes and farmsteads? If this is so, this is not the message I received in my constituency.

MR. JOHNSTON: Mr. Chairman, I attempted to explain that the AAMDC came out in favor of something called the either/or concept, which in essence does the same thing, except that it gives them some options or perhaps more flexibility as to whether they tax the farm home or the land. We will be debating that. But that is their position at this point.

MR. PURDY: Mr. Chairman, I think we should also set the record straight. The minister indicated that the Farmers' Union was in co-operation or in agreement with the taxation of farm buildings or farm houses. It was not. It was Unifarm.

AN HON. MEMBER: What was the difference?

[Title and preamble agreed to]

MR. JOHNSTON: Mr. Chairman, I move that Bill 75, The Improvement Districts Amendment Act, 1976, be reported.

[Motion carried]

Bill 61
The Vital Statistics
Amendment Act, 1976

MR. HYNDMAN: Mr. Chairman, I'd like to move that Bill No. 61, The Vital Statistics Amendment Act, 1976, be reconsidered. There is a further small amendment to be made to the amendment, being simply two numerals. Notice has been given to the Leader of the Opposition. The hon. minister will make the amendment insofar as the mover of the bill can't amend his own motion.

MISS HUNLEY: Mr. Chairman, I move the amendment. Bill 61, dated October 25, is hereby amended as to item (c), in the new proposed Section 15.1(3)(a) (i), by striking out the words, "during the . . . days" and substituting the words "during the 14 days".

[Motion carried]

MISS HUNLEY: Mr. Chairman, I move that the bill be reported as amended.

[Motion carried]

Bill 69
The Alberta
Labour Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill 69, The Alberta Labour Amendment Act, 1976, be reported.

[Motion carried]

Bill 81
The Metric Conversion
Statutes Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. HYNDMAN: Mr. Chairman, I'd like to hold that bill in committee. There's one small further amendment that has to be made to The Legislative Assembly Act and that will be brought in on Wednesday. If we could adjourn debate.

HON. MEMBERS: Agreed.

Bill 73
The Environment
Statutes Amendment Act, 1976

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

MR. CLARK: Yes, Mr. Chairman. In the course of second reading I asked the mover of the bill or the minister if we could get some indication as to how many times this provision of the act would be used this year. That's the provision that allows the minister to make an exemption in the case of an industry running into particular problems. I assume that's the basic reason for that portion coming in. The minister has had a number of problems in this area this year. So first of all, could we get some indication from the minister [about] how serious it is.

Secondly, I'd like to know if the minister would be prepared to table with the Assembly each year, or make available to the members each year, the number of times he would use that new portion of the act, just as routine information the MLAs would have.

MR. RUSSELL: Mr. Chairman, with respect to the second part of the question, I think it's a suggestion we should give consideration to, and I took note of it

when the hon. Leader of the Opposition brought it up during debate on second reading. At this time I can't see any particular problem with doing that, but I'd like to give it to the department and respond to the Leader properly at a later time.

With respect to the first part of the question, it's rather difficult to say what the number might be. In effect this amendment will legalize the common practice being carried out today. In other words, if an industry, through its reporting system, through monitoring, or through public complaint, is found to be exceeding some levels permitted by regulation or by legislation, they're called in and told what's happening. Usually an emission control order is issued giving the industry a certain amount of time to comply with the standards of the act. During the time they're given to bring about compliance, they maintain their operations. Strictly speaking, unless we had some kind of paper that you could give an industry, a temporary permit to operate or, as it's called in this case, a certificate of variance, as long as they're in operation they would be breaking the law. It's to deal with those kinds of situations that this portion was put in the act.

A recent one that comes to mind is Houg Cement. Some members will recall the situation last year whereby they were issued an emission control order they tried very hard to meet, were finally issued with a stop order, and had to stop production. I've said many times that's the last measure government likes to take with an important industry. I think the conditions under which the certificate of variance can be issued are important and must be read very carefully along with that section, because you can't just hand them out without those conditions being met.

MR. CLARK: Mr. Chairman, following along the minister's comments, as I read Section 4.8(1), there's no indication of time limits. I can appreciate some of the problems the minister would find himself involved with if there were time limits for a certificate of variance. But, Mr. Minister, how do you plan to handle the time situation? It seems to me that perhaps the more serious long-range concern, once one of these certificates is issued, is what kind of time frame we are looking at. I hope all hon. members would be of the feeling that a reasonable period of time would be available.

On the other hand, the temptation is going to be very great for those few people in industry who may not be as conscientious as we would like them to be, to use this area to get a number of extensions. I am sure the minister recognizes that there will be a need for him to put some sort of time limit in the certificate when it is issued. At least I hope there would be and that this certificate of variance would not become a way of getting around regulations as they are now imposed. I am not suggesting that is the minister's intent at this time, but I can see that unless careful attention is paid to the time involved, it can become a way to circumvent well-intended regulations.

MR. RUSSELL: Mr. Chairman, the point the hon. leader makes is absolutely correct, and if you go to Subsection (3) under that clause, you will see that there is reference to the terms and conditions and period prescribed in the certificate.

Again, I can only relate to the members the experience that a rather new department dealing with rather new legislation has had. The only realistic way we have found so far is to deal with each case on its own conditions as it comes up. That is why the conditions under Section 4.8 (1) are important.

A recent example, of course, would be the situation in which GCOS found itself in Fort McMurray earlier this year when it was alleged that their tailings dyke was leaking and there was some doubt that that was true. We quickly formed an independent committee of inquiry, and when they determined what the problem was we issued an order which provided pretty strict time constraints for them to do two things: one was to tell us quickly how they proposed to fix the problem, and the second was a final date for implementation of their plan. Because of the nature of the industry I felt that the time constraints in both those cases were very strict. The company did meet them but with some difficulty.

In a case like that, that's why the minister, not the director of standards and approvals, has to weigh the benefits or disbenefits as they are outlined in 4.8, bearing in mind the nature of the industry, its role in the community, and whether or not Alberta would be better off if the plant had been closed down, which legally I suppose we could have done.

MR. CLARKE: Perhaps just to finalize the point, going over to (3)(a) when the minister talks of terms and conditions, I take it from his remarks that he plans to include a time frame or date when he will be specifying terms and conditions. If that is what the minister is saying, there is no serious problem.

MR. RUSSELL: That is inferred in the preamble under (3): "in effect during the period prescribed in it . . ." So a time condition would be prescribed. Another condition might be the reduction of production which was used in an order given to GCOS which imposes some financial hardship on a company.

[Title and preamble agreed to]

MR. BRADLEY: Mr. Chairman, I move the bill be reported.

[Motion carried]

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

[Motion carried]

[Dr. McCrimmon left the Chair]

[Mr. Speaker in the Chair]

DR. MCCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bills, Nos. 61 and 59, and begs to report same with some amendments.

Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bills: Nos. 66, 62, 63, 64, 67, 68, 70, 72, 75, 69, and 73, begs to report same, and asks leave to sit again.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, before calling it 5:30 I would advise the Assembly that there will be no night sitting tonight but there will be a night sitting on Thursday night.

With regard to the motion in Votes and Proceedings with respect to the constitution, that motion is stated as being capable of being called the day after tomorrow, on Wednesday. It will not be called this week. That motion will be called next week at the earliest, probably after completion of the estimates with respect to the Alberta heritage savings trust fund and after completion of the various bills now on the Order Paper.

I move we call it 5:30 and that the Assembly adjourn until tomorrow at 2:30.

MR. SPEAKER: Having heard the proposal and 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 5:28 p.m.]

