

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Monday, November 7, 1977 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 99
The Statute Law
Correction Act, 1977**

MR. FOSTER: Mr. Speaker, I beg leave to introduce a bill, being The Statute Law Correction Act, 1977. As in past years, the purpose of this bill is to correct typographical errors, incorrect references, and drafting omissions in a variety of statutes.

[Leave granted; Bill 99 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. HYNDMAN: Mr. Speaker, I wish to table four copies of the annual report of the Department of Federal and Intergovernmental Affairs, effective the year ending March 31, 1976. Copies of this report will be made available to all members of the Assembly within the next 10 days.

As well, Mr. Speaker, I wish to file copies of correspondence with the federal government concerning urban development on Indian reserves, bearing in mind the interest of a number of members in the subject, during the period December 3, 1974, to September 8, 1977.

head: **INTRODUCTION OF SPECIAL GUESTS**

DR. BACKUS: Mr. Speaker, it gives me great pleasure to introduce to you, and through you to the members of the Assembly, 12 students who are in the members' gallery. They are unique in that this is their first visit to any seat of government. I don't know whether it speaks well for Alberta highways, but they come from Chetwynd, B.C. They've travelled 400 miles to visit our Legislature. They are accompanied by their teacher Mr. Calvin White. I'd ask them to stand and be recognized by this Assembly.

MR. CHAMBERS: Mr. Speaker, on behalf of my colleague the Member for Edmonton Norwood, I'm pleased to introduce some 20 students from the Grant MacEwan adult development program. They're accompanied by their teacher Mr. Don Whelan. They're seated in the members' gallery, and I would ask that they stand and be recognized.

MR. FOSTER: Mr. Speaker, there are 30 special guests in the members' gallery, grade 9 students from Eastview Junior High school in Red Deer. They're accompanied on this occasion by their teacher Mr. Johnson. I take pleasure, Mr. Speaker, in introducing them to you and to the members of this Assembly, and would ask that they rise and receive the welcome of the House.

head: **MINISTERIAL STATEMENTS****Treasury**

MR. LEITCH: Mr. Speaker, for many years school boards in this province have expressed concern about the cost of borrowing funds for those necessary operational expenditures incurred during the months of January, February, and March of each year, prior to receipt of grants under the school foundation program fund. This problem has been created mainly by the fact that the fiscal year for school boards is the calendar year, while the fiscal year for the provincial government commences on April 1 and ends on March 31. As a result, school boards must rely on their own resources, usually borrowed, during the months of January, February, and March of each year, until April when funds approved by the Legislature become available.

A recent analysis conducted by the Department of Education revealed that in 1975 almost \$3 million in interest was paid by school boards on loans for operational expenditures. Concerns have been expressed that these funds could be put to better use in the provision of instruction for school children rather than in payment of interest.

The Hon. Julian Koziak, Minister of Education, on behalf of the government of Alberta has assured school trustees that this matter would receive careful examination, and that alternative proposals for a practical and equitable solution would be considered.

Mr. Speaker, for the first time in the modern history of our Legislature, I will today be introducing supplementary estimates. They will provide an additional \$130 million to the school foundation program fund in the 1977-78 estimates of the Department of Education. The \$130 million will permit grants to be paid to school boards mid-January, mid-February, and mid-March from the school foundation program fund. Thereafter, monthly payments during the period April to March in each year can be made from the annual allocation of funds in the normal budgetary process.

The provision of these very substantial additional moneys on this one occasion will for 1978 and every year thereafter permit school foundation program fund grants to be paid to school boards monthly throughout each year. No longer will school boards be required to borrow and pay interest while waiting until April 15 to receive funds necessary for the first three months of the year. Substantial funds will be freed from this expenditure commitment to provide boards with the flexibility and additional resources to meet the needs of our common responsibility, the students of Alberta.

Thank you.

MR. CLARK: Mr. Speaker, in responding to the announcement by the Provincial Treasurer today, might

I commend the Provincial Treasurer for the announcement the government has made. I think it's a very positive move forward. Once again I commend the government, because basically the \$3 million that's been used to pay interest to the lending institutions will end up either in additional instructional staff or materials that will enable us to do a better job in the educational system in this province.

I'm also pleased that the government is now accepting the concept of supplementary estimates. The Treasurer will recall, I believe it was last year, that we asked the government if they'd consider this approach. Now that the government has made this very forward step here, it seems to me a logical extension of that would be that we would have supplementary estimates each year and, of course, that would cut down the need for the large number of special warrants.

MR. SPEAKER: Before starting the Oral Question Period, may the hon. Member for Innisfail revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**
(reversion)

MR. DOAN: Thank you very much, Mr. Speaker. I would like to introduce to you, and through you, 40 students from the Delburne central high school. I'm sorry I had no previous announcement of this. They are seated now in the public gallery, and I would like them to stand and be recognized.

head: **ORAL QUESTION PERIOD**

RCMP Contract

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Solicitor General. It's with regard to the agreement between the province of Alberta and the government of Canada, the topic being the RCMP contract. My question to the Solicitor General: is the RCMP contract, signed between the government of Alberta and the government of Canada, public information?

MR. FARRAN: Yes, Mr. Speaker, in the sense that if a member requests that the agreement be tabled, I would be only too happy to table it.

MR. CLARK: Mr. Speaker, I'd like to ask the Premier if it's the government's intention to come forward with a statement of policy with regard to public documents by ministers of the Crown. I ask the question in light of a difficulty that not members of the Assembly but people outside the Assembly have had in getting copies of the agreement between the government of Canada and the government of Alberta regarding the RCMP contract.

MR. LOUGHEED: Mr. Speaker, in answer to that very broad question it seems to me that quite clearly, as we've discussed and have seen during the course of the Legislature under Motions for Returns, the mat-

ters can't be dealt with under any general, broad policy. There also has to be recognition in terms of the responsibility of the Legislature. There may be documents which the government would provide by order of the Assembly that would not simply be distributed to the public by way of public information.

I think, for example, the Solicitor General was referring to the fact of a contract which is entered into between the government of Canada and the government of Alberta relative to the RCMP, which was the hon. leader's initial question. That document is a matter that should be made available through the Legislative Assembly, but because it is a contractual arrangement between the two governments involved, it seems to us much more appropriate that it be a request that would follow an order of the Assembly and made public on that basis. There are other documents — vast, vast multitudes of them — that do not necessarily involve intergovernmental contracts or things of that nature that in the normal course of business are made public.

MR. CLARK: A supplementary question to the Minister of Federal and Intergovernmental Affairs. Has the government of Alberta made any representation to the federal government with regard to the RCMP living up to the agreement that was entered into between the province of Alberta and the federal government?

MR. HYNDMAN: Mr. Speaker, the most recent agreement was signed just recently, and we haven't any feeling or indication at this time that there's any breach or alleged breach of the agreement by the federal government. Should that occur, there would be appropriate representations.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Within the last three years, has the government of Alberta made representation to the government of Canada with regard to alleged breaches, to use the hon. minister's term, in the agreement between Alberta and Canada?

MR. HYNDMAN: Mr. Speaker, over the past number of months there have been negotiations involving both the Department of the Solicitor General and Federal and Intergovernmental Affairs concerning a new agreement, but I think that question might be more specifically and appropriately answered by the hon. Solicitor General.

MR. CLARK: Mr. Speaker, might I refer the question to the Solicitor General?

MR. FARRAN: Would the hon. member mind repeating the question?

MR. CLARK: Mr. Speaker, the question is: has the Solicitor General, on behalf of the government of Alberta, made representation to the federal government with regard to alleged breaches in the agreement between the province of Alberta and the government of Canada on the question of the RCMP contract?

MR. FARRAN: No, Mr. Speaker, not in the sense of alleged breaches. Lengthy and detailed negotiations

with the federal government have been going on for the last 18 months, but the contract has now been executed.

MR. CLARK: Mr. Speaker, just one last supplementary question to the minister so there's no misunderstanding. Has the Solicitor General made specific representation to the federal government with regard to certain areas of the contract entered into between Alberta and Canada, that the minister feels the RCMP have not lived up to the contract between Alberta and Ottawa?

MR. FARRAN: Mr. Speaker, no, it's the last rider that makes that question difficult to answer, because we have no complaints about breaches. But we do have a difference of opinion on interpretation of one particular section of the contract in regard to the right of the province of Alberta and its Attorney General to obtain information direct from the commissioner of the RCMP, as opposed to the commanding officer of K Division.

MR. CLARK: Mr. Speaker, a follow-up supplementary question to the minister. Has that difference in viewpoint between Alberta and the federal government been resolved?

MR. FARRAN: No, Mr. Speaker. We've signed the contract under protest.

MR. CLARK: Mr. Speaker, then the question back to the Minister of Federal and Intergovernmental Affairs. What action is the government taking with regard to the fact that Alberta's Attorney General is not able to get information directly from the commissioner of the RCMP?

MR. HYNDMAN: Mr. Speaker, I understand that the attorneys general, maybe across the country, are discussing that matter. So it will be dealt with and reviewed appropriately as the months go by.

MR. CLARK: But is Alberta taking no specific initiative directly to the federal government on the question?

MR. HYNDMAN: Mr. Speaker, it would have to be demonstrated to me that there is a finding by an independent tribunal of some alleged breach, or some information which would lead to an alleged breach. Perhaps the hon. Attorney General might have something useful to add with respect to the question.

MR. FOSTER: Mr. Speaker, I wondered when this question would get around to me. Now that I see it has, I'll be happy to deal with it.

The previous agreement entered into between the province of Alberta and the federal government with respect to contract RCMP services in this province provided that, among other things, the commanding officer of K Division would supply certain information to the office of the Attorney General. I think that's in Part 4 of the contract.

Because of some of the evidence in the Laycraft commission concerning the availability of information in the hands of certain senior police officers outside Alberta that may touch upon Alberta citizens or Alberta corporations, or at least certainly the administra-

tion of justice within the province, there was some question as to the availability of that information in the hands of senior police officers. I felt it advisable that we approach the federal government to see whether they would be willing to amend the contract to provide not only that the commanding officer of K Division, as the contract party, must supply information to the Attorney General or indeed to the Solicitor General, but the commissioner of the RCMP for Canada.

I had some correspondence with my colleague the federal Solicitor General on this matter. We've left it in this state, Mr. Speaker: it will be the subject matter of further negotiation at the next round of contracts between the provinces and the federal government. My federal colleague was not anxious, at this point, to open up all provincial contracts to include that provision, although I don't think he had any specific difficulty with it.

For my part at the moment, I've had a meeting with the new commissioner of the RCMP. I am extremely impressed with this gentleman. I am very confident that if there is any information in his possession that I feel I require to conduct my responsibilities in the administration of justice in this province, I will receive his complete co-operation.

MR. CLARK: Mr. Speaker, just one further supplementary question to the Attorney General. To date, on any occasion that the present Attorney General has asked for information from the commissioner of the RCMP, has that information been forthcoming?

MR. FOSTER: Mr. Speaker, that's not a statement I'd be prepared to make. Because the Laycraft inquiry is under way, and the full and complete response to that question will bear on that, I think I would like to respond to that specific point, perhaps at a later date.

MR. CLARK: Might I rephrase the question to the Attorney General then. With the exception of those matters referred to in the Laycraft inquiry, has the Attorney General for Alberta been able to get information that he has requested from the commissioner?

MR. FOSTER: I think that's accurate, Mr. Speaker. With the exception of the Laycraft, I think the answer to that is yes. I will search my memory carefully, but I think the answer is yes.

MR. TAYLOR: A supplementary to the hon. Solicitor General. Do the Solicitor General and the Attorney General, or perhaps the government of Alberta, have full control over the RCMP who are under contract in this province?

MR. FARRAN: Yes, Mr. Speaker, we do. We think they're doing an admirable job.

MR. TAYLOR: A supplementary. Does the Solicitor General of Canada have any veto of instructions given by the government of Alberta to the RCMP in Alberta who are under contract to Alberta?

MR. FARRAN: No, Mr. Speaker, apart from certain fiscal reservations in the contract, mainly in the area of recruits, that if the province of Alberta asks for

certain recruits they will supply them if it is possible — I presume that means if it's fiscally possible, from a federal point of view. In actual fact we've had some difficulty in getting as many RCMP recruits as we'd like.

MR. TAYLOR: Mr. Speaker, one further supplementary to the hon. Solicitor General. Do the RCMP who are under contract to the province of Alberta carry out criminal investigations for the federal government as well?

MR. FARRAN: Mr. Speaker, there are two main areas where the RCMP are fully funded by the federal government. They are narcotics and commercial crime, although there is some overlap. The details that enforce those particular federal statutes are funded entirely by the federal government.

MR. FOSTER: Mr. Speaker, if I could supplement that and say that because of the recent decision in the Hauser case arising out of the Court of Appeal of Alberta, all criminal investigations in the province of Alberta are under the jurisdiction of the province and not the federal government. That includes criminal offences that may be found in federal statutes not in the Criminal Code.

Mr. Speaker, perhaps I could take a moment and explain that the criminal law of Canada is not found exclusively in the Criminal Code. For example, the Narcotic Control Act is generally regarded as criminal law, but that has been prosecuted until recently by the federal authorities. They are now prosecuting it with the concurrence of my office.

So all criminal investigations of any kind in Alberta are conducted under the authority of the province and not the federal government.

MR. TAYLOR: A supplementary to the hon. Attorney General. Has the federal government given any indication that it is accepting that decision, or is it appealing it?

MR. FOSTER: Mr. Speaker, there's a slight difference between accepting the decision and appealing it. It is accepting the decision because it's the law of Alberta. It is the law of the land that applies here at this moment. So to that extent it's being honored and accepted by all the law officers of the Crown, which ever Crown is involved.

With respect to an appeal: yes, I am most anxious to have this matter appealed to the Supreme Court of Canada. My information is that the federal officers are as well. I expect that if Chief Justice Laskin of the Supreme Court of Canada agrees to our application for an early date, it will go on the sittings in January or February next year.

Postsecondary Quotas

MR. CLARK: Mr. Speaker, I'd like to ask the second question either of the Premier or of the Minister of Advanced Education and Manpower. The question really flows from the recent speech the Premier made to The Canadian Education Association in Calgary. It deals with the question of quotas on certain university faculties. My question to either of the hon. gentlemen is: what discussions have been held between

the government of Alberta, the University of Alberta, and the University of Calgary specifically with regard to quotas in certain faculties?

MR. LOUGHEED: Mr. Speaker, on a broad policy basis, as I think we have expressed in this House on a number of occasions, we feel that with regard to Alberta, the total postsecondary education system has to be evaluated. The admissions therefore within the various universities, colleges, and technical schools have to be assessed in a total way by the Minister of Advanced Education and Manpower and his department. This, together with other reasons, has created an evaluation by the universities on their own that there should be quotas within the various universities to establish their own priorities within their budget limitations and physical capacities, and a recognition too of the size of universities relative to teaching effectiveness. For that reason there is developing within Alberta what I think has perhaps been overdue: a recognition that there has to be some element of quota recognition, as there has been in the past, within the basic professional faculties, expanding somewhat into other faculties.

The second part of the hon. leader's question dealt with discussions that had ensued. I'd be happy to refer that matter to the Minister of Advanced Education and Manpower.

DR. HOHOL: Mr. Speaker, the fact is that discussions are ongoing on all matters that deal with postsecondary education. In that context we've spoken of quotas, particularly in perspective of growth enrolment plans, maximum plans for the numbers. Of all institutions within that particular number, the logistics of certain faculties, of certain schools, that are more open in the sense of not requiring highly intensive clinical or experimental equipment, have real significance and implications for the numbers of students in each particular faculty or department.

MR. CLARK: Supplementary question to the minister. What faculties at the University of Alberta will have quotas imposed on them, starting the next academic year?

DR. HOHOL: The next academic year is September 1978. I'm sure that's what the hon. member was asking for. In some schools and departments, there is an entry in January and an intercession later in spring. It is a kind of detail that I will simply have to search the files. Certain additional faculties have been added to the quota number of faculties that exist for this fiscal year. There will be additional ones next year. Those are, for the most part, not yet determined. When they are, I would be pleased to share those with the individual member or with the House entirely, Mr. Speaker.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Would it be possible for the minister to check with the universities and be in a position to indicate to the Assembly tomorrow what faculties are presently being considered for enrolment quotas to be implemented starting the first of next year?

DR. HOHOL: It's very difficult to do that, Mr. Speaker, for two reasons. When you're talking about some-

thing like quotas, it's a process rather than a particular determination until in fact that judgment has been made. So there could be long-term discussion at the faculty council, at the student council, the board of governors. It's not the kind of thing I could undertake with the House sitting and bring back as information that was valid or reliable. I wouldn't want to place the institutions in the kind of circumstance in which they would attempt to predict or make a statement on the subject which for good reason could in fact be different next September, and to be held to account for it. So while I might make a survey, it wouldn't be the kind of thing I would be prepared to put on record as something we would expect and hold the institutions accountable for or, for that matter, the department or the ministry of the government.

MR. CLARK: Mr. Speaker, an additional supplementary question to the minister. I ask the question in light of a rather widely held feeling by some people at the universities that in fact we're moving into a situation of quotas being imposed on every faculty at the University of Alberta and the University of Calgary. My question to the minister is: is it government policy that in due course quotas will be imposed on every faculty at the University of Alberta?

DR. HOHOL: Mr. Speaker, I think some care has to be exercised in the use of the term "imposing of quotas". The results of certain circumstances — a whole number of them, maybe half a dozen — bring institutions to that conclusion themselves. They're not imposed by government. They're not unaffected by government. But in terms of policy, certainly it's policy.

I've stood in this place during estimates, and other times in the House, and said that one of the key factors in entrance to any institution is qualification beyond any question that a person can be predicted to be successful. If that's a statement of policy, then that is a statement of policy, and that will eliminate some students from certain institutions.

But I remind all hon. members that we have access to more institutions of a different sort — colleges, universities, technical institutes, Alberta vocational centres, and so on — [interjections] and more spaces and more money per student than any other province in Canada. So it's not a matter of imposing quotas on any institution.

DR. BUCK: Mr. Speaker, a supplementary question to the hon. minister. Was the answer yes, there will be quotas imposed? [interjections]

MR. CLARK: The answer is yes.

Mental Health Facilities

MR. R. SPEAKER: Mr. Speaker, I'd like to direct my question to the Minister of Hospitals and Medical Care. It's with regard to the mental health facilities at the Lethbridge General and St. Michael's Hospital. I wonder if the minister is aware of any plans to transfer the present mental health services from these two hospitals to Claresholm?

MR. MINIELY: Mr. Speaker, that matter is presently being studied jointly by the Minister of Social Serv-

ices and Community Health, her officials, and my officials.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Are plans being considered to expand the facilities and service at Claresholm to take some of the facilities away from Lethbridge?

MR. MINIELY: Mr. Speaker, I'm not in a position at the present time to indicate more than I have said, except that the whole matter is being reviewed jointly by the Department of Social Services and Community Health and officials in Hospitals and Medical Care.

MR. R. SPEAKER: A supplementary to the minister. When can we expect a decision with regard to this matter?

MR. MINIELY: I'm sure once my colleague the Minister of Social Services and Community Health and I, and our respective officials, have analysed the situation and come to a joint conclusion of the balance of services as opposed to community and in-hospital, we'll be in a position to make that announcement. But at the current time, Mr. Speaker, I can't be definitive about date.

Vandalism in Schools

MR. KUSHNER: Mr. Speaker, I wish to direct my question to the Solicitor General. Since his department has embarked on the security equipment that has been installed in co-operation with the three levels of government, I wonder if the Solicitor General can report any failures or successes at this time.

MR. FARRAN: Mr. Speaker, from the latest reports, I understand that the security system in the schools, which was partly financed by the province, has been successful in leading to the apprehension of some young vandals. But the incidence of vandalism generally, in this province and other provinces, continues to give cause for concern. The large fires that have resulted very recently in certain schools in the Edmonton and Calgary areas have not been in the schools that have been wired with these silent alarm systems. You will recall, Mr. Speaker, that some six months ago we announced a pilot project with 20 schools in Calgary, and I think a similar number in Edmonton, where the province put up the original capital funding for the equipment.

Lamb Processing Plant

MR. MANDEVILLE: Mr. Speaker, my question is a follow-up to the one I asked the hon. Minister of Agriculture last Monday in regard to the Innisfail lamb processing plant. Could the minister indicate whether any conditions that would have to be met by a purchaser are set out for future operations of the plant?

MR. MOORE: Mr. Speaker, yes I could. It would be a repeat of statements I made in this Legislature last spring, wherein I said on the taking over of the Innisfail lamb processors' plant by the government of Alberta that it would be our determination to find an operator or buyer for the plant who would make a

firm commitment to the continuation of lamb slaughtering at Innisfail.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate to the Assembly if the plant has operated at a profit since the government took over?

MR. MOORE: Mr. Speaker, very briefly I can say that the position of the plant has improved over the last few months. I believe there was one period of a few weeks, when the heavy run of lambs was coming into the plant, when the plant did operate out of the red in terms of the day-to-day operational costs, without considering the capital investment. However, that varies from time to time, depending on the number of lambs coming into the plant.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate if there is a firm in Red Deer that is ready to enter a contract to take over the plant?

MR. MOORE: No. All that I can say, Mr. Speaker, is that we have been having continuous discussions since about last April with four or five different companies, firms, or individuals who may or may not be interested in taking over the plant on a continuous basis. Those discussions are continuing, and if they're concluded while the legislative session is in, I would be pleased to make an announcement regarding the details.

MR. CLARK: A supplementary question to the minister. Is the government now negotiating with one particular firm in Red Deer with regard to finalizing a contract?

MR. MOORE: All I can say once again, Mr. Speaker, is that since last April we've been negotiating with every interested party we could find with respect to the continued operation of the plant. Those negotiations will continue. When a decision has been made on the future operations of the plant, I would be pleased to make it public.

School Financing

MR. TAYLOR: Mr. Speaker, my question is to the hon. Provincial Treasurer in regard to the statement he made today, which I view as one of the biggest advances in educational financing for many years. Will the supplementary estimates be available to all school boards or only to those who have to borrow during the months of January, February, and March?

MR. LEITCH: To all, Mr. Speaker.

MR. TAYLOR: The sum of money in the estimates, then, will be in addition to any moneys already voted for the grant system in the school system?

MR. LEITCH: Yes, Mr. Speaker. It increases the appropriation for those grants by \$130 million.

University Financing

MR. GOGO: Mr. Speaker, my question is to the hon.

Provincial Treasurer. It concerns the recently introduced Bill 63. I understand that the president of the University of Lethbridge has raised some concerns about the bill. Does the government plan to introduce amendments that will give the government new powers over finances at the University of Lethbridge, which is presently covered under The Universities Act?

MR. LEITCH: Mr. Speaker, it was not our intention in any material way to alter the position of universities, colleges, or hospital boards with Bill 63, The Financial Administration Act, because we had intended to introduce, following the passing of that legislation, regulations which in essence would have maintained the status quo for all those institutions.

However, since introducing the bill a number of my colleagues and I have received representations from university boards, colleges, and hospital boards pointing out that because of their special status with respect to autonomy, they ought to be exempted in the legislation rather than by regulation. After having considered those representations, Mr. Speaker, it seemed to me they were soundly based and ought to be responded to. Accordingly it's my present intention to introduce at the committee stage of Bill 63 amendments which would remove hospital boards, universities, and colleges from all the provisions of Bill 63, apart from those which relate to long-term borrowing.

MR. GOGO: Supplementary, Mr. Speaker, to the Provincial Treasurer for confirmation. Amendments would be introduced, therefore, that would in no way diminish the role of authority of the board of governors of the University of Lethbridge?

MR. LEITCH: That is the present intention, Mr. Speaker, subject to the comments I made about long-term borrowing.

School Buses

DR. BUCK: Mr. Speaker, my question is to the hon. Solicitor General. A short preamble: last year I brought to the hon. minister's attention the fact that school buses loading passengers while stopped with flashing lights on were being passed by overtaking and meeting vehicles. Can the minister indicate if his department has undertaken to see that this practice ceases?

MR. FARRAN: Mr. Speaker, after the hon. member drew the problem to my attention, I circulated all police forces and the highway patrol division to advise them to be on the alert for this kind of infraction.

DR. BUCK: Mr. Speaker, to the hon. Solicitor General. Can the hon. minister indicate if he has received fewer complaints this year about this practice than he did previously? In other words, is the program working? I have had the same complaints voiced to me this year as I did last year.

MR. FARRAN: Mr. Speaker, I think it probably has been working, because the complaint just voiced by the hon. member is the first I've heard since he raised the subject last spring.

DR. BUCK: Mr. Speaker, may I ask a supplementary question of the hon. minister. Can the minister indicate if he has given any consideration to using the highway patrol that the minister has in his department to further beef up the enforcement of school buses being passed?

MR. FARRAN: Yes, we are doing that now, Mr. Speaker.

MR. TAYLOR: A supplementary to the hon. minister. Has the hon. minister received any complaints about people who buy school buses and do not remove all the school bus signs, and consequently continue to operate as school buses, to the annoyance of the general public?

MR. FARRAN: Yes, Mr. Speaker, I can tell that that's the voice of experience. It does happen. We do have such complaints, although I understand it is an offence to continue to operate a vehicle in the guise of a school bus. But from time to time everyone, from rock bands to mobile home-owners, seems to acquire school buses and disobey the regulation.

MR. TAYLOR: A further supplementary. Is any consideration being given to the requirement to repaint school buses, at least to some degree, in order to avoid the appearance that it is a school bus?

MR. FARRAN: Yes, Mr. Speaker, I'll look into that. It's my recollection — and I could be corrected — that that is already a requirement in the regulations. But I will look it up and communicate further with the hon. member.

McMahon Stadium

MR. PLANCHE: Thank you, Mr. Speaker. I am wondering if the Minister Without Portfolio responsible for Calgary affairs could comment on whether or not the government is prepared to assist the McMahon Stadium Society in its expansion plan?

MR. McCRAE: Mr. Speaker, the McMahon Stadium Society has proposed an expansion of the McMahon Stadium facility by the addition of substantial amateur facilities and also some seats to house spectators at football games. The proposal is that it would cost \$3.9 million for these facilities. The fund-raising aspect of it is that the city has agreed to put up \$1 million, and the society is intending to go to the private sector in a fund-raising effort for another \$1 million. They have come to the government and asked whether we would support them on a matching basis.

I have the pleasure to announce that yes, we will support them, both in the volunteer segment and in the amateur facilities segment by agreeing to match dollar for dollar, up to a maximum of \$2 million for the cost of the expanded facility.

DR. BUCK: Does that mean only two storeys for Government House?

MR. MUSGREAVE: A supplementary, Mr. Speaker. I'd like to ask the minister if, in return for this contribution of provincial funds, he will ensure that

prime time is being made available to the amateur groups in the use of this facility?

MR. McCRAE: Mr. Speaker, that's a very good question. I'd like to point out to the House that although the football club, the major fund-raising tenant of the facility, has a claim on certain time during the football season, the amateur groups — that is, high school football groups, the university football team, et cetera — have substantial claim on the facilities. In fact over the past couple of years there have been upwards of 250 amateur usages per year. I would hope, Mr. Speaker, that might even be expanded, and the new facilities would lend themselves to an expansion in that area.

DR. BUCK: It would be, if you'd put a cover on it.

MR. McCRAE: Good recommendation.

MR. TAYLOR: Mr. Speaker, a supplementary to the hon. minister. Does Calgary expect to have a Grey Cup team next year? [laughter]

MR. GOGO: Mr. Speaker, supplementary to the minister. What is the name of the football club he is referring to?

ORDERS OF THE DAY

Speaker's Ruling

MR. SPEAKER: Last Monday, as reported in pages 1757 and 1758 of *Hansard*, the hon. Minister of Housing and Public Works raised, as a matter of privilege, certain questions asked on the preceding Friday by the hon. Leader of the Opposition. The hon. minister specified the matter thus:

Mr. Speaker, the Leader of the Opposition attempted, through his line of questioning, to leave the impression in this House, with the media, and through the media with the public, that I as Minister of Housing and Public Works was guilty of impropriety

As has been said before, this House and other parliaments of our tradition impose on the Speaker the duty to decide whether *prima facie*, or on the face of it, there has been a breach of the privileges of the House or of its members. The reason, of course, for giving the Speaker the duty of making a preliminary examination and ruling is to protect the House against its time being taken up unnecessarily with alleged questions of privilege. Otherwise there could be serious disruptions of parliamentary work, because a matter of privilege takes precedence of all other items.

In electing a Speaker to serve the members and the province, hon. members have not given me the duty of rebuking any member, and I am not about to do so. Anyone who finds in these words any such rebuke is distorting my intent and meaning.

There is no doubt of the seriousness of the matter. If a member loses his good name, he loses something which is priceless and invaluable. Hence it has always been recognized that allegations of improper conduct should not be made indirectly by way of

innuendo, but rather directly and openly so that the person making such charges assumes the burden of proof and the responsibility and consequences of failing to provide proof.

One of the most important realities in a situation of this kind is that there are many who are always ready to believe the worst, whether on the basis of media reports or information received from other sources. They are negative; they revel in evil. To them, if it's good, it isn't news. If it's bad news, it's good news. Persons in public life or in the public service are the most frequent victims of such a mentality. People with such an attitude seem to say to themselves: given the chance, that's what I would do; therefore, I assume that that is what a certain public servant has done. For such people, even the most innocent statements can be twisted into an accusation. This is one of the realities we have to bear in mind in what we say in this Assembly.

That being the case, is there any way at all to ask questions about possible wrongdoing or impropriety without leaving, in negative minds, the suggestion that wrong has actually been committed? Probably there is no way of asking such questions without giving rise to suspicions.

Then we must ask ourselves whether the unfortunate tendency of some to believe the worst should stop questions in a parliament, where such questions seek to find out whether there is a case of conflict of interest or any other alleged impropriety. Here there is a real difficulty. When is a question a question, and when is it an accusation or a charge?

It is a well-known parliamentary principle, and a rule of common sense, that no member may subject another to a vague charge whether in a motion or in a question. A charge may be made only by a motion on notice and must be very specific, with clear particulars, so that the person charged may know exactly what the charge is. This common-sense principle is recognized in all parliaments of our tradition.

Consequently a question used as a means to make an accusation is out of order. When does it go that far? There is only a shadowy gray line between a *bona fide* question and an accusation. That poorly defined gray line is the area between, on the one hand, a member's right of free speech and his duty to make effective inquiry and, on the other hand, an abuse of the right of free speech and of the duty to inquire.

Undoubtedly there is no member of this Assembly who would deny the right of any member, other than a minister, to ask questions concerning governmental or ministerial actions. Obviously this right has to extend to inquiring as to whether there may be a case of mistaken action or of impropriety. It could be said that it is the duty of members to inquire into such matters. And if members, no matter where they sit, have such a duty, then certainly the Leader of the Opposition is most of all under such a duty.

Suppose, however, that a member does cross the gray line, out of the gray and into the black, where he is making an out-and-out accusation or even an implied charge, whether in a question or in debate. Such a charge or allegation is, in effect, in the same category as using, against another member, the expression, "liar", "thief", or any number of other unparliamentary expressions. Many examples of such expressions are given in *Beauchesne* in Citation

155, and in Sir Erskine May's nineteenth edition at page 445. It is, however, very clear from the texts that such expressions are breaches or points of order rather than of privilege. They include outright allegations of a nature far more blatant than the matter which we have before us today.

Some of the questions asked by the hon. Leader of the Opposition, and referred to by the hon. Minister of Housing and Public Works in raising this matter, did seem to be out of order and, as the record shows, the Chair did intervene.

The situation is well summed up by a recent distinguished Speaker of the House of Commons, the Hon. Lucien Lamoureux, when he was dealing with an allegation of breach of privilege arising out of questions asked of a minister. On December 5, 1974, at page 1965 of the House of Commons *Debates*, he says:

The House is considering the question of privilege raised by the Solicitor General concerning, as I understand it, some insinuations against him in respect of the carrying out of his duties. Certain questions raised by hon. members may involve insinuations. However, all the questions, and I have listened carefully, have, in my opinion, been orderly questions concerning the inquiry into an important subject. In situations like this there are always insinuations of some sort connected with questions. It seems to me that the questions asked have been to the point, as have been the answers. The situation is being clarified as the questions and answers come forward. It seems to me that this is good parliamentary exercise, but I cannot recognize in it the ingredients of a question of privilege respecting the rights, conduct or the ability of a member to function as a member of the House of Commons.

The question raised in this Assembly by the hon. minister is very similar to the one decided by Speaker Lamoureux. There is not here a matter which, on the face of it, is a question of privilege.

It may be useful to refer to the rather long list of limitations on questions as set out in Citation 171 of *Beauchesne*. Under 171(h) the author says that a question may not "contain inferences", and in 171(i) he says that it may not "contain imputations". Then in 171(n) he says that a question may not "reflect on or relate to character or conduct of persons other than in a public capacity". However, a question which offended against any of these restrictions would still not constitute a matter of privilege but rather one of order.

To deal with the present situation more fully, reference should perhaps be made to an outright conflict as to fact between the hon. Leader of the Opposition and the hon. minister. At page 1738 of our *Hansard*, the hon. Leader of the Opposition says:

Mr. Speaker, a supplementary question to the minister. Is this land in the Vegreville area the same land that the minister indicated publicly the government is going to annex, despite the recommendations of the Local Authorities Board?

The minister, in the speech in which he took objection to the hon. leader's line of questioning, said, at page 1757 of our *Hansard*:

The hon. Leader of the Opposition also asked me during the question period if I cared to indicate to the Assembly whether I publicly stated

over the Camrose radio station that the land adjacent to the Vegreville research station would be annexed to the town of Vegreville, despite the recommendations of the Local Authorities Board.

The answer is no.

There is, thus, a difference in allegations of fact. While the House may have the means directly or through a committee to investigate such facts, the Speaker has no such means and cannot be called upon to make an inquiry. A difference as to facts, however, does not constitute a question of privilege, and it does not, even as has been held many times, support a point of order.

MR. YURKO: Mr. Speaker, on a point of order, and without being disrespectful in any way to the Chair or to your office, I am left somewhat confused as to whether there is or isn't before this House a matter of privilege, or if in fact it's a case where you weren't able to decide. I wonder if you might be able to clarify that for me.

MR. SPEAKER: I apologize to the hon. minister if I have failed to make the matter clear. There is not a prima facie case of privilege. I did say as much, although I added two further points subsequently because I thought perhaps hon. members would expect me to deal with them.

MR. LEITCH: Mr. Speaker, I have received certain messages from His Honour the Honourable the Lieutenant-Governor, which I now transmit to you.

SERGEANT-AT-ARMS: Order!

[Members of the House stood]

MR. SPEAKER: His Honour the Honourable the Lieutenant-Governor transmits supplementary estimates of certain sums required for the service of the province for the 12 months ending March 31, 1978, and recommends the same to the Legislative Assembly.

Please be seated.

head: **GOVERNMENT MOTIONS**

4. Moved by Mr. Leitch:

Be it resolved that the messages of His Honour the Honourable Lieutenant-Governor, the Supplementary Estimate of Expenditure (A) 1977-78, and all matters connected therewith be referred to the Committee of Supply.

[Motion carried]

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

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

HON. MEMBERS: Agreed.

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

[Dr. McCrimmon in the Chair]

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

Bill 15 The Planning Act, 1977

Section 73

MR. CHAIRMAN: We have some amendments to Section 73. Section 73 is replaced.

We have a motion by the hon. Member for Bow Valley with respect to an amendment. Do you have an amendment, Mr. Member?

MR. MANDEVILLE: Mr. Chairman, I did present an amendment to the Legislature last Wednesday. There was some indication that the amendment I had made was covered in the amendments presently before us. As I read the amendments, I can't see where mine is covered here. I can't see that it's covered, allowing two dwellings on a piece of property where it involves family dwellings.

Another area that I'm sure is not covered in here relates to where a partnership or a company wants to build more than one home on a particular piece of property. I don't see any provision where they can do this. For example, if there are two brothers who have a partnership and one of them could have a supplementary position some place else but wants to live on the farm, they wouldn't qualify to build another home. I would just like the minister to comment, as it was indicated that my motion was redundant and was covered in the amendment.

MR. JOHNSTON: Mr. Chairman, in reviewing the amendment to Section 73(3)(a), that section now reads that the restrictions for the second dwelling do not apply where the second home is for anyone who's employed full time in agricultural pursuit. That section now exists in the current legislation. If you can show prima facie that you're in the agricultural business, you can build a second home. So I don't think there's any challenge to that.

We have expressed the fear in the debate so far that if we continue to be infinitely flexible we would have an additional dwelling taking place in rural Alberta. But the intention of this amendment would be to increase that in my view. Because it states: "[any] person who . . . has been employed full time . . . in an agricultural pursuit". To me, that would indicate that [if] he has been employed at it perhaps 30 or 40 years ago, he would still qualify to build that second dwelling. I don't think that's the intention of the hon. member, as I understand his position, nor do I expect that would be the position of the government with respect to allowing the agricultural home for the hired man or son who shares the agricultural responsibilities.

Mr. Chairman, I don't believe the [amendment] really assists the section, nor do I think it addresses itself

to the principle of this particular section of the legislation. I don't see any reason why an entity which owned the parcel of land could not allow a second dwelling, if it tried to move under the exemption section — that is, the second dwelling on the 80-acre parcel — even though it was not employed full time in an agricultural pursuit. I can't see anything in the legislation which would restrict that, whether through corporate ownership or through a limited or other kind of partnership. So I'm suggesting there is a tone of redundancy here, Mr. Chairman. I think the amendment challenges the wrong section. I certainly would not encourage members to support that amendment.

MR. CLARK: Mr. Chairman, I'm sure the point has been made before, whether it's this section or someplace else in the act: one of the most perplexing problems over the past year, at least in my own constituency, has been this question of parents wanting to be able to live, in a mobile home or otherwise, in the same yard as their sons or daughters. Maybe this isn't the section to deal with this. But if this is the section, let's not pass it by. Let's try to cope with that particular problem. As I look at the legislation, and as it has been explained to me by some municipal people, if we throw out this amendment, the section we're now passing doesn't give the kind of flexibility to allow people to have their parents or someone like that live in the farmyard.

If you take this to an extreme it becomes a situation where, if they can't do that — and I had this situation in my own constituency. People ended up having to try to get into the senior citizens' accommodations in Sundre. A far more desirable situation would be for them to be able to live in the yard with their children. That's really what my colleague is trying to get at. If the amendment doesn't do that — I take it from your comments, Mr. Minister, that you felt it was way too broad — can we have an amendment that will make that possible?

MR. JOHNSTON: Mr. Chairman, I appreciate the fact that the hon. Leader of the Opposition supports the concept of the waiver for the second home for compassionate arguments. That section is spelled out in the amendments under 73(2), where it states that notwithstanding the restriction you can build the second dwelling for the compassionate arguments. So we're not amending that right at all.

However, the amendment before the House right now deals with the agricultural home. That is not really being challenged by this legislation. At the same time, if we do not agree to this amendment, it would not in any way remove the flexibility the hon. Leader of the Opposition is recommending and would permit a second dwelling on that 80-acre parcel even if you cannot show agricultural attachment or need. So it meets the flexibility requirements. We're not offending this section by denying this amendment.

MR. TAYLOR: If I could just have another word from the minister in regard to that. Does that mean then that in Subsection (3) the six-months requirement each year is being waived? I'm having difficulty finding in Subsection (3) the point that would cover a home for the parents of the son who is going to farm.

DR. WALKER: Mr. Chairman, I think this bill was made for people; not for municipalities, planning boards, the city of Calgary, the city of Edmonton, or anybody else. We've listened to a lot of semantics about different sections in the bill; whether it should be "shall" or "may". We've heard problems of acreage and number of houses, and a lot of legal mumbo jumbo about how many and where such houses should be built.

But what was the real intent of the bill and its amendments? The intent is to allow a rational and logical planning of the countryside, to allow a retired farmer or his relatives to build another one or two homes for his family or hired help. At first the act appeared to be too restrictive. Now I think the amendments are probably getting too flexible. In a way it's like an aging gentleman who finally got it all together and then couldn't remember where he put it.

The point to all this is that a great deal of thought and legal consultation has been given in deciding the wording of the act and its amendments. For the life of me I cannot see how the new amendment will clarify anything at all.

You know, if we took the Ten Commandments to court, I'm sure the judiciary could get ten different interpretations out of them. I'd like to paraphrase a little on this:

Thou shalt not build on thy neighbor's land.

Thou shalt not bother another's farm.

Thou shalt not build another house

Unless the occupant is also thy spouse.

Thou shalt not join with one another,

For that will surely create a bother.

For one who wishes to subdivide,

He must get the planners to also decide.

That what he does is good for the land,

Though planning acts he can't understand.

To build an outhouse on another section,

Must surely meet with some rejection.

But if we're talking of land dissection,

Then clearly we go in another direction.

The Planning Act is here to stay,

But in what form I couldn't say.

For the province, it seems, must be built that way.

So let's all with one accord

Amend and change the written record.

Then appease the minister with his just reward.

Thank you, Mr. Chairman.

MR. TAYLOR: Mr. Chairman, municipal people have asked me to put my finger on the point that gives them the right to build a second home for the parents. When I look at the bill I have difficulty in doing that, other than Subsection (4) which says: "The Board may exempt from the operation of this section any person or land". But that is the point that both the farmer and the municipalities want to avoid if possible. It seems like a lot of unnecessary red tape to have to go to the board every time you want a second home for parents who want to live on the same farm with their son and daughter. They've lived there all their lives and now want a second home so the son and daughter can continue the operation. But I understand it can be done under Subsection (4). It's always been there. That could be done before.

When I look at (2)(a), it says: "a second or additional dwelling unit is permitted under subsection (3)". Then I look at Subsection (3), and it says, provided it's

occupied "full time for at least six months each year". That wouldn't fill the bill.

- (b) is contained in a building designed or divided into two or more dwelling units . . .

They don't want the same building; it's a separate house. So that wouldn't fill the bill.

- (c) is a mobile unit . . .

If they're using a mobile home, I could understand that would probably qualify. But they want to build another house. They want to live there for many years. So if it's a mobile unit, it qualifies, otherwise it doesn't.

- (d) is a building that is the subject of a condominium plan registered in the land titles office . . .

Again it wouldn't qualify.

So it comes down to the same thing we have today: they have to get permission from the board. I don't really see why we want to put long-time Albertans to that trouble, or the board. Because invariably the board says yes. That's why I would like to see it set out a little more definitely, so that cases like this will know exactly where they stand.

MR. JOHNSTON: Mr. Chairman, I'd like to call the hon. member's attention to Section 73(2)(b). That section specifies that no development officer will issue a permit unless it's for a second dwelling on 80 acres or more. Now that's the flexible provision that allows a second dwelling to be built on 80 acres or more. Section 73(2)(a) specifies that no home shall be built unless, as the hon. Member for Drumheller points out, it generally satisfies the agricultural requirements.

So we've done two things. In Section 72(b) we've given the flexibility for the second home on the 80-acre parcel with no requirements to satisfy anybody, including the provincial planning board, the municipal authority, or anybody else. You can build the house on 80 acres or more. So it's the second home concept.

However, Subsection (3) goes on to list the restrictions to that general provision. Subsection (3), as the amendment is before us, deals with the agricultural home. I'm suggesting it should not be changed. Other subsections go on to indicate that if it's less than 80 acres, you can still make similar application to the provincial planning board to seek their waiver of this regulation.

So (a), in Section 73 we're providing for the second home very clearly, very specifically, on 80 acres or more; and (b), we're providing for the discretion; that is, agricultural needs or the waiver for land under 80 acres. So, in reaction to the hon. Leader of the Opposition and the Member for Drumheller, I don't think there's any confusion, nor do I believe the amendment is required.

MR. TAYLOR: I'd like to thank the minister. That clears the point up.

DR. BUCK: Mr. Chairman, I just want to say one or two words. I appreciate the section where the hon. minister indicated that under 40 acres you cannot appeal on compassionate grounds . . .

MR. JOHNSTON: Under 80.

DR. BUCK: Under 80, yes, I'm sorry. Under 80, right. I know I've been involved in instances where the local authority gave that permission. Of course they also had a provision or mechanism whereby this could be renewed or not renewed year to year if the circumstances changed.

When I was making representation on behalf of this widow, I felt we should have that type of — "policing" is not a good word — mechanism that if the circumstances changed that second residence could be removed. Because we did ask in good faith and it was done that way.

Not being a Philadelphia lawyer, like the hon. minister seems to think he is, I think we have to have it clear, so people can understand that if they have a son moving on or a parent retiring, that provision can be very, very easily administered and understood. The people who will be making these decisions do not want to have every case come before them and say, no, this one we can, the other one we can't.

The greatest concerns brought to me by people in my area and across the province are in the instance where the parent, son, or son-in-law wants to put a second residence on there. Because there should still be sanctity of private property, that provision should be black and white so we know exactly that we can put these second residences on these farms.

MR. JOHNSTON: Well, Mr. Chairman, I admit I'm not a lawyer. But as I read Section 73(2)(b), it's very clear to me that the permission is there. It's not contingent upon approval by any municipality, therefore it's provincial legislation and no municipal by-law would hinge or turn on this particular section. I think it is very clear. It states the acreage and that you can build a second house on that acreage.

MR. ZANDER: Mr. Chairman, I want to ask the minister two questions. One that the municipalities are concerned with is under Section 73(a), where inspections can be made by municipal authorities as to whether or not it qualifies as an agricultural pursuit. I think there's no doubt they're going to be overburdened with it, to some extent.

The second question: when Bill 15, The Planning Act, comes out, will it include in one bill all the amendments before us now — not Bill 15 as the former one, and as it is now amended? Will we have two distinct bills, or will we have the complete bill in one parcel?

MR. JOHNSTON: Mr. Chairman, I appreciate the hon. member's comment with respect to the further amount of time required by the municipality to perhaps adjudicate some of the agricultural decisions; that is, whether or not a home satisfies an agricultural need. But I think that's very similar to the kinds of problems they're now facing. They have not objected to it too vociferously. They recognize the problem and they recognize a certain amount of compliance is required there.

On the second point: of course Bill 15 will be published in a planning act form, and all the amendments will be reflected. The various sections will be in an orderly form and the continuity of the amendments will be reflected therein.

MR. KIDD: The minister has been very patient and clear in my former questions on this bill, particularly one with regard to taxation. I think it would be important for him to underline that there's no indication that separate title will be given for the additional home under 73(b).

MR. JOHNSTON: Mr. Chairman, the section does not envision a subdivision as such. It states that a second home can be built on a parcel, and in this case a parcel is 80 acres or more. In my view this will not generate a rush of new development on 80-acre parcels because, of course, since the parcel is retained under similar ownership you'd have to construct that second home with an arrangement with the owner, obviously. Therefore, the compassionate reasons really are the ones which will prevail. You'll find that a close relationship will be needed before you could agree to that kind of commitment, because of course for mortgaging and ownership purposes you would require separate title. So the hon. member makes a very good point when he indicates that subdivision is not envisioned in this section.

MR. CHAIRMAN: Are you ready for the question with respect to the amendment by the hon. Member for Bow Valley?

[Motion lost]

[Sections 73 through 76 as amended agreed to]
[Sections 77 and 78 agreed to]

Section 79

MR. GHITTER: Mr. Chairman, I'm wondering if the hon. minister would consider an amendment to that section: where it refers to 30 days, that the days be increased to 40. The reduction of that period of time will present quite a hardship on the municipalities. What it means is that on the 30-day basis you're requiring the municipalities to have hearings every week, whereas the way it has been and on the 40-day basis it would be every two weeks.

It seems to me there's very little difference between the 30 and 40 days. But this section, by reducing it to 30 days, is placing a great imposition on municipalities that can get by with a development appeal board hearing every two weeks. This would require them to do it every week, which would be a strain on the planning procedures and matters.

I think this submission was made to you by the city of Calgary. I've discussed the matter with them, and I really believe that what they're saying is very important from their point of view, in order to move these matters through. If the hon. minister would consider changing that from 30 to 40 days, where it was before, it would be a very meaningful and important step certainly from the point of view of the urban municipalities, and Edmonton and Calgary, if not elsewhere.

MR. JOHNSTON: Mr. Chairman, of course we have weighed carefully the recommendation by the city of Calgary. To the Member for Calgary Buffalo: at this point I would probably attempt to expedite the decisions of the development appeal board over a shorter

period of time. While we are not fixed on that particular time limit I think we'd like to see it operate at 30 days for a while. Obviously most of these local authorities and most of these boards would like to have a longer period of time to deliberate, but to some extent that slows the process. However, as I said, I'd be more than willing, perhaps after we've tried this particular section, to entertain a review at that point.

MR. MANDEVILLE: Mr. Chairman, I would like the minister to indicate — it indicates here that the appeal would be going out to the registered owner and to those people affected by the order. There's some concern among some of our community organizations or groups that are respected in the areas. Will they have any input as far as — I'm thinking of their concern about where recreational facilities are going, such as swimming pools or skating rinks. Would that be covered under Section 79(3)(e): "such other persons as the development appeal board specifies".

MR. JOHNSTON: Mr. Chairman, I think both Section 79(1) and Section 79(3)(e) are perhaps wide enough that most people would have the right to make a representation. For example, in 79(1), where it states, any other person affected by a decision or order of a development appeal board, to me this would be a pretty wide opportunity for most people affected by that decision to make a petition to the DAB upon appeal.

[Sections 79 through 81 as amended agreed to]
[Sections 82 through 84 agreed to]
[Sections 85 through 87 as amended agreed to]
[Section 88 agreed to]
[Sections 89 through 91 as amended agreed to]
[Section 92 agreed to]
[Sections 93 through 95 as amended agreed to]

MR. TAYLOR: Mr. Chairman, I don't know whether other members have any more amendments and so on from here on. If not, we could probably save a lot of time by doing it in bulk. It looks to me like we've covered all the points that were of vital concern and, if so, it seems like a waste of time to go through every section.

HON. MEMBERS: Agreed.

MR. TAYLOR: Could we take the balance, and if any members have any particular points they could raise those points on . . .

MR. CHAIRMAN: If that is agreeable to the committee.

HON. MEMBERS: Agreed.

[Section 95.1 agreed to]

Section 96

MR. MUSGREAVE: I'd like to ask the minister a question on 96, Mr. Chairman. The city of Calgary again raised a point that I know the minister has probably looked at but I'd like him to respond to. They point out that the school board has power to appeal a

planning commission decision; however, the city would not have the same opportunity. I wonder if the minister would like to comment on that.

MR. JOHNSTON: The city of Calgary does have the right to appeal. Their position is incorrect. They have the right to appeal under Section 99.

[Section 96 as amended agreed to]

[Sections 97 through 103 as amended agreed to]

[Section 104 agreed to]

[Sections 105 through 113 as amended agreed to]

[Section 114 agreed to]

[Sections 115 through 121 as amended agreed to]

Section 122

MR. MANDEVILLE: On Section 122, it's going to be "shall"; they shall set up land use in a development by-law. As I said once before, Mr. Chairman, I had an example of a by-law. It wasn't really sent around to everyone; they had public meetings and so on. I think this section does indicate that a letter will be going out to everyone as far as the by-law is concerned, but it would be useful if the by-law itself was distributed to everyone. This way they'd be able to study the by-law and certainly have much more knowledge as far as the by-law was concerned. Mr. Chairman, what I'd like to do is make an amendment to Section 122(2): "The following shall be added after 'shall give written notice': 'and send a copy of each proposal of the by-law'". In other words, along with the letter send a copy of the by-law.

MR. CHAIRMAN: Section 122 is amended by the hon. Member for Bow Valley: "The following shall be added after 'shall give written notice': 'and send a copy of each proposed by-law'". Is there any discussion with respect to the amendment by the hon. Member for Bow Valley?

MR. JOHNSTON: I appreciate the attempt the hon. member is making here, whereby he wants to ensure that full and adequate notice is given to an affected landowner. I think that's really the intention of this amendment. We did consider very carefully that it would be preferable if we could send out the entire proposed land use by-law.

I guess the only difficulty we have with that is that these by-laws are couched in perhaps somewhat difficult terms — I think we've had a debate in this Assembly dealing with the legalese of some of the by-laws — and some people who receive them may not necessarily understand them. Recognizing that notice had to be given, we felt it would be better if we could give a summary of that by-law; to set out its objectives, how it would be accomplished, and its general effects. That's why we have said in this section that we agree that notice has to be given and the amendment has to be spelled out, but we said we would summarize the effects for all affected landowners. To me, this first of all makes the by-law more understandable and readable by everybody who receives it and, secondly, it will save on paper that would be generated by a municipality if it had to send out the entire by-law.

In some cases we may send out the by-law, if it's short and narrow and very specific. But other cases,

where it's extensive — and you'll notice that the entire section of land use by-laws could be pretty comprehensive, and the by-law itself could be a very comprehensive document — to expedite understanding, and to expedite the paper war, we thought we would deal only with the question of the summary of its effect. Although the intention is good, I do not necessarily think the amendment is necessary, Mr. Chairman.

MR. CHAIRMAN: Any question with respect to the amendment by the hon. Member for Bow Valley?

MR. TAYLOR: Mr. Chairman, I appreciate the thought of the hon. Member for Bow Valley too. But what I'm afraid of is that the ratepayers would line up at the next visit of the MLA and he'd be interpreting it for each of these people. Many get an ordinary letter from the municipality, and that's hard enough to understand. I find that sometimes when I have my meetings for the convenience of the people, half the time is taken explaining to them what a letter from the municipality means. If they get a by-law, you can understand how much more difficult that's going to be. I really think a simple summary of its effect would be far better.

MR. R. SPEAKER: Mr. Chairman, I think we wanted to bring notice to this particular area of the bill, in that we found that in some attempts of municipalities at the present time to introduce land use by-laws, the municipality would introduce it, it didn't get out to the public that such a by-law was being set, and all of a sudden someone would happen to find a copy. At that point in time there'd be quick scurry and discussion around the communities and a lot of misinformation.

We appreciate the part that says "summarize"; I think that's good. When we rethought it this morning — these were prepared a week ago — we thought in terms of the urban type of by-law that may have to be introduced. You may have a 2- to 3-inch thick volume of eight and a half by 11 inch pages, whereas rurally some of the land use by-laws I have reviewed have a reasonable number of pages. I think that was in our thinking when we developed the amendment as such.

Maybe it's not necessary at this time, and we can reintroduce it later, but the only other suggestion I might leave for consideration would be something to the effect that if the municipality wishes to send out the total by-law, it can. I think the word "summarize" doesn't limit them in that particular area.

MR. JOHNSTON: Mr. Chairman, of course a by-law is an open, public document, and is available if anybody wants the document.

MRS. CHICHAK: I wonder if I could put a suggestion. Rather than have the members vote against the amendment, if the content of the amendment as it was first put is now sufficient to provide the information the hon. Member for Bow Valley was concerned about, he may wish to withdraw his amendment. We agree with the principle, but I think this is accomplishing it. If he wishes to withdraw that amendment . . .

MR. MANDEVILLE: Yes, Mr. Chairman, I'd be willing. Summarizing the by-law, and of course it is public knowledge . . . But we wanted to bring attention to it. As the hon. Member for Little Bow says, a lot of the time these by-laws come out and they're not made known to a lot of the people affected. Under these circumstances, Mr. Chairman, I'll withdraw the amendment.

[Section 122 as amended agreed to]
 [Sections 123 through 126 agreed to]
 [Section 127 struck out, agreed to]
 [Section 128 agreed to]
 [Section 129 as amended agreed to]
 [Sections 130 and 131 agreed to]

Section 132

MR. R. SPEAKER: I wonder if the minister could again clarify for the Assembly the use of special planning areas. The minister is taking to himself quite a large amount of power. I was wondering if the minister would see some situations where that type of legislation is required and where it would be applied. Maybe this would clarify the section for us.

MR. JOHNSTON: Mr. Chairman, in discussing the concept of the special planning area, I think we have before us at the present time examples of the need for special planning areas in Alberta. In the existing Planning Act, for example, we have provision for establishing airport vicinity regulations. These regulations are done on a trilevel basis and provide for the drafting of noise curves around a municipality's airports, and for the kinds of development that can take place within each one of these noise zones. It will preclude, for example, vertical or high construction in some noise zones and the encroachment of urban development into the noise areas. So we already have the case where that is necessary.

We also envision the use of this section for establishment of particular planning restricted development areas, for lack of a better term, because "special planning areas" is not being used. We have found that the intention to apply restricted development areas has been for planning purposes, and as all members realize we have had some difficulty with whether or not an RDA applied under The Department of the Environment Act has been appropriate. To avoid misunderstanding we think that when the restricted development area is being applied for planning purposes, it should be brought back into this legislation. In the case of some of the restricted development areas applied across the province we see that they would more properly be couched in this legislation; for example, the 5-mile RDA around the city of Calgary.

We also envision the need to preserve some kinds of lands designed for utility corridors or for future location of utility corridors, because obviously you don't want those corridors located where they would affect or encroach upon urban development.

Another quick one, of course, would be where the province may wish to locate a new town, in which case they could establish a restricted development or special planning area to control that land until acquisition, until the final details whereby the town is to be established have been outlined.

We had a meeting on The Planning Act this morning with the mayor of Edmonton. His officials indicated to me that they needed some other kind of zoning restriction to notify titles wherein houses and residents agreed to move into an area which was affected by traffic; "affected" in the sense of noise. They have no provision now to assign a notification to that title to warn a subsequent owner that these people moved into that area with full understanding of the noise pollution. I can envision it being used, therefore, in the case of restricting urban development around a major arterial roadway, for the obvious reason that although you get the arterial in place, urban development encroaches on it. Pretty soon the urban development is suggesting that the arterial road be closed because it's affecting their dwellings.

So that's how we contemplate the use. I think the debate in terms of the principles is behind us. We are using it in some cases now, and we think there is a need for it, particularly at the request of municipalities.

MR. R. SPEAKER: In interpreting what you are saying, Mr. Minister, the special areas would be used for special types of purposes. I also see them as a sort of interface of regulations or restrictions into municipal or regional plans that would be the direct responsibility of the province rather than maybe the local government. Or can the authority for these special planning regulations or rules as such be delegated to the local authority?

The other thing: when a special development area is established, do you see the criteria spelled out very, very clearly so there are definite parameters as to what types of things are covered? One example you have used is with regard to a noise factor.

MR. JOHNSTON: Mr. Chairman, I don't contemplate transferring to the municipality the right to control development within that special zoning area. The reason we have them is generally because it affects more than one municipality, and generally has province-wide requirement or necessity to have a higher zoning control. Therefore I don't think it could be delegated to the local authority. However, I do contemplate the special planning area being applied at the request of the municipality to allow them a period to determine future use for some land, particularly where it has an environmental consequence, a noise consequence, or where it affects more than one municipality. Therefore I do see us acting on the request of a municipality.

On the criteria: I think I listed two of them. It's an intermunicipal kind of problem that requires a period of time whereby that land has to be zoned at a higher level so that no development can take place, but no change in the development will take place; and where the municipalities are in the process of developing a plan or scheme for the use, in case of utilities or in the case of new time development. I see those kinds of uses for this section.

MR. GHITTER: Perhaps the minister would answer a question, to which I might have a further response. If the minister determines that a special development area will be utilized for a permanent use — not a temporary use — is it the minister's understanding

that there is then an obligation to proceed to expropriate under this legislation?

MR. JOHNSTON: I don't think the need to expropriate is specifically spelled out. The hon. member is indicating that. But I think there may well be a need for another department with a land acquisition potential to acquire some land in the restricted development or special planning area, depending on the name given to it. That need would be done by another department.

However, the question is: how far have the rights of the individual been interrupted if you are restricting some of his future use of that land? If you allow him to develop it to its potential, you could be interfering with this larger provincial interest. At that point I think the debate as to whether or not you've interfered with his rights is real. I don't know how that's being applied with respect to restricted development areas, by regulation or by policy. But I do know that in some cases the land has been acquired from the individual.

MR. GHITTER: I would just like to go on record, Mr. Chairman, as suggesting that if in the public interest it is the intention of the government to deal on a permanent basis with someone's land and determine it as a special development area, I think it only reasonable that there also be some obligation upon government to acquire that land and pay compensation for depriving a person of his property rights, albeit in the public interest. I would hope the minister would look into that matter to determine again the fairness of the balance between the public interest and taking away one's property rights and freezing his land by calling it a special development area.

MR. JOHNSTON: I appreciate the hon. member's comments and that will be my undertaking.

[Section 132 as amended agreed to]

[Section 133 agreed to]

[Section 134 as amended agreed to]

[Section 135 agreed to]

Section 136

MR. MUSGREAVE: Mr. Chairman, I would like to make a comment on Section 136. I was quite impressed with the minister's remarks and the strong defense of the RDA to protect the environment, and planning, and all the rest of it around our cities. I would like to suggest to the hon. minister it's equally important to give the municipalities the same power within their jurisdiction to control their environment, particularly where there are infractions of the land use by-law. If you're doing a \$10,000 repair job, a \$50 fine is really nothing. It's like a \$2 or \$3 parking ticket. If you're involved in a multimillion dollar project, even \$5,000 can be absorbed quite easily.

Mr. Chairman, I feel the government is doing a disservice to the cities if it takes the teeth out of this act, as I understand it is going to do by changing Section 136 with this proposed amendment. I feel quite strongly on this particular point because of my experience at city hall. This has been one of the most frustrating problems facing the administration. It's difficult enough to get charges laid. If they are found

guilty, it's a very disheartening process to have very minor fines levied. It indicates that perhaps the government isn't tuned in to the problems facing cities. I hope we wouldn't want to be faced with that accusation.

MR. JOHNSTON: Mr. Chairman, I'm sure many members will make the case for the urban areas very clearly. We would introduce these amendments to Section 136, a penalty section, because there has been a substantial reaction to this section across the province — perhaps mostly rural, but nonetheless a reaction — suggesting that the fines and certainly the imprisonment sections may be too harsh for The Planning Act.

In reaction to that request we have deleted that section which specifically spells out fines and penalties. However, I am quick to add, and my lawyer friends have advised me, that we still remain under the summary convictions section of the Criminal Code, which spells out pretty severe penalties for violation of this section, but I think falls short of imprisonment.

I know the cities of Calgary and Edmonton are somewhat concerned about it. They find their concern rests mostly with large developers who have the opportunity to waive the high cost, the fine, and very easily adjust to that. So they have agreed they're not exactly in favor of the amendment. They would like to see a higher penalty. But recognizing the feelings in rural Alberta, recognizing that generally we're in a responsible area, and further that we have stepped up the "stop order" sections of this legislation to provide the municipalities with a pretty quick address to the problem, I think the amendment is a pretty fair balance between rural and urban in recognizing the need.

We do appreciate the views of the hon. member with respect to the special situation in Calgary and Edmonton.

[Section 136 as amended agreed to]

[Section 137 agreed to]

[Sections 138 and 139 struck out, agreed to]

[Sections 140 through 143 agreed to]

[Section 144 as amended agreed to]

[Sections 145 and 146 agreed to]

[Section 147 as amended agreed to]

[Section 148 agreed to]

[Section 149 as amended agreed to]

[Section 150 agreed to]

[Section 151 as amended agreed to]

[Section 152 as replaced by item 95 agreed to]

[Section 153 as replaced by item 96 agreed to]

[Sections 154 through 156 agreed to]

[Title and preamble agreed to]

MR. JOHNSTON: Mr. Chairman, I move that Bill 15, The Planning Act, 1977, be reported as amended.

MR. R. SPEAKER: Did we go through title and preamble?

MR. CHAIRMAN: We went through title and preamble.

MR. R. SPEAKER: I'm speaking on the motion then.

Mr. Chairman, I would like to make just two points at this time. By the amendments and things placed before us, there have been some improvements: with regard to the penalty, and with regard to dwellings on land. I don't think we want to argue about that. However, two things which are a little more significant are of concern to us, and at this point would lead to where I'm not prepared to accept what has been presented. I have made mention of both, in debate on second reading and at the present time.

The first is with regard to time. We indicated that possibly there should be some way of leaving discussion of the bill until the spring session, because we have had nearly 100 amendments, ideas, placed before the bill. A member was concerned today about how we were going to compile those 100 amendments into the bill proper. That is of concern to municipal councillors who have the responsibility of administering the act, and to relative planning bodies. I'm sure there are many people across the province who have the very same concern. We feel that with that type of input and the reorganization of the bill that will take place after this review by the committee, there should have been more time for the public to have a second look. The government hasn't felt ready to do that, and we feel that is certainly a shortcoming.

The second thing raised by my colleagues and myself is in the area of the land use by-law. The first argument we placed before the Assembly was with regard to "shall" and "may" — I've gone through this argument already — in making it permissible for the local municipality to accept or not accept that responsibility. In this Assembly the point has been partly made that if we don't impose it on them, the total planning concept will not work. Well if it won't work, imposing it on them doesn't say it's going to work either. If the plan and legislation are good, the local municipality will see the idea is good and will work in harmony with the total concept of planning envisaged by the minister, the department, and this Legislature.

Most likely some good land use by-laws can come forward. But that basic principle, where it's imposed to bring about a plan, a planning concept across this province, I'm not ready to accept. I think there are certainly more permissive ways of going about this type of thing.

We can also be concerned about the implications of a land use by-law. The land use by-law affects people in various areas of the province. It affects the property rights of the farmer and the urban person. On that basis I think we must attempt to give every bit of protection we can to the landowner or the property owner, and the rights of individuals. We have raised the one concern we had with regard to making people aware of what the land use by-law was, and whether they should get concerned with regard to a relevant section. We've discussed that. We've withdrawn the amendment we presented. At this point we're prepared to take the minister's word that possibly that particular aspect can be worked out. We certainly hope that it does.

On those two concerns, Mr. Chairman, I feel at this time that I'm not prepared to vote for The Planning Act to proceed.

DR. BUCK: Mr. Chairman, I will be very brief. I would like to say I will be opposing the bill, also on the grounds that when the amendments are as large as the original bill for any major piece of legislation, as I stated previously, there just has to be some reason this should be held for the four months. Surely when the hon. minister and the members of the select committee who reviewed this legislation said, we went through it clause by clause, word by word, and we still get this many amendments, I don't think we as legislators should be in such a big hurry to pass this act at this time. So I'll be voting against it on that basis.

When the hon. Member for Calgary Buffalo made his speech and said, we're opposing this on this side of the House because it sounds good out in the boondocks, I would like to say to that hon. member that I would like to present him with a small tractor so he really knows what farming is all about in this province. If the page would be so kind as to present this to the hon. Member for Calgary Buffalo, he will know that people in the rural areas are not really out in the boondocks. Their concerns are genuine. They are concerned about the intrusion into their basic rights to own property in this province. That's why the people out in the area are concerned. The hon. Member for Calgary Buffalo had better find out that the people in the boondocks are concerned because it's their property rights that are being imposed upon.

Mr. Chairman, there's the other argument. Many members supporting the bill have said, it was in the old act, what are you complaining about? Well when we're bringing in a new act, it is no defense to say it is in the old act, it's here, you shouldn't complain. So because much of the opposition to this act has come in since the middle of August, the end of August and thereon, I feel the people of this province are still not conversant with what's going on, how they'll be losing many of their basic property rights. On these grounds I will be voting against Bill 15.

MR. GHITTER: Mr. Chairman, on a point of order, I'd like to thank the hon. member for this air-conditioned tractor. It's very nice. I would also like to say that he must have difficulty in understanding the terminology utilized in the House. I didn't say "boondocks". It was "boomdocks", because of the energy and enthusiasm in rural Alberta.

DR. BUCK: Mr. Chairman, to the hon. member. If it should ever happen — I hope never — that he's going to defend me in a murder case, I hope that kind of small defense will not save me.

MR. GHITTER: You couldn't afford the retainer.

MR. PURDY: Mr. Chairman, I'd just like to say that I'm going to support the act, but I'd like to correct for the record of *Hansard* a misinterpretation that has been sent to me — a couple of letters, not from my constituents but from people outside the constituency, where they said I had received no representation from the Stony Plain constituency regarding Bill 15. I'd like to say that I received a lot of representation from the Stony Plain constituency. After I sent a letter out explaining the act, the copies of the amendments we have just finished passing, the letters I am now receiving are in support of the act. So

on behalf of my constituents — I'm taking their view on it — I'm going to support the bill.

MR. KIDD: Mr. Chairman, in listening to the comments of the hon. members of the opposition, I'd like to point out that in the discussion it seemed to me the members of government were the ones who brought out the very important aspects in the amendments that needed clarification, and that the members of the opposition merely followed after we'd explained to them exactly what those amendments meant. I've had an opportunity to bring up my points. I've had them clearly explained by the hon. minister. I think his explanations have been good. As to the other amendments, the members of the opposition didn't bring up one comment. I think most of them were minor. The really important amendments have been discussed very, very fully in this Legislature. I intend to support the act.

MR. JAMISON: Mr. Chairman, for clarification, I would like to remind the Member for Clover Bar that I thought it was on Section 41 that he was going to oppose this bill, on the basis of right of entry. If my memory serves me right, I think the hon. member wasn't in his seat last Tuesday night when Section 41 was being discussed. I was quite surprised. For clarification, was the Member for Clover Bar going to oppose this bill because of not extending it another four months, or was it because of Section 41?

DR. BUCK: Mr. Chairman, if the hon. Member for St. Albert isn't aware, I wasn't in that evening. But if the member has a little difficulty hearing and understanding — and the hon. Member for Banff — I am opposing the bill because if any bill was supposedly drafted by the best help we could get, by the best input we could get from the people of this province, and the government had the audacity to come in with amendments nearly as large as the bill, then they didn't do their homework. I am basing my opposition on the fact that people in this province who are going to be basically affected have not had their opportunity for input after these amendments came in. If the hon. government members can't understand that, they can't understand very much, Mr. Chairman.

MR. CHAIRMAN: Under title and preamble, would all those in favour please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Those against please say no.

SOME HON. MEMBERS: No.

[Mr. Chairman 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	Hansen	Musgreave
Ashton	Harle	Paproski
Backus	Hohol	Planche
Batiuk	Horner	Purdy
Bogle	Horsman	Russell

Bradley	Hunley	Shaben
Butler	Hyland	Stewart
Chambers	Hyndman	Stromberg
Chichak	Jamison	Taylor
Cookson	Johnston	Tesolin
Crawford	Kidd	Thompson
Doan	Kroeger	Topolnisky
Donnelly	Kushner	Trynchy
Dowling	Leitch	Walker
Farran	Little	Warrack
Fluker	Lougheed	Webber
Foster	Lysons	Wolstenholme
Getty	McCrae	Young
Ghitter	Miller	Zander
Gogo	Moore	

Against the motion:

Buck	Mandeville	R. Speaker
Clark		

Totals:	Ayes - 59	Noes - 4
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[Title and preamble agreed to]

Bill 51

The Wildlife Amendment Act, 1977

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill? There is an amendment to the bill. Are you familiar with the amendment?

MR. TAYLOR: Mr. Chairman, I'd like to say a word or two on the bill in connection with the hunting aspect. I continue to get letters from constituents and people in the province about those who hunt in a manner dangerous to the safety of other persons; who shoot from road allowances or across road allowances; who use their guns to put holes in farming machinery, vacant houses, and so on.

I have a letter from one constituent who suggests things have got so bad that she would like to have a ban put on all hunting within a 50-mile radius of our major cities. She suggested 50 miles; I suppose that was a suggestion. But the danger to our people is getting greater and greater. People are not using their guns with any degree of good sense. When people, in the name of sportsmanship, leave gates open, shoot at cattle, break windows of farmhouses, put .22 and shotgun shells through machines, it isn't very amusing for those who own property.

I realize it's a difficult problem to try to control. But I think we may yet have to take some rigid steps to make people realize they just can't destroy other people's property and get away with it. The solution possibly lies to some degree in heavy penalties, in education, and in requiring people to have training before they're permitted to hunt. It's really a shame, because hunting is a lot of fun. I've certainly enjoyed it in my lifetime, and still enjoy it. But the fact that some are using it to destroy other people's property is becoming very, very annoying to people in our areas. This is particularly so within a radius of cities where "hunters" go out and destroy property rather than try to shoot for the fun of shooting.

I just bring this again to the attention of the hon. minister so the department can endeavor to take

every possible step to try to get this thing back on the level, and back to where people living on farms within areas reasonably close to large centres can feel a little bit of safety during hunting season.

DR. BUCK: Mr. Chairman, I'd like to bring one or two matters to the minister's attention. First, the matter we raised previously about looking at releasing pheasants and some of the game birds in this part of the province. The people I've talked to in the fish and game associations feel they have an excellent or better than average chance of surviving in light of the fact that people are now becoming more aware that if they feed and somehow help out they'll have a chance of surviving.

The point raised about the use of big-game rifles in the settled areas is certainly a problem that has been brought to my attention. It comes up every fall at the opening of the season. I've never received a complaint from a farmer in my constituency about deer causing any problems. The farmers will say, sure, I know they get into a few of my bales, and so on. But they've never really complained directly that they want something done about the deer. I've had one or two problems around Elk Island Park, where elk have got out of the park gates. Somehow they seem to escape the hunters every fall, and the herd seems to be getting a little larger every year. I don't know if they go out when the foraging is good and find a hole in the fence to get back in when the shooting starts. But that matter has been brought to my attention.

The problem of big game hunting with rifles really is the major concern of the people — especially in my constituency. I'm sure the hon. members for St. Albert and Stony Plain and any of the outlying areas — as mentioned by the hon. Member for Drumheller — have that same concern. It is a real concern. And I just don't know how somebody up there has been looking after us so we haven't had some tragedies. We've had many, many near tragedies. For instance, a girl just east and south of my constituency was sitting home on a Sunday afternoon doing her homework. In comes a rifle slug through the picture window, into the refrigerator, which missed the girl by a foot. So we've had many instances of near misses. Until it becomes a major problem, where the animals are causing a lot of damage, I would like to see these areas fully closed to hunting.

I've talked to members and people in the department — the minister is well aware of that. I don't think harvesting to keep the animals in control applies in this area, because the animals seems to accommodate very well. Apparently there are more deer in this area now than there were 50 years ago. I'm sure, as the Member for Banff just indicated, that's a problem in his area. So I would beseech the minister to have a really in-depth study into this problem, because we're going to start having some people killed, and I don't think we want that.

MR. PLANCHE: Mr. Chairman, maybe this is an opportunity to ask the minister if he would consider, through his department, segregating hunting with rifles and hunting with shotguns? With the increased pressure on bird hunting, citizens roaming the country, and so on, I'm sure a lot of hunters who have their land posted really are more concerned about rifles than shotguns. Perhaps it would afford a lot of

citizens from the city an opportunity to get out on flat country, where there really isn't any problem with a shotgun, to shoot on land that's presently posted. I'm wondering if that might be considered.

MR. MILLER: Mr. Chairman, to the minister. We are concerned in our area about the balance of population between male and female deer. Just this last weekend it was brought to my attention that there are many more female deer and practically no male deer. They were wondering if they couldn't open the season for the females at the start of the season rather than at the end?

MR. TAYLOR: Mr. Chairman, I wonder if I could read into the record a letter I received that expresses the concern of many, many farmers:

I am appealing to you with some hope that new laws will be made to protect the landowner and his property from the yearly invasion of "hunters".

Every fall for countless years, we have been bombarded by people wanting to hunt and with people who do not bother to ask permission, but go among the cattle with guns and dogs, drop bottles and cartons in the fields and when stopped simply give you the old dodge "I didn't see the sign" or "The sign wasn't black and white" etc. We have resorted to putting up tiller disc signs as wooden ones are riddled with holes or simply disappear.

A week ago, a van came by the vacant set of buildings where we farm the land and shot out the window from the road right into the yard where the men were working. The van then moved on and shots were fired out of the windows into the field at random. We contacted the RCMP but with the many calls they can't be everywhere, though they have been helpful and co-operative when contacted. One hunter shot a rabbit right at the end of the driveway, and target practice in a grove of trees makes fencing in that area very hazardous.

The last encounter concerned five hunters all with guns. Is one man safe to face those who have loaded guns and may be loaded themselves?

We feel the time is long past due for the prohibiting of all hunting within a fifty mile radius of the city. Something must be done before somebody is killed. It's bad enough to see young hawks lying dead along the road, and vacant houses are ransacked and shot into. When hunters are charged the fine is so small as to be no deterrent.

I think you know country people well enough to know they have worked hard to buy and maintain their property and surely deserve a little of the seclusion they desire. Then just visualize the consequences should 5 of us arrive on a city property with loaded guns.

I sincerely hope this concern of ours will meet with some understanding of the problem and steps must be taken to change the situation as it now exists.

This comes right from the heart of a farmer experiencing these things. I thought I should put that

on record so the hon. minister will know how serious the problem really is.

MR. STROMBERG: Mr. Chairman, five or six years ago I had the opportunity in this Legislature to introduce a private bill. After that private bill was presented here and after the Alberta Fish & Game Association got through with me, I said I would never speak again on hunters in general. But I would like to point out, Mr. Chairman, how times have changed. I believe the bill introduced five years ago concerned trespassing. Perhaps shotguns, and the use of shotguns with slugs for deer hunting, instead of the high-powered rifle in the more populated rural area of Alberta is a very good suggestion.

About 15 years ago, if I can recall, shotgun slugs were allowed in Alberta. The former government brought that in with the idea of getting away from these high-powered rifles flying around. The game wardens were concerned, because shotgun slugs have a tendency to wound more game than they probably kill. That's probably why it was dropped, but I think consideration should be given to that.

Mr. Chairman, the other area is trespassing. We have three trespassing laws now: one federal, one under the minister's department, and one provincial. None of these trespassing acts really amounts to a darn when being pursued in the courts — a \$10 fine and a lecture from the judge. The problem of trying to enforce trespassing — our provincial act reads that you must have a two-wire fence, you must have your gate shut, you must have your gate and your four corners posted. The hunters have got around the trespassing part by saying, we're chasing wounded game. To a farmer who wants to try to find a game warden — and there are far too few of them in the province; it's impossible for the game wardens to do an adequate job for the area they're given — his only alternative is to hope that he can contact the RCMP, who are pretty leery and very careful of coming out, or to make a citizen's arrest. That's not the easiest thing in the world to force a landowner to do.

I think that if we tighten up in the area of trespassing — that number one, no one shall go on your land without permission. In my instance, if someone comes into my yard and asks for permission to hunt, I size up his car, his haircut, and his beard, and if he looks like a reasonable person I will tell him, yes you can hunt on this quarter but not this quarter where we have cattle or we have . . .

DR. BUCK: Would Ashton pass?

MR. STROMBERG: Well, we'd have to take a second look at him. You threw me off my speech.

If we tighten up the trespassing act, allow big game in our part of Alberta to be shot with shotguns — and the third area is considerably more game wardens. I would hope that we would follow what B.C. has done reasonably successfully. I've talked to the people in B.C. who are conducting that program, a training course for hunters the first time they're getting a licence.

Mr. Chairman, going back to my friends in Alberta Fish & Game, I hope they have realized the problem of the hunter/farmer relationship. And I hope now that they will remove my name. At one time the only protection I had in Alberta from the Fish & Game

Association was under the game laws. I hope now I'm not a prohibited species.

MR. ADAIR: Mr. Chairman, just one comment. I would hope the hon. Member for Camrose wasn't listed as an endangered species at that particular time.

Now if I can be serious for a moment. Relative to the permission on lands, for example, it's very clear in the act that

No person shall hunt any wildlife or discharge any firearm upon or over occupied lands or enter upon such lands for the purpose of doing so, without the consent of the owner or occupant thereof.

That is in place, but obviously there are problems of enforcement in that particular capacity. I think one of the most successful programs we have in place right now is the voluntary hunter-training program that has been conducted through the Fish & Game Association and a number of other organizations in the province. That's very effective indeed.

I appreciate your comments relative to the proposal by the Fish & Game Association and some 15 other organizations, which have asked for hunter testing. In hunter testing we're attempting to put in place a program that would provide the information and knowledge so that those people going out for the first time, particularly, would have some idea about the fact that they have to ask for permission to go on that land, that they have to use that firearm with some caution and some degree of responsibility.

Certainly from the standpoint of some of the other points made, relative to the hon. Member for Clover Bar and the pheasant releases, I think we are certainly aware of that. One of the major concerns we've had is getting the production of pheasants up high enough so that we can expand that program into areas further north. I think that is the case. Habitat is obviously one of the key components of successful pheasant survival, if I can use that term, and I hope as we go along that will fit into place as the new hatchery comes on stream. I believe at the moment we're looking at 6,000 to 7,000 birds, not very many birds in the length and breadth of this province. But if we increase the first step to around 25,000 birds, we can begin to do some of those things you have pointed out. I appreciate your comments on that very much.

As for hunting near the city, whether it be any particular city or metropolitan area, I've had quite a number of discussions with my officials. Constantly under review is how we can watch the development as it moves out into the areas and ensure that the management units are adjusted. Obviously there will be some conflicts that have to be closely monitored as well as we go along.

I think some points made by the hon. Member for Calgary Glenmore relative to the possible consideration of some areas — maybe shotguns would be one we could consider. I'd like to take a look at that and see what the possibilities are. I'm sure as you get into other areas closer to the urban populations, bow hunting may be one that could be used as well, from a safety standpoint.

The hon. Member for Lloydminster talked about the female deer situation, and whether we could have the season at the start or the end. I would like to take

that under advisement. I can't really respond as to what it is, although there have been quite a number of doe seasons in place this year. There is the constant problem of management and balance in there. Obviously there are more females than males in the wildlife area. The buck services a great number more females than the other one.

But certainly from the standpoint of recognizing the concerns relative to safety, the hon. Member for Drumheller pointed out very, very clearly and succinctly the problems of indiscriminate shooting by whoever may be called in fact a hunter or just a "shooter", if I can use that term. One of the concerns we have had in the amendments . . . We've amended Section 29 to say "No person shall hunt, take, or trap wildlife in a manner that is dangerous to the safety of other persons . . ." — which was not in there before — ". . . without due regard for the safety of other persons, or in a manner . . ." — and this is another one that goes just beyond that as well — ". . . that causes or is likely to cause damage to a crop, livestock, or other property." That covers not just the shooting aspect but the indiscriminate travelling or driving over crops in that particular person's field after he has permission to go on that.

I thank the hon. members very much for raising their concerns relative to the amendments to The Wildlife Act. There were some good points raised, and I'll certainly take them into consideration for future discussion relative to other amendments and other regulation changes in the act.

[Title and preamble agreed to]

MR. ADAIR: Mr. Chairman, I move that Bill 51 as amended be reported.

[Motion carried]

MR. CHAIRMAN: May I have permission of the House to revert to Bill 15 for the minister to report. Mr. Minister.

Bill 15
The Planning Act, 1977
(reversion)

MR. JOHNSTON: Mr. Chairman, I move that Bill 15, The Planning Act, 1977, as amended be reported.

[Motion carried]

Bill 62
The Auditor General Act

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

MR. LEITCH: Mr. Chairman, I would like to make a few comments on Section 24. I had been asked about Section 24 in second reading and overlooked responding to those questions when I was closing debate.

The question was why the reports of the Auditor General ought to be submitted to the audit committee before being presented to the chairman of the select standing committee as is called for by Section 24.

The response, Mr. Chairman, is simply this: first of all, that is the current practice with respect to the Provincial Auditor's reports, in the sense that they are given to the Provincial Treasurer who then must file them. The legislation requires that he file them within 15 days if the Assembly is in session or, alternatively, 15 days after it opens if it is not in session when the report is received. But simply because it is the current practice, it doesn't necessarily follow that that practice should continue. Therefore, Mr. Chairman, I come to the essential reason for having that requirement there.

I would anticipate that the Auditor General in his reports will from time to time be saying things about the financial control system of the government that ought to be corrected. He will be commenting on deficiencies. I think it would be a ludicrous situation if those reports were made public, and the government was asked about them, and my response as Provincial Treasurer had to be, well, I've just heard of that now and I'll have to consider it and decide on it. I think we should know about those things before they become public, so we can take the appropriate action, and in addition there may well be things in the report dealing with deficiencies. It would be wrong to have the weaknesses of the system made public before the government had the opportunity to correct those weaknesses. Those are the prime reasons, Mr. Chairman, for having Section 24 in the bill.

MR. CLARK: Mr. Chairman, my apologies to the Provincial Treasurer and the committee. It's a longer run up those stairs than I had given credit for.

This deals with Section 24. In discussions I had earlier with the Treasurer he indicated that's the common practice now; the government has the benefit of that. My question then to the Provincial Treasurer: if that is the common practice now, why do we leave the situation of making it mandatory for the audit committee to have the information? Why can't we leave it to the good judgment of the auditor general, who I assume would in all likelihood continue the present practice? If there is a situation where the auditor general would feel it wasn't in the best interest of his report, he would in fact have the flexibility to give it to the select committee before giving it to the audit committee if he felt that was in the best interest of the committee itself.

MR. LEITCH: Mr. Chairman, I appreciate that the hon. Leader of the Opposition didn't hear my opening comments, in which I commented on Section 24. I would respond to his use of the phrase "common practice" by saying that it is not a matter of practice; it's the way the legislation now provides. The legislation provides that reports come to the Provincial Treasurer and then it spells out when the Provincial Treasurer is to file them, so it isn't a matter of practice but a matter of what is now in the legislation.

I would go on to respond to his comments by saying I think it's fair to say that auditors general are a little sensitive about when they should and shouldn't be in contact with the government. I think this is the kind of thing the auditor general would want to do and is common, and I think it is better to have it in the legislation so there is no question about the propriety of him doing just that. Now the hon. Leader of the Opposition says, well we can leave it to his discretion,

and if he thinks there is some occasion on which it would be in the best interests of the public that his report not be seen by the government before being made public. I'd simply respond by saying we've not set a time limit in the section. So if that situation ever arose, the auditor general could of course do it virtually simultaneously, but I wouldn't expect that to be the practice by any means. I just say the way the legislation is now structured, there is no time element on there. It's just a matter of first — so it could be for practical purposes virtually simultaneous.

MR. CLARK: Mr. Chairman, just following along with the suggestion made by the Provincial Treasurer. If it's the Provincial Treasurer's point of view that a simultaneous making available of the report to the audit committee and the legislative committee would fit within the spirit of Section 24, I'd be quite prepared to leave it there. We can see how it works, and it's something we'll ask the auditor general about after he's had some experience with the area. I was going to move an amendment that we take that portion out, but in light of what the Treasurer said, I'm prepared to leave it and we'll see how it works.

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill 62, The Auditor General Act, be reported.

[Motion carried]

Bill 56
The Forest Development
Research Trust Fund
Amendment Act, 1977

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

[Title and preamble agreed to]

MR. BRADLEY: Mr. Chairman, I move that Bill 56, The Forest Development Research Trust Fund Amendment Act, 1977, be reported.

[Motion carried]

Bill 57
The Forest and Prairie
Protection Amendment Act, 1977

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

[Title and preamble agreed to]

MR. SHABEN: Mr. Chairman, I move that Bill 57, The Forest and Prairie Protection Amendment Act, 1977, be reported.

[Motion carried]

Bill 84
The Statutes Repeal Act, 1977

MR. CHAIRMAN: There is an amendment to the act. Are you all familiar with the amendment?

MR. DOAN: I move that Bill 84, The Statutes Repeal Act, 1977, as amended be reported.

MR. CHAIRMAN: We're just a little ahead of ourselves, hon. member.

[Title and preamble agreed to]

MR. DOAN: As late as last Friday we had word that there's one person who will continue to receive the mothers' allowance under the 1958 act until March 1978. That is why the repeal of this act is to be postponed until April 1. So the bill will now read as amended: Section 2 is struck out and the following is substituted: "This Act, except Section 1(b), comes into force on the day upon which it is assented to, and Section 1(b) comes into force on April 1, 1978."

MR. CHAIRMAN: I think we've passed the bill, hon. member. But I was requesting that you ask that the bill be reported.

MR. DOAN: Mr. Chairman, I move that Bill 84, The Statutes Repeal Act, 1977, be reported as amended.

[Motion carried]

Bill 220
The Blind Persons' Guide Dogs Act

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill? There is an amendment to the bill. Are you all familiar with the amendment?

[Title and preamble agreed to]

MR. LITTLE: Mr. Chairman, I would request that Bill 220 be reported as amended.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

DR. McCORMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration bills 15, 51, 84, and 220, and begs to report same with some amendments; bills 62, 56, and 57, begs to report same, and asks leave to sit again.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, tonight at 8 o'clock we will proceed to Committee of Supply for further con-

sideration of the estimates of the Alberta heritage savings trust fund with respect to health. Perhaps to simplify matters we could move the Assembly into Committee of Supply at this time.

MR. SPEAKER: Perhaps it would be simpler if I were to ask the Assembly: when they assemble at 8 o'clock this evening, does the Assembly agree it will then have constituted itself into the Committee of Supply?

HON. MEMBERS: Agreed.

MR. HYNDMAN: I therefore move we call it 5:30.

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

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until the Committee of Supply rises and reports.

[The House recessed at 5:20 p.m.]

[The Committee of Supply met at 8 p.m.]

head: **GOVERNMENT MOTIONS**
(Committee of Supply)

[Dr. McCrimmon in the Chair]

MR. CHAIRMAN: The Committee of Supply will now come to order.

ALBERTA HERITAGE SAVINGS TRUST FUND
CAPITAL PROJECTS DIVISION
1978-79 ESTIMATES OF
PROPOSED INVESTMENTS

**Health Care Facilities and
Applied Health Research**

Hospitals and Medical Care

MR. CHAIRMAN: I believe some questions were posed to the minister by the Leader of the Opposition. Mr. Minister, are you prepared with the answers to the questions?

MR. MINIELY: Mr. Chairman, at the conclusion of my remarks in opening the study of the heritage savings trust fund estimates in health care, I had intended to file material on evolving policy issues, for the information of members of the Assembly. I would like to do that now for their information.

The first is an article by the federal Minister of National Health and Welfare on The Waste of Ineffective Devices. The second is an article by National Health and Welfare on The Untold Epidemic: Heart Attacks and Strokes. The third is a very worth-while article, There is No Such Thing as a Free Operation, in connection with my remarks on the cost of expensive operations in the hospital system.

Mr. Chairman, the Leader of the Opposition asked

three questions after I had concluded my remarks the last time we were in committee on this matter. The first question is, and I would quote from *Hansard*:

... if you could give us the projected operating costs for the Southern Alberta Children's Hospital, in light of the comments you've made about the need to talk in terms of four-year budgets and so on. I think if we could get the projected operating costs for the Southern Alberta Children's Hospital, the Alberta Health Sciences Centre and the Southern Alberta Cancer Centre, that would be a good place for us to start because we'd have a chance to kind of look at what operating costs were involved here also.

In answer to that question, Mr. Chairman, I first refer the hon. leader to my remarks during the opening of committee study, where I said:

... the Alberta heritage savings trust fund initiatives in the capital projects area and in the applied research area presented certain dilemmas related to the control of future years' operating costs. It was necessary to recognize that what we did through the heritage savings trust fund could impact on future years' operating costs, that it would be necessary to build-in ongoing professional evaluation of effectiveness, and also to ensure financial control of future years' costs.

I am pleased to report to the House that the various boards we have been working with [on the heritage savings trust fund projects] have been co-operating with us and assuring us they agree with the objective of controlling future years' operating costs escalations as a result of the Alberta heritage savings trust fund initiatives.

...

I'm very proud of the fact that for the first time we have developed, through the heritage savings trust fund initiatives, an approach that we are agreeing with a board to a four-year operating budget that will be developed on phasing-in the operating programs included in the capital projects built through the heritage savings trust fund.

Now I have asked my officials for a progress report on that specific statement which was in my remarks, and they have advised me as follows. First, in the applied research area I think an excellent demonstration of what I am referring to is in the letter from the Provincial Cancer Hospitals Board in response to applied research in the cancer field. I'd like to quote from their letter on a five-year program we have agreed to, subject of course to annual legislative approval: we are also pleased that you have confirmed our original understanding as outlined in our letter to you of April 21, 1977, and your reply of June 23, 1977, that the board will be provided for applied cancer research the annual allotment of \$3 million per year for five years, with a 6 to 7 per cent escalation each year.

The controller for the Hospital Services Commission, soon to be the Department of Hospitals and Medical Care with the passage of Bill 66, reports the following status of operating budget considerations on the heritage savings trust fund projects. First, he indicates in a memorandum to me that the hospital boards have only submitted very preliminary operating figures and they do not represent approved budgets. Secondly, Mr. Beck the controller advises me, for passing to you as hon. members, that: the operating

budget will receive ongoing review through the entire construction phase of each of the projects. It is our intention to work directly with the hospitals over the next several months to review and update these preliminary figures to arrive at agreed and approved operating budgets prior to the opening of each new facility. You will appreciate that in the case of the University of Alberta Health Sciences Centre, with a scheduled completion date in mid-1981, programs are not fully defined and, therefore, approved operating budgets cannot be developed.

Mr. Chairman, I'm quoting a report to me on this matter from the controller of Hospitals and Medical Care. The following are the instructions that hospitals are following concerning operating budget requirements: operating budgets must be developed, reviewed, and approved prior to opening of the new facility. Operating budgets are to be on a multiyear basis. The hospital budget must identify as landlord building costs incurred for tenants, for provincial lab, and medical examiner, as an example. The budget must identify and cost new or expanded programs. New or expanded programs will require a plan for phasing over a period of time.

Mr. Chairman, in answer to the hon. leader's question, I would report further that we should understand that in developing these new procedures we are trying to apply them to decisions which have already been made. The controller indicates in the memorandum that with respect to new projects we will be requiring all this kind of information. And I would quote this: in addition to the above budget requirements for the large AHSTF projects, we have also laid down requirements for all new hospital construction projects in the future as part of the project approval process before commencing construction. The following will be required: multiyear operating budgets must be submitted, budgets must identify new or expanded programs, and a plan for phasing new or expanded programs over a period of time will be required. The above requirements are new and will form part of the construction planning and control procedures presently under development.

Mr. Chairman, the third question the hon. leader asked was with respect to the composition of the *ad hoc* comprehensive cardiac care committee, and I would advise him as follows. The officials on the committee are Dr. B.M. MacLeod, Chairman of the Alberta Health Care Insurance Commission, and Mr. L.L. Wilson, Acting Chairman of the Alberta Hospital Services Commission. The consultants and advisers on the committee are: Dr. Lionel McLeod, general medical consultant and Dean of the Faculty of Medicine, University of Calgary; Dr. Richard Rossall, cardiac consultant to the portfolio, head of cardiology, University of Alberta; Mr. J.N. Willis, special adviser. Representatives of organized professional and community groups: Dr. C.A. Guenter, designee, Alberta Heart Foundation; Dr. David Irving, a cardiologist and President of the Alberta Medical Association; Dr. Sherbaniuk, President of College of Physicians and Surgeons; Dr. Talibi, Medical Director, Edmonton Cardiac Institute. International corresponding medical consultants: Dr. J. Kellermann, a world eminent cardiologist and voting member of the Scientific Council of the International Society of Cardiologists; Dr. Z. Pisa, Chief of Cardio-Vascular Diseases, World Health Organization. I will be serving as chairman of

this *ad hoc* comprehensive cardiac care implementation committee.

Another question the hon. leader asked was with respect to the status of commitments to the Edmonton Cardiac Institute. I would advise as follows. First, there is no commitment or decision with respect to the construction of a new facility at the present time. Secondly, the cabinet has approved an expenditure of no more than \$500,000 for the next stage of planning to prepare a more detailed plan for submission to cabinet. Thirdly, the plan is to be developed and assessed in consultation with the Alberta Medical Association, the College of Physicians and Surgeons, and other medical consultants in the portfolio tied in on an evaluative basis with the faculties of medicine — I have had preliminary meetings with the deans of both faculties in Alberta — and, along with other heart disease programs, will be presented through the *ad hoc* comprehensive cardiac care implementation committee for assessment and decision.

MR. CLARK: Mr. Chairman, in very simple words, Mr. Minister, what kind of relationship have you as far as the Alberta Health [Sciences] Centre is concerned? There used to be a relationship that the operating costs for hospitals were equal to the capital costs approximately every three years. Do you still subscribe to that general principle? If you do, as far as the Health Sciences Centre is concerned is it going to cost us approximately \$102 million capital costs to operate that, in three years? That's the kind of feel I'd like to get from the figures you have, and I didn't get it. Have you stretched out operating costs equal to the capital in four years? I think that's the kind of feel that all of us would like to know. Then we would have a much better idea of just what kind of operating commitments you're getting us involved in here.

MR. MINIELY: Well, Mr. Chairman, I'm trying to indicate to the hon. leader the fact that I do not feel the historical, simple rule of thumb is satisfactory with respect to the measurement of future years' operating costs. While that can be used as a general guideline, I have asked officials, and we have been gradually implementing over the last period of time, actual budget delineation as the projects near completion to phase in programs within priority. We have to recognize that the mere fact that a facility is completed doesn't mean it has to be programmed all in one year. The boards agree with this approach. The rule of thumb I would get . . . Mr. Beck might have a new rule of thumb. But I would indicate, Mr. Chairman, that it is at best a very flimsy 'guesstimate' and not at all satisfactory in terms of measuring the impact of capital construction in terms of future years' operating cost. That is the reason Mr. Beck, as the new controller, agrees with my stated objectives and the board's with developing more detailed three- to four-year operating budgets for newly constructed facilities that will come on stream over the next years in the province. I'll note that so I can give you the latest rule of thumb, but it's changing very rapidly because of the escalation in capital construction costs.

MR. CLARK: It would be very helpful to get the latest rule of thumb. Then we can know where we stand.

Mr. Minister, I ask the question because we're talking of \$102 million for the Alberta Health Sciences

Centre. If we're using the rule of thumb that I was talking about, we're looking at about \$30 million to \$35 million a year operating costs at the Alberta Health Sciences Centre. That's kind of the ballpark figure. Now, Mr. Minister, I fully recognize that you may not want to commit yourself. I get that feeling somehow that you don't really want to commit yourself to a figure, but some kind of rule of thumb that we can go by.

Now, Mr. Minister, two other questions while you're waiting for word on what the latest rule of thumb is. How often is this cardiac committee going to meet and how often are you bringing these international experts over, these two gentlemen from outside the country? Are they coming over two or three times a year, once a year, or what kind of arrangement is it? Are we paying all their expenses plus \$1,000 a day? Just give us some kind of arrangement of what that is.

Secondly, Mr. Minister, when you talked about the Cardiac Institute, if my hearing was accurate, you talked about no more than \$500,000 for a detailed plan, which was to go to cabinet. Now were you saying that that was for the planning itself, or the total facility? You understand the point I'm getting at? [interjection] Well, two will be enough for now. One is, what is the \$500,000 as far as the Cardiac Institute is concerned? Is the \$500,000 the total capital allocation you have in that area? Is that the limit? How often are these experts from outside Canada going to be involved in this cardiac committee and at what kind of reimbursement?

MR. MINIELY: Mr. Chairman, I'd like to go from the last question first, just because I'm not sure my notes are as detailed as they could be on the first question and I might have to get clarification from the hon. leader.

The \$500,000: I would stress no more than \$500,000 is approved. In other words, substantially less could actually be expended. But it's related to all the necessary costs, including consulting costs, relative to taking the initial summary outline plan which was tabled in the Legislature and moving it to the next stage of a more detailed plan for submission to cabinet. It might involve the retention by the Edmonton Cardiac Institute board, or the ministry, of some architecture and engineering capacity, either jointly or separately, to develop initial design drawings that could be submitted for examination and review by both the *ad hoc* comprehensive cardiac care committee and ultimately the Executive Council, and of course the government. So, it's just an outside parameter to develop a detailed plan that is also capable of implementation on a provincial basis, north and south, in terms of cardiac rehabilitation services as part of overall balanced and comprehensive cardiac care programs for Albertans.

The other question, immediately prior to that if I have it accurately, was how often the *ad hoc* comprehensive cardiac care committee will meet. I can't be specific, but I can tell you that at least for the next period of time they will have to meet pretty regularly to deal with the submissions received from hospital boards in all areas of heart disease programs. As the hon. leader would know, that involves an assessment of existing cardiovascular surgery and the degree to which it should be expanded; coronary care units;

catheterization labs, which are diagnostic; in-hospital short term rehabilitation; and central, longer term rehabilitation of heart patients. All those will have to be assessed by the *ad hoc* comprehensive cardiac care implementation committee, and recommendations made to me and ultimately the Executive Council for the disbursement of funds in a balanced way.

I can't say how often — whether it's once a week, or once every two weeks, or once a month. I'm not sure yet, Mr. Chairman, except that we will have to meet fairly regularly over the next period of time. Our first meeting has just recently been scheduled, and I think that's within the next week.

With respect to the international consultants, they would only be over here very infrequently. They have been extremely helpful, mainly in terms of providing outside expert assessment of our programs in Alberta and where perhaps priorities should — as an objective assessment not involved in the immediate internal Alberta scene. Mainly we will be consulting them by correspondence and telephone and, if need be, we will actually have them over here as we're moving toward stages of different implementation of strengthening the programs in the heart disease area. Again, Mr. Chairman, I can't be definitive as to how frequent that may be, except to say that in the case of the international consultants, Dr. Kellermann and Dr. Pisa, it would be infrequent. I think about once or twice per annum would be in the neighborhood, if at all.

The hon. leader again referred to the Alberta Health Sciences Centre in terms of — I think I used the words "rule of thumb". I think the hon. leader was relating so much capital cost to so much operating budget. He came up with \$102 million and a \$35 million budget. You have to appreciate that the Health Sciences Centre is a rebuilding and expansion of an existing University of Alberta Hospital incorporating the components of education, research, and patient care. In that sense the existing budget of the University of Alberta Hospital is already well in excess of \$50 million.

Very early, prior to the cabinet's making a decision on the Health Sciences Centre, we asked the board to take some responsibility and indicate to us what they thought, what their view was, of the impact of the Health Sciences Centre on the existing operating budget of the University of Alberta Hospital. We appreciate that while the board has provided us with this, in this proposal which was back in December 1975 before the decision was made — quite frankly, in our view the board was quite optimistic regarding the potential impact on operating costs of the Health Sciences Centre. But in here they state that: on completion of the Health Sciences Centre it is their view that the actual escalation in the operating budget of the hospital, now Health Sciences Centre — again their figures — would not escalate more than 8 per cent. I believe that is the figure, either 8 or 10 per cent. Now I've indicated to the board that if we can do that well I would certainly be pleased if that's all the escalation there was.

But since then I have had a report on the Health Sciences Centre as well from the chairman of the implementation committee, Dr. Bradley if the hon. leader would like to hear it, on the work that has been done with respect to the phased-in operating programs and the approach that will be taken to control

future years' operating costs within priorities on the Health Sciences Centre: the heritage savings trust fund projects must have a separate cost-accounting and evaluation, and it is proposed to develop a five-year operating budget for the Health Sciences Centre. A preliminary projection of possible incremental costs was prepared in December 1975 by the hospital. The projections were updated in August 1977, and a very preliminary operating budget in 1977 dollars was prepared. These projections were prepared for early financial planning purposes, and it is acknowledged that they are premature due to the fact that final programming and design configuration is incomplete. A system to forecast and monitor operating costs for the new Health Sciences Centre is being developed and has been under way for the past six months. A data base for reporting costs is being set up, and once measurement techniques are refined a standard format will be determined for the monitoring program. The department — that's the new Department of Hospitals and Medical Care — will be working jointly with the University of Alberta Hospital to set up a procedure to review operating costs. In addition, during the construction a cabinet committee will review the revised operating budget and projections with a separate indication of the projected operating costs of new or substantially expanded programs as facilities are phased in upon completion, categorized by research, education and patient care.

MR. CLARK: I don't really want to prolong this, but suffice it for me to say that just in the last comments the minister said the reviewed operating costs will be compared. But I guess the real problem is, Mr. Minister: compared to what? What I would really like to get is some kind of handle. What operating cost is the Alberta Health Sciences Centre going to add? You just said the operating costs are going to be reviewed but, as my colleague to my left says, unless you can give us some idea of what they are going to be reviewed in comparison to . . . What I'm really trying to get is some kind of ballpark — or a thumbnail sketch, whatever you want to call it, that I'm sure cabinet must have looked at when it agreed to go ahead with the project. As we both know, that's where the real cost comes in: the operating costs on an extended basis.

All I can say to the minister is: I'm not trying to pin you down to something that we're going to come back to next year and say, that's gone up by \$3 million. What I want is some kind of feel, because last spring you indicated that we were really going to go at this area of operating costs. By any stretch of the imagination [there are] three very big commitments here: the Health Sciences Centre and the Southern Alberta Cancer Centre. That I would assume is where you would put your first priority as far as getting a feel for operating costs is concerned.

MR. MINIELY: I tried to say, Mr. Chairman . . . But perhaps there are two or three things which have been undertaken. One was that before a decision was ever made we placed some responsibility on the board to judge the impact of the Health Sciences Centre on operating costs. The board — rightly so, because this is a five- to six-year project before it will finally be completed and on stream — gave us their best judgment, but asked that they not be totally held

to their forecasts. Their forecasts were either 8 or 10 per cent cost escalation as a result of the Health Sciences Centre.

MR. CLARK: [Inaudible] is it money that is being spent in those areas?

MR. MINIELY: No, but it's the impact, the board's figure, provided us at the time we made the decision. Again, Mr. Chairman, I ask the hon. leader, in fairness to the board, to put it in the context of the way the board provided it to us. Recognizing it's a six-year project, the question that I as minister asked the board before I carried the project to my colleagues, and that the cabinet asked as well, was: what impact is the Health Sciences Centre as a separate factor going to have on future years' operating costs; give us some estimate or a 'guesstimate' of what you would think it would be, recognizing that their budget, if the Health Sciences Centre weren't built, was going to escalate anyway. So it's the incremental factor as a result of building the Health Sciences Centre. They indicated to us the figure was either 8 or 10 per cent — I'm trying to find it in here. That would be the factor that in their judgment would be related to the Health Sciences Centre. In other words, the first year it would be fully on stream there would be an additional 8 per cent operating cost escalation as a result of the Health Sciences Centre factor.

Again, as the hon. leader says, these are very large projects. It's not just these projects, but the ongoing control of operating costs within priorities is an important factor. In discussion with officials and consultants, with Treasury and a tie-in to Treasury, I decided these projects should be more definitive than that. We should obtain an understanding with the relevant boards that when the facilities are completed we should now be working on a more definitive three- to four-year phase-in operating budget that would phase in the programs on completion of the facility — within priorities so that we don't run into the kind of situation we ran into at the Calgary General psychiatric wing, where simply because a facility was completed we were being asked to quadruple the operating budget all in one year, beyond what we have now been able to determine would be the actual need if we had done that, but that we could phase in the new programs and services as they are required. Surely the capital facilities should be built beyond the immediate first-year need. So that's the principle we're incorporating in these facilities.

MR. R. SPEAKER: Mr. Chairman, I want to question the minister, and it's somewhat on the same line as has been asked here with regard to the health care centre, although in a more general sense because the minister made some general remarks to us at the opening of this discussion. One of the comments made by the minister is that we have to pay more stringent attention to the choices we will have to make in the future if we are to meet the necessary challenge of ongoing expenditure restraint. I'm wondering what types of specific things the minister sees in the programming from this point on relative to expenditures here, expenditures in the general hospital field, that are going to control expenditures. What types of plans has the minister got in mind? I note further on in your remarks, Mr. Minister, you indicate

that with new projects, one way to control the operating budget will be to develop sort of a phased-in program, which you've just mentioned. I wonder if your policy will be for the government to pick up all operating costs in those first four years and be very much involved in determining the types of functions carried on in a facility that you build through the heritage trust fund. Would that be one example of the type of policy you intend to carry on?

You also mentioned later on in your remarks that we can't judge these according to old standards but must have a more contemporary approach. Now I'm not sure what you're saying specifically in that type of thing. Does that contemporary approach mean more consultants, more specialized help, more people — that's maybe a bad word — but more people from the provincial level who sit in on the local decisions relative to these projects under the heritage trust fund? Is that what you're saying?

MR. MINIELY: Mr. Chairman, I think the hon. Member for Little Bow asked four questions, some of them interrelated, but what my remarks . . . And you were referring to areas in my address I believe at commencement of Committee of the Whole, and I think some of them were related. I would explain to the hon. Member for Little Bow this way, and I would commend that he read in particular *The Financial Post* study of health care in Canada, and *New Perspectives on the Health of Canadians*. I think he would see what I'm saying, because basically it raises real questions about the way we have spent the health care dollar historically and, to address to new priorities in health care, the fact that the kinds of problems we are dealing with now and in the next 10 to 20 years in health care are totally different from what we've dealt with historically.

So we recognize that we have a very expensive hospital and nursing home system. In Alberta the hospital and nursing home system is now \$600 million or thereabouts, if you add it all together. Yet we still don't know within what overall priorities we're spending those \$600 million on on a province-wide basis because historically, and rightly so, we've said we'll simply fund each hospital. But we haven't accumulated our data on a province-wide basis. I think that now has to be done. All my remarks are pointing to what I believe is the fact that we are at a turning point and are going to have to allocate public dollars on a province-wide basis in the future within a pretty careful selection of priorities that are related to the health care problems of today and tomorrow, that are demonstrated in terms of incidence. We've been talking about heart disease, a good example. The reason heart disease and cancer were chosen for initiatives through the heritage savings trust fund is that they are one and two in terms of causes of death as disease incidences. They demonstrate an important principle, which I believe will have to be made in the future; that is, choices based on priorities.

These are all related: the question of the amount of money we're putting into technology, some serious questions about whether we shouldn't be putting more into primary care. That's why Dr. Backus' committee on rural health care facilities, with my colleague the Minister of Social Services and Community Health, will be taking a joint look.

So specifically, yes. We will have to make more

careful choices in the allocation of public funds. We will have to develop province-wide information on where we are spending our money now. That will have to be gathered from the hospitals on a province-wide basis.

Will government pay all the operating costs? In the case of our provincial general hospitals, certainly. But, Mr. Chairman, the hon. Member for Little Bow is aware of the fact that we are assessing the return of local requisition in the case of all local municipal hospitals.

Will we control priorities? Not in local communities, but we will try to ensure that we are allocating funds on a broad provincial basis within broad health care priorities. We will need sound information systems to ensure that that happens.

Old standards? That simply applies to what I said earlier, that we're at a turning point and the approaches we have historically taken to health care will not meet needs in the future. It simply implies that.

MR. R. SPEAKER: Mr. Chairman, I appreciate what the minister said. The only thing is we're allowing the discussion to broaden to the whole field of hospital and health care.

MR. MINIELY: You raised it.

MR. R. SPEAKER: I raised it maybe in that context. I do want to pursue it further relative to hospitals, but I'm going to do that under the bill before us relative to the formation of a department of hospitals.

The other question raised from what you have said is how you see spending from the heritage trust fund in the whole field of health. What type of projects do you see as priority projects? You mentioned the two here with regard to cancer and heart disease. Will the type of program you will be recommending be in the area of special type of research, special type of care? Or are we going to see a need in the sort of general health care field, and slowly and gradually the heritage trust fund is going to be worked into that general health field to a greater extent? Do you see that type of thing happening? Do you see, possibly — I can't think of an example just offhand — some other areas of responsibility that are being taken care of by the general ongoing department being brought in under the heritage trust fund; for example, maybe regional mental health programs? Say we need a special program, an experimental program of some kind, do you see the heritage trust fund picking up that type of thing? Is that the frame of reference in which you make judgments as to what programs you include and do not include?

MR. MINIELY: Mr. Chairman, I can only speak for the priorities in the first-year allocation: heart disease and cancer. I'm sure further initiatives in the health care area through the heritage savings trust fund will be taken into consideration and recognition of the social services and community health area, and the responsibilities of the Minister of Social Services and Community Health. There is a joint committee on medical research involving the Minister of Social Services and Community Health, the Minister of Advanced Education and Manpower, and me.

As hon. members know, Dr. Bradley was recently

reassigned to develop a plan for medical research for Alberta as direct adviser on medical research to the Premier. Now all these factors, together with . . . Just this afternoon I had lunch with the president of the Alberta Medical Association and we are setting up mechanisms with them, that they recommend future years' priorities in allocation of the heritage savings trust fund so the medical profession has input in that process in future.

In the first year heart disease and cancer were obvious from all research and study done on a Canada-wide basis. But the rest is a joint process that I can't be definitive on at the current time.

MR. CLARK: I have just two more questions. We're not leaving the operating cost question for any reason other than the fact that apparently there are just no real figures the minister has to make available to us.

As far as the Southern Alberta Cancer Centre is concerned, Mr. Minister, not to rehash the discussions we had in committee — and the Chairman will breathe a sigh of relief there — but I would like to ask about the various component parts. What portions are coming from the heritage savings trust fund, and what components are not?

MR. MINIELY: The Southern Alberta Cancer Centre?

MR. CLARK: Yes.

MR. MINIELY: All the components, other than . . . I have indicated to the board that the cabinet never, never agreed to renal dialysis and psychiatric programming being funded through the heritage savings trust fund and that, while we were prepared to examine those programs, they would have to be funded through the normal operating budget.

MR. CLARK: The decision has been made to fund the auxiliary and active beds, the southern Alberta lab, plus the actual cancer treatment portion of that facility, from the heritage savings trust fund? Is that an accurate assessment?

MR. MINIELY: Mr. Chairman, for the very reasons I indicated to the heritage fund committee at the time they were examining this aspect, which I'd like to repeat in answering the hon. leader — if I can find my Southern Alberta Cancer Centre file here. Maybe my colleague the Provincial Treasurer has shifted it over onto his desk. It must be this one.

MR. CHAIRMAN: May we have the agreement of the House for the hon. Member for St. Albert to revert to the introduction of visitors?

HON. MEMBERS: Agreed.

MR. MINIELY: It'll give me a chance to find the file.

head: **INTRODUCTION OF SPECIAL GUESTS** (reversion)

MR. JAMISON: Mr. Chairman, it is my privilege this evening to introduce to you, and through you to the members of the Assembly, 30 members of the 3rd St. Albert Apache Pack, together with their leader Mr.

Don Funk. They are seated in the members gallery, and I would ask that they stand and be recognized.

MR. HORSMAN: Mr. Chairman, while we are on introduction of visitors, may I introduce to you, and through you to the Members of the Assembly, the members of the Board of Governors of Medicine Hat College and their wives, seated in the members gallery. I would ask them to rise and be recognized by the Assembly.

head: **GOVERNMENT MOTIONS** (Committee of Supply)

ALBERTA HERITAGE SAVINGS TRUST FUND CAPITAL PROJECTS DIVISION 1978-79 ESTIMATES OF PROPOSED INVESTMENTS

Health Care Facilities and Applied Health Research (continued)

MR. MINIELY: Mr. Chairman, I have found it. Let me repeat the components that were approved by Executive Council and the government for the Southern Alberta Cancer Centre, Foothills services facility. Because of the advantage of shared services and availability of auxiliary beds to cancer patients included in the jointly planned concept, it was proposed that the new facility include — and I would say in answer to the hon. leader, these are the components that would be funded through the heritage savings trust fund — a southern Alberta cancer clinic, including 45 intermediate beds for patients undergoing treatment for cancer; shared facilities with the Foothills Hospital, including nuclear medicine and diagnostic radiology; a southern Alberta provincial laboratory of public health; and 200 extended care level three beds which would be used in part by cancer patients. These continue to be the components of the project under the heading Southern Alberta Cancer Centre, Alberta heritage savings trust fund, with a first-year estimate of \$7.5 million passed by the Legislature.

MR. CLARK: Mr. Chairman, I just want to make a comment, then I'll go on to the second question. My comment is this: a year ago we were told in the Assembly that we were going to use the heritage savings trust fund to finance things that couldn't be ordinarily financed, which if we hadn't had this heritage savings trust fund we wouldn't ordinarily be able to do. Now I have grave difficulty, even stretching my imagination to its greatest length, to imagine how the southern Alberta provincial lab fits into that kind of definition of how the funds should be used, believe me.

The other question I want to ask of you, Mr. Minister, is simply this: I've spoken to some people in the medical fraternity, who I think it's fair to say appreciate the government's emphasis on the area of heart disease, who pretty candidly have said to me that if we're really going to do something in this area, likely the place we should be starting should be in the area of our life styles. For a tremendously smaller amount of money, if we were really serious about it, we could

have a very pronounced impact on some of the life styles that likely we've all got involved in that would lead to many of the heart problems people face. My question to you, Mr. Minister: is it your intention to become actively involved in that area, which really becomes the preventive side of things? Because whether it's from the heritage fund or someplace else — I would doubt whether it's from the heritage fund — when we're looking at the overall cardiac area, anything we can do in the preventive area here is the same as in all other areas of health and well-being: the small amount of money we spend in the preventive side of things pays off, time and time again.

My last question, Mr. Minister, is really . . . I support the commitment of funds in the area of cardiac work. I really think, though, we're missing the boat by not emphasizing the preventive side of things, which as I understand it really has a great deal to do with our life styles. When I look at both the minister's midsection and my own, perhaps we're good examples for changing life styles.

MR. MINIELY: Mr. Chairman, the hon. leader will be happy to know that in the last four to five months I have given up smoking, been running a mile to a mile and a half every day, and tried to change my life style. Certainly there's no question that the preventive side is extremely important. I think the primary responsibility in the preventive side is something that has to be tied in again with my colleague, the Minister of Social Services and Community Health. I would say that cardiac rehabilitation as a component of comprehensive cardiac-care programs — which involve the programs I mentioned earlier, Mr. Chairman, referred to by experts as secondary prevention, and can incorporate elements of primary prevention — must be related very closely to the hospital system. The reason for that is the discharged post-heart attack from the hospitals, for patients who suffer their first heart attack to cardiac rehabilitation.

I would simply commend the hon. leader, and those in the House who are interested, to read some of the voluminous reports tabled and the research done in this area in my portfolio. In particular I would commend for their reading some of the reviews of selected North American and European facilities, Canadian Medical Association reports on the matter, meetings with the World Health Organization, and several others the hon. leader would find very useful in terms of developing his views and judgment with respect to the way that balanced, comprehensive cardiac-care programs should be developed in the interest of heart patients in our province. But there's no question, cardiac rehabilitation does present the potential to provide a springboard, if you like, between hospital care and community and prevention, secondary and primary prevention. Those aspects will be co-ordinated through joint planning between the Minister of Social Services and Community Health and our portfolio.

MR. R. SPEAKER: Mr. Minister, this is back to the operational costs. The minister indicated that prior to presentation to the cabinet for approval, he wanted the group to have a look at operational costs. When you were satisfied with those operational costs, Mr. Minister, which you indicate were a 8 to 10 per cent increment . . . I wasn't quite clear on that point and

I'd like you to clarify that for us. Is it an 8 to 10 per cent increment on a base year of operating costs for the health care centre, or 8 to 10 per cent of the total complex? I wasn't just sure what you were saying at that point in time.

Then, were there any figures that you presented to cabinet? I'm sure one of the ministers would ask that question. I'm sure the Provincial Treasurer would ask what that is going to mean to our provincial operating budget in 1978 and 1980, particularly in 1980.

MR. MINIELY: Mr. Chairman, I have two notes from the controller and from the gallery on other areas that were raised. Let me repeat: the 8 per cent escalation factor which I was referring to was in response to a specific request by me, working with Treasury, to present to my cabinet colleagues before the decision was made on the Alberta Health Sciences Centre. At that stage, logically, we had to place responsibility on the board. With all the caveats I mentioned earlier, relative to the position the board was in, trying to calculate the incremental operating costs that would arise the first year of completion of the Health Sciences Centre, the 8 per cent would be the increase resulting from the construction of the centre. In other words, the budget would go up if it were not constructed for the University of Alberta Hospital. It would be an annual escalation.

MR. R. SPEAKER: Are we talking about total . . . [inaudible].

MR. MINIELY: No, 8 per cent of the University of Alberta Hospital historical budget as an extra incremental factor due to the Health Sciences Centre. Again, I want to remind you that in fairness to the board that's an 'guesstimate', their best 'guesstimate' at that stage.

I have a note that on page 23 of the Health Sciences Centre proposal — and perhaps I should send this over for the hon. leader to take a look at because some key areas are flagged in this proposal — it talks about the staff, which is the large component of operating costs in any hospital. As a result of the Health Sciences Centre, the increment is described as a 6 per cent increase in staff. Part of the reason for that — the explanation the board was giving us at the time was the fact that emphasis on the new Health Sciences Centre is more on outpatient and less on inpatient care. Outpatient care, of course, requires lower intensity of staffing than inpatient care. That's one of the reasons they felt their incremental operating costs may not be as great. I'll send this over for you to take a look at, and you can send it back to me.

Mr. Chairman, I've never given the Leader of the Opposition the answer on the "rule of thumb" — and I want to repeat that this is a very flimsy judgment, by today's standards — that 40 per cent of the capital cost would be represented by the first-year operating budget. In other words, if I'm interpreting this right, in two and a half years the operating cost would equal the total capital cost.

MR. TAYLOR: Mr. Chairman, we have been talking about this vote for a long time, and most of our questions and talk seem to involve dollars. I realize that dollars have to play an important part in any-

thing. I'm concerned about dollars too, but really I'm more concerned about the facilities that are being constructed. The part that appeals to me is the possibilities of better health through this complex for the people of the province of Alberta. If we can save the life of one child and let him live a normal life, you can't measure that in dollars and cents. If we can improve people's health, give them a longer and better life, carry out research that will prevent sickness and early death: you can't measure that in dollars and cents. I think we should emphasize that. I'm not saying we shouldn't be as efficient as possible and get the best possible use out of every dollar, but I don't think we should lose sight of what we're trying to do in regard to this particular vote.

I look at the three large headings. Patient care: at almost any hospital you go to there are people who are delighted with the service and those who are a little disgruntled with the service. While I have spent very, very, very little time in a hospital, my feeling is that the nurses and the attendants in their attitude and in their training have a great deal to do with the reaction of the patients. If we can give better training through our health facilities, and give some psychology to the nurses as well so they can understand the different types of patients who are there, just as a teacher must understand the various types of students if he's going to be successful, I think the money is going to be very well spent.

The next part really appeals to me, and that is health research. There are so many things still to be done. It really must be almost appalling to our medical men in the research field. We still haven't found out many things about the common cold, let alone the serious diseases. If we can extend research into the various types of diseases taking their ravages today in life, and worries and concern, I think most people in Alberta would be very happy to spend a great deal of money for that, because you can't measure it in dollars and cents.

I visit hospitals and see the pain and suffering that people are going through. When somebody with some knowledge of it says to me that had certain things happened five, 10, or 15 years ago, this man or this woman would not be in this pain and suffering today, I wonder why our health education is not trying to give that education to our young people, to people all over the province of Alberta. As I say to many people, and as I have said to young people who are on drugs and have the drug habit, why does anybody take a chance on ruining their brains, ruining their reproductive organs, ruining their entire life for a moment of fun?

I was at an institution in this province a short time ago, and a 16-year-old girl told me she had just come back into the institution. She had been out for five days, and had gone back not to grass but to heavier drugs. Finally, almost in desperation, she came back to the institution. I said to her, are you going to spend your life getting mixed up with this drug business so you'll never have any real happiness? She half nodded her head and said, yes, I think I am, because I have so much fun when I'm on a trip. I said to her, how can you reconcile the fact that you're ruining your brain, you're eventually going to lose control of your body, you're not going to have a family like anybody else, children born without arms, or blind or something. She said, well, I'm going to have to think

about that.

But you know, most young people today in our high schools just have to get the suggestion that their health is going to be affected in this way and they say, we want nothing to do with it. A few years ago the pushers were busy around one high school in this province. The principal started a course on drugs, what drugs did to the mind, to the reproductive organs, to the kidneys, and so on. Within a month there wasn't a pusher around that high school because the students told them to get going, they didn't want to have anything to do with them. That was when they went down to the intermediate schools — the sevens, eights and nines where they didn't have any training at that time — and were peddling their drugs in that particular fashion. People will not ruin their bodies deliberately, not very often. A few might, but not very often. So I think health research and education can have a tremendous effect, just an unpredicted effect, in this province in regard to the good, the ease of pain, the prevention of disease, and a happier, healthier life and a happier, healthier province.

While we want to get full value for every dollar spent, I'd like to think for a few moments that the dollars we're spending are doing something here that every province in Canada would love to do. We're doing something that is going to be for the benefit of every human being in this province and maybe throughout the world. I have tremendous faith that the medical men and scientists in this centre will have an atmosphere and a climate in which they can work, and find out things that have never been found in any other place in the world. That's my hope, and that's what I think is going to happen. So I'm very, very happy that the government finds itself in a position where it can use funds for a tremendous purpose like this, that is going to have an impact on everybody alive today and probably on thousands yet unborn.

MR. CHAIRMAN: May the hon. Member for Edmonton Ottewell revert to introduction of visitors?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS** (reversion)

MR. ASHTON: It's my pleasure, Mr. Chairman, to introduce a number of members of the 120th Scout Troop from Ottewell. They are seated in the members galley, accompanied by their scoutmaster Mr. Ricki, and I would ask them all to stand and be recognized by the Assembly.

head: **GOVERNMENT MOTIONS**
(Committee of Supply)

ALBERTA HERITAGE SAVINGS TRUST FUND
CAPITAL PROJECTS DIVISION
1978-79 ESTIMATES OF
PROPOSED INVESTMENTS

**Health Care Facilities and
Applied Health Research**
(continued)

MR. HORSMAN: Mr. Chairman, I just want to take a moment to express my appreciation to the minister for having provided to the Assembly in the course of these estimates a very thorough explanation of the various projects we are considering.

If I may, I want to support the opening remarks of the hon. Member for Drumheller, in which he pointed out that we are really here tonight to talk about the concepts of the various projects under the Alberta heritage savings trust fund. The Leader of the Opposition, the hon. Member for Little Bow, other members of the Assembly, and I have been through the extensive hearings in the committee stage of last year's trust fund, capital projects division estimates, or the report on actual spending. I think we have now had all the questions asked that could possibly have been asked, with respect not only to the concepts but the various components of each project before the Assembly this evening. Mr. Chairman, I just want to say that the minister has answered, not only before the Assembly in this committee study but before our committee, more extensively, more thoroughly, more factually, than I think we have ever had the privilege of hearing these questions answered.

It seems to me, Mr. Chairman, that we've really reached the stage where we should move forward to approve not only the amounts but, once again, the principle of supporting the health care facilities enumerated in the trust fund, capital projects division; namely, the Southern Alberta Children's Hospital, the Alberta Health Sciences Centre, the Southern Alberta Cancer Centre — with all its components, which I trust are clear to every member of the assembly now — and the cancer and heart disease research concept. I wish to say this because I think the minister has done exceedingly well, under a lot of extra and extraneous questions, to bring this whole matter very clearly before the members of the Assembly and the province of Alberta.

So I wish to urge the members of the Assembly to proceed now to approve the various projects under the heading of the capital projects division.

DR. BACKUS: Mr. Chairman, I want to make one or two comments on the statement of hon. Leader of the Opposition about preventive care. I'm sure his medical colleagues stressed the importance of it, probably in the hope of persuading him to do a little on his own. Although preventive health care is less expensive than active treatment, it certainly requires public participation. It's really no good providing facilities for preventive care if the public is not ready to accept it.

I think a good example is the exercise room in the basement of this building, which is a form of preventive health care. Unless we're going to have the

Sergeant-at-Arms ring the bell and march all the members down there, I don't think it's going to be very preventive for a great many of the members here. We all agree that prevention is better than a cure, but you're talking about the human element and the attitude of the public. You're not going to be changing the attitude of the public by spending vast sums of the heritage fund.

MR. KIDD: Mr. Chairman, I think I have to speak; I was requested to speak on behalf of my constituents. It seems to me that the opposition members are in a somewhat difficult wicket here, because it's going to come through, to my constituents at least, that they are against some of these very important thrusts we're making in health care. [interjection] Just so, sir. I think it exemplifies the courage of this government that the costs have gone up through inflation — that's true; they've gone up in so many things — but we're going to carry through. Regardless of the increased cost, we're going to provide the things we said we're going to provide for the citizens of Alberta.

MR. R. SPEAKER: Mr. Chairman, you know the grand finale is to praise the man who has brought all this in. The Member for Medicine Hat-Redcliff says, hear the minister give us all the answers. The hon. Member for Banff says we're against it and they're going to give everything to everybody. [interjection] Great, sounds wonderful, but let's put it all in the right term of reference. We are not against the program. In the spring we went along with that idea. We talked about it at that time, approved it.

All of a sudden in questioning we find that the thing we thought we approved earlier is something else. How did we find out? By questions in the early stages of the discussion here — and this is for the hon. Member for Medicine Hat-Redcliff — that did not have answers to. So why did we pursue it? We've spent days here pursuing, trying to find out, one, what the different components were. We finally have that squared around this evening. We tried to talk about operational costs. What are they? We finally have some kind of answer at this time that in the presentation to cabinet there was some type of indicators as to what the operating cost was. We found that out, but many, many hours of discussion later. The minister, in making the decision, making the presentations — we expected that that would be the information available in the first place.

For the hon. Member for Drumheller, we're not talking about the project or expenditures of money. We're talking about ministerial responsibility, which has been so significant in all kinds of legislation in different acts in this session of the Legislature relative to other discussions. That's what we're talking about, ministerial responsibility and accountability. That's the important thing. We have taken our responsibility in trying to check that the necessary work, the necessary ministerial responsibility has been carried out to our satisfaction and, in turn, hopefully for the public of Alberta. That's what we wanted to do, Mr. Chairman.

I'll stop with those remarks, but I do wish to ask a question of the Provincial Treasurer in concluding remarks, Mr. Chairman. As far as we're concerned, we have raised the necessary questions. We're prepared to go along with this vote at this time. Hopeful-

ly things proceed with better information at the fingertips of the minister, certainly for this Legislature.

MR. GOGO: Mr. Chairman, I would like to make just one or two very brief remarks. I don't think anybody in the Assembly, including the members of the opposition, oppose the concept in any way. I think that's been accepted. There has been some niggling about some of the terms and some of those measures that really concern allocation of dollars in certain areas.

I'd like to make a point I feel is very important, Mr. Chairman. The health of all Albertans is very important to all of us. There's no question about that. Many Albertans out there for many years have worked extremely hard in a very dedicated way in the interests of most Albertans. I'd just like to mention the Canadian Cancer Society and the Alberta Heart Foundation. Each of those organizations last year raised over \$1 million in the interest of research in both heart disease and cancer.

I see in the minister's comments on the composition of the *ad hoc* committee, he has Dr. Guenter who's really a designate of the Alberta Heart Foundation. I don't see a designate of the Canadian Cancer Society on the committee. Because of the efforts shown by the thousands of volunteers and the leadership displayed by the Cancer Society, I think the minister might consider adding to that committee a member from either the laboratory in Edmonton, the W.W. Cross, or one of those groups, preferably a designate by the Canadian Cancer Society, who I think could add to that committee in a very meaningful way. I would suggest the minister consider that.

I think, Mr. Chairman, of the many volunteers in Alberta — and we're running short of volunteers — who go out annually, not only for the purpose of raising funds but to educate the public, and the Cancer Society particularly. We lose 30,000 Canadians a year. This year there are something like 12,000 to 17,000 new cases of cancer. So it's an important item. Many volunteers put on educational meetings pointing out to people the risks and hazards of cigarette smoking, overweight, and the rest of it. I think it's important that we in the Assembly recognize, while we're debating this very important capital projects division, the service given by these people.

I would simply like to suggest to the minister that he give consideration to having somebody from the Canadian Cancer Society appointed to that *ad hoc* committee. I would urge the members to support this. I think the minister would be commended for putting this forward.

Thank you.

MR. CHAIRMAN: Are there any further questions?

Agreed to:

1. Southern Alberta Children's Hospital	\$11,608,000
2. Alberta Health Sciences Centre	\$35,033,000
3. Southern Alberta Cancer Centre	\$22,000,000

4. Cancer and heart disease research:

4.1. Cancer research	\$3,180,000
4.2. Heart disease research	\$10,420,000
Total	\$13,600,000

MR. R. SPEAKER: As I indicated, Mr. Chairman, I want at this point to direct a question to the Provincial Treasurer. In the submission of these various projects — such as the one we've just reviewed, the airport project, Government House South, and so on — how do you calculate those types of things in projecting your operating budget for the government? At the present time I believe you are doing three-year projections all the time with regard to operating costs. Do you require the ministers to present some type of format to you, some type of 'guesstimate'? What procedure is used in relation to the operating costs of these capital facilities?

MR. LEITCH: Mr. Chairman, I'm not sure what the hon. member is referring to when he says that on a regular basis we are projecting operating costs for three years into the future. We do a number of projections, but there is no regular program or system of projecting operating costs on any time frame into the future.

MR. R. SPEAKER: In the immediate then. Let's take the airports for example. I believe some of the airports are coming on stream for the fiscal year '78-79. In your budgeting process right now, how do you take projected operating estimates for the fiscal year '78-79? Do you require the minister to submit some kind of 'guesstimate' to you at this point in time?

MR. LEITCH: No, Mr. Chairman. When preparing the '78-79 budget, each department will prepare its operating forecast. If there were projects coming on stream during that time frame that had been funded in the capital way from the Alberta heritage savings trust fund, the operating costs would show up in the department's budget. I should say that there would be a number of capital projects funded from the Alberta heritage savings trust fund, such as Government House South, that may well not involve increased operating costs, because the functions that would be housed in those quarters might come by and large from some other quarters and the operating costs wouldn't change very much. In the sense that there was an increased operating cost, we would of course get some estimate of it, and it would show up in the '78-79 regular budget.

MR. R. SPEAKER: Mr. Chairman, to the Provincial Treasurer. At the present time then, there is no formal or relatively informal type of procedure being used to project or look at the longer term impact of some of these capital facilities that are built at the present time? The decision is based on what is believed to be the need of the capital facilities, and when the operating cost comes on stream it's budgeted for by the minister. That's about what happens. Is that right?

MR. LEITCH: Essentially that's true, Mr. Chairman, although in considering each of these capital projects we're conscious of those that are going to have a significant operating increase. Of course that's taken into account in considering whether the capital projects should go ahead. But in the sense of a formally structured operating forecast in the future, no, we don't do it.

Agreed to:

Alberta heritage savings trust fund,
capital projects division,
1978-79 estimates: total \$192,421,000

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

[Motion carried]

[Mr. Speaker in the Chair]

DR. McCRIMMON: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports the same, and requests leave to sit again.

Resolved that for the fiscal year ending March 31, 1979, amounts not exceeding the following sums be granted to Her Majesty from the Alberta heritage savings trust fund for making the following investments: \$11,608,000 for the Southern Alberta Children's Hospital project, to be administered by the Minister of Hospitals and Medical Care; \$35,033,000 for the Alberta Health Sciences Centre project, to be administered by the Minister of Hospitals and Medical Care; \$22,000,000 for the Southern Alberta Cancer Centre project, to be administered by the Minister of Hospitals and Medical Care; \$13,600,000 for the cancer and heart disease research project, to be administered by the Minister of Hospitals and Medical Care.

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

HON. MEMBERS: Agreed.

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

Bill 46
The Banff Centre Act

MR. KIDD: Mr. Speaker, I move second reading of Bill 46, The Banff Centre Act.

Mr. Speaker, the primary purpose of the act is to recognize the maturity of The Banff Centre, to remove it from the trusteeship of the University of Calgary, and to establish the centre as a self-governing institution. I think everyone here recognizes that The Banff Centre has reached maturity. It's world recognized as a centre for continuing education. Also, I believe the change will be a benefit both to The Banff Centre and to the University of Calgary, since the University of Calgary in its enlarged role has enough to do without having the trusteeship of The Banff Centre under its wing.

[Motion carried; Bill 46 read a second time]

Bill 68
The Alberta Heritage
Savings Trust Fund Special
Appropriation Act, 1977-78

MR. LEITCH: Mr. Speaker, I move second reading of

Bill 68, The Alberta Heritage Savings Trust Fund Special Appropriation Act, 1977-78.

Hon. members will recall that the Alberta heritage savings trust fund provided for the flow to the fund from the general revenue fund of 30 per cent of all revenues received from non-renewable resources up to April 1 of this year. This bill will provide for the flow of 30 per cent of the non-renewable resource revenue to the heritage savings trust fund from April 1 of this year until March 31, 1978.

There is a provision in the bill for the transfer of an additional sum of \$9 million from the general revenue fund to the Alberta heritage savings trust fund. That is an approximation of the interest that would have been earned on the 30 per cent of non-renewable resource revenue received by the general revenue fund from April 1 of this year until the passage of this bill and the carrying out of the transfer of funds. I say an approximation, because it would be quite difficult administratively to calculate the actual amount of interest that would have been earned on those funds. There would always be some question of exactly what interest rate ought to have been used. In addition, refunds and things of that nature would make the actual calculation of the interest earned by the general revenue fund very difficult. Our estimate is that the \$9 million figure set out in [Section] 2 of the bill is within a matter of thousands of dollars of what would be the actual interest calculation.

Mr. Speaker, I don't know if there is anything more I wish to add on the motion for second reading, except to urge that all members support the continuation of a flow of funds to the Alberta heritage savings trust fund.

[Motion carried; Bill 68 read a second time]

Bill 69
The Alberta Heritage
Savings Trust Fund Special
Appropriation Act, 1978-79

MR. LEITCH: Mr. Speaker, I move second reading of Bill 69, The Alberta Heritage Savings Trust Fund Special Appropriation Act, 1978-79.

The purpose of this bill, Mr. Speaker, is identical to the one that has just received second reading, save that it provides for the flow of 30 per cent of the non-renewable resource revenue to the Alberta heritage savings trust fund for the year beginning April 1, 1978. Because those funds will be transferred approximately as they are received, there is no need in this bill for a companion to the \$9 million section referred to in the bill that has just received second reading.

[Motion carried; Bill 69 read a second time]

Bill 80
The Alberta Labour
Amendment Act, 1977

MR. CRAWFORD: Mr. Speaker, I've been delighted, and no doubt all other hon. members have been encouraged, by the brevity of the speeches tonight in support of second reading of bills. But I would have to comment that in moving second reading of Bill 80, as I now would like to do, I think it would be useful to

hon. members to bear with me for a few remarks outlining the important parameters of this legislation.

Mr. Speaker, the labor act is reviewed on a periodic basis by most provincial governments as a matter of tradition and practice, I believe. The last major revision, in 1973, was at the time very important, one consistent with the times. In early 1977 I had the pleasure of chairing two and a half days of public hearings in regard to what further changes interest groups and individuals throughout Alberta might feel would be suitable for The Alberta Labour Act in 1977 and the immediate future. Having received between 50 and 60 briefs during those hearings, a number of very useful suggestions were made.

We have made a selection of some of the most topical ideas presented in those briefs, and in the months since the hearings have done a very considerable examination of the principles involved; have held many, many consultations with representatives of organized labor, industry, contractors and owners in the construction field; and have therefore a legislative proposal which in three of its five principal areas deals virtually exclusively with the construction industry. The other two of the five major areas deal with all matters of employer/employee relationships.

Mr. Speaker, I thought it would be fair to describe the three proposals in the construction area in this way. The actual bulk and details of the amendments are not large, but they represent significant and important proposals for change because of the changing atmosphere reflected in construction in Alberta at the present time, and the general accord that can be found among investors, contractors, and the building trades in regard to improvement of the bargaining possibilities in the immediate period coming up, bearing in mind that we have had by and large a history of good labor relations in the construction industry in Alberta. As an economy and as a society, I think we were probably hurt somewhat by the 1975 bargaining which, as hon. members will recall, was a damaging period in regard to that portion of our economy. We have since had the proposals and economic policy of the federal government as reflected through the Anti-Inflation Board. We now anticipate that in various sectors controls will be coming off. The importance of collective bargaining and a good labor relations atmosphere therefore takes on a perhaps unique importance in the ensuing years, as compared with any previous time.

I would just underline at this point two items: one, that the proposals in the three areas with special reference to the construction industry relate only to the organized construction industry, and not to sectors of the construction industry that operate without certified bargaining agents bargaining on behalf of employees. Secondly, in the reference I made recently to the bargaining atmosphere, insofar as it relates to economic controls that have been put in place in Canada over the last two or three years, the policies of the federal government are at issue in regard to when those controls might be removed. Of course, any references that have been made here in regard to removal of controls don't relate to the private sector.

I thought hon. members would be interested to note that in the Alberta fact sheet — I owe my colleague the Provincial Treasurer and his staff a vote of thanks for publishing such a concise and interesting document in regard to the economy of Alberta —

the net value of production in the construction industry in Alberta stands second only to mining. The July 1977 document, to which I referred, indicates that just about 20 per cent of the net value of all types of production in the province is represented by construction. Another way of looking at it: the overall construction activity during 1966 totalled just short of \$5 billion — \$4.827 billion.

It's therefore a matter of considerable interest and concern to legislators to understand the forces at work in the organized construction sector in the province of Alberta and, having noted the important impact in regard to investment and the economy, that so far as possible we will undertake to promote legislatively ways in which the private sector in the organized construction industry may adopt bargaining practices that will reduce, or at least tend in the direction of reducing strife and conflict at the bargaining table on each occasion when the contracts are reopened, as well as in the periods between the reopening of the contracts, when of course the parties must relate to each other on a day-to-day basis.

Mr. Speaker, I will indicate again the extreme value I have experienced in consultations with the construction owners' association, the Alberta Construction Labour Relations Association, the Alberta and Northwest Territories Building and Trades Council, as well as with the Alberta Federation of Labour, of course; all of which groups have provided briefs over the past few months, as I referred to, and have given a great deal of time in consultation and development of proposals in principle for the Legislature to consider.

Therefore, Mr. Speaker, a review of recent history in construction bargaining in any one of the Canadian provinces has satisfied many, many observers in various jurisdictions across the country that a smoother type of bargaining atmosphere — in the sense of disruption being minimized and contracts being arrived at as early as possible in the game, with the reduction in the number of stoppages as a result of either the failure to arrive at a contract or irritations that arise during the term of a contract — is best served and has the greatest chance of success if some move is made toward the co-ordination of bargaining on a province-wide basis. That is one of the principal proposals in the legislation incorporated in Bill 80.

By and large it doesn't require province-wide bargaining on anything like a mandatory basis. What it does is establish frameworks that assist the parties to reach that in two ways. The first is to provide for the establishment of co-ordinating councils, one on the contractor side and one on the trade union side, that would meet on a continuing basis and discuss ways in which matters might be more adequately bargained, without as much disruption as might otherwise be the case, directly as a result of the fact that more consultation between the parties is taking place on a continuing basis. So the provision for the ability to name co-ordinating agencies specifically states that the co-ordinating agencies have no power to bind the parties in the collective agreements, but that they have the right to be present at bargaining sessions.

Secondly, on the same point, there is a proposal: if employers' organizations which are registered to represent groups of employers in a particular trade are organized on a province-wide basis and are deal-

ing with bargaining units which are also organized on a province-wide basis, the suggested proposal should lead toward the parties in effect bargaining at a single table. Mr. Speaker, this is a major principle of what is proposed in Bill 80, one that is extremely important. It is a step ahead in the province of Alberta, and does differ from legislation in other provinces, where I think the good offices of the news media will have caused members from time to time to note that labor difficulties do occur in province-wide bargaining. But this proposal is different from that of, to be specific, British Columbia or Quebec, significantly different from Ontario which, according to indications, may move in almost this same direction within a reasonable time. But at the present time, this proposal is unique to Alberta and holds a great deal of promise.

It wouldn't hold the same considerable degree of promise . . . I think anyone who is a legislator and anyone who looks upon any parliament anywhere would know that the mere passing of laws is not the way a good result is assured. I think it's important to underline, too, that if we don't have the bargaining atmosphere and the attitude of the parties, if we don't have the willingness and the consensus type of approach that I believe is present in this industry in Alberta at the present time, the best efforts of our legislation will not achieve as much as we would like. However, with a good bargaining atmosphere, with a climate established in a permissive way by legislation and the ability of the parties to continue to meet and work together, first on broad, general issues and then more effectively on specific contract problems, I think the result will be an improved bargaining situation which will benefit the economy of Alberta, and certainly benefit its work force in the sense that the real strength of our economy, buoyant as it is, only benefits the individual worker and the individual tradesman insofar as there is employment opportunity and work to be done at a good rate. So the benefits are there for all parties.

Just leaving that aspect of the type of public discussion and consultation that has occurred in the organized construction sector over the last number of months, and the type of attitude having developed that I indicated, I thought I would just mention to hon. members that on a purely voluntary basis I have recently undertaken the establishment of an advisory council on this point. It's not a formal body in the sense that it must be sanctioned by the legislative proposals before us at the present time, or indeed by any other; but it is a measure of the degree of willingness that exists among investors, contractors, and workers to attempt to reach that type of consensus which is so necessary for improved relationships which all parties want.

The Construction Industry Industrial Relations Council is a voluntary body of, at the present time, 12 persons — three from the construction owners' association, three from the Alberta and Northwest Territories Building and Trades Council, three from the Department of Labour, including me, and three from the Alberta Construction Labour Relations Association — for the very purpose of keeping that continuing dialogue going, and of course involving the government in the type of collaborative role and the role of providing assistance to the parties in having discussions that we would like to provide. One of the specific concerns of the council will be to assure that

in negotiations attitudes are such that investment growth is encouraged and investors have a reason for confidence in Alberta — a very, very important declaration of principle — and the equally important declaration that, as a result, employment opportunities and as full a level of employment as possible for young people entering the trades labor market will also be assured. For those reasons, Mr. Speaker, I recommend those proposals of the bill most strongly to hon. members.

Another area in the construction industry which is of considerable importance and where time is often lost from important projects — and indeed they're all important, large or small, to the people involved — is the area of lost time as a result of jurisdictional disputes. This is in effect a dispute between two trade unions, where one is sure the other is doing work that should have been assigned to it. What you get is wildcat stoppages and people leaving the work site until the dispute is settled in some way and the parties determine who should be doing a particular type of work. This may not sound like a major principle, but it's one of the most annoying and troublesome things to owners, members of the general public, and contractors to see that a disagreement which is really a disagreement between two groups of workmen is costing completion time to be put in jeopardy and, of course, increasing construction costs, generally upsetting other trades, and causing difficulties in all those ways. Whereas jurisdictional disputes of that type may now go on for as long as it requires the trade unions to resolve the matters through senior representatives of the trades — frequently not ultimately resolved until determined by the international union officers in the United States — the proposal to replace that procedure is therefore to set up a jurisdictional disputes board that will decide, on an impartial basis, such disputes in the province of Alberta. The proposal is that the impartial jurisdictional disputes board would be drawn from both sides of the industry; not a government board in the sense of public servants filling that role. The role of the people in industry and the trades working out that particular type of problem already exists, and this is a proposal to bring that function within the borders of Alberta, in the first instance, and whatever other arrangements the parties may have for any further variation of their arrangements between each other with respect to trade jurisdiction. It would indeed — at least certainly should, and is expected to — bring about earlier resolution of disputes much closer to home, within the province of Alberta, and get people back to work where the stoppage is a result of such a jurisdictional dispute.

Then, Mr. Speaker, I referred to two other matters. Hon. members will be pleased to know that I don't feel it essential to spend quite as long on each of the other two items as I did on the first three. One of them relates to arbitration. That is the first of the two points which apply generally across the board to the whole Labour Act, not simply to the organized construction industry, and therefore involves all people who come under the purview of the Labour Act.

The standard clauses for arbitration of grievances in collective agreements have been rewritten, primarily with one major change; that is, to reduce the ordinary arbitration panel from three members to one. That may not sound like a very significant change, but

it is more significant than it appears, in the sense of time lost in the arbitration of grievances and the cost to the parties of the arbitration of grievances. I recommend it as a solid step ahead in improving labor/management relations by allowing disputes to be solved more rapidly and at less cost to the parties. In acknowledging the representations made on this point by the Alberta Federation of Labour, I might say that this is a subject where we were assisted considerably in our research by the federation. I believe the reduction of cost and time on behalf of the workers of the province is something they would very much like to see and, of course, the same benefits are on the employers' side.

Lastly, Mr. Speaker, we have found that although we've had a section in the act over the years that provides for a penalty in cases where parties fail to bargain in good faith when they are, by law, obliged to bargain with each other under a collective bargaining arrangement, the penalty section has not worked at all well, and has perhaps been a source of more futility and disappointment to people attempting to use it than actual advancement of bargaining. Therefore, we propose to remove the section presently in the act in regard to bargaining in good faith, whereby a penalty and a court procedure are provided for, and replace that with a less formal procedure where the Board of Industrial Relations would in fact take over those procedures, and rather than treating the matter as a penalty and punishment situation treat it as a matter where the board would intervene to contribute to the bargaining atmosphere by laying down guidelines and placing requirements upon people regarding their conduct during the proceedings.

Mr. Speaker, that concludes a brief overview of the five points, and I accordingly move second reading of Bill 80.

MR. MUSGREAVE: Mr. Speaker, I would just like to raise a few concerns. I appreciate the hon. minister's overview, and I'll be very brief. I just wanted to point out that I'm concerned that if we strengthen the bargaining rights of labor and employers, at what cost [is it] to the community? I appreciate that it is going to create peace and harmony, and will probably give us quick settlements. On multimillion dollar projects it may be the cheapest thing in the long run, but for some smaller people it may cause great difficulty in the future.

The other concern I have is that there may be a slight thrust toward more centralization, which should be of concern to every member of this Legislature. I would like to point out to members that if you can bargain provincewide you can also strike provincially. That's a very great concern. I'd like to share the minister's optimism that this is going to be for the future benefit of our province, particularly in getting work processes working more smoothly and, hopefully, cheaper. I just wish I could share the minister's optimism, but I am a little concerned. We'll only know by experience.

[Motion carried; Bill 80 read a second time]

MR. LEITCH: Mr. Speaker, I rise on a point of order with respect to second reading of bills nos. 68 and 69, and wish to call the Assembly's attention to the provisions of Section 13(4) of The Alberta Heritage

Savings Trust Fund Act, which provides that:

Where a motion is made in the Legislative Assembly for second reading of a Bill for a Special Act relating to the 1978-79 or any succeeding fiscal year, then, unless the Assembly by resolution otherwise directs, the debate on the motion shall be proceeded with only if the report of the Select Standing Committee relating to the preceding fiscal year has been tabled in the Assembly.

Therefore, Mr. Speaker, I submit that the second readings given to those two bills are not in conformity with that legislation and would, as a result, move that bills nos. 68 and 69 not be referred to Committee of the Whole but be restored to the Order Paper at the second reading stage.

MR. SPEAKER: Does the Assembly unanimously agree with the motion by the hon. Provincial Treasurer?

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, I move that you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider Bill No. 46 and Bill No. 80.

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

HON. MEMBERS: Agreed.

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

[Dr. McCrimmon in the Chair]

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

Bill 46
The Banff Centre Act

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill? There is an amendment to the bill. Are you all familiar with the amendment?

[Title and preamble agreed to]

MR. KIDD: Mr. Chairman, I respectfully request that Bill 46, The Banff Centre Act, 1977, be reported.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

DR. MCCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bill 46,

begs to report same with some amendments, and begs leave to sit again.

MR. SPEAKER: Having heard the report, do you all agree?

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, as to tomorrow's business, during the designated government hour in the afternoon we would proceed to committee study of Bill 66, The Department of Hospitals and Medical Care Act. At approximately 8 o'clock tomorrow evening — and the Assembly will sit tomorrow evening — we will proceed to Government Motion No. 2 regard-

ing goals and objectives of elementary and secondary education, adjourned debate Mr. Kidd.

I move the Assembly do now adjourn until tomorrow afternoon at 2:30 o'clock.

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

HON. MEMBERS: Agreed.

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

[The House adjourned at 10 p.m.]