

**LEGISLATIVE ASSEMBLY OF ALBERTA**Title: **Thursday, October 20, 1977 2:30 p.m.**

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

**PRAYERS**

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 248****An Act to Amend****The Alberta Labour Act, 1973**

MR. NOTLEY: Mr. Speaker, I beg leave to introduce Bill 248, being An Act to Amend The Alberta Labour Act. The purpose of Bill 248 is to set out clearly that whenever a firm goes bankrupt, the wages of employees of that firm come first, before secured creditors, trust companies, or what have you.

[Leave granted; Bill 248 read a first time]

**Bill 251****An Act to Amend****The Child Welfare Act**

MR. KUSHNER: Mr. Speaker, I request leave to introduce Bill 251, An Act to Amend The Child Welfare Act. The purpose of this bill is to provide a curfew from 10 p.m. to 5 a.m. for children under the age of 16. This would apply to any child found in a public place without a legitimate purpose. The parents of the child breaking the curfew the second time could be prosecuted under the act as having contributed to a child becoming a neglected child.

[Leave granted; Bill 251 read a first time]

head: **TABLING RETURNS AND REPORTS**

DR. WARRACK: Mr. Speaker, it's my pleasure today to table an important document. It's the result of work by a hard-working committee on REAs under the chairmanship of the Member for Whitecourt and including the Member for Vegreville and the Member for Athabasca. This is the report of the REA caucus committee by that group.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. MOORE: Mr. Speaker, it is my pleasure today to introduce a very special visitor who is seated in your gallery — special, I might mention, not only to me as Minister of Agriculture but to my hon. colleague the Minister of Social Services and Community Health, who has known this young lady and her family for many years. Miss Noreen Onofryszyk is this year's recipient of the Premier's award, and was chosen

from the 11,000 members in the 4-H program throughout Alberta.

Noreen comes from a farm in the Eckville area, where her parents farm one section of grain and raise 100 head of cattle. She is presently living in Red Deer and attending the Red Deer College in her first year of commerce. Noreen won this award while a member of the Gilby 4-H Club, and was active in both beef and light horse projects. Noreen and her family will be meeting with the Premier later this afternoon. She is accompanied today by her young sister Karen and her parents. I would ask that they rise and be recognized by the Assembly.

MR. SCHMIDT: Mr. Speaker, it's indeed a pleasure for me this afternoon to introduce to you, and through you to the members of this Legislature, some 60 junior high school students. They are accompanied by their teacher Mrs. Goudreau, from the town of Leduc in my constituency. They are seated in the members gallery. I would ask them to rise and receive the welcome of this House.

MR. CRAWFORD: Mr. Speaker, I take great pleasure in introducing to you and to the members of the House two classes of students from the constituency of Edmonton Parkallen. I might just say that these two schools have provided, I think, as many visitors to the Chamber with as much frequency as any group from the Edmonton area. I'm going to ask both groups to stand in a moment at the same time.

The first group, some 30 grade 6 students, is from McKernan school, accompanied by their teacher Mr. Beggs. The more grown-up ones come second. They're grade 7 students from Mount Carmel school, some 21 in number, accompanied by their teacher Mr. Marc Poirier. I would ask both groups in the public gallery to stand now.

head: **ORAL QUESTION PERIOD****Government House South**

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Premier and ask if he could indicate whether it's the intention of the Alberta government to make the old Alberta courthouse in Calgary into a building which will be called Government House South?

MR. LOUGHEED: Mr. Speaker, yes, I intend to make an announcement of that nature tomorrow and provide the advice to the, I'm sure, delighted citizens of southern Alberta.

MR. CLARK: Mr. Speaker, we're always pleased to make an announcement on behalf of the government. Having regard for the fact that the Premier will be in Calgary and not in the Assembly tomorrow morning, I wonder if we could ask the Premier: what are the projected costs of the renovations needed to develop Government House South?

MR. LOUGHEED: Mr. Speaker, I'm sure the Minister of Housing and Public Works will be delighted to respond to that question tomorrow in the Legislative Assembly.

MR. CLARK: Mr. Speaker, thirdly, would either the Premier or the Minister of Housing and Public Works care to indicate to the Assembly today who the interior design consultants will be, and have they already been selected?

MR. LOUGHEED: Mr. Speaker, I'm sure those decisions will be part of the announcement, which I'm sure will be greeted with great pleasure by the citizens of southern Alberta, in terms of what we propose for the citizens.

MR. CLARK: Mr. Speaker, I can appreciate the Premier's sensitivity in having the announcement made for him here in the Legislature today.

DR. BUCK: A leak in the cabinet.

MR. CLARK: But, Mr. Speaker, the question to either the Premier or the Minister of Housing and Public Works: will the building to be known as Government House South be more available for the use of the public than Government House in Edmonton is?

MR. LOUGHEED: Mr. Speaker, I'd be delighted to respond to that question. The hon. leader fails to understand the joy I am having, because I get an opportunity now to describe three times what we're going to be doing. Let me say that what is intended . . .

DR. BUCK: We're flattered you're doing it here first.

MR. LOUGHEED: Oh, that's good. I'm sure the people in southern Alberta will be flattered to hear too that I'm prepared to go south and make a trip to the city of Calgary and express it there, and I'll do that.

MR. CLARK: We're glad to help you here.

MR. LOUGHEED: The view we have is that it will be a structure that will be a focal point for the people of southern Alberta, an historic site. Certainly when we look at the question of the utilization of Government House here, I've had nothing but very positive responses by the citizens to the tours we arrange, that are being arranged every Sunday.

I just want to reiterate that as far as Government House in Edmonton is concerned, if any of the Members of the Legislative Assembly wish to take groups to see it, we certainly would welcome them to do that and to arrange those tours. They are very well received, and most people are delighted that we have taken the historic structure there and made it the centre it is.

MR. CLARK: Mr. Speaker, we're pleased we finally got some comments.

#### Forensic Unit Report

MR. CLARK: Mr. Speaker, I would like to direct the second question to the Minister of Social Services and Community Health. It flows from the report tabled in the Assembly yesterday afternoon, the Earp report, with regard to Alberta Hospital. First, is the minister considering any action to make it easier to get staff to work in the forensic unit? I think a

reference was made to page 58 where certain senior staff positions had been vacant for more than one year.

MISS HUNLEY: Mr. Speaker, there is a continuous recruitment procedure referring particularly to forensic psychiatrists, who are not only very rare birds but difficult to recruit. We've been successful in recruiting one psychiatrist, which helped considerably in lightening the load. Of course we are crowded. We know we are, and we have taken some bold steps to have that corrected with the announcement in the budget speech this year of the construction of the forensic unit. When that unit is built we will require more staff. We will have more space in which to work. But in the meantime, we must be embarking, and we are, on a recruitment program so we'll have adequate staff when that unit is opened.

MR. CLARK: Mr. Speaker, a supplementary question to the minister, and perhaps I might rephrase the initial question. Is the minister going to take any steps additional to those taken supposedly during the last year so the vacancies referred to in Dr. Earp's report can in fact be filled as soon as possible?

MISS HUNLEY: Absolutely. They're doing everything possible to fill the existing vacancies, Mr. Speaker. It has never been our intention not to have those filled.

MR. CLARK: Mr. Speaker, a follow-up question to the minister. What action does the minister intend to take to deal with the sense of isolation which senior members of the forensic unit feel? Again I allude to page 58 of the report.

MISS HUNLEY: Mr. Speaker, there are two things that can probably be done in the analysis of the report, which we have found very useful. One is that the forensic unit could be developed as a separate unit because it deals with specific problems. Or there can be closer liaison, and I think that has already been undertaken, working with the heads of the various departments and units out there, and with the director of the Alberta Hospital, Edmonton.

MR. CLARK: Mr. Speaker, a further question to the minister. What steps have been taken by the minister or the minister's department with regard to the concern raised by Dr. Earp in the report where weekly case conferences have been cancelled very frequently?

MISS HUNLEY: That's another very valuable purpose that the report served, because it stressed to the staff the importance of the weekly conferences, and those will be proceeded with. Actually, Mr. Speaker, we received an interim report, which is alluded to in the report I tabled yesterday. That provided a very good working document, and we were able to start implementing those as we received them from Dr. Earp.

MR. CLARK: Mr. Speaker, to the minister. Dealing with the portion of the report that indicates no basic criteria have been established for diagnosis and treatment of patients — I think it was on page 80 of Dr. Earp's report that he made this very straightforward statement — will the minister require that basic

criteria be established for diagnosis and treatment of patients?

MISS HUNLEY: Mr. Speaker, I'd like to refer to that specific quotation because when it's taken out of context it can be misconstrued. So I would like to have the opportunity to look at it and perhaps respond later on.

MR. CLARK: Mr. Speaker, to the minister, I believe it's page 80.

Mr. Speaker, a further supplementary question to the minister. It deals with that portion of the report where Dr. Earp indicated it was extremely difficult to identify patients who would possibly be dangerous. Is the minister considering changes to the Alberta Mental Health Act, in view of Dr. Earp's conclusions that dangerousness cannot be predicted and that for years and years we've had really no improvements in this area as far as predictability is concerned. Having regard for the fact that this is premised on the Alberta Mental Health Act today, what changes does the minister anticipate, and will these changes be introduced at this fall session?

MISS HUNLEY: I'm not sure the hon. Leader of the Opposition clearly understands the report that he may have read.

MR. CLARK: We're just trying to find out if the minister does.

MISS HUNLEY: They do talk about the fact that the prediction of violence is, at the very least, a primitive science. That doesn't mean only in mental hospitals; it means on the streets, in the Legislature [laughter] — anywhere. I think it would be irresponsible for any professional to indicate and reassure the public that there is some way you could foretell whether any person would become violent. I think we have to accept that, in relation to this report but also just as a fact of life. Violence occurs on the streets, it occurs in the homes, and they have not yet found this.

I'm happy to say, and I've known for some time that we're doing some extensive research right at Alberta Hospital, Edmonton, as well as in other areas. They are hopeful that they may find some method that this can be done. But that calls for additional research, and I'm sure it will continue to go on.

MR. CLARK: Mr. Speaker, one last supplementary question to the minister. Is it the intention of the government to introduce any legislation at this fall session as a result of the findings of Dr. Earp and his investigation at the Alberta Hospital?

MISS HUNLEY: My review of the report, and a review from my officials, does not indicate that legislation is required. He deals basically with administrative procedures. We've been working on implementation of those, and they are very useful and very valid. As I recall from my review of the report, I don't see that amendments to The Mental Health Act, as relates to this report, are required. Later on in the Assembly there will be some minor amendments to The Mental Health Act, so I wouldn't want to advise the hon. member that the act will not be open. It will, but not as a result of this report.

MR. CLARK: Mr. Speaker, just one post-final supplementary question to the minister. Would the minister be prepared, then, to table with the Assembly a listing of the administrative changes that have taken place, or that the government plans to have in place let's say, by the end of this calendar year? Would the minister give this undertaking?

MISS HUNLEY: Yes, Mr. Speaker. I feel sure we can advise the House of the administrative steps that have been taken. If the hon. leader would like to go through the recommendations, probably most of those are occurring or have already occurred. But I would be pleased to provide a statement showing where we are, a status report.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Social Services and Community Health. In light of the concern expressed in Dr. Earp's report about the forensic unit and the commitment in the budget, I believe, to construct a new one, is the minister in a position to give us a report as to where things stand on the planning of the new forensic unit?

MISS HUNLEY: The money has been voted; planning is well advanced. I believe the estimated time of construction is two years, although my colleague the hon. Minister of Housing and Public Works, under whose jurisdiction this comes, would be more the appropriate [one] to answer this question.

MR. NOTLEY: Mr. Speaker, a supplementary question then to the hon. Minister of Housing and Public Works: with respect to the planning process, a target date; also whether or not the planning process has taken into consideration Dr. Earp's recommendation that the whole planning process has to recognize there will be a greater demand.

MR. YURKO: Mr. Speaker, the Department of Public Works runs a large number of projects throughout the province. The detailed planning process is quite complex, and indeed is reviewed on a periodic basis. If the hon. member would like to get a report from me on the actual progress of this project, there are ways he can obtain that information in more detailed form. So besides answering in that way, I'll be prepared to bring the planning sheets and submit them to the hon. member if he wishes to see them.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Social Services and Community Health. Is the government considering at this time any specific programs to follow up the recommendation made by Dr. Earp with respect to post-discharge care or the whole concept of a halfway house?

MISS HUNLEY: Yes, we have been doing work on that, even prior to Dr. Earp's report. It is not one of our easier problems to solve. It's one we must continue to work towards.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the minister in a position to outline for the Legislature what specific steps have been taken to develop a program, in view of the fact

that I understand the John Howard Society, for example, is not particularly able to participate in this sort of project?

MR. SPEAKER: If the hon. minister is of the opinion that the answer to that question is going to be lengthy, since it appears to call for a series of steps, perhaps it could be put on the Order Paper. We've already had, I believe, nine supplementaries on this topic. I think there should be a limit.

#### Education Goals

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Education. It relates to a commitment of the government in the throne speech of 1977 and the priority to education assigned by the Premier in 1976. Will we as Albertans be able to see concrete results come from the Curriculum Policies Board statement on goals of basic education, or will it just be followed by a bit of rhetoric and discussion?

MR. KOZIAK: Mr. Speaker, I would hope the hon. member would have the opportunity if he hasn't already spoken on the debate — which I think is item No. 2 on our Order Paper — to express his views on the Curriculum Policies Board recommendations, before those or any other recommendations are adopted as being the goals of education for this province.

MR. R. SPEAKER: Mr. Speaker, being a little more specific: can the minister specify how the basic goals of education are going to be translated into classroom specifics? Maybe to clarify that a little more, does the minister see that these objectives of the Curriculum Policies Board will be followed by an established curriculum that will be announced, or what will happen?

MR. KOZIAK: Mr. Speaker, once the goals have been adopted, of course whatever curriculum changes are necessary will flow to ensure that our objectives are reached.

#### Learning Disabilities

MR. R. SPEAKER: Mr. Speaker, a final supplementary to the minister. As background information, approximately 10 per cent of the children in regular classrooms suffer from some type of learning disability. Apart from the allocation of \$48,000 to the learning disabilities association, what steps has the minister taken to guarantee that these children will have the full opportunity to overcome their disadvantage and participate fully and productively in their communities?

MR. KOZIAK: Mr. Speaker, I'm surprised that the hon. member refers to only a portion of the grant we provide to the Alberta Association for Children with Learning Disabilities as being our only contribution. Surely the hon. member must be aware of our learning disabilities fund, and of the number of special education teaching positions which we fund to provide assistance for children with learning disabilities and children with other handicaps.

As a matter of fact, in this particular area the growth since 1971 has been tremendous. The num-

ber of special education teaching positions recognized and funded by our government, for children with handicaps, has grown 500 to 600 times.

#### Beef Industry

MR. BUTLER: Mr. Speaker, I'd like to direct a question to the Minister of Agriculture. My question is: has the minister received the report from the senate committee on beef imports?

MR. MOORE: Yes, Mr. Speaker, last Friday afternoon I received the report of the standing Senate committee on beef imports and have had some opportunity to review it.

MR. BUTLER: One supplementary, Mr. Speaker. Does the Alberta government agree with this Senate report?

MR. MOORE: Mr. Speaker, the standing Senate committee looked into all phases of the marketing of beef insofar as imports to Canada are concerned. They made a number of recommendations and it would be difficult, without going to some length, to suggest that we are in favor or opposed to all of those recommendations.

I would say, however, in general the spirit and intent of the Senate report to the government of Canada is one that we can agree with. It can probably be best summed up by a statement made at the beginning of the recommendations in the Senate report, to the effect that the Senate committee had examined the effects of Canada's trade laws on the achievement of stability in the beef industry and found that the laws were inadequate and, in many respects, counterproductive.

If I could quote a sentence from their report, the Senate committee says:

Yet the trade policy pursued by the Canadian government has drained away the resources of beef producers and caused considerable instability in both supply and price.

The Senate committee goes on to say:

The Committee has concluded that this policy and the laws which implement it must be changed.

Mr. Speaker, I would have to say that in general the context of the presentations made by this government to the Senate committee, which are quoted extensively throughout the report, are in fact in concert with what we think needs to be done in the beef industry, particularly for Alberta producers.

#### Foreign Land Ownership

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Associate Minister of Energy and Natural Resources in charge of Crown leases. Could the minister indicate what progress has been made with regard to setting up the foreign land ownership administration which the minister announced last June?

MR. SCHMIDT: Mr. Speaker, the foreign ownership of land was established and in operation within weeks of the passing of the bill early this spring, in April, operating under the temporary regulations which were presented to this Legislature. To date it has

been operating well, and we feel that during the period of operation we have had the opportunity to ask for comments from those individuals involved in land transfers throughout the province, to give us the basic comments and background so that we may come up with more permanent regulations, as the temporary ones will be finished by the end of December this year.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Will this office be releasing regular reports on foreign ownership purchases?

MR. SCHMIDT: Mr. Speaker, under the temporary regulations, of course, those monitorings that are done at the present time, and I guess so-called releases, are [for] individuals who apply for an exemption under the regulations. They are made available, and are public knowledge as they are passed by orders in council.

At the present time and on an ongoing basis, the purchase of urban land will be monitored as a matter of interest, to keep track and give us an indication as to the amount of land that's being transferred from an urban point of view. Of course hopefully under the new regulations there will no longer be a monitoring of the transfer of rural land, because it will be covered under the regulations.

#### Language Rights

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Premier. In view of widespread concern expressed across the country about the discriminatory features of Bill 101 passed by the Legislature of the province of Quebec, has the government of Alberta made representation to the federal government and to the province of Quebec with respect to Bill 101 and its discriminatory features?

MR. LOUGHEED: Mr. Speaker, I think that would be an ill-advised course that the member is suggesting. Certainly, I know how we'd feel about comments by other provincial governments about legislation we might pass in this province. Even though we are concerned with the nature of that legislation, it is really a matter for that provincial Legislature to determine in terms of its capacity as a legislature. If people within the province of Quebec feel that the legislation is not within either the jurisdiction or the spirit of the Canadian Bill of Rights, they of course have remedies.

It would seem to me that if any response is to be taken in a matter of this nature, it should be a response by the federal government. In the course of the ongoing debate on national unity, I'm sure there will be appropriate times for the province of Alberta to take a position. I would think that we in this case would be well advised to consider the response made by the Prime Minister on this matter.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. In light of this issue and discussion that has flowed as a consequence of it, concerning a possible constitutional amendment that would set out minority language rights across the country, has the government of Alberta given any considera-

tion to whether or not this province would in fact support a constitutional amendment?

MR. LOUGHEED: Mr. Speaker, it depends to a degree upon a number of events: the precise nature of the constitutional amendment that some suggest, the way in which it fits within any new federalism mentioned in the Speech from the Throne in the House of Commons a few days ago.

We have to keep in mind that, as I mentioned in my remarks over a week ago, we have a province which is of a multicultural nature. I think we have an attitude here that if people want to improve the education in the province, in sufficient numbers take their instruction in the French language, we should provide taxpayers' support for that, and we're doing it. I think we're doing it very well in Alberta. There's always room for improvement. But when you look at a province where, as I mentioned, only 2.4 per cent is French speaking, and we have 2 per cent within the province in the school system who are taking their education under French language instruction, I think that's generally a good performance record. We can always improve on it and will seek to try to do so.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. In view of the Premier's comments on Wednesday last concerning a possible third option in developing Canadian federalism, what is the position of the government of Alberta with respect to the proposition by the Premier of Quebec; namely, that bilateral agreements between provinces with respect to the minority language issue would be proposed by that province? Is it the view of the government of Alberta that that proposition is totally inconsistent with our position on federalism?

MR. LOUGHEED: Mr. Speaker, I thought I dealt with that matter, but perhaps I did not. Our view is that we take the strong position that the people of the province of Quebec should not anticipate that in the event they make the tragic decision of separating from Canada, they could work out an economic association with the rest of Canada. It's important that the people of Quebec understand that.

If we entered a series of bilateral agreements between the provinces and the government of the province of Quebec, and completely by-passed the federal government in this area, I think we would literally be playing into the hands of those who might be able to argue that an economic association really would be possible for the people of Quebec. So we expressed — and I'm not now speaking just for myself, but for all other nine premiers — the view in St. Andrews, New Brunswick, in August that we just could not see it was in the best interests of Canada to enter the agreements suggested in the hon. member's question.

MR. NOTLEY: Mr. Speaker, a supplementary question to either the hon. Premier or the hon. Minister of Education. In view of the conference at St. Andrews and the agreement, as I understand it, that there would be a review of minority language education in the provinces, including the province of Alberta, is there going to be a specific study or consultant engaged to undertake that review? If so, has that study been launched?

MR. KOZIAK: The Council of Ministers of Education, Canada, met in Edmonton a couple of weeks ago, Mr. Speaker, to consider the resolution which the premiers had passed at St. Andrews-by-the-sea in New Brunswick and, in doing so, had agreed to complete the study in the method required of them by the premiers. Each province will be providing information along a standard basis to the council secretariat. The council secretariat will then be collating the results provided by each province, and submitting this in one study to the premiers of Canada.

MR. NOTLEY: Supplementary question to the minister. Has the study formally got under way?

MR. KOZIAK: Mr. Speaker, yes it has, with the decision by the Council of Ministers to proceed, indicating that the study should be completed, I believe, by the month of January 1978 so it could be considered at the next meeting of the council prior to delivery to the premiers at their February meeting.

MR. NOTLEY: Mr. Speaker, supplementary . . .

MR. SPEAKER: Might this be the final supplementary on this topic.

MR. NOTLEY: Supplementary to the hon. Premier. Will this study be a working document for the premiers and ministers of education? Or is it the intention of the government, or has there been discussion among the premiers at the meeting at St. Andrews, that this study in fact would be made public and tabled in the respective legislatures?

MR. LOUGHEED: Mr. Speaker, we didn't deal precisely with that matter. I don't think a decision has been made. Certainly no agreement has been reached between the premiers. I believe that when the document is received from the Council of Ministers of Education, we'll have to face up to that particular question. But I can't give the hon. member an answer to it now.

#### **Public Service Pay Differential**

DR. BUCK: Mr. Speaker, I'd like to ask a question. The Provincial Treasurer has had a little snooze, and I think it's time to wake him up a little. Mr. Speaker, it's a follow-up question to the hon. minister in that, as was mentioned this week, there was a difference of \$3,500 last year between men's and women's starting salaries, and it's gone up to \$4,500. I may have missed something, Mr. Speaker, and I'd like to ask the Treasurer again . . .

MR. LEITCH: You were asleep.

DR. BUCK: No I wasn't sleeping; I was listening, but I might have missed that. What specific efforts are being made by the minister's department to actively recruit women in the higher paying jobs so this differential will shrink?

MR. LEITCH: Mr. Speaker, as I pointed out during the spring session when the estimates were going through the House — incidentally, it was an estimate the opposition moved be deleted from the budget —

we had a career counselling and planning unit in the personnel administration office. One of the functions of that unit would be to endeavor to increase the number of female applicants for the higher paying positions in government. That unit is now in place and is working on that. It will be some time before we know how successful we are. But we certainly want to see an increase in the number of woman applicants in the more senior, or high-paying, positions in government.

#### **Propane Prices**

MR. PURDY: Mr. Speaker, I'd like to ask a question of the Minister of Utilities and Telephones. In view of the fact that propane prices will no longer come under the purview of the Public Utilities Board hearings, will the government consider placing propane under The Natural Gas Rebates Act, thus allowing propane customers the benefit of the act?

DR. WARRACK: Mr. Speaker, I think the second part of the question depends heavily on the first. There is a bit of a misunderstanding in the statement with respect to the first part. It is not that propane no longer comes under the Public Utilities Board, but that in a decision by the Public Utilities Board on propane prices, they indicated that as far as the distribution of propane is concerned the price regulation could come off immediately; come off at the end of, I believe, March 1978 insofar as producer prices of propane are concerned; but that in both cases, in the event it was necessary to do so, the Public Utilities Board would retain the right to bring pricing back under their purview for setting the prices.

MR. PURDY: Supplementary question to the minister. I understood what the minister outlined to the House just now, but is any consideration being given to allowing propane consumers the benefit of The Natural Gas Rebates Act, in view of the fact that the distribution price of propane has increased?

DR. WARRACK: Mr. Speaker, I was indicating that in the event this was done, it would be flying in the face of the judgments of the Public Utilities Board. But in any case, the answer is, not at the present time.

#### **Liquor Outlet Closures**

DR. WALKER: Mr. Speaker, my question is to the hon. Solicitor General. I wonder if the minister could explain why some government liquor stores were open yesterday on municipal election day while others in other towns were closed?

MR. FARRAN: Mr. Speaker, generally speaking, the rule is that licensed outlets for liquor close on days of federal and provincial elections, but for municipal elections, by the option of the local government. I understand that the local government of Lac La Biche was the only one that closed the stores in its area of jurisdiction. However, if some of the government liquor vendors were inadvertently closed, without the local option being taken by the municipal council, I'd be grateful if the hon. member would let me know about it.

DR. WALKER: Supplementary to the minister. Would the minister consider making regulations that would make this practice a little more uniform across the whole province on municipal election days?

MR. FARRAN: Mr. Speaker, this is a question of respecting local autonomy. It is a provision in The Liquor Control Act, and it would require both a change of philosophy and a change in the legislation to take away such a local option. I believe that most members would agree that the local option is really the right route for municipal elections.

#### **Education Goals** (continued)

MR. KOZIAK: Mr. Speaker, in answer to the question put by the hon. Member for Little Bow, I believe at the very end of my response I said 500 or 600 times. That should have read 500 or 600 per cent.

#### **Mobile Home Park — Airdrie**

MR. KIDD: Mr. Speaker, my question is to the hon. Minister of Housing and Public Works. I wonder if the minister would inform the Assembly as to the status of the modular home development in Airdrie.

MR. YURKO: Mr. Speaker, very briefly, there has been some delay in connection with the fact that part of this summer was rather wet at one point, but progress has been quite good. Lots are being sold, the overpass is being constructed, and I believe the on-sites of phase one are pretty well in place. I might say that the Housing Corporation provides a monthly progress report to the board of directors on all the major projects. These monthly reports are available if the hon. member wishes to get one.

#### **Rapid Transit — Calgary**

MR. MUSGREAVE: Mr. Speaker, I'd like to address my question to the Minister of the Environment. As light rapid transit development in the city of Calgary was decided upon behind closed doors, without benefit of a public hearing, resulting in environmental concerns not being considered by affected citizens . . .

DR. BUCK: Sounds like the cabinet, Eric.

MR. MUSGREAVE: . . . I would like to know if the minister can advise if he will request the city to prepare environmental impact statements before any construction commences.

MR. RUSSELL: Well, Mr. Speaker, that's the kind of study that is now becoming a routine part of these projects, and I would expect the city administration would take care of that. If they don't, I would remind them of the desirability of carrying one out.

MR. MUSGREAVE: A supplementary, Mr. Speaker.

DR. BUCK: Tokenism, Dave.

MR. MUSGREAVE: If the city did not carry out these studies, would the minister recommend to the Minis-

ter of Transportation that the capital grants for the city be withheld until such studies were conducted?

MR. RUSSELL: Well, I don't think we could pursue that particular course, Mr. Speaker, because the grants are given each year unconditionally for whatever expenditure they want. But certainly within the design parameters and the implementation of the program we could make that suggestion.

#### **Grant MacEwan College**

MR. YOUNG: Mr. Speaker, my question to the Minister of Advanced Education and Manpower concerns the Grant MacEwan campus. In view of the exchange of sites between Grant MacEwan and the Edmonton Public School Board — the Assumption campus for the Jasper Place campus — I wonder if the minister could advise the status of planning for the construction and/or upgrading of facilities at the Jasper Place site.

DR. HOHOL: Mr. Speaker, the plans for the exchange of the two facilities have been approved. The two agents, the Edmonton Public School Board and the board of governors of Grant MacEwan College, are working on the technical aspects of the exchange. Any developments in the capital area are matters of budget, and will proceed in the normal course of events during developments in that area.

MR. YOUNG: Mr. Speaker, as a supplementary. Is the situation now such that the Grant MacEwan board has funds for planning for the type of construction it requires?

DR. HOHOL: It's the kind of detail I'd have to look at in the Grant MacEwan file. But my understanding is that they are in a position to make the initial plans that can be made without the phase one type of planning, which is a factor of the capital budget of the department. That part is not in their capability at the present time.

MR. YOUNG: An additional supplementary, Mr. Speaker. Before construction planning can proceed, I wonder whether a review of the program mandate and the delivery system of the college is required. If so, at what process is that procedure at the present time?

DR. HOHOL: That is correct, Mr. Speaker. The college has presented to us a longer term capital works program based on the programs and services, and on the review with the department officials. The mandate the college had when it was initially put in place is on the basis of that kind of planning; that the building — which is completely hypothetical at this time, though not in terms of a replacement for the old structure, which is at Jasper Place — will have to be replaced, quite apart from the long-term plan. Any additional building or campus will of course depend on the capacity of government and the college to negotiate and agree on a long-term educational plan and service for that particular college.

MR. YOUNG: A final supplementary, Mr. Speaker. I wonder if the minister could indicate when it is antic-

ipated that the review of the program mandate will be completed by the department.

DR. HOHOL: Mr. Speaker, the procedure for review is somewhat like negotiation. It's not just a matter of our completing our own review, but having done that, to go back and meet with the college any number of times until we find agreement between the department and the college; and thereafter my capacity to sell that agreement and to convince my colleagues that this is the direction and the programs and services the college should proceed with in the years to come.

MR. YOUNG: For clarification of the last response, Mr. Speaker, I wonder if the minister could indicate when the department would have completed its concept of what it sees as the mandate of Grant MacEwan College.

DR. HOHOL: Yes, certainly, that's partly what I was trying to avoid. [laughter] Seriously, though . . . I was trying seriously.

Without being able to indicate a specific date, because that has obvious risks — and I'm sure the hon. member appreciates this — sometime early this fall, at the end of November or the beginning of December.

#### Juvenile Crime

MR. KUSHNER: Mr. Speaker, I wish to direct my question to the general. I wonder if the Solicitor General could inform this Assembly [laughter] if he is preparing any legislation with regard to curbing juvenile crime. As well, could the minister could inform this Assembly if in fact juvenile crime is declining this year compared with last year's figures?

MR. FARRAN: Mr. Speaker, insofar as legislation is concerned, this would come under the jurisdiction of my colleague the hon. Minister of Social Services and Community Health, who is responsible for juveniles under the technical age of majority of 16.

However, the government is now contributing in excess of \$17 million a year in law enforcement grants to urban police forces. A large portion of this money has gone toward crime prevention, particularly in the juvenile offence area. For instance, in the city of Calgary they have a number of crime prevention officers actually stationed in high schools.

Next year, to support municipal police forces, we will be developing a crime prevention package on the subject of vandalism and arson in schools. The legislation was changed recently, so that effective October 1 a judge of the juvenile court can sentence a juvenile delinquent to a short term of imprisonment.

MR. KUSHNER: A supplementary to the Solicitor General. . .

MR. SPEAKER: If this is going to be a very short supplementary and a very short answer, we'll have time for it.

MR. KUSHNER: Mr. Speaker, I did ask the question, but I think maybe the minister has forgotten it or tried to avoid it. I don't know.

MR. KUSHNER: Mr. Speaker, to the minister. Can the minister inform this Assembly if juvenile crime in fact is declining this year, compared to last year's figures?

MR. CLARK: He would sooner not answer that question.

MR. FARRAN: Mr. Speaker, not that I really have too much faith in statistics of this sort, there are indications from some of the police forces that there has been some small drop in juvenile crime rates. The RCMP report a drop in Sherwood Park since they instituted a crime prevention program with encouragement and financing from this government. The city of Calgary reports a small drop in the rate of juvenile crime. Whether it's a flash in the pan or not, I don't know.

#### ORDERS OF THE DAY

##### head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### 1. Moved by Mr. Clark:

Be it resolved that the Legislative Assembly urge the government of Alberta to maintain the present independence of the Environment Conservation Authority, and

Be it further resolved that the Legislative Assembly urge the government of Alberta to introduce legislation which would allow the Environment Conservation Authority, upon its own initiative, to inquire into any matter pertaining to environment conservation.

MR. CLARK: Mr. Speaker, in the course of my remarks this afternoon which, because of the nature of the rules of the House, will have to be quite short, I would like to cover three areas. First of all, I'd like to discuss the purpose to preserve the ECA from government interference in its inner administration, and thereby preserve the autonomy of the ECA. Secondly, I'd like to make some comments with regard to expanding the ability of the ECA to call hearings on its own initiative, as it could prior to 1972, when this government took that authority away from it. Thirdly, I'd like to make some comments about the government's decision to build a dam at Site 6 on the Red Deer River, a decision contrary to the recommendations of the ECA and decisive in the government's apparent decision to kill the ECA.

Mr. Speaker, this resolution is really an eleventh-hour attempt to get the government to reconsider its decision, announced earlier, that it's going to make major changes in the ECA which in our judgment will make whatever is put in its place a mere shadow, a mere figment of what the Environment Conservation Authority was when it was established. In 1970, when it was established, it was an environmental ombudsman. And in 1971, Mr. Speaker, the concept of an environmental ombudsman had the support of individuals who are now very key and central figures in this government.

Mr. Speaker, let's look for a moment at this question of the value of the ECA. It has provided a forum for public participation in government decision-making in this province. It's provided an impartial



environmental ombudsman which the public can trust and, I think, certainly respects. I think many members in this Assembly who have to make a decision on this question may have the feeling that the only important work the ECA has done was its work as far as the Red Deer River is concerned.

Mr. Speaker, the ECA has been involved in a large number of very important projects in this province. It dealt with the matter of restoring water levels in Cooking Lake and Hastings Lake. It was involved in the question of impact on surface mining in Alberta. It was involved in the question, and held hearings on, conservation of historical and archaeological resources in Alberta. The government took the basis of its recommendations there and enacted them. The ECA was involved in the question of operation of sulphuric extraction gas plants in Alberta; on land use and resource development in the eastern slopes; on the restoration of water levels in the Peace/Athabasca delta; on the use of pesticides and herbicides in Alberta; on water management and flood control in the Paddle River basin; on the effects of residential development in the Leduc/International Airport area; yes, on flow regulation of the Red Deer River; and on erosion of land in northwestern Alberta.

I point these areas out, Mr. Speaker, to refresh the memories of the members of this Assembly that this resolution is asking the government to make the decision to retain this agency, to give it back the kind of ability it once had to look at any environmental matters it felt were appropriate, to really let this agency once again be Alberta's environmental ombudsman, and not to strip it of virtually everything it has.

Mr. Speaker, I'd like to read from the first annual report of the ECA on this question of public participation:

Any instrument or device used to bring about public participation should itself be generally nonpartisan, without vested interests in the issues under discussion, and at arm's length from the Government itself. The Authority takes itself to be such an instrument.

I think that's a fair assessment of the view that at least many people in this province have come to regard appropriate for the ECA until the government's recent decision. I doubt whether anything which replaces the ECA can be considered such an instrument. Certainly I look at the legislation that has been introduced, and it would not fit those guidelines in any way, shape, or form.

I myself have made three presentations to the ECA: twice on the question of the Red Deer dam at the first hearings, and at the second hearings. Prior to that I took part in the hearings on the eastern slopes. In all three cases the matters being discussed affected my constituents and my constituency very directly.

Very candidly, Mr. Speaker, I cannot get enthused about going before what is being suggested to take the place of the ECA. In good conscience, in light of what this government has said to date, I could not encourage my constituents or other people to go before this council that's being talked about to take the place of the ECA. I think it's going to be extremely difficult for people across this province to have confidence in this environment council the government is talking about.

The recommendations of the ECA frequently compromised, and on some occasions contradicted, the

plans developed by this government and by industry. As a result, it appears the cabinet has now undertaken a systematic erosion of the effectiveness and influence of the ECA.

I mentioned earlier today that in 1972 The Environment Conservation Act was amended by the former minister, the hon. Mr. Yurko, so that the ECA could only investigate those areas the minister would give it approval to investigate. Now we were quite fortunate with the kinds of people who made up the ECA board, because they took their responsibility as an environmental ombudsman's group very, very seriously. They were not easily put off, and I'm sure some cabinet ministers have found that.

The people in the Dodds-Round Hill area, when they could get satisfaction virtually nowhere else, went to the ECA, because they saw that as the logical place for them to lodge their concerns. That was even after the government had said the ECA could not become involved in discussions or hearings unless the government approved them. But even with that impediment that had been put in their place, groups like the Dodds-Round Hill people found the ECA a place to go to. I think we're fortunate the ECA didn't completely turn their back on them. They at least were interested; they attempted to do some work there. I'd like to think they had some quiet impact on the decision the government made.

During the past few months the Minister of the Environment has suspended the permanent four-man board of the ECA. The same minister has caused a great deal of dissatisfaction among staff members in his ill-conceived decision to flood valuable farmland along the Red Deer River, and has appointed a deputy minister of his department to the Authority as a voting member.

Mr. Speaker, we have to ask ourselves here today: will there be protection for the people of our cities and our farmlands in this province if the government decides to strip the ECA, to wipe it out completely? Where are people going to lodge their environmental concerns when a decision is made to allow strip mining for coal on some farmland in Alberta, or when the government decides to build another dam without public consideration of the alternatives available? I don't think there's any indication of any agency that's really going to be available.

Mr. Speaker, unless the Assembly gathered here this afternoon is prepared to go to bat for the ECA, in a short time this Assembly is going to witness the end of an era, an era in which the people of Alberta were assured that their natural heritage and the heritage of their children was protected from those who would sell the soul of this province for petrochemical dollars. In its crudest, most direct, bluntest form that's what happened in central Alberta. The government chose to opt for petrochemical dollars rather than farmland.

Almost 2,000 people attended the public hearings and the later hearings in central Alberta in 1975. There were over 340 submissions. I remind the members of this Assembly that some 23 or 25 farmers are directly involved. There are people who would like us in this Assembly to believe that only those who were actually going to lose land were concerned. I would say to the members of this House, you would do well to look at the election results in Red Deer last night and find out that the mayor of Red Deer — who

was one of the greatest supporters of this project, and who exerted every possible ounce of influence he could on the Red Deer Regional Planning Commission to encourage them to take a stand against the advice of their own experts — got his just deserts. The hon. member of city council in Red Deer, the only person in city council who had the directness to stand up with the members of the government who were at the protest meeting in Red Deer — the MLAs who were there along with the minister were the only people to stand up against registering unanimous disapproval of the government decision — that alderman in Red Deer was defeated last night also.

Members in this Assembly, regardless of where they come from, should look seriously at what we're talking about, should recognize that we're looking at the Red Deer situation. But very recently the government announced there are to be a number of one-year studies as far as the Oldman is concerned. My colleague the Member for Little Bow, representing his own constituents, has indicated he feels a dam should be built on the Oldman. Certainly, Mr. Speaker, large sums of money have to be spent on the Oldman basin to increase water storage for irrigation agriculture in the Oldman basin. But now the government has told the people down there that there's going to be one year of study. They're saying to the people, come and give us your public input for one year. If we can use the way this government listened to the people in central Alberta in Red Deer

...

AN HON. MEMBER: Why bother.

MR. CLARK: ... why get involved? Why do it? Because we were told no decisions were made as far as central Alberta was concerned. The government really wanted to listen to central Alberta, and many people, not only on this side of the House, believed that. We're really going to get one year of studies and the government will make up its mind on a decision it has already made; one year to tell the people we're going to listen to their views, then an announcement of a decision they've already made.

Mr. Speaker, that kind of approach is totally dishonest. It seems to me that people don't understand a government that implies that local communities will decide if a dam is to be built at Site 6, and then doesn't listen to them. They don't understand a government which encourages them to participate in public hearings and then doesn't heed the results, not once but twice; a government that stated time and again that no irreversible decision had been made, and then went ahead and made the announcement that virtually everyone in central Alberta had argued against. They don't understand this kind of government, Mr. Speaker.

This isn't the kind of government the people of this province thought they elected in 1971. This isn't the kind of government the people of Alberta thought they elected in 1975 either. When a decision was announced as far as the Red Deer dam was concerned, initially people were shocked; they were outraged, and later, perhaps most important, they were profoundly saddened. They realized that the government they trusted had really turned their backs on them. They hadn't listened to them at all.

Farming is a way of life to these people who are

directly affected. In some cases in the area that's to be flooded, generations upon generations of people have lived on the same land. It's difficult for someone from an urban background like the Premier or the Minister of the Environment to understand the kind of kinship and stewardship a farmer feels for his land, or his father's land, or where his own children have been born, land that's passed from father to son for generations.

Mr. Speaker, I've brought some of this land with me today, and I want to table it in the Assembly. Perhaps the Premier and other members of this government will look at this land, taken from the Red Deer River valley at Site 6, and gain some insight into what farmland means to people in central Alberta, farmland that's going to be flooded at Site 6.

Mr. Speaker, I want to conclude my remarks so that other members can have the opportunity to take part in the debate. Really what we're asking the members of the Assembly to do this afternoon is urge the government to maintain the present independence of the Environment Conservation Authority, despite the fact that in 1972 that independence was cut back. We're asking the members of this Assembly to further resolve that the Assembly urge the government to introduce legislation which would allow the ECA, upon its own initiative, to inquire into any matter pertaining to environmental conservation.

I'll just make this last plea. It's likely past the eleventh hour as far as this issue is concerned; this is the first opportunity we've had to bring it up in the Assembly. The organization mentioned was an environmental ombudsman. It's regarded very highly internationally and nationally. As Alberta moves more in the direction of industrialization, we're just taking away one more agency that had the ability to listen to the people and the intestinal fortitude to tell the government the way the people really see it, because this agency and the people in some areas of Alberta haven't agreed with this government and the way they see it. Unless we pass this resolution this afternoon, we're going to see the demise of the ECA and the end of an era.

MR. NOTLEY: Mr. Speaker, in rising to comment on the resolution before the Assembly today, I took some time during my remarks on the general state of the province to assess some of the implications I felt government changes in the ECA will bring. Without repeating those, I do want to recall a statement made by Mr. Henderson in 1970. As members may recall, it was during the debate in the Legislature I had mentioned when the Tory caucus in the House at that time was attempting to strengthen the Environment Conservation Authority, and had argued during the course of the debate that the legislation was not sufficiently strong — even though it's far stronger as it's been set up than it will be after this session of the Legislature, I regret to say. But Mr. Henderson made a point that I think Mayor McGregor might well want to recall. He made the point during the debate that any government or any politician that dismisses the recommendations of the ECA will do so at its peril. I submit, Mr. Speaker, that notwithstanding the fact there are 69 members of the government in the House, I know of no issue in my years of politics in Alberta that has had a greater impact on undermining public respect for this government than the whole

question of their handling of the Environment Conservation Authority and the Site 6 issue.

Mr. Speaker, when one looks at the issues, it seems to me a number of points should be made. I listened to the Minister of the Environment at a meeting attended by 300, 400, or 500 people — I don't recall how many attended — in Red Deer in the middle of the summer shortly after the decision was made. The argument that both the minister and other spokesmen for the government attempted to put forward was, well we had to make a tough decision on Site 6, but then you've got to balance that off by the very courageous decision we made on Dodds-Round Hill, where we decided to keep farmland in production. So here's a sort of *quid pro quo*: we saved 40,000 acres around Camrose, so we lose 4,400 acres in Red Deer — that kind of trade-off. Mr. Speaker, that's a false argument to begin with, because we have to look at each issue separately.

But the other thing I think has to be underscored is: I wonder whether it was concern for the land that led the government to make the admittedly right decision on Dodds-Round Hill. I say I wonder, Mr. Speaker, because if one looks at the report of the Energy Resources Conservation Board that reviewed all the major power projects in the province — Dunvegan, Mountain Rapids, Sheerness, Ardley, Genesee, Battle River, Fox Creek, Bow City, Dodds-Round Hill — we find a very interesting set of statistics. We find it is about 10 per cent cheaper to produce power at Sheerness than it is at Dodds-Round Hill. Now, Mr. Speaker, the government is saying, the decision made last year was because we wanted to save the farmland. When I read the Energy Resources Conservation Board report and see, in black and white, statistics on kilowatt-hour costs that show Sheerness is a cheaper proposition, then I wonder whether it wasn't raw economics that determined Sheerness, even though that happened to be the right decision, rather than the concern for the farmland in the Dodds-Round Hill area.

Mr. Speaker, when the government gets up and says, give us a checkmark for doing the right thing for the right reasons in Dodds-Round Hill, I say, until you can convince me that was the reason you did it, as opposed to economic grounds, I'm not sure I'm prepared to give the government that checkmark.

Mr. Speaker, we had the hearings of the Environment Conservation Authority into Site 6. No question, as the hon. Leader of the Opposition pointed out, hundreds of people participated, 156 briefs were presented. The vast majority of the submissions presented to the ECA said, no dam at Site 6. Then we have the recommendations of the ECA which, in my view, are pretty hard to refute — recommendations which simply say, look, we've analysed the needs for water along the Red Deer River basin and we find it impossible to justify Site 6. They argue that off-stream storage can meet the needs. Without getting into a detailed statistical analysis of how many cubic feet per second — although that information is contained in this report, and members should be aware of it because hopefully they've read the report — the fact is that even if you look at the one petrochemical plant we have, the projected needs we know of at this time, there is no reason for a dam.

The ECA goes on and says, if at some juncture there is a need for a dam, why not consider building a

dam at the Sundre site. At Red Deer the minister got up and said, land claims are a problem. Mr. Speaker, I would respect that argument if it came from anybody but a member of this government after the way we handled the land claims issue in Bill 29 last spring.

AN HON. MEMBER: Agreed.

MR. NOTLEY: We had the Attorney General standing up in the Legislature yesterday when we asked him about at least withdrawing the retroactive features of that bill and he said, no, no, we've made our decision, that's it, door closed, book closed.

DR. BUCK: What's new?

MR. NOTLEY: So when the minister tells us that the land claim question has a bearing on this government making a judgment, who does he think he's kidding? He obviously wasn't kidding the 500 farmers in Red Deer who universally booed him when he attempted to pass that argument on.

The fact of the matter is, Mr. Speaker, that the arguments contained in the ECA make a very solid case against the dam unless — and the only unless is this: unless the government has plans for development of the Red Deer River basin that they haven't told us about, massive plans far greater than anything the ECA understood. If that's what we have in store for the Red Deer River valley, if we're going to turn it into the Ruhr valley of Canada, then it may well be, Mr. Speaker, that we need this dam. But we haven't been told that. The people of central Alberta haven't been told that. They made their submissions and worked very hard presenting them to the Authority on the basis of the information they had. The Authority, taking all the reasonable projections without looking at what the government has up its sleeve for the future, made projections and concluded that off-stream storage would be a suitable alternative.

Mr. Speaker, there's no question about the concern of people in central Alberta about preserving farmland. Might I just say — and I'm not differing with the Leader of the Opposition — I know that's a concern of people in central Alberta. I was born and raised on a farm west of Olds. But I know that's a concern of rural people all over this country. There is a kinship with the land that maybe makes rural people next-year country types. When you get frozen out and hailed out and snowed out, you're there because it's next-year country. You develop a relationship with the land that is more than an economic equation.

But, Mr. Speaker, how can we value, from using simple economic arguments, 4,400 acres of land to produce food in a hungry world? How do we value that: \$300 or \$400 an acre, given 1977 figures; perhaps \$500 an acre; \$1,000 an acre? Do we value it on the basis of what it will grow with proper husbandry in 10 years, in 100 years, in 1,000 years? It's that sort of fundamental difference in philosophy between those who are fast-buck, get-rich-quick types and those who recognize the fundamental value of land as our most precious resource that, in my judgment, sets the lines of debate. That may be rather cruel to some of the proponents to the dam. I don't know. But they have yet to come up with reasonable arguments.

I listened at that meeting in Red Deer, thinking, gee whiz, if the minister's going to speak before 500 people he's going to have to have some plausible reasons. We're told that 72 per cent of the water that's going to be taken will be [for] coal-related industries of one kind or another. What does that mean? Does it mean three or four plants such as Sheerness? Does it mean massive gasification of coal? Does it mean ripping up thousands of additional acres of farmland for major coal development? Mr. Speaker, the people of central Alberta are asking. And when they don't get answers, they do the kind of thing they did last night in the city of Red Deer. In talking to county council members I found a very real concern, even among some of those who at first thought, well, maybe we should go ahead with it.

My father was one of the first people to go to the old school of agriculture. They had a meeting of the alumni at the end of the summer. People came from all over central Alberta. My father is not a terribly aggressive, partisan person, but he received representation and comments in talking to people, many of them — and I say this very bluntly — who have long-standing credentials in the Tory party. The almost universal opinion was that the minister and the government had blown it with their decision on Site 6. No, Mr. Speaker, this government is going to have to do an awful lot of talking to convince rural Alberta that a dam at Site 6 is necessary and that what they are doing to the Environment Conservation Authority is justifiable.

Mr. Speaker, I want to talk more about the ECA and the changes in the ECA tonight. I gather we're getting into a debate on the bill tonight. I would take it the strategy of the government is to try to capsulize all the bad publicity in one shot and get it over with. No doubt we'll be sitting until all hours of the night to finish this bill, but so be it. If it means sitting until 2 o'clock in the morning, that's fine. But as far as I'm concerned, instead of getting into the debate on many features of the change, which I disagree with, there's one final point I want to make on this particular resolution. This is repeating something I said in my original comment.

Mr. Speaker, surely the government was not in so big a rush that they couldn't have held a debate in this Legislative Assembly before the decision was made. Why in heaven's name go through the process of having hearings for that period of time, having all these people involved, have recommendations as carefully thought out as those contained in the ECA report, and then make the decision on the dam the very day you release the report, and no debate in the Legislature? As I mentioned in my speech, Mr. Clark quite rightly said to the federal government, look, before you get us committed to that pipeline, we want to have a special debate in the House of Commons. If the Rt. Hon. John Diefenbaker were a member of this Assembly in any government that pulled a stunt like that, even a government of his own stripe, even if he was sitting as a backbencher, I'll tell you we would be sitting until 6 o'clock in the morning. Mr. Diefenbaker would be filibustering on every occasion, because he would consider that an outrage to Parliament or the Legislature. But the government won't have to worry about reporting to the Legislature after what they propose to do tonight.

Mr. Speaker, we can put it any way we like, but the

fact of the matter is that what is at stake is the continuation of an authority that has established a reputation without par anywhere in Canada. Wherever you go people respect the work of the Environment Conservation Authority. We all realize, as members of this Assembly, that there were administrative problems. But you don't solve administrative problems by destroying or emasculating the agency, by changing the basis on which the agency is established. You make the necessary personnel changes, but you don't completely alter the basic philosophy of the agency.

I would conclude by simply asking particularly those back-bench members representing rural Alberta . . . I know this government is not one to foster independence of mind on the part of backbenchers in the House, but I would say that what is at stake here is fundamentally important as we look at the major developments that are on the horizon of this province, whether it be the pipeline, a third or fourth oil sands plant, a heavy oil sands plant, massive petrochemical expansion, gasification of coal. Even the power requirements of the province require massive investments if we are to maintain our present growth. All those reasons are proof positive in my view, Mr. Speaker, that we need a strong, vital, and independent watchdog, an environmental ombudsman that is the ECA. I submit, Mr. Speaker, that it would be a disservice to the people of Alberta if this Legislature in any way, shape, or form emasculates the effectiveness of that agency.

DR. BACKUS: Mr. Speaker, during this sunny weather the farmers in our province seem to have been following the axiom of making hay while the sun shines. It seems to me the opposition feels that all the little suns are shining in the press gallery at this time, in that they're out doing some straight combining in designating a motion on a matter which is already due before the House under Bill 74. However, I feel this is certainly a topic that can be debated either now or later on, probably on both occasions.

First, I would like to agree with, I think, most people in this House. The ECA has done a tremendous job in the past. I don't think any of us would be critical of the work they've done, the ability they've shown to reach out and receive public views on environmental matters, and to review and revise the various written work on environmental matters and then to come out with a report with recommendations which I think are pretty good, pretty unique in this province. As has already been said, their function and work has been recognized throughout the world for its efforts in the environmental field.

However, Mr. Speaker, I don't feel that necessarily this Legislature should adopt the point of view that, as far as environmental matters are concerned, the ECA should govern. I still think that government under a democratic process should be in the hands of the elected members. And in spite of the statements the Member for Spirit River-Fairview is so ready to make, that we're all muzzled in our thought, I think we're just as capable of independent thought as he is. He is perfectly welcome to his views, and I accept that he can make his little speeches and innuendoes suggesting that the motives by which the government has governed are in some way underhand or under the table, and that the real reason they supported

farmers in the Dodds-Round Hill area was simply for economic reasons. I think most members of the government on this side of the House recognize the real motives that were there, and they weren't just economic. I think this side of the House has proved frequently the government is in support of the farmer, is ready to help the farmer at every opportunity, recognizes the family farm . . .

AN HON. MEMBER: Close the hospitals.

AN HON. MEMBER: Don't care about the hospitals.

DR. BACKUS: Comments about closing hospitals I could take up. As usual our hon. member from a bar that was named after, I think, somebody who did a fair amount of panning in his time . . .

DR. BUCK: Everybody will miss that.

AN HON. MEMBER: Pretty good.

DR. BACKUS: To come back to the ECA . . .

AN HON. MEMBER: Come back to rural Alberta.

DR. BACKUS: . . . I think what was put forward by the hon. Leader of the Opposition was that really not only should the ECA have complete independence, but when it comes through with recommendations, these should be automatically accepted by government, and whatever its recommendations may be the government should carry them out.

MR. CLARK: Just read them before you make the decisions . . .

DR. BACKUS: We do read them.

AN HON. MEMBER: The minister didn't.

DR. BACKUS: We do study them, we do weigh them. And I think on many occasions they are good, they are worth while, they are valuable, and we have acted on them. But that an independent Crown agency should govern this province I think is something very few of the people of this province would agree to.

The independence of the ECA has in the past been by virtue of it being a Crown agency. It is still going to remain a Crown agency. It had appointed members. It is still going to have appointed members. It could investigate and seek out public opinion on environmental matters. It is still going to be able to seek out and consider public opinion on environmental matters. The fact that we will be possibly changing the membership from time to time I think is a very reasonable position to take, because there is certainly considerable variation in the problems presented to the ECA and it's quite reasonable that some people in this province might well have more competence than others in dealing with some of these problems, whereas there will be others who will be better at dealing with different problems. Therefore I don't think this is at all an unreasonable move.

That it should require the approval of the minister or the Lieutenant Governor in Council has been a fact of the ECA in recent years, therefore this is not really

a change in its make-up. Although this control, if you like, by the minister was brought in in 1972, since that date the ECA has continued to do the excellent work it was doing even prior to that date, and a great deal more of it. Therefore I think if we do praise the work of the ECA during this period of time, I do not see its freedom has been restricted in any way, or will be restricted in any way under the new bill.

The change of name is perhaps significant, and it certainly brings up the matter we discussed the other day: that calling an advisory body an authority seems to me to be a misnomer. I therefore think that certainly a change in name will lead to a better understanding of its function. We have often heard the suggestion that the ECA is an ombudsman in environmental matters. I don't see why it can't continue to some extent in that function in exactly the same way as it has done before. However, I think anybody who has read The Ombudsman Act will see considerable difference between that act and The Environment Conservation Act. The difference lies primarily in the ECA being an advisory body, and it's certainly going to continue in this function.

Therefore, Mr. Speaker, as I said at the beginning, I feel that the opposition effort in bringing this forward and standing up and getting very emotional about it, as if we were destroying something valuable . . .

SOME HON. MEMBERS: Oh, oh.

DR. BACKUS: . . . is really just an effort on their part to try to reap a little of the media harvest that seems to be ripe for the picking at the moment.

DR. BUCK: That's what he thinks of you.

DR. BACKUS: Mr. Speaker, before I sit down there is one little point that I can't pass by. The hon. Member for Spirit River-Fairview was highly critical of what this government did to land claims by virtue of its recent bill. I really don't believe the hon. Member for Spirit River-Fairview is so stupid that he can't understand that bill did not deny anybody the right to land claims. I can only think that his obvious misunderstanding of it is part of his political approach to the general subject: again, an effort to reap a few more grains of corn.

MR. THOMPSON: Mr. Speaker, I'd like to talk a little on this subject. I pretty well agree with the first paragraph in the resolution. I think the ECA is rendering a real service to the province of Alberta, and will continue to do so. It has made many recommendations that the government has acted on. I feel that our government will at all times consider these recommendations, and has in every case as far as I'm concerned.

The thing I don't agree with is the second paragraph. This gives the ECA a blank cheque. As a farmer, I do think — and there is no group of people in the province that I feel is more involved in the environment, is more concerned about the environment, and has more effect on the environment than the farmers.

So I have a real problem with the public advisory committee. It's made up of 108 members. It has a co-ordinating committee of 13 members. If you have 108 members, I can understand why you would need

a co-ordinating committee. I would like to read from the 1976 annual report of the public advisory committee the names of the people on this co-ordinating committee: Mrs. Buckmaster, from the Calgary Local Council of Women; Mrs. Dickson, from the Calgary Eco-Centre Society; Mr. A. C. Dunkley, National and Provincial Parks Association; Mr. T. Ferguson, Alberta Fish & Game Association; Dr. Griffiths, National and Provincial Parks Association; Dr. Hodgson, University of Calgary; Mr. Kostiuk, Alberta Federation of Labour; Mr. Lembicz, city of Red Deer; Mr. Reimer, Alberta Federation of Labour; Dr. Schultz, University of Alberta; Mr. Rytz, Alberta Forest Products Association; Mr. Thirnbeck, Mount Royal College; Dr. V. Wood, Research Council of Alberta.

Now in this group on the co-ordinating committee there is not one farm organization represented. Two members are from the Alberta Federation of Labour, two from the National and Provincial Parks Association. As a farmer — and I think I can talk for many farmers — we are very suspicious of people who want to control the environment. Everyone knows that when you get into the effects of fertilizer, pesticides, wind erosion, and water erosion, there has to be some control of the environment. But we are very reluctant to put the fate of our livelihood in the hands of some of these organizations.

I'd like to say a little bit about Site 6. I would like to go on record that I approve construction of the Red Deer dam at Site 6. It's hard for me to understand a group that's interested in the environment not realizing that the flow of our rivers coming off the eastern slopes of the mountains needs to be controlled. Any of us who live close to one of these rivers — the people who live in Lethbridge and Macleod and, I suppose, all along the eastern slopes — every 10 years or so see one of these floods come down the eastern slopes. If you could see the damage these floods do, how they change the direction of the river and erode the land — I think flow regulation is almost essential in our part of the province.

Thank you, Mr. Speaker.

MR. TRYNCHY: Mr. Speaker, I'd like to ask a question. How much time do we have on this?

MR. SPEAKER: The time runs until 4:23.

MR. TRYNCHY: Thank you, Mr. Speaker. That possibly will give me enough time to say what I want to say. I'm pleased to enter this debate. I agree with the first part of the resolution: "Be it resolved that the Legislative Assembly urge the government of Alberta to maintain the present independence . . . ." I'd like to stop there, because I think members on the other side should wait until tonight, until Bill 74 is presented, and see what it has.

MR. NOTLEY: We read it.

MR. TRYNCHY: And I'm sure they will.

As to the second part of the resolution, that's the one that disturbs me somewhat. It says: ". . . would allow the Environment Conservation Authority, upon its own initiative, to inquire into any matter pertaining to environment conservation."

DR. PAPROSKI: Can you imagine?

MR. TRYNCHY: Well, let's just look at that for a second. Really what do they want? I wonder if the hon. Leader of the Opposition really knows what he is asking for? This Authority could, with its three members, go on to anything they wanted to, anywhere. So they go to Montana. They want to study the wind and dust control in southern Alberta, because it's bad for the environment, it's bad for the farmers, it's bad for the cities.

DR. PAPROSKI: Taxpayers.

MR. TRYNCHY: So then we have something we want them to work on, as a government, but they can't come back because they're involved in hearings in Montana or wherever they are.

MR. CLARK: Who approves the budget each year?

MR. TRYNCHY: Mr. Speaker, what they're asking for is a blank cheque, on its own initiative, into any affair.

DR. PAPROSKI: No way.

MR. TRYNCHY: When that says "any", that means it would have an open-ended budget with no controls, nothing. That's the way they operated, and I guess that's the way they want to see it again.

That reminds me of what I said yesterday. Under this resolution they want government by commission, government by authority, or whatever they want to call it. They want to shirk their duties — hide behind a commission, hide behind an authority — because they're afraid to take the flak they should as elected members.

DR. PAPROSKI: Shame.

MR. TRYNCHY: Well that's not what I want to do. We were elected to make decisions. Authorities, councils, whoever they are, should make recommendations only, and they should be screened by the elected people. The decision should be made here, not in a little blue book . . .

DR. PAPROSKI: Agreed.

DR. BUCK: Now was that a caucus decision on that dam site? Tell me . . .

MR. TRYNCHY: Mr. Speaker, if the hon. Member for Clover Bar wishes to speak, if he wants to get up — I guess we don't have too much time — I'll even sit down and let him get up. He's always pointing at everybody . . .

DR. BUCK: We're waiting for the executioner.

MR. TRYNCHY: If you could just sit there and quit cackling, we'd get on with this.

DR. BUCK: We're waiting for the executioner.

MR. TRYNCHY: Mr. Speaker, we go through this procedure of hearings, and we should have hearings. And that commission, the authority, has real good

members. But are they right? Are they the only three people in Alberta or in Canada who have the wisdom of everybody when they make a decision, and who do they listen to?

MR. CLARK: What about the 2,000 people who took part?

MR. TRYNCHY: Well what about the 2,000 people who didn't speak, or the 10,000? There's more to it than that. But are they always right? Are they right? I know, I've been to these hearings.

MR. SPEAKER: Order please.

MR. TRYNCHY: You know, I'm really surprised at the hon. members . . . [interjections] Now if they would just keep quiet, I'd like to get on with this.

MR. CLARK: We are waiting for you to say something.

MR. SPEAKER: Order please. The hon. member is entitled to be heard, as other hon. members have. And while a certain amount of, shall we say, give and take across the floor may be in order, if it stops the debate it goes too far.

MR. TRYNCHY: Thank you, Mr. Speaker. Maybe we can get on with this.

Mr. Speaker, as I have said, are these members right? We should search our minds and really study that, because there are only three people on that commission, on that authority, whatever you want to call it. They hear the people, and they only make decisions on what they hear. So are they right? They can and do make a report, and they do it to the best of their ability. But they don't really have to answer to anybody. If their political views are of one nature or another — and I don't say they are, but if they are — or if they lean toward being a conservationist or somebody else, that's the way they write the report. So who do they answer to? Actually nobody. We have to answer to the people, and that's why the decision should be made here and not by any authority or council. Government by commission is not my way of representing the people.

I wonder, Mr. Speaker, as we go through these hearings, if the true meaning was really known, if all the people who were affected, and if that dam — we'll use the one at Red Deer — affects 12,000 people . . . Let's say it does, because in time it probably will — for water at Red Deer and downstream. If all those people were allowed a vote, how would it go? Will we have 10,000 in favor and 2,000 against? Nobody looks at that. But that's one of the decisions you have to make, because the ones who do all the talking are the ones who are affected; and rightfully so, they should. But when you make decisions you have to make them not just for one group of people, a small or a large group; you have to make them for the betterment of all Albertans.

Mr. Speaker, as these decisions are made, be it by a commission, an authority or government, no decision — and I say no decision — satisfies everybody, because there are some who agree with it and some who don't. The good Lord himself couldn't satisfy all the people, and I don't see how a commission or anybody else will. With this new bill coming up, the

hearings in Alberta will continue.

Mr. Speaker, I notice that you're edging to the edge of your chair, and I beg leave to adjourn debate.

head: **PUBLIC BILLS AND ORDERS  
OTHER THAN  
GOVERNMENT BILLS AND ORDERS  
(Second Reading)**

**Bill 224**

**An Act Respecting the  
Right of the Public to Information  
Concerning the Public Business**

DR. BUCK: Mr. Speaker, carrying on with the same train of thought we've just been engaged in, I would like to say if there was ever a need for a sunshine bill in the history of this province, that time is now. Because, Mr. Speaker, the decisions that seem to be made by governments, not only this government which is probably more dictatorial than any government in the history of Canada right now . . .

SOME HON. MEMBERS: Hear, hear.

DR. BUCK: I would say that it is very, very timely and people are very concerned about decisions that are being made behind closed doors. In this matter, of course, we have the support of a very, very prominent Conservative, the Member of Parliament for Peace River, the hon. Ged Baldwin, who has been a champion for many years in this fight to give the public the information to which they are entitled, the information upon which government bases its decisions. A little bit of progress is being made, and in fairness to the Prime Minister of Canada, the House of Commons is recognizing that the public is entitled to this type of information. Because if there is anything that makes the public suspicious, it's when politicians — people in positions of power — make decisions behind closed doors and that information is not made available to the public. Politicians immediately become suspect that they're trying to hide something.

So, Mr. Speaker, as I started in my preamble, there is great public interest in the bill before us. Some bills have been introduced in the federal House, and similar legislation has been introduced in this provincial House and in the legislative bodies of the United States, our neighbors. So in recent years, Mr. Speaker, a great deal of public interest has been displayed in legislation which would ensure that information which is used in the determination of public policies should be readily available to the public, the public we serve.

This is an opinion, as I stated, shown by prominent figures such as the Member of Parliament I mentioned, the hon. Mr. Ged Baldwin, a former federal Conservative House Leader, and it's a very important, timely issue. Mr. Baldwin first introduced legislation almost identical to this bill in the House of Commons in 1969, and has reintroduced it at each session since that time. It was quite interesting, Mr. Speaker, to have read an editorial in one of our local prominent newspapers saying it would be a great challenge for that hon. Member of Parliament from Peace River to come down here and do a little brainwashing on the members of his own family, mainly the members of

this government, and the back-bench members of this government.

As I said, we had legislation introduced in this Legislature in 1974 by the former Calgary Mountain View MLA Albert Ludwig. Mr. Ludwig was very concerned.

MR. GHITTER: He's the great Liberal.

DR. BUCK: He's the great Liberal, yes. [interjections] I think possibly the Liberals must . . .

MR. NOTLEY: They still win Calgary East, Ron.

DR. BUCK: At least the Liberals are showing concern that public information should be public, which is a great distance from what the Conservatives in this province think about public information being made public, hon. Member for Calgary Buffalo. [interjections]

I submit, Mr. Speaker, that the important thing about introducing a bill of this nature is the fact that the Alberta government of the day is withholding information which is needed not only for the members of the Legislature, but the public generally. It will be very interesting, Mr. Speaker, when we discuss the matter of the demise, the lynching, the annihilation, the execution of the Environment Conservation Authority, that we find out how government makes some of its decisions.

It's always interesting, Mr. Speaker, when we put motions for returns on the Order Paper — and the one I remember so clearly was the motion when the hon. member, now Minister of Energy and Natural Resources, because we didn't have the "i"s dotted properly and "ltds." in the exact position, wouldn't tell us too much about the Walter Levy report. A prominent newspaper in this town at that time thought, what are they trying to hide? Why is this information not made public? Why is it not made available to the Legislature? It was quite amusing today, and we really one-upped the Premier when we found that he was going to hand out a few more goodies tomorrow in Calgary.

MR. NOTLEY: From the heritage fund too, I bet.

DR. BUCK: I presume from the heritage trust fund. We missed that point, asking the hon. Premier where the goodies were going to come from.

MR. NOTLEY: A little plum here, a little plum there.

DR. BUCK: Close a few hospital beds here, and cut out a few programs there. We build a few monuments unto ourselves.

Mr. Speaker, probably the most notable expenditure or investment of public funds without adequate accountability is the billions resting in the heritage savings trust fund. I would like to say to the hon. government members that the "trust" is rapidly going out of that trust fund, the same as the trust is going out of some of the other things the government does. But that's an aside, Mr. Speaker.

I would never ever under any circumstances accuse the present government of misappropriation, but involvement of a government in business ventures without any apparent right to check on expenditures

or investments of public money is wrong in principle. What I am trying to indicate to the hon. members is that the information available to the government in its studies paid by public funds should be available to this Legislature, should be available to the public.

AN HON. MEMBER: The Ag. Development Corporation.

DR. BUCK: The Agricultural Development Corporation, of course, is a public agency. It is public only to the extent that there is a figure available to this Legislature that tells you really nothing. It tells you nothing. But I can appreciate that the former Minister of Agriculture would, in his usual well-organized way of handling affairs, say, this area gets a loan, that area doesn't get a loan — I would never want that down on paper. But that information, Mr. Speaker, should be available so the public can decide, so this Legislature can decide, if government decisions can stand the public scrutiny of this House and of the people of this province.

The example of the after-the-fact scrutiny is of course the committee that sits on the heritage savings trust fund. That is almost as futile as sitting in this Legislature and having any words of wisdom that may come from this side of the House fall on deaf ears. I don't think, Mr. Speaker, that I, in all conscience, could sit on that committee. I don't think I could.

We have examples of what monitoring the government does have of the Alberta Energy Company, in which we, the taxpayers of this province, have \$75 million invested. The hon. Mr. Getty, Minister of Energy and Natural Resources, says, it's a private company, it's a unique private company.

MR. NOTLEY: It's unique all right.

DR. BUCK: It's unique all right. How unique can you get when you get \$75 million of the taxpayers' money and you don't have to tell anybody what you're going to do with it? That is unique. That certainly is unique. That type of information should be tabled in this Legislature. If need be it can be brought to a committee of this Legislature, then let the public decide.

Mr. Speaker, this bill does not in any way, nor is it intended in any way, to infringe on the rights of individual privacy. It merely ensures that all information which goes into public decision-making is readily available to the public. It's a challenge to this Tory government to prove its claim to open government. I guess we have just forgotten what we talked about in 1970 and 1971 about open government.

As a matter of record, the Tories' first guidepost of policy, approved 10 years ago, states the public has a right to know. What has happened to that philosophy? Hon. Member for Calgary Buffalo, what has happened to that philosophy, those supposedly sacred guideposts of the public right to know? Has it been forgotten in 10 years? Mr. Speaker, I don't really know what has caused this government, and the Premier in particular, to shy away from that policy principle, but I can assure you that that is exactly what has happened. And the people are aware that that is what has happened.

Let's briefly take a look at why public access to



government information is an important issue now. The Canadian Bar Association leaves no doubt that it stands firmly behind such legislation. The association has urged the Parliament of Canada and all provincial legislatures to create a statutory right of citizens to obtain access to information held by all governments, or their agencies, subject only to a limited list of narrowly defined exceptions. The Canadian Bar Association endorses this principle on the grounds that openness of government is essential for participatory democracy.

AN HON. MEMBER: That's a pretty good word.

DR. BUCK: That's if we really mean what we say, that access to information is a prerequisite to the exercise of fundamental rights and freedoms, and that at present citizens of this country have little or no right at all to government information. This participatory democracy would be a lesson that possibly the hon. Member for St. Albert might learn. The hon. member seems to feel it is fine to participate in local affairs, but don't tell anybody else about what's going on in your government. That might be too much of an opening.

I would echo the sentiments of The Canadian Bar Association president, Mr. Ferris, who said, the attitude of many bureaucrats on this question can be summed up as what the people don't know, can't hurt the minister. It's an unhealthy attitude for a democratic nation, Mr. Speaker.

In the United States some 11 years ago, Senator Edward Kennedy said:

If the people of a democratic country do not know what decisions their government is making, do not know the basis on which those decisions are being made, then their rights as a free people may slowly slip away, silently stolen from them when decisions which affect their lives are made under cover of secrecy.

Let's put the argument on these terms — and I'm sure that the champion of individual rights and the freedom of information, the hon. Member for Calgary Buffalo, will be right into this debate. Because I'm sure the hon. Member for Calgary Buffalo believes in open government, he believes in the right to public information and the right to know in public decisions made that affect that public. If a government can find out almost everything it wants to know about what the people are up to but the people cannot find out what the government is up to, then the government is not being a servant of the people, but rather their master.

That's a wrong principle for a government to operate under. I submit, nevertheless, this government is operating under exactly that principle. If this government wants the people to know something, if it's to the government's advantage, it spares no effort or money to tell about it.

You know, our little social tours around the province are a good example of that. Cabinet tours have been going on in this province for years, but the government with its fine propaganda machine makes the people of this province think it's new and unique. Well what's new and unique about it is that in the old days we used to use cars. Now we use \$80-an-hour helicopters and airplanes. That's really about the only difference. And there is a large difference.

MR. KIDD: You're still in the horse age.

DR. BUCK: There is a larger difference. The cabinet goes around the province, and goes through the motions of listening, and then many times that's all that happens unless we happen to have a goody to drop into this particular area that we visited. If it's apropos for the Premier — some members may be getting into a little trouble because we haven't dropped one into this constituency lately, one of the government members is getting a little shaky that the people in that constituency are starting to find out that not too much has been happening from their member. Or maybe the opinion poll is starting to change a little — it's time to drop a goody in that area. But other than that, we don't have too much feedback or too much reaction to what people in the local area said.

However, Mr. Speaker, if the government doesn't want the people to know something, it will resort to every excuse in the book to keep the information secret. I think this government is a leader in that. How often have we heard this timeworn phrase, we don't feel it's in the public interest to divulge this information at this time? How often have the hon. members of this Assembly heard that explanation given? I think it's wrong for the government to be given the power to decide what it will or will not make public. That power should be vested in legislation which indicates clearly what information shall not be made public, and the reasons why.

Hon. members will no doubt find some fault with certain clauses of this bill, but I trust they will not argue with the principle of the bill, which will go a long way toward restoring public confidence in government. And this government needs some restoration. Perhaps this government, with its overwhelming majority, feels it has no cause to worry about public confidence. I would caution you not to become too complacent. You can be replaced — even you, Mr. Speaker.

DR. HORNER: What do you mean . . .

DR. BUCK: Mr. Speaker . . .

DR. HORNER: Mr. Speaker, surely the hon. member would be willing to identify the document he's reading.

DR. BUCK: Well the hon. . . . just came in . . .

MR. SPEAKER: I've had some difficulty determining whether the hon. member is reading. He's obviously referring to some notes or some document. He interjects remarks of his own once in a while and I'm not just sure . . . [interjections]

MR. KING: Which remarks are his own?

MR. SPEAKER: The principle behind the bill against reading speeches as hon. members know is that the Assembly sits here to hear the members and not to hear anonymous or other persons who might write speeches for members.

DR. BUCK: If you were to stick to that, Mr. Speaker, you'd completely destroy the government, especially

some of the backbenchers who have to have the stuff written for them otherwise they would never be able to express an opinion of their own.

MR. TRYNCHY: Name them, name them.

MR. HORSMAN: Are those your own remarks?

DR. BUCK: I'm just telling the hon. members that's the feedback we get from their constituencies. They say, we have some nice fellows up there, but what do they do? Do they do anything? We say yes.

MR. TRYNCHY: They sit and listen to you.

DR. BUCK: We say yes, when the hon. Deputy Premier says stand, they stand. When the Premier nods his head to sit down, they sit down, the way good puppets should. [interjections] So, Mr. Speaker, what I'm trying to say to the hon. members is that this government needs some direction. This government is in real need of laying the cards on the table, of letting the people — the people we all serve — in on why some of these decisions are being made, and on what basis and information. I challenge the Deputy Premier to have a public hearing in a committee of this Legislature on three items. Number one, the Environment Conservation Authority. Let's have a public hearing.

DR. HORNER: What did you get elected for?

DR. BUCK: Easy there, Mr. Deputy Premier. Easy, Mr. Deputy Premier. Let's go back to the Bighorn debate.

DR. HORNER: I recall that debate.

DR. BUCK: Right. The hon. Deputy Premier recalls it. What has changed?

MR. YOUNG: Mr. Speaker, a point of order. Could we go back to Bill 224?

DR. BUCK: Would you like to sit down, Young.

AN HON. MEMBER: Touchy.

DR. BUCK: Mr. Speaker, the public right to know is a very sacred principle. [interjection] Let's have a debate in this Legislature . . .

MR. HORSMAN: We're having it.

DR. BUCK: Let's have a debate in this Legislature by the Committee of the Whole so we can ask people to come into this Legislature. That's what participatory democracy is all about, hon. Member for St. Albert. It's not imposing your views upon other people. It's giving them the opportunity to express their views. So, Mr. Speaker, I say it's very timely, it's more than timely that the hon. members support a bill that will bring some open government back into this Legislature.

Thank you, Mr. Speaker.

MR. ASHTON: Mr. Speaker, I'm not rising to move adjournment. I learned my lesson on that a couple of days ago. I do have some comments.

I hope the hon. members of the Legislature realize that during the last 21 minutes and 30 seconds we've heard the main thrust of the opposition attack on the government during this session. I'm sure all the other hon. members, other than me, witnessed the various TV presentations of the Leader of the Opposition, the various press releases, and so on, which indicated that the main thrust of their attack during this fall session was going to be the right to know, and it was going to centre around the bill being presented by the hon. Member for Clover Bar today.

DR. HORNER: Just the unwritten speech.

MR. ASHTON: Let's say what we've heard today sort of indicates the roaring of a pregnant lion which is giving birth to a mouse. I wish to compliment the hon. Member for Clover Bar after hearing him today. He has certainly acquired a rather impressive capacity to huff and puff himself into a state of righteous indignation almost deserving of an Academy Award.

It's rather interesting to see the history of this bill. As hon. members recall, it was first introduced by the hon. Member for Spirit River-Fairview in '75. It was introduced again in 1976 by the hon. Member for Spirit River-Fairview. It's now being introduced by the hon. Member for Clover Bar in almost identical form.

SOME HON. MEMBERS: Oh shame, shame.

AN HON. MEMBER: Birds of a feather . . .

MR. MILLER: Birds of a feather is right.

MR. ASHTON: Some might suggest this is a rather unholy alliance between the opposition parties, but it's not really too unusual when one considers that this government has so successfully occupied that large middle ground where the consensus can be obtained for all Albertans to identify with. Out on the far left you see the hon. Member for Spirit River-Fairview dancing around. Then you find the Social Credit Party trying to occupy positions on both the extreme right and extreme left, so they're bound to coincide with the NDP at one time or another.

DR. BUCK: Bought any air lines these days, John? Any more air lines?

MR. ASHTON: This bill being presented today culminates a rather vicious attack on the independence and supremacy of this Legislature. It is a very important bill in that respect, and I hope that all hon. members fully appreciate the importance of the concept being presented to us today. As I say, it's the final thrust in a four-pronged attack on the supremacy and independence of this Legislature.

First of all we had, two days ago, the hon. Member for Spirit River-Fairview suggesting that our labor laws should be made in Geneva. Then yesterday we found the hon. members suggesting that we should be running this government by commission. Just before this debate we find they are suggesting we should have the Environment Conservation Authority in its present form, which would be completely independent, and that we would be bound by its decisions. Now, today, they are suggesting that rather

than the members of this Assembly making decisions on very important issues, we will refer matters to the judiciary.

Section 4 is probably the key section of the bill. Without going into a clause-by-clause examination, I think if the hon. members will reflect back on the many times motions for returns or questions have been presented to the Assembly, it was only on a very small percentage of occasions that those motions or questions were not accepted. On those few occasions valid reasons were always given. If the hon. members will look through Section 4, I venture to suggest that every one of the reasons given in Section 4 are the same as may be used on different occasions by the government in rejecting a motion. For example, Section 4[g], "where the information on record is private in that it relates to the private affairs of any person ..." Members can recall occasions on which motions submitted by the opposition have been rejected for that reason.

But we have a very good record of disclosing information in this province. I acknowledge the reference the hon. member made to the federal Member for Peace River. I'm sure we agree that we both hold the hon. Member for Peace River in very high regard. But again we must consider the atmosphere in which he operates in Ottawa, as distinguished from this Legislature. Opposition members in Ottawa may have needs that opposition members here don't. If it ever came to a situation where this Legislature was rejecting motions or questions for invalid reasons, I could entertain a concept such as that presented by the hon. Member for Clover Bar today. But we have not seen any examples of that. And if we ever do see any examples, I and my colleagues on this side of the House — and that side of the House — must answer to the electorate for it. But the key question here is: is this Legislature going to make the decision or are we going to hide behind somebody else?

I suppose when one looks at things in isolation, they don't get one too upset. If the various items the opposition has raised in the last few days had been separated by a few days or even weeks, they probably wouldn't have had the impact they have today. But when we go through those four examples which the opposition is presenting to weaken the authority of this Legislature, it really becomes quite serious.

I acknowledge that there is some criticism. There has been some call for such a bill. I would suggest to the hon. Member for Clover Bar that although he referred in his remarks to editorials in what he calls prominent newspapers, instead of basing his policy decisions and arriving at what he considers to be the main thrust of his attack on the government from reading newspaper editorials, he should go out and talk to the people.

They used an example earlier today of the recent municipal election. Just a few days ago I remember reading an editorial in a very prominent newspaper in this province recommending Ivor Dent as the best person for mayor of Edmonton. You can see what the people thought of that opinion. So I suggest you go and get the opinions of the people on this very important issue.

Thank you.

DR. BUCK: We knew this would be sufficiently intellectual for your abilities, David.

MR. KING: Thank you very much. Mr. Speaker, I rise with feelings of mixed emotion. I suppose for the edification of my hon. colleague from Clover Bar I should begin by saying that I support the principle of the bill. I endorse the right of the public ...

DR. BUCK: When Joe gets to be Prime Minister, make sure you do something in Ottawa.

MR. KING: When Joe gets to be Prime Minister, which will be very shortly, the hon. Member for Peace River will change it.

I endorse the right of the public to have access to matters of fact which are gathered by and are under the control of the public service, provided that a certain number of exclusions are granted. They could be matters which damage relations with another province; matters that impinge on an individual's right to privacy, for example, medical records, possibly credit records; matters which are the basis of a statistical series; matters which are specifically exempted by statute; matters that concern trade secrets; commercial or financial matters of a privileged nature obtained from private sources. These are some respects in which I think my list is the same as that provided by my hon. colleague. In some respects the two lists differ. That serves only to illustrate the fact that I think everyone acknowledges the need for some exemptions to such legislation.

While I accept and endorse the right of the public to have access to matters of fact, I reject the right of the public to have access to expressions of opinion that are made by individual policymakers during the course of formulating, modifying, or rescinding policy.

Privy Council is a body of people whose title derives in part from the French word *prive*, private. The Queen's Privy Council, or the cabinet in Alberta, must be able to discuss widely, without anyone being afraid of being revealed as foolish, immoral, ignorant, arrogant, or misjudged in a particular case.

There's a theory of collective responsibility involved when we discuss our Executive Council that is, that individuals do not make decisions, but rather contribute to a collective decision for which all members of cabinet accept responsibility. In such cases, then, the individual is not going to be compromised during his participation in the policy-making process by the fear, or the knowledge, that any previous advice he has ever given within the confines of that group is going to be exposed.

The question, Mr. Speaker, is whether or not legislation such as Bill 224 is the appropriate vehicle with which to address a very complex and serious problem that I think everyone in this Assembly acknowledges. The caution of this government and of other governments reflects the legitimate awareness that the relationship between judgment and factual information was created under vastly different circumstances a century ago, and is becoming untenable under the circumstances in which government operates today. The relationship between judgment, that is the Executive Council, and factual information, that is the public service, was formed 120 and 150 years ago under circumstances very different from today. That relationship formed at that time is becoming untenable today. It is the nature of the untenable relationship that has to be addressed, as much as the simplistic question whether or not a single member of the

public can come up to a government wicket and ask for information. The principle of access to information should be considered as part of a whole package.

The proponents of public access to information pirate their concepts and their legislation from other jurisdictions. The appropriateness of the application of legislation depends upon whether or not our society and our government are similar in critical features to society and government in other jurisdictions. Sweden is a good example. They've had this kind of legislation, as proponents will often cite, for more than 200 years. Sweden also has something else which is never discussed in the context of this question. They have a hierarchy of access to information. They have an ombudsman, a chancellor of justice, and a supreme administrative court. Their whole theory of the public's access to information operates in a social context unlike the social context in Alberta and Canada. To cite only one example, the people of Sweden believe that, as a matter of right, anyone should be able to see the income tax return of his neighbor. That's accepted in Swedish society. The nature of their legislation, if transposed to the Alberta situation, would require a radically different appreciation on the part of each of us about what of our lives is private from our neighbor.

The United States has recently enacted legislation, and that legislation is cited as a precedent, as to some degree it is. But again, as in the Swedish experience, it cannot be transposed holus-bolus to our situation. The United States does not have a parliamentary form of government. In the philosophical sense, the American government is not a 'responsible' government. The introduction of that legislation in the United States was based upon the constitutional truth that the legislative branch of their government does not have access to the executive branch in the way that — theoretically at least — all of us as legislators have access to the Executive Council.

The mechanics of a bill such as 224 introduce a relationship between the two branches of government in Canada or in Alberta, which is a natural part of the American system and is completely foreign to the Canadian system. The point of my concern, Mr. Speaker, if I may make it once again, is that all of us, irrespective of the side of the House on which we sit, are concerned about the right of our citizens to be informed in their judgments on matters of politics or administration in this province. None of us on this side any less than on that side is concerned about that principle. The question is how best to achieve it, not only for the citizens of the province, but for each of us as legislators as well.

While I endorse the principle of the bill, Mr. Speaker, I have very serious reservations about the consequences of believing that you can deal in a comprehensive manner with the problem, when it is approached without any regard for integrally related and equally important questions. The people who consider Bill No. 224 should also consider the standing orders of the Assembly. They should also consider their own role as individual members of this Assembly. The difference, Mr. Speaker, between the hon. Member for Clover Bar and the hon. Member for Peace River is that the hon. Member for Peace River is as well known across this country for his concern over Parliament, the standing orders of Parliament,

and the role of the member, as he is about the question of the public's access to information. In my view, Mr. Speaker, while it is unfortunate, it is also true that the hon. Member for Clover Bar, in the bill and in his contribution to the debate, did not express the same balanced concern for attacking the whole problem rather than simply part of it.

Thank you, Mr. Speaker.

DR. PAPROSKI: Mr. Speaker, as I rise to speak on Bill 224, An Act Respecting the Right of the Public to Information Concerning the Public Business, I'd like to indicate from the outset that the bill, certainly as indicated by the hon. member who has just spoken, is laudable on one point at least, and that is the title. The title is The Right of the Public to Information, which I feel without any doubt all members of the Assembly believe in and uphold, but I think it's unnecessary for practical purposes. Such information, I suggest to the Legislative Assembly, is available to all members.

Before I proceed with further discussion on that item, Mr. Speaker, I would like to indicate that the hon. Member for Clover Bar indicated this is a sunshine bill. I'm suggesting that it's not more than just a sparkle. He indicated to the House that this Legislature or this government acts and makes decisions behind closed doors. I'd like to raise a number of points here. Is he referring to the heritage savings trust fund, when in 1975 a provincial election was held on that issue where all members of the public voted on it in an overwhelming way, after two years of exposure of this fund to the citizens of Alberta? I suggest, Mr. Speaker, [from] the members here and their respective positions, it's quite well known how the public felt at that time.

DR. BUCK: You won't be there next time.

DR. PAPROSKI: Mr. Speaker, I suggest the hon. member better review his own position first. When the hon. member speaks of not exposing information regarding the heritage savings trust fund, is he referring to the annual report that is going to be tabled and reviewed by a special select committee of this Legislature, made up of government and opposition members, who I understand are now reviewing this, and will be tabling their recommendations as a very open type of government? How about The Appropriation Act dealing with the heritage savings trust fund, Mr. Speaker, which this whole Legislature will have an opportunity to vote on and approve or disallow — turn the tap off and cancel out the fund if we wish — based on the information that will be provided?

If the hon. member opposite is really concerned about the special committee which deals with the other aspects of the heritage savings trust fund, I suggest maybe he should bring in a resolution in the Assembly, and we can act on that resolution rather than that of the special committee that deals with the Alberta division and the Canada division.

DR. BUCK: Mr. Speaker, will the hon. member permit a question?

DR. PAPROSKI: Not at this juncture, Mr. Speaker. Not until I'm finished.

I go on and talk about this so-called sunshine bill.

He's worrying about closed doors. Is he referring to the expenditures of the government in total, when we have a yearly budget that is voted on not only by all members of the Legislature, but is discussed in more precise form in subcommittees?

DR. BUCK: Which is a sham. Look at the orders in council. Look at the special warrants . . .

DR. PAPROSKI: Well, if the hon. member doesn't attend these subcommittees or the budget debate, I suggest it's very sad.

DR. BUCK: Two years ago . . .

MR. SPEAKER: Order please. Order please. Would the hon. member please refrain from continuing debate after his turn to debate has passed.

DR. PAPROSKI: Thank you, Mr. Speaker. I wonder if the hon. member opposite who introduced this bill is referring to motions for returns alluded to by other members on the government side, which are worded so badly from time to time that they are difficult to decipher. If the government makes that interpretation on their behalf, it gives improper information, then they scream that the information is not in fact provided.

Finally, just to give you another example, Mr. Speaker, is he referring to Public Accounts where MLAs, again from both sides of the House, have an opportunity to examine, cross-examine any department and minister for clarity, for detailed information, and criticize, as they have, and properly so? As a matter of fact, some of the government members have done that too, and properly so, and have even complimented the various departments.

Mr. Speaker, I can't speak for the United States of America. I can't speak for the federal government. I can't even speak for Sweden or the experience in Sweden, but I can say this, as I begin my more detailed explanation or comments on this bill, that the information in this Legislative Assembly is available to the public directly, and also through their MLAs on a continuous basis.

Mr. Speaker, let me proceed to explain my particular stand with respect to this bill, when I said it was unnecessary for practical purposes because such information is available. I indicated clearly that it is laudable because the principle, the title of it, is correct, and I feel we are following this. The bill implies that information should be available when policy is being developed. I heard the hon. member opposite indicate that, before it in fact becomes policy, and before that policy is formulated.

Mr. Speaker, I do not believe this is either proper or indeed desirable. I strongly believe that such information should be confidential because it may be an opinion. It may be in the formative stages, where an official or an expert in the department, or for that matter even the minister or the MLAs are merely thinking about it. This could already become public and be a threat not only to those who are in the process of decision-making before the policy is made, but also a threat by misinterpretation, because at that juncture it is not policy nor a program. But I suggest citizens certainly should have the availability of information when it is a policy, a program or legisla-

tion, as in fact it is. And at that time, of course, that information is available and citizens can criticize, they can extrapolate information, and use such information as they see fit, or any member in the Legislative Assembly can. In other words, Mr. Speaker, factual information that is formulated. Information that may just be used, or may be a good idea, is not the type of information that I think should be out in the field, debated, and try to be analysed.

The second point regarding this bill is that information is available to the public via a number of avenues. I have indicated some of them already, and that's public information. But how about the question period, written or oral? I have already indicated motions for a return, and here, Mr. Speaker, is a very special aspect of the motion for a return. Because the majority in this Legislature will decide whether or not that motion for a return will be acted on, no matter what the quantity, or quality of that motion for a return is, or the cost. The key word, I suggest, on this motion for a return, when questions and information are required for the public, is that the majority in this Legislature is where the controls should be — and we have discussed that in a number of debates in recent days — and if the majority wishes it that way, no matter what the cost, that information comes out and flows to the public. I have seen at times where a motion for a return or a question has resulted in a cartload of information being pulled along the floor of the Legislative Assembly to provide it for the opposition member. To this day I haven't found out what the cost would be, and I would also like to know whether that particular member who requested the information in fact read it.

DR. BUCK: Why don't you ask the Premier?

DR. PAPROSKI: The other point, Mr. Speaker — more important than anything else in this House is the elected member of the Legislature. I'm speaking of information to the public. Who is best able not only to gather information but to disseminate information to our constituents? They placed us here and are paying us a salary to do this, to ask questions, to pry and to probe, to receive the appropriate response and then convey this to our various constituents across the province. I'm somewhat surprised at the opposition members, Mr. Speaker. Since this fall sitting started, the question period is really something to be desired. I've seen this not only during this fall sitting but on many occasions prior to this. This is where they should be doing their homework.

Another point regarding this bill, which indicates the need is not really there, is that we in fact have other aspects and other mechanisms in Alberta. That is the distinguishing position of having an Ombudsman. He is not only capable, as we all know, but is very effective in receiving any and all information from any governmental agency, reviewing the matter, and indeed dealing with it if there is a problem. Where could information be more important than when a citizen has a problem with a governmental agency or the government per se?

The other concern I would like to make is that information may be given out as opinion and rumor and not as factual policy. I indicated previously, Mr. Speaker, that the danger is there and that this will be half-information received by many. It will be misread,

misunderstood. In other words, it's not really the policy or program of that particular government. It will be inappropriate and inconclusive. Worse than that, it could be threatening to the citizenry in the province because they will not understand what is happening. Even more important, Mr. Speaker, the individuals involved in decision-making would have a difficult time proceeding, because they would be threatened.

Mr. Speaker, I won't discuss the fact that this government introduced *Hansard* and television. The fact that information is provided by the Legislature during the spring and fall sitting, and that we delay passage of bills because we expect citizen input to make decisions on those items. I think all this is relevant to this bill.

So, Mr. Speaker, I don't think this bill, although it has a good and correct title, is really necessary in Alberta at this time. I think our action in this Legislature and the structure of our government is doing very, very well.

Finally, Mr. Speaker, I do not believe any MLA is denied information in this Legislature. Therefore I don't believe the public is denied any information, except where there is of course involvement of private individuals who have a right to privacy or if it's before the courts.

Thank you, Mr. Speaker.

MR. JAMISON: I was waiting for the little green light to come on.

Mr. Speaker, I'm very tired today . . .

DR. BUCK: Jamison premiere.

MR. JAMISON: . . . and very happy as well. When I looked at Bill 224, being introduced by the hon. Member for Clover Bar, I thought he was going to get up and really say something. I sat here for his 22 or 23 minutes, took down notes, and threw them away. There was nothing in it.

DR. BUCK: Put that in *The Gazette*.

MR. JAMISON: I think this bill shows the type of opposition we have. I'll explain what I mean.

DR. BUCK: We're sure going to have more next time, Ernie. Yours may be one.

MR. JAMISON: That's fine, Walter, any time. I'm really upset sometimes, disgusted and ashamed sometimes, of the opposition during the question period. That's where you can get the information. Why don't you do a job? It's terrible. That's the right information to get back to your constituents. If it wasn't for the daily newspapers that come in here each day, you wouldn't have a question. That's where you get it from.

DR. BUCK: That's the way he writes in his paper.

MR. JAMISON: Mr. Speaker, we've gone through a municipal election throughout the whole province. I read a lot of brochures and everyone of them said, open government, more open government, the right to information, and all the rest of it. Well, it's a little different when you get in the government; you have

the right to information and some of it's information you've got to keep to yourself until a decision has been made. And when the decision has been made, the public has the full benefit of how that decision was made.

I was very pleased a few years ago, during the estimates, that we broke into subcommittees. The subcommittee was another form of open government, the right to information. We took any department you wished. You could attend the Department of Health, the Department of the Environment or the department of this or that, or whatever it may be. It would keep on going until you got all the information you required. What I'm afraid of, Mr. Speaker, is that the opposition MLAs are just not doing a job. They're not getting this information because they don't ask any questions, and he who doesn't ask, doesn't learn.

I do believe that when this government took over in 1971, certainly one of the main platforms was open government, and I can assure you I wouldn't be standing up here today with this same government if I didn't think it was open government. It's open so much that all the information is available. Walter, the hon. Member for Clover Bar, as I say: get on the ball, smarten up, ask some questions in here, forget about the daily newspaper. Go out and ask you constituents what they want to know.

DR. BUCK: Can I put an article in your paper?

MR. JAMISON: Any time.

DR. BUCK: You won't edit it?

MR. JAMISON: Mr. Speaker, during my job as MLA I have thousands of questions asked to me by my constituents, and I have yet to have one tell me that I haven't been able to get the information for him. Walter, do you know what happens to the Alberta . . .

MR. SPEAKER: Order please. If the hon. member wishes to carry on a tete-a-tete with the hon. Member for Clover Bar, there are other places to do that.

MR. JAMISON: Thank you, Mr. Speaker. I realize I'm talking to everyone in the Assembly today.

DR. BUCK: [Inaudible] . . . he's speaking to Walter Levy.

MR. JAMISON: There is many a platform that has become very popular with the people. This is one that seemed to have a little catch to it — the right to information, where you got your campaign funds, all these things. But what do they really accomplish? Mr. Speaker, I'm proud to be part of this government. It is open government, and any time that I've needed to get any information or documents, I've been able to do it.

What does concern me — I go back to Monday, March 28, 1977, in Orders of the Day Mr. Notley proposed the following motion for a return to this Assembly:

That an Order of the Assembly do issue for a return showing copies of the following reports, studies, or documents as listed in Return No. 199/75 . . .

Mr. Speaker, it's two and a half pages long. All these have been filed by the minister at the time it became public, and the public should know where these studies were made.

I notice he was asking for a study concerning the evaluation of the need for equity capital financing in Alberta done by Professor Mudd and Professor Litauk. That's been filed. I've seen a wheelbarrow, Mr. Speaker, come in here loaded with all the material. What happens to it? What do you do with it? Mr. Speaker, this is not only a sunshine bill, it's unnecessary when you have a government that's as open as this government.

Thank you.

MR. YOUNG: Mr. Speaker, in view of the hour I beg leave to adjourn the debate and call it 5:30.

MR. SPEAKER: May the hon. Member for Edmonton Jasper Place adjourn the debate?

HON. MEMBERS: Agreed.

DR. HORNER: Mr. Speaker, I suggest we call it 5:30. We will be sitting this evening at 8, and return to discussion of second reading of bills, with Bill 66 initially and then Bill 74.

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

[The House recessed at 5:26 p.m.]

[The House met at 8 p.m.]

head: **GOVERNMENT BILLS AND ORDERS**  
(Second Reading)

**Bill 66**  
**The Department of Hospitals**  
**and Medical Care Act**

[Adjourned debate October 19: Dr. Buck]

DR. BUCK: Mr. Speaker, as I was saying before I was so . . .  
[applause]

It's nice to feel wanted, Mr. Speaker. [interjections]  
It's my privilege to try to educate the Minister of Hospitals, and whatever he was doing.

MR. CLARK: The minister has no responsibilities.

DR. BUCK: It's nice to know the Minister of Hospitals and Medical Care is going to have a job.

In discussing the principles behind this bill, I would like to reiterate that we're not really concerned if the health services of the people of this province are looked after by a commission or a full ministry. The responsibility still lies with the minister who is responsible for these two sections.

Mr. Speaker, the question of ministerial responsibility really boils down to this: the government cannot

escape its responsibility, regardless of whether it is a commission or is directly responsible to the minister. But when we try to keep our decisions non-political, the commission has a real, important function to serve, because it tries to indicate to the minister and the government the decisions that should be made that have nothing to do with politics. So when we see a bill that's before us, the concern I have as a member of this Legislature is that we're giving the minister powers. We are giving him not only powers, but we're going to give him some problems.

One of the hon. members mentioned the minister had 400 meetings. Well, if a citizen or citizens' group concerned about hospital care in this province can't get to see the commission, how are they ever going to get to see a minister who is already bragging about the fact he had 400 meetings last year?

I'm certainly concerned about the bureaucracy and the centralization of power this government is trying to further enhance by bringing this act into being. It's giving us more high-powered bureaucracy. It's giving us more ministerial control. It's not telling us what the financial guidelines are going to be. And it takes away the recognition of the hard work the boards in this province have been doing.

When we were talking about some of the hospitals we thought were overbuilt, I'd like to say that many local boards in this province are afraid to show any difference of opinion with this government, because this government operates by saying that if you don't do what we say, you don't get the goodies. That's been expressed to us many, many times when we visit areas of this province. This bothers me because the funds we vote belong to all the people of this province, all the constituencies, and they should serve the purpose of putting facilities in the areas where they should go, not where it's going to do somebody the most good.

Mr. Speaker, in trying to bring this directly under the minister, we really haven't changed anything very much. When we say, the minister is responsible, we can get to the minister, he's a servant of the House, I would like to remind the hon. members what happened to the resolution passed in this Legislature approximately two years ago, directing this government to do something about setting up an ambulance service across this province. Did the government listen to the direction of the Legislature? I say no.

MR. MINIELY: [Inaudible] put a lot of work in.

DR. BUCK: Put a lot of work in. Well I'm glad to see the minister is doing something. But nothing has happened. Nothing happened about monitoring the capital costs that are going up in hospitals. So what was the minister doing? This is the minister who is asking us to put faith in him to do a better job, just because we bring Bill 66 into this Legislature. That is a bunch of foolishness, Mr. Speaker, because if he didn't do it before, he certainly isn't going to do any better job now.

Mr. Speaker, I support the principle of the bill: that we put hospitals and medicare together. This doesn't bother me. What does bother me is that we are putting more and more power into the bureaucracy, shielding the minister even more, because he's got all this high-priced help sitting around, all these fancy consultants. We don't know what they were consult-

ing him on, because it certainly couldn't have been hospital costs.

AN HON. MEMBER: They wouldn't have gone up.

DR. BUCK: They wouldn't have escalated as rapidly as they had. So, Mr. Speaker, I am concerned that the passage of this bill is not going to improve health care or hospital services to the people of this province.

Thank you, Mr. Speaker.

DR. PAPROSKI: Mr. Speaker, I would like to make a few comments on second reading of Bill 66 to do away with the commission form of government, which has indeed been lacking regarding responsiveness, accountability, financial responsibility, flexibility, and lacking confidence in many sectors. Mr. Speaker, the hon. minister certainly enumerated those very well in the last debate on this, and I would certainly support those comments.

Mr. Speaker, I would like to indicate to the members of this Assembly that I recall very vividly, shortly after the 1971 election, my strong concern regarding this commission. I indicated clearly and concisely that restructuring was inevitable because of the lack of these essential items that have been mentioned by the minister in his last debate, and today as I've indicated. It is obviously a very strong need for improved sensitivity and responsiveness to hospitals, medical personnel, health professionals, and particularly in the community, the citizens, with respect to their respective needs.

Mr. Speaker, today with this bill I am confident that these concerns will be resolved: flexibility, cost control, co-ordination and responsiveness to hospitals and community, the standard of care, participation, lack of confidence — which hopefully will be improved — internal control, and increased responsiveness.

But, Mr. Speaker, let's not kid ourselves. This won't happen automatically. I haven't yet, after six years in this Legislature, seen any bill come in and automatically something happens. This will happen only because the minister is concerned — and he obviously is concerned — and the government is concerned to make a thing like this work.

The important issue here is that the bill provides the basic structure, the catalyst if you wish, to work with government and with the minister, in consultation with all those involved. When I speak of all those involved, I certainly mean the citizens in the community, the health team, the administrators and, truly, the citizens at the grass roots. The minister is very determined — I know this, and he has indicated this — to use that team approach; not to work in isolation from elected officials as has been the case up to this time.

Members of the Assembly, I had the opportunity to attend some of these meetings regarding health care. I can assure the House from the experience I had there — even if it was just some of the meetings, because there were some 450 or 500 of them — that the officials who participated, both the health professionals and the non-health professionals — the community participation was certainly very active, relevant, and showed a sincere concern regarding the particular direction exemplified by this bill.

So, Mr. Speaker, that old non-responsive dinosaur

is going. It may be sad. I suppose the opposition members have a few tears in their eyes. Even we may, because we tried to make it work. Many millions of dollars later we realize, of course, in spite of that — the cost escalation in the health care system, and the lack of flexibility — responsiveness just was not there. This new bill I'm certain will provide new direction, fresh responsiveness, and new decision-making.

I'm particularly pleased, Mr. Speaker, that the team approach was alluded to by the minister, not only this time but in previous discussions and debates regarding the health team members he used in his department to assist him. I think it's vital, not only for the Minister of Hospitals and Medical Care but, of course, for every minister, because we're not instant experts once we become politicians. We recognize this, and the fact that he recognizes it makes me respect him. I think all members of the Assembly should respect him that much more. He recognizes the team was necessary to help him formulate the bill and formulate the new direction.

I know the hon. opposition members find that somewhat amusing from time to time, because this is a difficulty they had during their tenure in office, Mr. Speaker. As the years went on they relied less and less on the professional, the expert, and the grass-root opinions. As a matter of fact they turned a deaf ear to them. I remember that in the 1971 campaign and will never forget it.

As the minister has used this team approach in formulating this new bill and direction, I know and am confident that he will utilize that same team approach in developing the exact community delivery of health care for the individual and families in our communities, so that as the years go on the individual and family will better understand and have an increased confidence with respect to their health care. For our society is becoming more complex, and as population density increases, certainly the individual and family can be isolated, even in a highly populated area. We know that happens — always remembering, of course, the volunteer worker in the health delivery system.

Mr. Speaker, much more could be said in this area, whether it's the need for the family practitioner, the need for the specialist, for cores of community health and social service centres or the concept surrounding that, home care, the need for preventive diagnosis, treatment, rehabilitation, and so forth. I think those items can be left for discussion on another occasion.

As I close my debate, I recall that the other day the Member for Little Bow said this was a dream. Well, Mr. Speaker, that's exactly his problem. He probably doesn't dream enough or doesn't imagine enough the direction in which he wants to go. Here is a bill which, as I have indicated before, provides responsiveness, accountability, financial control, and monitoring; and the hon. member says that's old. If that's old, I don't know what is new. Maybe his problem is he's been in the House too long and he is either getting old, or old in the House. I don't know why the hon. member should be so defensive. Maybe he should, because that bureaucratic dinosaur they created is going, and in its place we will have something fresh, new, accountable, and understandable by elected officials. As a result, if it's understood, responsive, and accountable to elected officials, then



I'm sure the citizens must be happier with that.

To speak of centralization, as he indicated the other day in the debate, I would suggest to the hon. members of the Assembly that the Alberta Hospital Services Commission was probably the most centralized bureaucracy which, to try to formulate a new direction, cost not a hundred thousand dollars in funds but uncontrollable millions of dollars in administration. As the other members have indicated, it's not a reflection on the personnel in the Alberta Hospital Services Commission. They did the best job they could under the circumstances, but when trapped in that direction they probably have no choice.

Finally, Mr. Speaker, health care — ill health and health generally — is a very important matter, as we all realize. Some of the members have already indicated that. It's a multifaceted issue. It needs a multifaceted approach by the whole health care community in a very co-ordinated manner, responding constantly to community needs as they are and changing with flexibility in utilizing all the professionals in that field, including voluntary help. I emphasize that because, from time to time, the tendency of the previous government was to forget that. It's certainly very valid and important in the modern era of health delivery, and I'm satisfied that the minister understands that message clearly. He has enunciated it and attended meetings where he heard it many times.

Mr. Speaker, I conclude my remarks by urging all members to support this bill with confidence, recognizing that it has limitations, like any bill. Placing it into action requires conscientious effort by all people involved. The minister has indicated that he has this team approach, is willing to do it, and I'm sure will do that satisfactorily.

As I close, Mr. Speaker, I would like to respond to some of the comments from the hon. Member for Clover Bar. He speaks of the responsibility of the commission, whose basic structure was not in fact responsive and flexible, and was set up by the Social Credit government. Yes, Mr. Speaker, we tried to make it work and I'm satisfied this new direction will do the job. But on the one hand, as I recall — if I could just look at this for a minute — he says he doesn't support the commission, and on the other hand he's concerned about supporting the minister, an elected official, in his capacity to run a department. Mr. Speaker, talk about confusion. I'm not sure what that hon. member wants, because he can't have it both ways. Certainly he should be more than satisfied to take the direction of an elected official accountable to people at the grass-roots level. If he's not happy with the minister I suggest he does something about it at the next election, if he can.

Thank you.

MR. ZANDER: Mr. Speaker, I would certainly be amiss if I did not stand in my place to support the present bill as it is structured.

It has been my misfortune, perhaps, for some reason I do not understand, that ever since 1972 I had suggested to the former Minister of Hospitals and Medical Care that we do away with the Hospital Services Commission. I see he is now in his place, and he cannot deny that I did not say that. The inaccessibility, the inability of the Hospital Commission to recognize the needs of the people of this

province is one of the greatest mistakes that commission has ever made.

Mr. Speaker, I think I would only have to look back on what I told the House last week, that when there is justification that we have four hospitals in 41 miles in this province and the inability of people to look after the handicapped, the senior citizens of this province in my constituency, that they must be sent as far away as Calgary, certainly there's something wrong with a commission that's acted in that manner.

The minister must have and shall assume the responsibility. It has to be that way. I don't think the reason for the Hospital Commission that was structured some years ago was supposed to be a shock absorber between the minister and the people. But I really doubt that they acted in that manner. I cannot help but be bitter about the former commission, when since 1972 we have been forced to send senior citizens from my constituency to Lethbridge and Calgary because there are no facilities in the city of Edmonton or surrounding area.

I was told by the central commission in Edmonton that it is about six to nine months behind in accepting people in the Edmonton placement area. It may be as high as 1,000. But surely when we stand in our place — and I've seen hon. members in this House stand up and say that it only makes common sense that the parents and children should not be removed that far that they can't see them.

Mr. Speaker, it is with reluctance that I must criticize the operations of the former commission. It is true. It almost seems that they were a white tin god that I couldn't get to. I brought my complaints to the minister. I don't know why they were not acted on. But I will say this. Don't fault the present minister for what has occurred before.

MR. GETTY: Just the one before.

MR. ZANDER: Not even before that one, for the simple reason that if the hospitals are now constructed it must have taken three or four or five years to do this. So they had to be in the mill for that length of time.

It is no laughing matter, hon. members, when there is a constituency that hasn't got a home for senior citizens, not one to look after extended health care services. There aren't any in my constituency. We have to seek help elsewhere. Now for five years I have gone through this process. Even if the implementation is made now, it will only take effect in about another four years. I can't see it happening any sooner. We can't really fault the ministers either, because I think the government in power, the former government and the now government, has to accept the responsibilities.

If you want to place a senior citizen in the Edmonton area — and just last year I had two of them, one aged 91 and one aged 89 — they had to pass away from this world because there isn't any room for them. The pleading of these people has come time and time again: where can we go? I'd like to have some hon. members who haven't one or two homes in their constituency just take the place where I'm standing and have to face those people day after day, month after month, and year after year, saying, there is no room; you must go either to Calgary or to Lethbridge, because there is room there. I heard it

said there is a shortage of extended health care services in Calgary. In some areas there may be; I won't question that. But that is the only place in this province where we can put our senior citizens.

But this bill is going to make the minister responsible. I will be able to go to him and put my case before him. I will not have to go to a commission to tell them about it and then go back to the minister. I think the acceptable process is that the minister is responsible. I'm happy that we have that now.

In closing, Mr. Speaker, I say this: I cannot really see the sense in constructing hospitals in smaller centres where there are no doctors to staff them. What is the sense in building a hospital that costs \$2 million, \$3 million, and \$4 million, when the supply of doctors is limited? They are in the larger centres. I think the Hospital Commission can only be blamed for part of that, because I don't think approval for hospital construction should have ever gone across the minister's desk unless he had looked at it. If he hasn't looked at it, then I blame the minister.

But I can say this, Mr. Speaker: maybe it won't be my problem much longer, because I do not intend to stay that long. I can only see with sorrow that I, perhaps, have not put my case strongly before this Legislature or the minister or the commission. But, surely, somewhere down the line there has to be responsibility, and when this bill is passed I'll be in the minister's office. I can assure you of that, Mr. Speaker.

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

HON. MEMBERS: Agreed.

MR. MINIELY: Mr. Speaker, may I begin by thanking all members who contributed in a constructive way to the issues contained in Bill 66. Rather than respond to individual member's comments on the bill, there are just a few general remarks I would like to make briefly in wrapping up debate on second reading of Bill 66.

Let me first repeat, Mr. Speaker, that some members have indicated this will not solve all the problems in hospitals, medical care, and health care. In my remarks I certainly never implied it would. It has been my firm conviction from the beginning in the portfolio — and that conviction has been supported by every major health care study that I've had available to examine: the World Health Organization, our own Blair report in the province of Alberta — that the priority in sound health care policy must be placed on sound organization. As I mentioned in my remarks, that's why my colleague the hon. Miss Hunley and I are placing high emphasis on joint planning between the two portfolios, where areas in health care overlap.

Mr. Speaker, while policy has been evolving in the portfolio of Hospitals and Medical Care, the first priority was on assessing the soundness of the organizational and administrative structure in terms of accountability and of making decisions and choices for the allocation of public funds within health care priorities, now and in the future. It's not just our government, Mr. Speaker, although we've been a leading government in Canada in expressing the challenge we now face. It's no longer an open cheque

book. We are going to have to make choices very carefully. We're going to have to allocate public dollars very carefully in the largest of public expenditure areas very carefully as to what citizen priorities are.

In my view, during the course of debate there was only one argument from the hon. members of the opposition which merited any response or attention. That was the argument that maybe a commission at arms length somehow kept health care out of the political arena. Mr. Speaker, let me suggest that that is a terribly naive statement for anyone in this House to make. The President of the College of Physicians and Surgeons was sitting in the gallery at the time that statement was made and he came to my office after the debate was over. He and I were chatting about it, and he and I know that he's dealing with medical politics. Medical staffs in every hospital are lobbying and pressuring and competing for program. To take it out of the proper arena, the arena that represents all the people — this Legislature — and substitute some other form of political lobbying, competition, and rivalry certainly isn't, in my view, the kind of decision that anyone in this Legislature should support. I see absolutely no credibility in that argument.

Mr. Speaker, during debate some hon. members hinted or directly said that I am guilty of not making decisions, that Bill 66 doesn't answer everything in health care. I said I didn't intend that it should. But it forms the base, the beginning for new policies that relate to hospitals and medical care service in this province that must be the base before policies will function effectively and be accountable to citizens of this province through their elected people.

As a matter of fact, in the next days and weeks during this fall sitting I will be bringing before the members of the Assembly some evolving policy positions in several areas. One which will be brought before the House very early will be new policy and procedures on strengthening hospital construction throughout the province, in response to concern that all hon. members are aware of. I'll also be talking about evolving policy to improve and control medical and health technology, which is becoming extremely expensive, and is costly not only to construct but in terms of the rapid obsolescence built into it, requiring a major expenditure of health care funds available for technology. I'll be talking to the Legislature in the next weeks about the very important tasks — and I talked about the team approach and the utilization of other MLAs in the Assembly.

The economics of the health care industry we'll give detailed consideration to under the chairmanship of the hon. Member for Lethbridge West, Mr. Gogo. Dr. Ben MacLeod of the Health Care Insurance Commission has long wanted to look at this question. This will take on increasing importance. When one notes the repeated reference and studies showing that 75 per cent of health care needs are provided in doctors' offices, while doctors' incomes represent only about 10 per cent of the costs, questions raised by the federal task force reports on the cost of maldistribution of medical personnel and the related use of expensive lab or technological procedures make all these areas worthy of examination. I'm looking forward, and I know the hon. Member for Lethbridge West is looking forward, to getting into this area along with the College of Physicians and Surgeons.

Last winter I reported to you the interim measures taken to provide a more equitable method of funding and financial support to nursing homes. Geriatric services of this type will demand an increasing outlay of funds. In the next 10 to 20 years, the increasing proportion of the ageing population alone will require the plan for gradual development of these services in relation to the actual needs of the aged population in Alberta. This is a task to which we must address ourselves now. A committee under the chairmanship of the hon. Member for Sedgewick-Coronation, Mr. Kroeger, is continuing a detailed review of not only the operating financial requirements but the cost factors related to program and construction in this area.

Mr. Speaker, there is no question we will have to pay more attention to the needs of rural communities, to what will more appropriately meet the health care needs of rural communities. We have to examine the question: have we swung the pendulum too far toward sophistication? *The Financial Post* indicates that in the last 10 years we have spent more in public funds and have gone through the largest expansion in our entire history with no improvement in the health level of our citizens. Now that sure indicates we're at a turning point where we have to question the way in which we are spending our health care dollar.

Mr. Speaker, a multitude of these questions have to evolve and will be evolving policies brought forward by the portfolio of Hospitals and Medical Care, forming from the accountability base that begins with Bill 66 and with accountability to the citizens of Alberta for the expenditure of public funds for quality health care to their elected government.

On Tuesday our Premier stood in his place in the Legislature and said:

... the supremacy of this Alberta Legislature is such that when we deal with matters that are within our jurisdiction, they're dealt with by the elected people of this province and those decisions stand.

Mr. Speaker, Bill 66 demonstrates, as much as any other, that principle. A vote against Bill 66 is a vote against accountability to the citizens of this province through their elected Legislature.

[Motion carried; Bill 66 read a second time]

#### Bill 74

#### The Environment Conservation Amendment Act, 1977

MR. SPEAKER: Before we start the debate on Bill 74, perhaps it would be in order to make a short observation to give a word of explanation. Hon. members may have wondered about the rule against anticipation when we had the debate this afternoon on a resolution which is very closely related to the subject of Bill 74. I should say, though, that until some time this afternoon, I was not in receipt of an assurance that the debate on Bill 74 would proceed. Had I had an assurance that it would proceed, then probably I would have had to say the resolution that was debated this afternoon would have been out of order because of infringing the rule against anticipation.

As it is, it may well be that some of the debate which took place this afternoon may be repeated this evening, although the emphasis may be different. However, if I had intervened this afternoon when I

knew the bill was going to be debated this evening, it would perhaps have been less than fair to those hon. members who had prepared themselves to devote some time this afternoon in debating the resolution.

MR. RUSSELL: Mr. Speaker, I beg leave to move second reading of Bill 74, The Environment Conservation Amendment Act, 1977.

I appreciate your observations on your ruling, Mr. Speaker. I can understand your difficulty. Inasmuch as the movers of the resolution didn't speak to the resolution, it's hard to tell what they're going to do when we get to the debate on the bill.

I'd like to start by making a couple of comments about the reasons for changes to this bill. A few months ago, of course, I had no reason to believe these changes would be necessary at this time. Much to their credit, the last four members of the Environment Conservation Authority came to my office in January and laid out a number of serious problems they were having which they felt were affecting their ability to carry out their work and were having a ripple effect on the staff. Later investigations, of course, showed that was true.

Before we did anything, we asked the Public Service Commissioner to carry out a very thorough review and report back to me as to what the problem was insofar as those specific four personalities were concerned. We also took the opportunity to commission a management consultant study, and that is probably something that would have been done in any event, Mr. Speaker. We've been doing these through the course of our duties and applying them to different Crown corporations and departments as the role of government and size of the service has increased. I think it makes good sense to carry out these management reviews. It had been my intention to get one under way for the Authority in any event, so it seemed like a good opportunity to do it.

The timing was rather difficult because we were just about to go into the final hearings of the Red Deer River flow regulation. I thought it was important to proceed with those hearings inasmuch as the first phase had been completed and a lot of people had done a lot of work. We were fortunate in getting Dr. V. Wood, a respected long-time civil servant and a chairman of the Land Use Forum, to chair those hearings. I think it's to his credit and the others who were involved that there were absolutely no complaints or criticisms of the hearings or the manner in which they were conducted.

After I received the reports, and the four people who were involved in the Authority agreed as well, it was evident that we should do something to separate them and at the same time probably use the opportunity to make what improvements would seem to be in the best interests of the Authority. In looking at the management consultant's report, I think one can probably guess the three options that were presented.

First, we could have left things as they were, perhaps change the personnel or rotate them in some way, but essentially gone ahead in future with a permanent four-person body operating exactly as it had. Secondly, we could have had four people, or some other number, but applied them to their duties on a project management basis so you'd have perhaps one member looking after ground water hearings, another one the Oldman River, another one on

forestry, et cetera, and together they might have constituted an authority. The third option, the one we selected, was contained in the amendments to the legislation before us tonight, that is somehow to separate the ongoing administrative and research functions of the Authority from the public hearing process. Although the two are connected in an important way, it seemed to me they are separate and distinct functions.

It's the intention, when and if the legislation passes, to use the authority there to appoint by order in council a chief executive officer who will be responsible for the ongoing year-round work of the Authority and, from time to time as necessary, appoint special forums to conduct public hearings exactly along the model used in the past, because I think it's to the ECA's credit and certainly it's on the record that they have conducted public hearings well. They've been well accepted and have developed a good style. All members are familiar with the broad range of topics with which they've dealt.

There are some reasons why we chose this model. The experience of the Red Deer hearings was behind us. There we had used a temporary acting chairman who had been well accepted and had performed very well. We had the experience of the Land Use Forum, wherein a broad range of Alberta citizens was commissioned with the job of holding public hearings on a specific topic, submitting their report, and then going about their business. It seemed this opened an opportunity to involve a number of citizens who could perhaps bring a broader range of expertise to a wide variety of hearings. It's one we would like to try for a while.

In a separation of the administrative and research functions from the public hearing function and making the permanent full-time person the chief executive officer, with the added role of being ex officio a vice-chairman of any panel that may be formed for hearings, I think we can look at a model I'm familiar with. That's the Alberta Housing Corporation, which is similar in a way. The president of that organization, its chief executive officer, is also vice-chairman of the board where the policy decisions are made. That was a similar example we looked to.

I do want to emphasize that broader range of people to conduct public hearings. If hon. members recall, the kind of people we were able to get to serve on the Land Use Forum were: a former deputy minister who was very familiar with legislation and policies with respect to the administration of public lands; a private citizen, a professional engineer, who had had municipal elected government experience and extensive experience in private land development; and a well-known Alberta farmer who had also had many years of experience in rural municipal government. That forum worked very well. I don't know if it would have worked so well if we'd put those same three people on a hearing on the Oldman River or the Red Deer River, or on soil erosion in northwestern Alberta, or on chemicals and pesticides.

The point I'm trying to make is that I think the opportunity to be able to select a panel which will have a broad working knowledge of the topic they're conducting hearings on has many obvious advantages. Rather than having one full-time permanent panel which is expected to provide answers on a broad range of topics, we announced that decision on

June 27 and at the same time said we were committed to a review of it. If I have any disappointment I suppose it's the quickness of critics to overlook our commitment to that review.

What I said in that announcement, and what I'm saying now, is that I believe we've come up with a good idea. We arrived at the decision after two studies and several months of consideration. I'd like to give it a chance. It's not engraved on stone, and there is no reason that members appointed under this new legislation can't remain for longer than one hearing or for three or four hearings. But I really think that critics who have jumped in and said, this isn't going to work; we won't co-operate; your next hearings are going to be disasters; are really being unfair and not giving this suggested change a chance. We've done that with our own House rules, Mr. Speaker. We've adopted changes in rules for a session, or half a session, without knowing whether they were going to work, have given them a chance to operate, and then reviewed them at the end. I think it's only fair that we should give this proposal the same opportunity.

The bill before you contains essentially three changes: first, a change in name; secondly, a change in the method of appointing the membership; and thirdly, a delineation or clarification as to exactly what the functions of the ECA will be.

The name change was not absolutely necessary, but during this period of review, and especially during the time of public response to the decision on the Red Deer River, it occurred to me that the use of the word "authority" in the title of that body's name was probably a misnomer. If you look at the accepted meaning of the word "authority" in the dictionary, I think it certainly denotes something that is not written in the ECA act and was never intended to be there. If you use "authority" in the sense of rights or powers to enforce legislation or obedience, that is certainly something the ECA never had. If it was an authority on opinions or knowledge of some kind, or a citation on expertise, that is something it never was. This was a body of lay citizens selected from a broad variety of sources who were given certain responsibilities.

I was hesitant to suggest something that would take away the letters ECA, which so many citizens have become familiar with. Even those who didn't know what they stood for knew what the ECA was. I think the word "council" is a good suggestion. Look at the meaning of the word "council": an assembly or meeting for consultation, advice or discussion; a group elected or appointed as advisory; an executive whose members are equal in power or authority. So the traditional meaning of the word "council" seemed to fit very well, and I hope it will perhaps take away some of the misunderstanding that the ECA is some kind of an authority, either in its expertise or in its legislative rights to enforce things. In some quarters the understanding was that when the ECA said or recommended something it was hallowed and must be followed. It's recommendations are advisory. I think the record of their acceptance is pretty good. Not a hundred per cent of them have been accepted, but is there anyone in this room who's had a hundred per cent of their advice accepted? I think not. I think that would be expecting too much.

The second part of the legislative changes contain-

ed in this bill deal with membership. I think I've described what our proposal is going to be: one full-time chief executive officer and three or more temporary ones, depending on how many panels or forums are in operation at any given time. In examining the legislation you'll notice that the Authority still remains a corporation constituted under the act, and the members are still appointed by order in council. So there's no change there.

Mr. Speaker, the last major legislative change embodied in the act is a very distinct clarification of the functions of the Authority, because we have had this debate going on since 1970 when the bill was first introduced. Later on, in 1972 when the amendments were made to that particular section and in the five years of practice since that time, there has always been this question of whether the ECA should, or in fact did, have the authority to initiate hearings or inquiries on its own volition.

In discussing this particular matter with the former chairman of the ECA, he ventured the opinion that when a hearing was called he would very much like to see it formalized by way of order in council, with very specific terms of reference. I think that was good advice, and I intend to try to follow it. So as far as I can see, the practice will be what it has been. But the clarification is certainly very distinctly and clearly there that the ECA will not be able to initiate actions on its own volition.

We've been over the debates and the reasons for that many times in the last two days. We want their advice, and I think the input they get from the public and from other sources is extremely important in the decision-making process. But the decision and the responsibility must of course rest with the elected body.

I shouldn't pass up this part of the act without responding to a comment made earlier in the day by the Member for Spirit River-Fairview. He expressed great indignation that a decision on the Red Deer River had not been made in the Legislature. I was puzzled about this because I was sure that our intentions had been very clear, Mr. Speaker. I'd been asked about it. So I checked *Hansard* and in the budget debate I said, I hope that very shortly the government will be making a decision on proposals to regulate the flow of the Red Deer River. The hon. Member for Spirit River-Fairview didn't show any concern or [have] questions then. I suspect if the decision hadn't been difficult and controversial he wouldn't be now. It's only when he sees some kind of opportunity to make a little political hay that he suddenly becomes very concerned about that aspect of it.

AN HON. MEMBER: Opportunist.

MR. RUSSELL: But that's a pattern of behavior we've become accustomed to from that particular member during the past years.

Will there be differences under this act? In practice, I don't think there will be. I think there will be some improvements in the administrative part of the ECA. I think there will be improvements in the functions. I'm hoping there will be budgetary improvements by way of dollar savings, but it's too soon to tell that. Appointments will continue to be made in exactly the same way as they have been. We'll

search for citizens throughout the province to serve on these panels, just as we have in the past. Their appointments will be made by order in council.

As far as the procedures for selecting hearings are concerned, I expect that will continue in the same way: either the government, some part of it, or the Legislature will determine what is deemed to be a matter of importance that requires either an inquiry or a public hearing, and we would go forward with that. I'd expect the ECA itself would bring forward suggestions for the necessity of public hearings, as it has done in the past.

Insofar as public access is concerned, I see no change there. They will still be here in an office building and travelling throughout Alberta during the course of their hearings, accessible by telephone or in person. I see no change there.

Insofar as the roles of the public advisory committee and the science advisory committee, I can't see any change there. There is nothing in the legislation that would reflect any change for those two groups.

Insofar as the budget is concerned, we would bring their appropriation here to the Legislature at budget time, and it would be open to the scrutiny of all the members, as it has been in the past. The vote for funds for the next year would also be a function of this Assembly.

So what I'm saying is that I don't really see any major changes. That's why I'm hoping the public will give us a chance to see if this system of trying to separate more distinctly the administrative and the public hearing parts of the ECA will in fact work.

In closing, Mr. Speaker, I just want to make a comment about the interim measures we've had going on. As you know, when the four former members brought their problems to me in January they also all offered to resign at that time. After we had had the studies and the review done and reached our decision, those resignations were accepted. Under the terms of the act we need two members to keep a legal quorum insofar as certain functions and day-to-day business of the ECA are involved. I'm pleased that Mrs. Noble, the last member of the Authority to resign, is staying on until the new chief executive officer arrives. That's where the role of the Deputy Minister of the Environment became involved, in that we appointed him as a temporary member on a non-paid, short-term basis to maintain a legal quorum. Just to allay the fears of the official Leader of the Opposition, it's only been necessary for Mr. Solodzuk to effect the duties of his membership on two occasions: once to sign authorization to rent a room for a coming meeting, and another time to write off two books from the inventory that have been lost. That's the kind of devious political control the government is instituting on the ECA through the appointment of the Deputy Minister of the Environment.

In closing I want to say I'm extremely pleased with the response from across Canada for the office of the new chief executive officer. The comments by different people that the ECA has had a good reputation and is well known I think are true, because the interest in the competition was high. We received well over 100 applications, from Newfoundland to British Columbia. I think we've selected an excellent candidate.

MR. CLARK: Who is that, Dave?

MR. RUSSELL: I can't tell you who it is until next week. Because of his current employment requirements, he's asked that we not announce it until next week. But I certainly intend to at the earliest opportunity. I think the members will be pleased with the new chief executive officer. He understands the situation here and is looking forward to it. He speaks very highly of Alberta; he's coming from outside the province. I think that's just one more reason why we should give this bill a chance. I recommend it to the members, Mr. Speaker.

MR. CLARK: Mr. Speaker, in making a few comments with regard to Bill 74, I don't plan to go over the same ground I went over this afternoon. I simply want to make a series of rather pointed comments.

From our point of view we see this [as] the second of the government's three-pronged approach to further centralize the control of efforts as far as this province is concerned. We have seen the first effort this evening in Bill 66 as far as the setting up of the hospitals department is concerned. Tonight we're seeing Bill 74, which is the ECA, and whichever way you cut it, it puts a great deal more power in the hands of the minister and strips the ECA of the influence and respect it had across the province. And tomorrow morning I understand we get to debate the third of the government's three bills that really finalize the thrust for this session, which is to pull these three areas right into the cabinet so that nothing possible can go wrong, hopefully. That seems to be the government's scheme.

Mr. Speaker, we on this side of the House are under no illusion that we can't stop this bill from going through. Tonight the minister — and I feel sorry for the minister, because I really don't think the minister was able to generate the kind of enthusiasm I've seen him generate on occasions when he's really quite enthusiastic about something.

MR. NOTLEY: True, true.

MR. CLARK: I think, Mr. Speaker, on this particular occasion perhaps the minister is in that unfortunate situation of rather having to be the errand boy for a decision made someplace else. I respect the minister, and I say that in all fairness. I differ with the minister on many occasions, but I respect the minister's ability. I think on this particular occasion the minister's heart simply isn't in what he's doing, and I can fully appreciate why it wouldn't be.

Mr. Speaker, the first point the minister made dealt with the staff problems the ECA had last year. And then the minister talked about the Public Service Commissioner's report, the consultant's report, the management review. Mr. Speaker, if the government really wanted to level on this issue and really wanted to say to the people on the advisory committees and members of the House, here's really what's going on as far as the ECA reorganization is concerned, I would have thought that the minister would have tabled the Public Service Commissioner's report in the House.

MR. NOTLEY: Agreed.

MR. CLARK: I would have thought, Mr. Speaker, the minister would have tabled the management review in the House and said, look we don't plan to establish a precedent of doing this on every occasion, but because of the concern raised across the province about what's happening to the ECA, and because as a government we're really concerned about maintaining the integrity and high reputation of the ECA, we'd like to table [it] so that the members of the Assembly and all concerned Albertans could look at the Public Service Commissioner's report, where he made recommendations to the government, and where this consulting firm made recommendations to the government as to what should take place.

I would be a great deal more inclined to consider the government's proposition if I could see the Public Service Commissioner's report saying there's no way we can resolve those personnel problems in the ECA unless we go some route like this. I would be very surprised, Mr. Speaker, if the Public Service Commissioner and his staff weren't capable of making suggestions that could have got around the personnel problems. I've got that much confidence in him. But perhaps it's a situation in the ECA that I don't fully understand. As I say, I'd be prepared to look with more of an open mind if that kind of information had come from the minister this evening, or previously from the government.

Or the consultant's report — if it's an Alberta-based consultant who knows what the ECA is all about, who has an appreciation of the contribution the ECA has made in Alberta — after looking at that, if this Alberta-based firm came back and said, look, this is what we think should be done, and if the government was moving in that direction, it seems to me that would strengthen the government's argument. But we didn't get either of those reports this evening.

Now, Mr. Speaker, another point the minister made in the course of his discussions this evening was that he was pleased with the way Dr. V. Wood handled the second set of hearings on Red Deer. I concur with the minister's comments completely. Then the minister went on to say how the Land Use Forum had been a very successful venture. I think that was the term used. Well, the Land Use Forum might have been successful from the standpoint of getting the heat off the government on some issues. But I would urge members to go back and look at the Land Use Forum and check the number of recommendations the Land Use Forum made and the number this government have followed up on. That might be a far better way of gauging the effectiveness of the Land Use Forum, because one of the things they recommended was that there be a basic statement of philosophy about land use in this province as far as The Planning Act is concerned. Mr. Speaker, you know yourself that nothing could be further from what's in that Planning Act than a statement of land use policy.

We're being told tonight that maybe the Land Use Forum is the kind of model we should be following. Maybe from the government's point of view. That's how the government is going to proceed. It's going to set up a forum — I guess that is the new term used — and put some people on this forum. They'll hold hearings across the province. We'll still be able to use the initials of the ECA and try to plagiarize the fine reputation the ECA has had in the past with this environmental council of Alberta. Just about the time

the people gain some expertise in a particular area and their work is finished, we'll bring some new people in for the next area.

You see, Mr. Speaker, one of the reasons the ECA was so successful was that the people of this province gained a great deal of confidence in the people the government appointed and continued to appoint to the ECA: especially Dr. Walter Trost and Mr. Kinisky, but the other members also, including Mr. Hogge. People from the north to the south of this province, from the east to the west, felt they could place a great deal of confidence in what the chairman and the deputy chairman said. That's one of the reasons the ECA was so successful, because people across this province had a great deal of respect for those individuals. But the situation we're going to have will tend to lend itself to an arrangement where we'll perhaps have a group of people competent for one forum, then another group for the next round, and another group for the round after that. There will be little, if any, continuity, other than through this chief executive officer who will be appointed by the minister. The likelihood of the environmental council of Alberta developing the expertise that the Environment Conservation Authority developed and retained until now is 'zilch'.

Mr. Speaker, as I said at the outset of my remarks this evening, I've reluctantly come to the conclusion that we can't stop the government from going down the path of the second of their [three] thrusts for power in the course of this session, giving it second reading.

The minister in his remarks talked about the differences. He said the administration would be better, and he thought there would be some budget savings. I'm somewhat surprised that one reason that would come forward for doing what we're doing with the ECA would be to save some money. When we have \$3 billion in the heritage savings trust fund, when we are moving on industrialization in this province at a pretty rapid rate, it might not be such a bad thing if we were to spend just a few extra dollars making it possible for the people of this province to have a little more input to environmental decisions. As I say, I am very much surprised that one of the legitimizing reasons the minister used tonight was this question of a budgetary saving.

I would say to the minister that I was pleased by his comments about the public advisory committees; that, if I copied down his comments correctly, there would be no change there — he would anticipate they would continue to function the way they have in the past.

I'll conclude my remarks, Mr. Speaker, by saying that the government seems to be hellbent to move in this direction of emasculating the Environment Conservation Authority. I think it's a most regrettable and backward step. That isn't a view shared just by me; it's shared by many people of completely different political points of view than I have. I'd hoped the government might at this session be prepared to back off in this area. Apparently it's not. I get the feeling it's a decision which the minister isn't that enthused about, but someone in the government has decided it will be done — and will be done at this session between the other two government thrusts of centralization. So at least the government is only going to get hit two or three times all at once in this session about its centralizing tendency.

MR. NOTLEY: Mr. Speaker, in rising to take part on Bill 74, I must say at the outset that I enjoyed the remarks of the hon. minister tonight. I thought this was another job of soft selling. I recall a similar style of speech given by the hon. Minister of the Environment — he wasn't the Minister of the Environment at the time, he was Minister of Municipal Affairs — the night he brought in Bill 55 in 1974. He came in with soft soaping, a soft-sell speech that attempted to ease everybody's concern. The net result was that it was a nice beginning, but it didn't change the fact that Bill 55 was an arbitrary piece of legislation, completely inconsistent with most of the traditions of our parliamentary system.

Tonight, Mr. Speaker, we have a second run at it, the same sort of style. The minister comes in and tells us, don't worry too much. There's not really going to be any difference in the de facto operation of the Environment Conservation Authority — now the environment council of Alberta, as it's conveniently named so the initials ECA continue; I think that's cute as well — no problems, no worry. The whole thing's just going to carry on as before, despite the fact that we are totally changing the philosophy and the structure behind it, in such a way that we have altered it totally. Mr. Speaker, the hon. Minister of the Environment should go into the magician trade. I think he would be a past master. He is attempting to tell us one thing, but when we see the veil swept aside, the result, Mr. Minister, is an environmental council of Alberta that has no significant authority and is just a pale reflection of the Environment Conservation Authority established by this Legislature in 1970. The minister can be as quiet and moderate as he may choose in introducing the bill. It does not alter the fact that the changes we are making tonight will in fact emasculate the Environment Conservation Authority.

I was intrigued, as was the Leader of the Opposition, by the reference to the Land Use Forum because, as the leader pointed out, the major recommendation with respect to land use is missing in The Planning Act. Almost every other recommendation of significance in the Land Use Forum has been ignored by the government. For example, this was the forum that said we had no problem, no concern about foreign ownership of rural lands. Last spring the government itself brought in legislation, quite properly, but that was not as a result of the recommendations of the Forum. If members recall the Forum and read it carefully, it recommended precisely the opposite.

Another recommendation of the Forum which this government hasn't even bothered to look at is the need to bring in some form of speculator's tax. Whenever one raises that question, you'd think you were bringing out the Marxist manifesto. There's such a look of shock and chagrin on the other side of the House. So when the minister gets up and says, the Land Use Forum is the model for the new environment council of Alberta, I have to say with great respect to the minister that there is a credibility gap which may not catch the minds of the back bench MLAs in the Legislature, but will not be missed by the people of Alberta.

The minister then goes on to say, really, why don't you critics give the new set-up a fair chance. We're going to destroy the effectiveness of the Authority, we're going to change the philosophy, alter the struc-

ture, but can't you give it a fair chance? The point I think the Fish & Game people are making, the national and provincial parks people are making — countless groups of people across the province, plus the advisory committee to the Environment Conservation Authority — is that they like the present structure. They like the Environment Conservation Authority the way it is. It's fine to talk about public participation. But the advisory committee to the Environment Conservation Authority has made its position very clear on this matter and [it] is totally inconsistent with the position taken by the government at this time.

I want to deal with some of the principles, if I can call them principles, contained within Bill 74. The first basic principle is that instead of a four-person authority we will have a business manager and rotating panels. The problem with rotating panels is two-fold. On the one hand the rotating panels of people, however able, do not create the image of being on top of the situation because they may be working on one set of hearings but are not there for the next. They do not develop the stature that the four-person authority of permanent people has in this province.

I'd like to say I agree with the comments of those people who said this government is to be congratulated on some of the appointments to the Environment Conservation Authority. The former chairman Dr. Trost was an appointment of the former government. Mr. Kinisky, for example, was an appointment of this government — in my judgment, an excellent appointment. While admittedly these were lay people, they were not people who didn't read up, who didn't develop a tremendous amount of background information on anything that is related to the environment. All one has to do is look at the publications of the Environment Conservation Authority. I think the Environment Conservation Authority has put out something like 10 pages of publications. Even though they came to the Authority from different walks of life, these people, over a period of time, could not help but develop a very substantial background of information that I submit, Mr. Speaker, would be bordering on the expertise necessary to give them an unquestioned stature in the province. The problem is that a rotating forum, however hardworking the individuals may be — and I'm not suggesting that they won't be conscientious people — isn't going to be able to match that sort of stature.

The second problem that comes out of this question of rotating members is the point that I think the Leader of the Opposition was alluding to, the centralization of control. What happens, for example, if the government for one reason or another doesn't like a particular panel of people. They can add to the panel, or they can choose a completely new panel for a sensitive hearing. Mr. Speaker, without casting any reflection on the intentions of the government, the fact of the matter is that legislation like this is going to tempt governments to select people who will bring back the kind of report that the government wants to obtain in the first place.

So, Mr. Speaker, the problem with rotating members is that you get away from the stature that has developed as a result of people earning the respect of the people of Alberta. In the second place it opens the door to centralization and, in my judgment, to excessive political interference in the operation of the

environment council, the new ECA.

Mr. Speaker, the second principle in this act is that we are now going to have investigations clearly under the thumb of the minister, and hearings will be up to the cabinet. Mr. Speaker, in 1972 we had quite a debate in the Legislature when an amendment was made that said hearings or inquiries could be conducted — it said, "may inquire after consultation". I recall the debate in the Legislature in 1972. A number of us were a little concerned that this amendment would take from the ECA the ability to initiate hearings and environmental inquiries on its own.

Well in 1972 we had another minister of environment, Mr. Yurko. But he too was a pretty good soft-soaper. He was telling us we didn't really need to worry about that. On page 56-51 of *Hansard*, May 29, 1972, he says: "may inquire after consultation". It doesn't say they have to get the minister's approval. It says all they do is consult with the minister. In other words, just to make sure we don't have overlapping, we don't have three or four different people studying the same thing, all they have to do is consult with the minister, said Mr. Yurko. Well, Mr. Speaker, it's common knowledge that "consult with the minister" has been interpreted in different ways, but it has been my understanding for the last two and a half years at least that "consult with the minister" means obtaining the minister's approval.

Mr. Speaker, the fact of the matter is that one of the principles contained in the environment conservation legislation in 1970 was the ability of the Authority to conduct hearings on an arms-length, independent basis. The whole thrust of the environmental movement during the '60s and early '70s was the fear that too often governments would not be prepared to investigate themselves, that it was necessary to have an ombudsman who was free from the direct control of the government, in the same way that the Ombudsman of this Legislature is free from the meddling of the government. Mr. Speaker, that was the thrust behind the people who were demanding the Environment Conservation Authority during the 1960s. It certainly was reflected in the legislation in 1970, in spirit if not in the letter of the legislation.

Mr. Speaker, now I note that we have another change. In the initial legislation, when the annual report was filed in the Legislature it would contain a summary of all the recommendations, so that if the Environment Conservation Authority had recommendations on soil erosion, on the Red Deer River, or on something else a summary of these would be filed with the Legislature. Now we find that is dropped from this legislation. We may get the recommendations of the environmental council of Alberta or we may not. I suppose it'll be completely up to the minister what information he shares with the members of this Assembly.

I thought one of the points made by several backbenchers in the debate on the resolution this afternoon was that the decision-making process should be in this Legislature by the elected people, not by other commissions or what have you. The problem with the legislation before us today is that the decisions are not going to be made in this Legislature. The decisions are going to be made by the cabinet or the minister, and the information which we should have a right to obtain and the public has a right to obtain



may or may not be tabled in the Legislature. Mr. Speaker, the minister can argue whatever he chooses, but that means more control in the hands of the minister, less accountability to the Legislature, and less accountability ultimately to the people of Alberta.

Mr. Speaker, I must say I was little amused when the minister went through *Hansard* and discovered that he had made reference to the government making a decision on the Red Deer River. I must apologize to the minister. Like 1.9 million people in Alberta, I do not wait for his every comment or read every single word he said. I must confess that, like 1.9 million people in Alberta, I did not read that line in *Hansard*. But that doesn't alter the fact that the results of the Environment Conservation Authority review of the Red Deer River and its recommendations should have been debated in this Legislature before a decision was made by the government. That's a very important principle.

It just isn't good enough to say oh well, we were going to make a decision anyway; I can refer to *Hansard* on such and such a date, and you didn't raise it then. That's not the point, Mr. Speaker. The point is that here was an authority that had conducted public hearings: 156 briefs, hundreds of people participating in the hearings. Surely we had an obligation to members of the Assembly to debate that before a decision was made.

Quite properly a resolution was presented by the hon. Member for Lesser Slave Lake on the ECA report on soil erosion. That was an important report. We had an excellent debate in the Legislature for a day and a half, as I recall, last spring — one session and then held over for another day, and rightly so. Members of the Assembly could state their views and react to the recommendations of the ECA on soil erosion in northwestern Alberta. The government had not at that time acted on the report of the ECA. There were a number of particularly good recommendations in that report. Quite frankly I'd like to see them acted on. We could wait and have a debate in the Legislature on the soil erosion question, but somehow on the Red Deer River dam we couldn't wait; we had to make a decision.

Mr. Speaker, with great respect, that isn't good enough. I hear government members rise and say that we have to make the decisions in this House; the elected people must be responsible. I say the elected people in a democratic society are not just the members of the government caucus or the cabinet. The elected people in a democratic society are all the members of the Legislature. In 1971 this was the party which campaigned on the theme of open government. This was the party that attacked the former administration for making too many decisions behind closed doors. When we read Bill 74 all we are doing is allowing more and more decision-making to be removed from this Legislature and centralized in the hands of the minister or the cabinet.

I conclude by saying that the Environment Conservation Authority has, quite properly, won the respect of people throughout the province. When it was established in 1970, a number of Albertans were frankly sceptical of how effective it would be. As a matter of fact, Mr. Speaker, I was not a critic of the ECA in 1970. Some felt the appointments would mean an authority that would simply give the gov-

ernment what they wanted to hear. I can go back and read some of the statements made by the Conservatives at that time, and certainly that was the inference. But the ECA has earned the reputation it has in this country and around the world. It has earned it by putting out material that is first-rate and properly researched, by holding public hearings that were well organized. There was professionalism in the handling of everything from the solicitation of briefs to the informal way of allowing people who were not perhaps knowledgeable of the niceties of parliamentary procedure to state their case. Mr. Speaker, it has become an excellent agency.

I close by saying to the minister: look back at that consultant's report. Surely if there were personality differences it was the responsibility of the minister to deal with them, but not to alter a structure which has been proven sound. I am going to have to be convinced that we must be fair to the new arrangement. I want to see reasons why the change presented to this Assembly was necessary. With the greatest respect to the minister, those reasons have not been submitted tonight. We have an agency that is well worth fighting for. There just happen to be a lot of people of all sorts of political persuasions, including a good number of Conservatives, who feel strongly that the ECA should stand as it is.

MR. HORSMAN: Mr. Speaker, I will be brief in my remarks. I want to say how impressed I was with the rather calm and reasoned presentations to the Assembly this evening, not only by the minister but by the members of the opposition, in respect to this very important agency in our province. I think it's quite clear that the agency is respected not only in Alberta but in Canada and indeed throughout North America. The minister has made it quite clear that there is no intention to take away that respect by emasculating the role of the Authority. It's indeed unfortunate that internal differences arose earlier this year among the members of the Authority. The minister has pointed out the alternatives available to him and to the government.

I must say that from what I've heard about the Authority and its operation, I would be happy indeed to have it conduct its hearings in southern Alberta in the area where I have a very real interest with respect to the water management study on the Oldman River in the forthcoming year. One thing that puzzles me, however, about the remarks made this evening, particularly by the Member for Spirit River-Fairview, is that it seems the opposition thinks that whatever recommendation this type of agency makes to government must be accepted. For example, I couldn't help but think that the recommendation of the Land Use Forum that we not legislate against foreign land ownership should have been accepted. Is that logical to assume?

MR. NOTLEY: I congratulated you for it.

MR. HORSMAN: Oh did you? Well, Mr. Speaker, it seems to me this government must be free to accept or reject the recommendations of outside agencies such as the Land Use Forum or the Environment Conservation Authority. In the case where the government rejected the recommendation of the Land Use Forum that we not legislate against foreign land

ownership of farmlands in Alberta, that was acceptable to the opposition. Am I correct in that, Mr. Speaker? I think from the silence in the opposition benches that is the case. In fact, I think they praised the government for rejecting the recommendations of the Land Use Forum in that respect.

MR. NOTLEY: One recommendation.

MR. HORSMAN: Oh, and I think the members of the opposition have also praised the government for rejecting other recommendations of the Land Use Forum with respect to the right of entry of other people. [interjections] Oh well, we'll debate that at another time, at a later date in this Assembly. And the members of the opposition who formed the Treasury benches in the days when they passed the previous planning legislation, will no doubt be prepared to defend the provisions of the present Planning Act in this Assembly with respect to right of entry. [interjections] They smirk and smile now, Mr. Speaker, but the smile will be on the other side of their faces when they're defending their legislation which they put before this province. [interjections] The legislation we act under in this province today, Mr. Speaker, was the legislation introduced by the late and unlamented Social Credit administration. Perhaps the members who occupy the opposition bench today were not members of the Treasury bench in those days, but they must assume the responsibility. But that's another question.

I hope, Mr. Speaker, that the Leader of the Opposition in particular will review with the Member for Little Bow and the Member for Bow Valley the remarks he made earlier today with respect to the necessity of public hearings on dam sites in southern Alberta. Because it seems to me, Mr. Speaker — and I don't want to put words in the mouth of the Member for Little Bow — that when he attended the meeting of water users in Picture Butte, attended by 500 or 600 farmers, he said something to the effect that it really wasn't necessary to have public hearings on water management on the Oldman River. [that] they should go ahead and build the dam.

MR. R. SPEAKER: Right.

MR. HORSMAN: Right, he says, Mr. Speaker.

MR. R. SPEAKER: Good old Dave will make the decision.

MR. HORSMAN: Make note forever of the unanimity in the Social Credit benches on that subject. Indeed, the Leader of the Opposition today, when the Member of Little Bow was absent from the House, said, "One year, is it really long enough?"

MR. CLARK: You're wrong again, Jim.

MR. HORSMAN: Oh! Well I shall research *Hansard*. Perhaps I put the wrong implication on the tenor of the remarks by the Leader of the Opposition. But I got the impression from his remarks today that one year's study wasn't going to be long enough for the Oldman River management. The fact is that I and the members of the government have committed this government to a study and a full public hearing by a

properly constituted and structured environmental study of that proposal for the Oldman River. Despite the urging in southern Alberta to proceed with the dam site on the Oldman River without public hearings, this government is committed to go ahead.

Mr. Speaker, I wish to make clear that in supporting this legislation it will be possible to structure properly a committee under the environmental conservation agency, which will replace the Authority, for that particular study on the Oldman River water management in the next year and the next few months, a committee comprised of people with real expertise with respect to southern Alberta.

Mr. Speaker, there is a vast difference between the problems facing the people in southern Alberta with regard to their environmental concerns on the Oldman River and [the problems] with respect to the Red Deer River, the Paddle River, and the soil erosion studies in northern Alberta. The government is committed to provide properly qualified and dedicated people to carry out these studies with impartiality. There's no attempt on behalf of this government to do away with the impartiality and fairness of environmental studies with respect to these important matters in the future of Alberta.

DR. BUCK: Amen!

MR. HORSMAN: You may smirk.

DR. BUCK: Hallelujah!

MR. HORSMAN: The hon. Member for Clover Bar is outdoing himself with his activity in this session. That's fine. Mr. Speaker, I really enjoy his participation, when he's here.

Thank you, Mr. Speaker.

DR. BUCK: [Inaudible] Ten times as much as the Premier, Jim.

AN HON. MEMBER: Buy some extra *Hansards*, Wally.

MR. SHABEN: Mr. Speaker, this afternoon and this evening the members of the Assembly have heard a great deal on this subject. I don't plan to prolong it at any great length, but I'd like to make just a few comments on Bill 74.

My first exposure to the ECA was at public hearings in my constituency discussing erosion of land in northwestern Alberta. I was impressed with the manner in which those hearings were conducted, and so were many of my constituents. They made their views known throughout the course of the hearings. The report is history. It was discussed in this Legislature, as mentioned by one of the members, and was well received by the members of this Assembly.

In reading through Bill 74 and discussing it at length with the minister, I really can't see how this report would have been any different as a result of these changes in the bill. I have difficulty understanding the concern and the great deal of discussion that has taken place today on these amendments.

I don't think any of us can really prejudge how effective the new structure of the ECA will be, and I'm a little disappointed in some members almost condemning it before it proceeds and, in a way, giving a kiss of death and making it difficult for the new

members of the forum to function. I think it's unfair to cast that sort of a reflection on people who haven't even been named yet. As the minister indicated, we will know once the new ECA is functioning, but I find it difficult to agree with condemning it before it even gets started.

The discussions we've had inside and outside the House on the Red Deer dam decision remind me of the situation in my own constituency. The events started many years ago, but came to a head in 1967 and '68 when the previous administration made a decision that resulted in more than 50 farm families having to sell out, more than 11,000 acres of land being periodically flooded. I sometimes wonder where all the sensitivity to environmental matters comes from, because it wasn't there in 1968.

Mr. Speaker, I believe legislation is very important because we're guided by it; it makes up our laws. But the people in the government, Legislature, and province determine the feel we have for the environment, our people, and the way we function, and I don't believe the amendments are as frightening as the people — some members of the opposition — have indicated. I have no difficulty at all in supporting it.

MR. YOUNG: Mr. Speaker, this evening I would like to make a few very brief observations on Bill 74, largely because of some communications I've received from constituents, not particularly because I am impressed with arguments of the opposition. It's the duty of the opposition to oppose. It's also the duty of the opposition to consider and comment on the merits of the legislation before us. As far as I've been able to discern, it's mainly been opposition and negativism for the sake of being opposition. I don't think that's good enough.

If I could reflect for a moment on the problem before us, which is the problem of resolving the differences of opinion which arise when the growth of our population, the changing nature of our technology, and the service we require as a society require that we disturb nature as we find it. Any time we do that, we have to make a trade-off, a trade-off between improvements for the material benefit of man and the cost in terms of the disruption or disturbance of nature. The Environment Conservation Authority has been a sounding board, if you will, to deal with some of those debates. So have the members of this Assembly, and so they will continue to be, for it is they who must make the ultimate decision. If they fail to do that, they won't long be in the Assembly.

Mr. Speaker, it was said today: where are the people going to go if we strip the ECA of its authority? I would remind members of the Assembly, particularly the opposition, that in the case of the Dodds-Round Hill debate the people came to the members of the Assembly. They did not go to the ECA in terms of any hearing. The decision was made by the government, by elected persons, and I submit that it was a good decision.

Mr. Speaker, one of the features of the Environment Conservation Authority which disturbed me was the very name. It was called an authority. I'm not convinced, and never have been, that it was an authority. First of all, it clearly couldn't be the ultimate decision-making body. That has to be the government.

Secondly, I'm not at all sure that as an authority, if

by authority we mean a group of experts, it will have been as good as the proposal put before us. What was provided was a continuing four-member board. What is provided here is a board with a continuing executive director or chairman, and the opportunity to involve specialists selected for their knowledge of the particular area of concern before this body. Mr. Speaker, I submit that that system should provide more persons of a higher specialization than could have been obtained under the old ECA.

Mr. Speaker, I would like to urge the many public bodies that I know are concerned at least to listen to the present proposal before they make up their minds as to the merits or demerits of it. I'm not at all sure that has in fact happened. Certainly if one is to judge by the nature of the opposition debate they haven't listened, and they have a duty and a responsibility to the public in general.

So, Mr. Speaker, I would urge all members to consider that there are significant advantages to the proposal before us. First of all, it clearly is advisory and the name itself will connote much more appropriately the function of the body than the word "authority" did in the old ECA. Secondly, the present proposal gives the opportunity to bring in specialists for each area of hearing which will be undertaken. Finally, Mr. Speaker, it still provides an opportunity for all members of the public to approach that body. Even more significantly, it clearly indicates that the proper role for Members of the Legislative Assembly is to be apprized of the public concern, and I trust that the public will take that opportunity, as they have over the years since Parliament first came into being. I urge all members to vote for this bill.

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

HON. MEMBERS: Agreed.

MR. RUSSELL: Thank you, Mr. Speaker. I think anything that needs to be said has been said already. I would just like to respond very, very quickly to a couple of comments that have been made. First of all, I would like to thank the speakers from all sides of the House who have participated in the debate, because I believe we have had a clear discussion. All the items which have been identified either in the media or by public communication have been put into the debating forum tonight. I thank the members for that. I just wanted to comment on a couple of things.

I think the hon. Leader of the Opposition asked a fair question with respect to tabling the reports we had done. I'll explain why it's possible that the management consultant's report may be tabled at a later date. The Public Service Commissioner's report was a verbal one, and I think for a very good reason. It was a very personal one dealing with individuals, and not the kind I would have agreed to table in any event. But as it happened we did not get it in 'tableable' form. The management consultant's report dealt very specifically with a number of positions in the ECA's present administrative staff. Because it's a small organization it's very easy to identify individuals by reading the report. Although they're not named they are identified by position. It's our intention to turn it over to the new chief executive officer for his implementation, and at that time we may make it

public. I think a number of existing staff members would certainly be treated unfairly if the report were made public at this time. That's the reason.

Mr. Speaker, I just have to comment on the technique of that little rascal from Spirit River-Fairview. I wonder if he realizes what he said during one speech tonight. You know, he got very incensed that this is the place where decisions are made, not in the cabinet room and not by the government, and that the Red Deer thing should have been brought here. I thought I had nicely and quietly pointed out our intentions by quoting *Hansard*. He says, well, like 1.9 million other people, I wasn't listening to you. He is paid to listen to me, Mr. Speaker, but 1.9 million people aren't.

MR. NOTLEY: Not every word.

MR. RUSSELL: Those remarks I quoted were made during the budget estimates of the Department of the Environment, and the hon. member is supposed to be in his seat. I don't think it's good enough to play both sides of the game: to say decisions have to be made here, and then when you quote to him what the intentions of the government were he says, oh, I wasn't listening. [interjections] Well, that's too good. Those are the kinds of things I wanted to comment on. I see the word "emasculatation" is still tending to creep into the debate. I don't really believe that will happen. I hope not. I said in my news release . . .

MR. NOTLEY: You hope not.

MR. RUSSELL: Don't bother listening. Why break habits? [interjections] I said in my news release — I amended it on June 27, and it's there on the public record — that I hope very sincerely, Mr. Speaker, that this will strengthen the ECA. I'm confident that it will, administratively, and I am very optimistic that it will insofar as the public hearings are concerned.

Again I thank hon. members for their participation this evening.

[Mr. Speaker declared the motion carried. Several members rose calling for a division. The division bell was rung]

[Three minutes having elapsed, the House divided]

For the motion:

Adair	Harle	McCrae
Backus	Hohol	McCrimmon
Batiuk	Horner	Musgreave
Bradley	Horsman	Paproski
Chambers	Hunley	Planche
Chichak	Jamison	Purdy
Crawford	Johnston	Russell
Dowling	Kidd	Shaben
Farran	King	Webber
Getty	Kroeger	Wolstenholme
Ghitter	Leitch	Young
Gogo	Lysons	Zander

Against the motion:

Buck	Clark	Notley
R. Speaker		

Totals:	Ayes - 36	Noes - 4
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DR. HORNER: Mr. Speaker, Bill . . .

MR. SPEAKER: There's a slight formality that perhaps we should follow.

MR. CLARK: Unfortunately it passed.

[Bill 74 read a second time]

DR. HORNER: We'll deal tomorrow with Bill 75 and then go to Bill 15. I move the House do now adjourn until tomorrow at 10 a.m.

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

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until tomorrow morning at 10 o'clock.

[The House adjourned at 10:10 p.m.]