

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Friday, May 5, 1978 10:00 a.m.**

[The House met at 10 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: NOTICES OF MOTIONS

MR. HYNDMAN: Mr. Speaker, I wish to give notice of a government motion to be moved next Monday by the Minister of Agriculture, the hon. Mr. Moore:

Be it resolved that this Assembly approve and support the Alberta government's action in seeking ways to improve Canada's grain marketing strategy, so as to improve net farm incomes for Alberta farm families.

It's the government's intention to move this motion Monday under Orders of the Day.

head: TABLING RETURNS AND REPORTS

MR. GETTY: Mr. Speaker, I'd like to file two copies of the Alberta Oil Sands Technology and Research Authority inventory of research and development activities. It will be distributed to each member of the House, and should provide them with a status report of the technology and research authority's activities to date.

head: INTRODUCTION OF SPECIAL GUESTS

MR. MINIELY: Mr. Speaker, it is my pleasure to introduce to you, and through you to the members of this Assembly, 100 students from Victoria Composite high school in the constituency of Edmonton Centre. They are accompanied by their teacher Mr. Scragg. There are 50 students in the members gallery and 50 in the public gallery, and I would ask that they stand and be acknowledged by the Assembly.

head: ORAL QUESTION PERIOD**Mental Health Services**

MR. CLARK: Mr. Speaker, in light of this being Mental Health Week, I would like to direct the first question to the Minister of Social Services and Community Health. My question really centres around the co-ordination between the mental health services division of the minister's department and the Department of Hospitals and Medical Care. Initially I would like to ask what formal means there are for co-ordination between the minister's people, under the direction of Dr. Hellon, I believe, and the new Department of Hospitals and Medical Care. I raise the question because of concerns expressed by the Alberta division of the Canadian Mental Health Association with

regard to psychiatric services in general hospitals in Alberta.

MISS HUNLEY: We actually have three methods of interlocking services and communicating. The first begins with specified individuals in the department. In my case it is Dr. Hellon, who works closely with an official from the Department of Hospitals and Medical Care. The second is the joint committee made up of the top officials in both our departments, who meet regularly. Of course, the third step up the ladder is the ministerial meetings, and we've had a considerable number of meetings about the specific item the hon. Leader of the Opposition has raised.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. In light of the fact that when the hospital commission was operating, I believe Dr. Hellon sat on one of the commission's very senior committees dealing with the provision of hospital beds across the province, does Dr. Hellon or one of the senior officials of the department now sit on a comparable committee with the Minister of Hospitals and Medical Care or his deputy minister, so that that kind of co-ordination or liaison is maintained?

MISS HUNLEY: Well, I've already described the working arrangement, Mr. Speaker, which I think is effective. There are two liaison people who meet, recommend to the joint committee, which is made up of the chief deputy minister and the deputy ministers from my department, along with deputy ministers from the Department of Hospitals and Medical Care. From their resolutions and recommendations, they come forward to their respective ministers, either jointly or with separate recommendations, if such happen to exist, that haven't been resolved. Then we sit down to discuss them and see what procedures should result from that.

MR. CLARK: Mr. Speaker, in light of the minister's answer, I'd like to ask if the minister would elaborate to the Assembly what the position of her department is with regard to the problem of provision of psychiatric beds in the city of Lethbridge. I know representation for an additional psychiatric unit and new facilities at the city of Lethbridge has been made from that area for at least 10 years.

MISS HUNLEY: Well, I think it's important that the hon. Leader of the Opposition keep in mind that I don't speak for the Minister of Hospitals and Medical Care when it comes to hospital beds and the operation of hospitals. That's my attitude. I speak to the minister, but he will speak for himself with regard to construction, additions, and programs that take place in hospitals.

MR. CLARK: Mr. Speaker, perhaps I didn't make the question clear to the minister. If that's the case, I apologize. The question is: what is the position of the minister's department with regard to the need for psychiatric beds in Lethbridge?

MISS HUNLEY: We've made recommendations that that matter could be considered as the planning takes place in the Lethbridge area. But we've also done that in other areas across Alberta. As a department

and, I believe, as a government, with some limitations, we believe there is a place for psychiatric beds in some general hospitals. Of course we've resolved the problem in Calgary. That doesn't mean they should be in every hospital, but perhaps they should. There are mixed views there.

Many people are of the opinion that mental illness should be treated in the milieu of any other illness. But we have a long way to go before we can change even the philosophy of the local boards, because many people are not quite prepared to accept that yet, and I personally am not convinced that under present circumstances that would be in the best interests.

Looking into the future, I wouldn't be surprised to see that that might be where mental illness is treated, similar to an ordinary illness rather than — because the stigma certainly is there, much as we try to get rid of it and talk about its being an illness the same as other illnesses and needing to be treated as such. But it's a long, hard road. We've come a long way; we have a way to go yet.

So I think public opinion is not yet ready to accept that. They're not demanding it. In certain areas, yes, they will. They're anxious to receive it in some segments of a population, but not all. There are a lot of services that must be put in place before we move in more dramatic ways in this province.

MR. MINIELY: Mr. Speaker, I'd like to supplement the answer of my colleague the Minister of Social Services and Community Health, on the general and specific.

First, I would want to say from the Department of Hospitals and Medical Care that the co-ordination of mental health services — whether they're community based and hospital based, and how they're related — between the two portfolios is in my view excellent, as described by my colleague.

The specific Lethbridge situation illustrates the challenge that the departments of Social Services and Community Health and of Hospitals and Medical Care have in trying to ensure that we don't receive fragmented submissions for hospital-based program expansion that haven't been effectively and fully co-ordinated with other local authorities and other community-based mental health programs through the Department of Social Services and Community Health.

So the co-ordination is not just at the provincial level, Mr. Speaker. It's also essential that the local authorities, for instance in Lethbridge, present integrated and co-ordinated plans to my colleague and her department and to Hospitals and Medical Care.

Specifically with respect to Lethbridge, there's no doubt — and we've recognized, Mr. Speaker, the need for psychiatric bed provision in Lethbridge. We have requested that these be developed and submitted to us, not as a fragmented request but fully co-ordinated with community mental health services that are outside hospitals.

Thirdly, we have the historical dilemma. Just yesterday we had a meeting with the MLAs who represent Lethbridge in this Legislature, the problem being that the two hospitals have not been able to agree upon program expansion. Of course, they're serving the same citizens, so it's critical that the two hospitals jointly plan the expansion of these services in

order that the province can be in a position to fund program expansion.

MR. CLARK: Mr. Speaker, then to the Minister of Social Services and Community Health or the Minister of Hospitals and Medical Care. Let me put the question this way: when the two hospitals in Lethbridge agree upon the division of programs, can the minister give a commitment to this Assembly that his department will have money available for the expansion of services, specifically of psychiatric beds, in Lethbridge?

MR. MINIELY: Mr. Speaker, I'm sure the hon. leader is aware that once the policy decision is made to fund the expansion of any hospital-based services, the first requirement would be the provision of capital funds for the construction of those facilities. It would be necessary, of course, that I go to my colleagues for approval of capital funds . . .

MR. CLARK: Here we go again.

MR. MINIELY: . . . within capital budget and, secondly, with respect to operating funds. When we make a policy decision to expand any hospital-based programs, it's necessary through normal historical legislative budgetary process that we approve in this Legislature the funding for increased operating support of any of these programs.

MR. CLARK: Mr. Speaker, to the minister, one last time. Will the minister give a commitment to this Assembly this morning, and an assurance to the hospital boards in Lethbridge, that when they agree upon the allocation of services in the field of mental health, specifically psychiatric beds in Lethbridge, the province will supply the capital needed for a reasonable program in that area?

MR. MINIELY: Mr. Speaker, I think I answered the questioned earlier: certainly. Once we are satisfied that we have fully integrated and co-ordinated program requests that are going to be effectively co-ordinated in patient interest in the Lethbridge region, and that they are meeting the appropriate needs for mental health services, hospital-based psychiatric beds in the Lethbridge region, then certainly. As is always the case, at that point I would be recommending to my colleagues, and we would ultimately be recommending to this Legislature, the funding of operating programs and capital funds for that.

MR. CLARK: Mr. Speaker, I'd like to direct a supplementary question to the Minister of Social Services and Community Health. It deals with one of the recommendations that the Alberta division of the Canadian Mental Health Association made to the MLAs on the question of funding of regional mental health councils. The minister will recall the recommendation was that funds and/or personnel be made available to facilitate optimum functioning of regional mental health councils. Is the minister in a position to indicate to the Assembly this morning that in fact additional funding will be available to regional mental health planning councils so that they'll be able to have a more independent ability to follow up certain issues?

MISS HUNLEY: Mr. Speaker, I guess I should answer that by saying perhaps. I am not anxious to set up another level of bureaucracy, if that's an appropriate term to use. I've told the regional councils that. I think there are places where they do need some additional funding for certain projects, and we've attempted to meet that need. I believe we'll be able to meet some of their requests during the coming year, through the estimates that were voted to this department on Monday. It just depends on what the particular project is, whether or not it should be done there, whether or not it has already been done, and so on.

I might say I appreciate the opportunity to give a plug to the regional mental health councils. I've been travelling around the province meeting with them, and I have some outstanding obligations in the north which I hope I will be keeping this summer. The regional mental health councils are coming along very well, and are taking a firm hold and establishing their credibility in the eyes of the community and the other helping agencies as being the co-ordinating group they were set up to be.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. I'm sure the mental health planning councils will appreciate the plug, but once they have the plug they need some money to be independent and pursue a course of action that they, from their point of view, feel is important. What number of dollars does the minister have in the department's budget this year to make additional funding available to the regional mental health planning councils?

MISS HUNLEY: Mr. Speaker, too bad you didn't ask Monday, because I probably could have answered immediately. As it is, I can't answer that specifically this morning, but I'll be prepared to take a look.

MR. CLARK: Mr. Speaker, one last question to the minister. It goes back to the question of the public's view. Earlier, before the Minister of Hospitals and Medical Care added information, the minister talked about the public's view of how fast we can move ahead with psychiatric beds in general hospitals. We were talking of Lethbridge at the time. What priority has the minister's department placed on regional mental health facilities in the new Grande Prairie health care centre?

MISS HUNLEY: Mr. Speaker, that was one of the goals and recommendations we were happy to endorse. I believe my colleague the Minister of Hospitals and Medical Care answered that the other day. It was 24 beds, if I remember correctly, and I think that's very helpful.

MR. CLARK: Mr. Speaker, one last question to the minister.

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

MR. CLARK: In light of the 24 additional beds in Grande Prairie, is it now number one priority on the minister's list to get psychiatric beds into the general hospital in Lethbridge?

MISS HUNLEY: I don't know that I'd say that's my number one priority, if you're asking if it's my number one priority which hospital should be the next one selected. That's one question. But I have lots of priorities in the department.

Immigrants in Alberta

MR. NOTLEY: Thank you, Mr. Speaker. I'd like to direct this question to the hon. Solicitor General. It flows from the rather disturbing rash of attacks and harassment experienced by racial minorities in Edmonton and Calgary. Has the Solicitor General considered any kind of investigation into the problem, particularly in view of concerns expressed by some of the people in these communities that they are not receiving adequate police protection?

MR. FARRAN: Mr. Speaker, I did make a public statement some three weeks ago which reflects my general view on the problem. It's not part of Albertans' outlook and temperament to discriminate according to race, color, or creed. Bill 1 of this regime underlines that basic principle of the Albertan way of life.

We're a community of immigrants. Although there might sometimes be short-term problems, from the bad actors who always exist in all societies, it's important that recent immigrants do not overreact. I remember in 1956 there were some difficulties when the Hungarian freedom fighters came here, but within two years it had gone. They'd all been assimilated.

I have been in touch with police both in Calgary and Edmonton. I have made these statements myself from the moral point of view.

I should point out that two of the cases reported in the media proved completely unfounded. In one case in Edmonton there was an allegation that an immigrant from Fiji had been indiscriminately shot while changing a tire. It was not true. When the story was investigated, it was some form of matrimonial or domestic dispute. There was another allegation that a certain restaurant owner had been refused a liquor licence because of the color of his skin, which was utter nonsense. The file was three inches thick and goes back over eight years, long before he came on the scene. However, I don't want to minimize the situation. There was an ugly incident in Calgary. We've had it thoroughly investigated. There were two sides to the story.

When the police are called and something of the nature of a mini-riot is taking place in the streets, they don't distinguish who is the instigator. Their job is to restore the peace. But they have to enforce the law in a completely even-handed way, in the spirit of Albertans. This is the message I constantly give to them.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. I appreciate the minister's answer, but my question relates to the changes to the Criminal Code recently introduced in the House of Commons, which would allow external investigation of citizens' complaints against the RCMP. Is the government considering any changes in Alberta with respect to police coming under provincial jurisdiction, and allowing external investigations of complaints in

view of some of the concerns expressed by people in the communities that there has been inadequate police protection?

MR. FARRAN: Mr. Speaker, I resent that as a supplementary. The first question of the hon. member was to do with racial discrimination, and he has a supplementary to do with RCMP internal discipline procedures. I don't see how the two relate. If he'd like to put that as a separate question, I'll answer it as a separate question. But I won't take it as a supplementary to the first question.

MR. NOTLEY: The minister can be as irate as he likes. The first question I asked [interjections] was whether there was going to be an investigation. The supplementary is whether the Alberta government is considering some kind of independent external investigations, a perfectly appropriate supplementary to the question. If the minister doesn't want to answer it, that's fine. But it's an appropriate supplementary. I put it to him again.

MR. GHITTER: Supplementary, Mr. Speaker.

MR. SPEAKER: What might this be supplementary to? [laughter]

MR. GHITTER: Mr. Speaker, it was always my understanding that the rules of this House were that one could ask a supplementary to the first question that was proposed. I would like to have gotten in before the uproar.

Is that satisfactory, Mr. Speaker?

MR. SPEAKER: Quite. If the hon. member wishes to ask a question supplementary to the first question by the hon. Member for Spirit River-Fairview, he's certainly entitled to do so. I should observe in passing that there are occasions when the connection of the supplementary to the preceding question is a little tenuous, but an intervention simply leads to the same question being asked later.

MR. GHITTER: Mr. Speaker, my first . . .

MR. NOTLEY: Mr. Speaker . . .

MR. SPEAKER: I've already recognized the hon. Member for Calgary Buffalo for a supplementary question.

MR. GHITTER: Mr. Speaker, I would like the hon. Solicitor General to clarify his use of the term "assimilation" of the Hungarian people when they came to the province of Alberta.

MR. FARRAN: I hope there's no semantic argument here over individual words, because I couldn't hold my own with the lawyers in the House. Mr. Speaker, I simply mean that the freedom fighters from Hungary had some difficulties when they first arrived, particularly in the Calgary area. It has all disappeared and been forgotten in the pages of history.

MR. GHITTER: Mr. Speaker, a supplementary to the hon. Minister of Labour. Could the hon. minister advise the House whether the Human Rights Com-

mission has any plans under way with respect to assisting the education of Albertans as to new Canadians who are coming to our province, in the hope that a better understanding could be arranged from that point of view, rather than naive arguments of more police enforcement?

MR. CRAWFORD: Mr. Speaker, I'm not sure the Human Rights Commission has moved specifically in the sense of public education programs relative to new Canadians. I would think that would be a useful area for them to be in, and would hope that a lot of good community efforts that have existed in cities like Edmonton, where this type of program has been handled on a voluntary basis for at least 20 years, would be contributed to by agencies of government as may be required, based on the need for such programs.

I should add, though, that a very special type of program has been worked out with the Department of Education and the Human Rights Commission. It will shortly bring to the schools very useful outlines of the basic issues of human rights and seek to increase understanding among the young people in the education system. I know that would have a valuable effect in the sense of new Canadians.

MR. LOUGHEED: Mr. Speaker, I wonder if I could supplement the question. I was hoping perhaps the Minister of Culture might. But I think it's important to respond to the hon. Member for Calgary Buffalo that in this province we should be very pleased with the cultural diversity we have and with the Cultural Heritage Council developed by the Minister of Culture. Granted there will be problems, but I do believe we have — and visitors have noted when they come here — a cultural diversity which accepts the different cultures within Alberta, overwhelmingly more than the odd case that we hear of and that is highly publicized. I think the programs of the Cultural Heritage Council and similar programs are helpful in doing that.

MR. SCHMID: Mr. Speaker, to this point. First of all, of course, I have to say with humbleness that I think I am one of the examples of the kind of acceptance, the kind of stature an immigrant in this country has. He finds when he comes here that he is not being discriminated against. In fact, rather the opposite.

All I can say is this: at one time or other I may have felt discrimination myself, but I don't think at any time I would have called for extra police investigation, maybe because someone had used that kind of name — or for that matter, the weekly television shows that sometimes come on here — that is the use for the Human Rights Commission.

Mr. Speaker, that's not what I really got up for. Last night I had the extreme pleasure of going to Athabasca, where they had a community concert series, all local talent. The Scottish country dancers had people from all kinds of different backgrounds. In fact, I understand that people from 11 different nationalities were doing the Ukrainian dancing.

Mr. Speaker, I think this is what Alberta is all about: our rich heritage shared by all, not assimilation but the mosaic that even Sir Wilfrid Laurier, a Liberal, talked of so long ago, when he said, one cathedral built of granite, where the granite remains the granite

and the stone remains the stone, yet making it the greatest nation, the greatest province in the world.

MR. NOTLEY: Mr. Speaker, we all share that sentiment. However, I'd like to put this question, however, to the hon. Premier, in view of statements attributed to Dr. Wyman, the chairman of the Human Rights Commission, that the "cancer" of racism is spreading in Alberta. It's a very disturbing conclusion by an extremely eminent Albertan. In view of the comment made by the Solicitor General relating to the Hungarian people coming to Alberta in 1956, at that time the Premier of the province made a statement that went some way to making it possible for people from Hungary to feel at home in Alberta.

My question to the hon. Premier: in light of Dr. Wyman's statement, has he considered making a statement himself, as Premier of the province, concerning these rather unfortunate examples that have occurred, where at least in several instances there has been evidence of racial discrimination?

MR. LOUGHEED: Well, Mr. Speaker, I've made comments of that nature on a number of occasions. Of course nothing is more significant about the attitude of our government than the Bill of Rights we have, which is a hallmark for this Legislature compared to legislatures across Canada that do not have it as a supreme piece of legislation within their jurisdictions.

I think it is important for us to indicate welcome to people who want to come and live here. I take issue with the context and the way the Member for Spirit River-Fairview has used the terminology of the chairman of the Human Rights Commission, because obviously as the province grows and new people come, there will be problems. But I think the perspective of those problems should be kept in mind in terms of the society we have here and the multitude of cases that I personally have experienced — and I know that perhaps no citizen in Alberta more than the Minister of Culture has experienced — where we have people with various cultural and ethnic backgrounds coming and living in harmony.

In my opinion this is at the forefront anywhere in the world, and I will continue to express my welcome to those people. We will be concerned about the few and isolated cases that occur, but I do not think the emphasis should be put on the negative. The emphasis should be put on the welcome and the positive nature of our society.

MR. JAMISON: Mr. Speaker, a supplementary question to the Solicitor General, and brief remarks. I had the privilege last Monday of attending the citizenship court, and learned there that 102 countries of the 149 represented in the United Nations are here in the province of Alberta. I would like to say that Judge Evans did a tremendous job there in welcoming them to Alberta.

My question to the Solicitor General is: is he aware of where the new Albertans are coming from, say in an order of one, two, three?

MR. FARRAN: Well, Mr. Speaker, that would be out of my jurisdiction, but I can say they come from many places. The hon. Premier is absolutely correct: there's no more tolerant society in the world than in Alberta.

MR. SPEAKER: Before recognizing the Member for Bow Valley, I should say that we have had a very free and wide-ranging . . .

DR. BUCK: Debate.

MR. SPEAKER: . . . you might say, mini-debate in the question period. Perhaps it is appropriate because of the great sensitivity and importance of the topic, but from a procedural point of view I would be reluctant to see it taken as a precedent.

Land Measurement

MR. MANDEVILLE: Thank you, Mr. Speaker. My question is to the hon. Minister of Agriculture. Has the minister received recent communications from Ottawa with regard to the conversion of acres to hectares?

MR. MOORE: No, Mr. Speaker.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Has the Alberta government made representation to Ottawa on the position of the Alberta government with regard to the conversion of acres to hectares?

MR. MOORE: Yes, Mr. Speaker, about a year ago when it was a subject of debate before the House of Commons, representation was made by this government to retain the acre as a unit of land measurement in Alberta.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate whether surface leases will be measured in acres or hectares after January 1, when the oil companies convert to the metric system?

MR. MOORE: Mr. Speaker, I'm not exactly sure what the hon. member is referring to in terms of surface leases. Is he referring to that information provided on a surface lease, in regard to the area which an owner of minerals may take with respect to the operation of a well site or some such thing?

Mr. Speaker, it's my understanding that provisions are being considered to allow for the listing or recording of those surface leases in either the metric or the standard system we've known for many years. This would mean, in fact, that they may be measured in terms of square metres rather than acres, because I think we have accepted the fact that the square metre, the metre, and the kilometre are going to be standard units of measurement in this province.

Urban Parks

DR. BUCK: Mr. Speaker, my question is to the hon. Minister of the Environment. I would like to know if he can indicate if Capital City Park will be ready for the official opening in July?

MR. RUSSELL: Yes, Mr. Speaker. It's not often you get a chance to talk about a project like that. I'm happy to say it's on schedule, within budget, and it's going to be terrific.

DR. BUCK: Mr. Speaker, a supplementary question. Can the minister indicate if the hiking and bicycle trails are nearing completion, or at what stage are they?

MR. RUSSELL: We were held up in completing the final portions of the contract by our winter climate. But the last tender has been let out, and we're proceeding on the assumption that they'll all be finished for the gala opening on July 9.

DR. BUCK: Mr. Speaker, a short supplementary to the minister. Can he indicate what policing is in place to counteract the large amount of vandalism that has been inflicted on the park in the last six weeks or so?

MR. RUSSELL: Mr. Speaker, the vandalism is of course a problem giving us a great deal of concern. We anticipated some, but certainly not to the destructive degree it has occurred. My colleague the Solicitor General has had discussions with the city of Edmonton with respect to policing the park, which of course is within the corporate city limits of Edmonton. But the hon. member is correct: we should all be concerned about the amount of vandalism occurring against those new facilities.

DR. BUCK: Mr. Speaker, can the Solicitor General indicate the results or the liaison that has been going on between the minister's department and the city of Edmonton on policing the park?

MR. FARRAN: Mr. Speaker, the Edmonton City Police Department believe they are doing everything possible and have the problem reasonably under control. They are still discussing long-term tactics. I've told this House before that I believe that for lengthy river valleys and natural parks in urban areas they should be using horses, as most police forces do for this sort of problem. Edmonton has not yet agreed, and they have discussed the use of vehicles running all the way from push-bikes to helicopters.

MR. STROMBERG: Mr. Speaker, to the minister. I wonder if he could give a report on Fish Creek Park in Calgary. Is that on target and on budget? I'm not speaking as a southerner, but recognizing the importance of southern Alberta.

MR. RUSSELL: Mr. Speaker, two phases were involved in that park. One was very extensive and complicated land acquisitions, and the second is the program of capital improvements taking place. The Minister of Recreation, Parks and Wildlife may want to comment on those. I know they're proceeding well. All the land has been acquired except one small piece, and we're in the process of negotiating with that owner at present. We can say more than 99 per cent of the park is in place, and the capital improvements are well under way.

DR. BUCK: Mr. Speaker, a short supplementary question to the Minister of the Environment. When the minister indicated that the park was on schedule and on budget, can he indicate in ballpark figures what he means by "on budget"?

MR. RUSSELL: Yes, Mr. Speaker. The costs of the various components of the park were laid out in the city/provincial agreement of 1974. In addition, the province made the commitment that those were '74 dollars which would be spent and be converted as costs and inflation increased. We have worked out with Treasury and the city of Edmonton factors computed each quarter of each year that are applied to construction contracts which reflect increased costs. Applying those, we then convert the costs of current construction contracts into real 1974 dollar values.

I was looking at the summary the other day, and out of a total budget for improvements of \$29 million in '74 terms, it looks as if the park is going to come in at \$28.8 million in '74 terms.

DR. BUCK: Mr. Speaker, can the minister indicate what that means in '78 dollars?

MR. SPEAKER: I rather question that we ought to be doing arithmetic in the question period.

DR. BUCK: Mr. Speaker, it's fine to talk about that, but I am asking if the minister can indicate in ballpark figures the cost to the people of Alberta in 1978.

MR. RUSSELL: Yes, Mr. Speaker, that's been computed. I can easily get it for the hon. member, rather than go by memory. It's somewhere in the neighborhood of \$35 million, but I'll get it for him.

DR. PAPROSKI: One supplementary, Mr. Speaker, to the minister. I wonder if the minister would confirm to the House that Capital City Park is still the largest urban park of its kind in the world.

MR. SPEAKER: We're going to have to add an encyclopedia to our sources of information for the question period.

DR. PAPROSKI: Mr. Speaker, I notice the minister is nodding his head in the affirmative. I'm satisfied. Thank you.

DR. BUCK: What about the ones in Sweden?

Mobile Telephones

MR. TAYLOR: Thank you, Mr. Speaker. My question is to the hon. Minister of Utilities and Telephones. Does Alberta Government Telephones rent or sell automatic mobile telephones to car owners and others?

DR. WARRACK: My understanding, subject to checking whether there are any exceptional circumstances, is that they are rented rather than sold.

MR. TAYLOR: A supplementary to the hon. minister. In view of the recent court decision that made it necessary for Bell to permit people to buy their own mobile telephones, is AGT now reviewing its policy in this regard?

DR. WARRACK: That's a very recent development, Mr. Speaker. Other than the relatively limited discussion on that point so far in the Public Accounts

review with respect to AGT, I've not addressed that matter. I would have to inquire whether they have undertaken to review that matter relative to what has happened in Ontario.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Is the minister prepared to give direction to AGT and in fact ask it now to reconsider that particular matter in light of the court decision on the Bell situation? Secondly, could the minister check to see if AGT is in fact negotiating with one of the large utility companies in Alberta to sell telephones to it?

DR. WARRACK: The first question contains two parts which contradict one another. One asked me if I'll direct them, and the other asked if I'll request that they review it. The answer to the first component is no, and the answer to the second is yes. Of course, the answers have to be different since the question is contradictory.

I'll have to look into the second part.

DR. BUCK: Thank you, professor.

DR. WARRACK: We finally got it clear.

Kananaskis Park Project

MR. CLARK: Mr. Speaker, after the Minister of Utilities and Telephones being so lucid in his usual manner, I'd like to ask the Minister of Recreation, Parks and Wildlife: what is the present estimated cost of the Kananaskis Country park project?

MR. ADAIR: Mr. Speaker, I assume, if I can be given that prerogative, that we're talking about Kananaskis Park and Kananaskis Country, the total project in its own right. Our estimated cost for the entire project over five years would be \$40 million.

MR. CLARK: Mr. Speaker, to the minister. Is the minister in a position to indicate to the Assembly whether the anticipated \$3.5 million golf course is going to go ahead? If so, is the design work going to be done by Canadians?

MR. ADAIR: Mr. Speaker, I'd be quite happy to talk about that, as a matter of fact. The golf course will be going ahead in the area of the . . . [applause] That's for all the golfers, including duffers like myself. The golf course will be going ahead. The design architect will be a gentleman who was originally in Alberta many years ago and worked on the original course at Banff — the company is called Robert Trent Jones, an American firm — presently a world-renowned golf course designer who has had major capability in designing rough or mountain terrain and the like.

I might point out that of the 14 firms that were invited to bid, the Canadian and Alberta firms, after reviewing the territory and the likes of the project we were after, actually contacted American architects as well, because they in fact have the expertise in that field. The gentleman who has been awarded that design feature is a chap who has spent quite a bit of time in Alberta. I might point out also that he has designed golf courses in the mountains at levels as high as 14,800 feet. This particular course will be at the 5,000-foot level in Kananaskis Country.

MR. CLARK: Mr. Speaker, to the minister. Can the minister confirm the estimated cost of \$3.5 million?

MR. ADAIR: Mr. Speaker, I can't really confirm that, in the sense that we are anticipating costs between \$3 million and \$3.5 million.

MR. CLARK: Mr. Speaker, one further question to the minister. Is the gentleman who the minister indicated has received the contract, or was successful in getting the government's nod to design the course, associated with any Alberta firm?

MR. ADAIR: At the present time, no, although he is prepared to set up a company within the province of Alberta to carry on other work, if there is other work in golf course design. In other words, he will be setting up in Alberta as an Alberta firm and a Canadian company.

MR. CLARK: Mr. Speaker, to the minister. Was that a condition imposed by the government so that this individual got the contract?

MR. ADAIR: Mr. Speaker, I wouldn't say it was a condition imposed. It was a recommendation from the individual himself, and we certainly included that in the final acceptance of his bid.

MR. CLARK: Mr. Speaker, then to the minister. Is the establishment of an Alberta or Canadian firm essential before the contract will be signed with this individual?

MR. ADAIR: Mr. Speaker, I have difficulty with the word "essential". It is part of the letter of acceptance we have provided to the individual, and he will be doing that. We had to recognize initially that, in the mountainous terrain we were dealing with, to design a golf course that would provide the opportunity for Albertans — what I might call the duffers and the good golfers, as well as the average golfers — to play golf in a mountain setting, in a provincial recreation area, was going to be difficult; and that there were some limitations on the ability of some of the people who in fact may be bidding on that.

When we reviewed all that, this particular gentleman had that expertise and is prepared to come into the province of Alberta, into Canada. As a matter of fact, he has been involved in building, I believe, some 108 golf courses in Canada to this particular point. He has the expertise, the experience; and we're looking forward to one of the best golf courses in the world, not just in Canada.

DR. PAPROSKI: A supplementary to the minister, Mr. Speaker. I wonder if the minister would indicate to the House whether there has been a change in policy regarding chalet construction in Kananaskis Country and Kananaskis Park, as to whether it's going to be private enterprise or public construction.

MR. ADAIR: No change, Mr. Speaker. It's still our hope that private enterprise will be working on the alpine villages.

DR. PAPROSKI: Mr. Speaker, I wonder if the minister would also indicate to the House whether there is any

change in policy on the other accommodation that's going to be built for travellers and hikers to stop over. Who's going to build it, either private or public enterprise, and how many are going to be on the site?

MR. ADAIR: The first part of the question, Mr. Speaker, is the fact that the day-use areas and the overnight camping areas will be built by the Department of Recreation, Parks and Wildlife on the same basis as for our provincial parks and recreation areas now. They will be tendered to the private sector to build them for us. There is, in essence, no change in policy in that area.

DR. PAPROSKI: One final supplementary, Mr. Speaker. I wonder if the minister would indicate to the House whether the traveller, hiker, walker, or whatever he may be, can actually stay overnight in that site?

MR. ADAIR: Mr. Speaker, if you are camping and it says you can stay overnight, you can. If it's a day-use area, where you cannot stay overnight, you can't.

MR. TAYLOR: A supplementary to the hon. minister. Will there be a special prize for those who knock the ball to the other side of the mountain? [interjections]

MR. SPEAKER: I believe the hon. Minister of Social Services and Community Health wishes to supplement an answer.

Mental Health Services (continued)

MISS HUNLEY: Thank you, Mr. Speaker. I wanted to respond to the hon. Leader of the Opposition, who was inquiring about the funding for regional mental health councils. The funding in my estimates this year is \$82,000, more than a 50 per cent increase, which is indicative of the good work done by the regional mental health councils.

MR. CRAWFORD: Mr. Speaker, I believe we're out of time for the question period, but I wonder if hon. members would agree to allow me to provide an answer to a question asked some time ago by the hon. Member for Spirit River-Fairview.

HON. MEMBERS: Agreed.

Coal Miners' Benefits

MR. CRAWFORD: Thank you.

Mr. Speaker, the question related to Cardinal River coal mines and the arrangements there with the United Mine Workers' pension and retirement fund. The department had been familiar with the issue over a period of time, but did an up-to-date review in connection with the matter, and now informs me that under a new agreement entered into on January 1, 1977, just over a year ago, the company and the employees agreed that the company would be making payments for the employees under a new arrangement.

This is a fairly complex area, in that District 18 actually covers parts of three provinces, in which there are also a number of mining companies which

are not organized. I understand that the agreement relating to Cardinal River is with Local 1656 of the United Mine Workers. On that basis, the company probably has no legal obligation to District 18, having their contract with the other local. Our information is that since 1969, when the company began operations, some \$700,000 has in fact been paid in to cover any obligations the company might have.

MR. RUSSELL: Mr. Speaker, if hon. members agree, I have the figure requested by the hon. Member for Clover Bar during the question period.

HON. MEMBERS: Agreed.

Urban Parks (continued)

MR. RUSSELL: The amount of actual spending in order to meet the 1974 agreement of \$29 million works out to \$36,984,800.

ORDERS OF THE DAY

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

Bill 6 **The Alberta Property Tax Reduction** **Amendment Act, 1978**

MR. JOHNSTON: Mr. Speaker, I move second reading of Bill 6, The Alberta Property Tax Reduction Amendment Act, 1978. I think all hon. members are aware of the important changes reflected in this legislation, changes which I'm sure will have been debated in the budget. But I would like to restate them for the record.

First of all, in respect to the general reduction in property taxes, the minimum benefits are increased from \$100 to \$200, to afford all property owners in the province an opportunity to benefit under the minimum benefits portion.

Secondly, in terms of the assistance to senior citizens, the previous requirement to have a guaranteed income as a criterion for a minimum benefit has been removed. All senior citizens are afforded the opportunity of a minimum benefit of \$400, which I believe will assist them in meeting both the costs of their property and of utilities, which have been increasing substantially over the past few years.

Additionally, Mr. Speaker, the renters' assistance program is increased from \$150 to \$250 for all senior citizens in rented accommodation. That will be forwarded by notification sometime in May to those who have applied.

Mr. Speaker, I'm sure all members accept the worthy contents of this bill, and I urge their acceptance.

[Motion carried; Bill 6 read a second time]

Bill 14 **The Alberta Games Council Act**

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

Bill 14, The Alberta Games Council Act. The introduction of the bill was to ensure that we had a vehicle by which a group of people, volunteers in the province of Alberta, could in fact handle, operate, and assume the responsibilities of the extremely successful Summer and Winter Games in the province. Within the act they would have the right to utilize funds appropriated through the Department of Recreation, Parks and Wildlife for the operation of the Games; to select the successful communities; to provide invitations to communities to bid on the Games; to determine and recommend to the minister who in fact would get them, and of course from that particular point also to handle and provide the funds that would be going to the successful communities for the Winter or Summer Games themselves.

By the creation of the separate Alberta Games Council they also would have the right, under the taxation laws, to be tax-deductible. That certainly is a major plus for them, as a Crown corporation.

I think that to this particular point the Games have spoken for themselves. The present group, under the chairmanship of a gentleman from Calgary by the name of Mr. Don Skagen, have done a super job with the first Games under their jurisdiction, the Winter Games in Medicine Hat this past winter. We anticipate continuing the Games in alternating years, with the Summer Games in one year and the Winter Games in another. With that, I'll move second reading of Bill 14, The Alberta Games Council Act.

MR. CLARK: Mr. Speaker, it's certainly our intention to vote for Bill 14. Having said that, I note the bill will give broad powers to the council to acquire and use any type of property. I listened rather carefully to the minister, and having seen at least two governments operate, it's rather nice to slip in a clause like this about being able to acquire and use any type of property.

Mr. Minister, before long are we going to see the Alberta Games Council acquiring a centre someplace in the province for an athletic development centre? It perhaps isn't the world's worst idea. But if that's what the minister has in mind, I think we should lay the cards face up on the table before the members of the Legislature. Either now or when we get involved in the committee work on Bill 14, we'd like some pretty definite answers as to why the powers of the council have been made so broad that the council will acquire property. I take property to mean land in this particular case.

If we're going to move the Games across the province — I can recall the first Southern Alberta Summer Games, I think down in Claresholm, and then the Games in Red Deer. They have been very successful, but one of the reasons they have been successful is that we've moved them across the province. If we're now thinking in terms of acquiring property and lodging them in one place in the province, we're going to lose much of the volunteer input that has made the Games possible. I think that would be a very serious mistake. For that reason, this portion of the act dealing with the acquisition of property raises some real concerns.

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

HON. MEMBERS: Agreed.

MR. ADAIR: Mr. Speaker, in response to that, I think the basic concept behind that was that if for some reason a person chose to donate lands to the council for whatever reasons, they could accept and utilize those lands.

I want to state very clearly — and I'll do it again because I have done it before — that the concept of the Games is to move them around the province of Alberta, not to establish a permanent Games site at this particular point in time, at least until every community in Alberta has had an opportunity to attempt to hold the Games. That means moving even more broadly, Mr. Speaker, to the point where you might in fact have a series of communities rather than one community being the host of the Games.

The very first Alberta Games were held in Calgary. If I may just respond to the hon. member's first question, Claresholm had one of the first regional Games. We were looking too at the incorporation of a system that would see the smooth transition of some of the people involved in the various Games, to give them some additional incentive to go from regional Games to the Winter or Summer Games. Right now they are operating independently, and in some cases there have been difficulties with a person winning at regional Games and not timed so they can go on to the others. We're looking at that. We include in that the right to look at and work together to co-ordinate all the Games.

We also hope that at some stage the Games will include some events for both the mentally and physically handicapped. In that portion of the Games they would be competing against their peers, but they could enjoy the friendliness, hospitality, and the like, of working with other athletes who are there. I think that's a plus.

Getting back to your point about acquiring property, the right there, in the broadest sense, was that if a donation was made to them they could in fact pick that up and utilize it as a revenue producer for the Games Council to assist in the operations of the Games themselves.

Within the bill or otherwise, it is not our desire to create a large type of bureaucracy, if I may use that particular term; it is to keep a very small unit such as the Games Council operating the Games basically as they have done in the past, under the name of the Alberta Games Council. Presently we hope to set up the council with a maximum of 15 members. I believe we have five on the council at the moment, and we will be appointing one from each of the eight zones that are a part of the Games as well. So there will be provincial input into the Games Council.

Within the act we also have provided the opportunity to have a management committee — in other words, a smaller group — so they don't have to pull all those people together every time they want to make a decision. The management group would be able to work on behalf of the entire council, and they could meet quarterly for whatever it may be they wish to discuss. We're trying to streamline it as much as we can, give them the right to in fact operate the Games in the same successful fashion as they have.

That broader term was really related to the fact that people have indicated they might be prepared to donate lands that could be utilized, either on a

revenue-producing factor for the Games Council themselves, or for the Games in general and the amateur athletes who would be participating in that type of Games feature.

MR. CLARK: I wonder if the minister would permit one question. In light of what you said, Mr. Minister, about the reason for that particular clause in the bill, between now and when we get into committee would the minister check with Legislative Counsel with regard to the advisability of restricting the legislation somewhat, so that in fact land will be of the nature the minister talks about in the House? There is no question about the sentiment expressed by the minister being valid. But sentiment is one thing; the broadness of the legislation is something completely different.

[Motion carried; Bill 14 read a second time]

Bill 24
The Municipal Taxation
Amendment Act, 1978

MR. JOHNSTON: Mr. Speaker, I wish to move second reading of Bill No. 24, The Municipal Taxation Amendment Act, 1978.

This is one of the bills which is amended very regularly in our department as we attempt to deal with requests for changes by the municipalities in the area of taxation; one which is both complex and requiring interpretation of a substantial number of sections.

To be very brief, Mr. Speaker, in responding to the municipalities' wishes we are attempting to clarify, to add some certainty, and to provide some administrative efficiency to the operation of the taxation aspect of municipalities.

It should be noted there is at least one important change, which will provide that upon a supplementary assessment taking place sometime during the year, the amount of tax to be raised under the school portion of that supplementary requisition on new property coming on stream will either have to be paid to the school board or kept in trust for the school board for the next period.

Mr. Speaker, I believe these are the important changes, one generally administrative, to increase the efficiency of the operation. I encourage support in second reading.

[Motion carried; Bill 24 read a second time]

Bill 25
The Utilities and Telephones
Statutes Amendment Act, 1978

DR. WARRACK: Mr. Speaker, I move second reading of Bill 25, The Utilities and Telephones Statutes Amendment Act, 1978. This bill deals with some administrative matters, but it contains four principal elements, the most important of which is the capacity for the provincial government, by way of the Department of Utilities and Telephones, and Treasury, to deal with the lien note problem in rural gas co-ops that I think probably all rural members are familiar with.

The present legislation provides that Treasury, on

behalf of the Alberta government, can exercise a guaranteed capacity on the lien notes that are undertaken by rural gas co-ops only if the rural gas co-op is in a position judged to be one of financial weakness. At the outset of the program it's the intent and remains the intent, by way of the guarantee and support of rural gas co-ops in handling the lien notes necessary to individual members, that that guarantee be a guarantee through to the individual lien note guarantee, rather than the Alberta government becoming involved through Treasury only if the rural gas co-op is so weakened financially that they are unable to deal with the lien note problems among their members. Now I realize that's a complicated explanation, but I think it's necessary, and that's the explanation I have from Treasury lawyers.

The amendment involved here will provide that the rural gas co-op must certainly exercise its responsibility in terms of the collection, effort, and procedure for individual members who might be delinquent. But the guarantee by the provincial government through Treasury can be undertaken even though that rural gas co-op is not in a financial position that's judged to be weak. Certainly I think that's the correct direction to go. Essentially it meets the commitment that was a part of the program at the outset to provide gas across the rural areas of Alberta. It involves what I think most people would understand as the clear intent of a guarantee by the provincial government. I think that is the most important element in the amendment involved in Bill 25, which amends four separate acts.

As I would categorize them in speaking to my colleagues in the Legislature, the second principal element is with The Rural Electrification Revolving Fund Act. I'm advised this week that we're now close to the statutory limit of \$25 million in the utilization of those funds to provide expanded electric distribution capacity in the rural parts of our province. Bill 25 proposes to amend The Rural Electrification Revolving Fund Act to increase that statutory limit from \$25 million to \$35 million to continue with the important work that I think all rural members would agree is going forward at the present time.

The third principal element is an amendment within The Rural Gas Act where the legislation as it presently stands requires an easement across land of the person being served with rural gas. The people out on the front lines getting this work done have indicated to us that they feel this is an unnecessary kind of legal administrative entanglement, and that surely if a person wishes to have the installation of gas into his area, it can be a packaged commitment that includes the easement across his land.

So though the words in Bill 25 look complicated, the essence of the idea is that a formal easement would no longer be necessary in instances where the only purpose of the gas line is to serve the person who owns that land. I might assure all hon. members, in the instance that it would traverse that person's land to serve someone else either separately or in conjunction with the owner of that land, then the normal easement would still be required. Essentially it's a kind of red tape elimination effort that has been asked for, and I think is appropriate and supportable. That's the third principal element of the bill.

The fourth is essentially implementation of the reorganization in responsibilities relating to rural utili-

ties that came about and was put into place under The Administrative Procedures Act, December 1, 1977, where the rural utility finance functions were moved or transferred from the Department of Consumer and Corporate Affairs to the Department of Utilities and Telephones. Some areas of the legislation were thus rendered obsolete and are now corrected as a principal element in Bill 25.

There are also some administrative matters involved in Bill 25. I would like to highlight one, because it is an important one raised by the hon. Member for Bow Valley during my Utilities and Telephones estimates on Tuesday night. That has to do with the undue extent of paper work and the delay that requires orders in council for loan guarantees under The Rural Electrification Revolving Fund Act. For the hon. member's information, that's on the middle of page 3 of Bill 25. The amendment proposes that loans under \$15,000 be done by ministerial order on a responsibility of signature basis by myself, rather than carried forward to cabinet, therefore eliminating some of the paper work and sources of delay the hon. member was referring to. That amendment too is proposed as an administrative amendment, certainly not a matter of principal, but I think an important administrative amendment. It certainly becomes important to the people who are waiting for the funds and for the opportunity to provide the service they want to provide to their neighbors.

So that particular administrative matter is an important one, was raised by the hon. Member for Bow Valley, and therefore I wanted to highlight it in these few comments in moving second reading of Bill 25.

MR. ZANDER: Mr. Speaker, I would just like the minister to clarify the position. He said, on the basis of the easements making it easier to obtain. I would ask the minister how, if a person has given an easement across a parcel of land — I'm thinking of the subdivisions now occurring in the rural areas — and the subdivision then goes through . . . When the subdivision is made, and I'm thinking of a 20-, 40-, or 80-acre parcel, the title of the 40- or 80-acre parcel now rests with a new owner. I wonder if the minister would also make an amendment to the act to make it possible, since the original owner of that quarter or half section has given an easement for that land, that the easement still be in effect even though he proposes and gets a subdivision on that parcel of land. This is where the problem now arises.

You have a farmer subdividing a parcel of land into let's say two 80s, which is permissible. The former owner has signed an agreement, an easement across this land, but now there are two different titles, two different owners. One of them on the far end wants to have natural gas, but one says, I don't want to develop this land now. I am going to wait five years down the line and then I'm going to give you an easement. This is where the difficulty arises. I wonder if the minister could accomplish this part in the easement, saying that before subdivision occurs that easement shall be in effect.

MR. KIDD: Mr. Speaker, regarding Section 12(5):

The Provincial Treasurer may enforce, in the name of the Crown in right of Alberta, a lien note given under this section in respect of a loan

guaranteed under section 3.

I wonder if the minister can indicate briefly the mechanism for a co-operative which is desirous of having such lien notes enforced and having the Provincial Treasurer involved.

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

HON. MEMBERS: Agreed.

DR. WARRACK: Mr. Speaker, thank you. I was hesitating because it's my understanding that once I speak a second time, I don't have another chance on second reading.

First of all, on the matter raised by the hon. Member for Drayton Valley, I think it would be fair to say that the circumstances described are not "the" easement problem, but "an" easement problem. There are several out there. The amendment proposed in Bill 25 would not deal conclusively, and perhaps I might add arbitrarily, with the kind of situation the hon. member was describing. The amendment in Bill 25 would simply relate the service of gas to the title holder on the land that the easement would traverse, on the basis that it's not necessary to have an easement, or not being resolved to have an expropriation order in the instance where the land being traversed is the same land held by the title holder, and would serve that person. That is the full and complete scope of this amendment.

I would be very concerned though. After seeking advice, it may be that the suggestion the hon. Member for Drayton Valley is making might very well be resolved. But this is a difficult time for him to raise that matter with me really, on second reading of the bill. I don't think it would be my intention to propose an amendment and thereby hold the bill for a substantial period of time to obtain the legal advice that would be necessary in a circumstance the hon. member described.

But it seems to me there is a first principle involved here: the question of whether the land is solely held in title by those who would be served by the easement. In the case of a blanket easement that transfers to subsequent owners, I think that would have to be handled through the mechanism of the Land Titles service and essentially be part of the negotiation in the transaction between the private parties involved.

I might add one other comment. One needs to take a great deal of care in being involved in — the word in my mind is "tinkering"; I don't really suppose that's the right terminology. But I think one needs to be very, very careful when dealing with people's capacity to enjoy the rights of ownership of property. I don't think you should transfer those from one holder to another by way of legislation, but rather leave the free choice as to what easements might exist, and for that matter what caveats might exist, as part of the negotiating process in the transaction of the land deal itself.

At the same time, I would certainly welcome a memo from the hon. member detailing the concern he has and suggestions for its development. We would undertake to do some analysis, but I think when you're dealing with people's private land and their property rights, one would want to be very, very careful in what one did.

Responding to the hon. Member for Banff, first of all I would like to acknowledge that he is one of the members who put the case to me very well and strongly, and I think to some others in the government as well, in terms of the need for an amendment in the area of handling lien notes. He certainly raised the matter effectively with me on more than one occasion, and those discussions are a part of what convinced me that a change was necessary.

I think the general matter would be this, though as always it would be subject to refinement in the development of implementation procedures to put into force and effect any amendments of legislation agreed to by this Assembly. The essential mechanism would be that the individual gas co-op — I guess the normal case, knowing the way people are — has some people who are delinquent on their commitments. Some of those commitments are covered by lien notes, so that's the group we're talking about. The rural gas co-op would be obliged to undertake collection procedures and actions relative to those individual delinquent members, whoever they are.

However, at a certain point in time, where in fact this has not been successful, and it's clear that every reasonable effort has been made by the individual gas co-op to collect those delinquent accounts, the matter can be judged important enough that circumstances warrant the involvement or implementation of the guarantee by the Alberta government through the Department of the Provincial Treasurer. At that point, the pre-procedure has gone into place in order to collect on those lien note matters.

It's an important question to have been raised, not only by way of clarification but to give me the opportunity to say this. There is no intention in this amendment of anyone getting off the hook for their liabilities. That is to say, it's the intention to collect. I would like there to be no mistake about that at the outset. This is not a softening of the collection process in any way, shape, or form.

But it does involve changing the concept from one where the individual gas co-op has to have already been weakened by lien note guarantee liabilities not being paid, and judged to be in that financially weakened position so badly that that's the only basis on which the guarantee can now be kicked in. We don't think that's reasonable. We don't think that's consistent with the policy committed in the first instance. On the basis of a full and properly demonstrated effort by the rural gas co-ops to collect on delinquent lien notes, with this amendment we would now be in a position to kick in a process in an effort to collect on them.

Mr. Speaker, the final comment would be this: in some sense the difference is that if delinquent lien notes are not paid, the financial burden falls on those members of the co-op who have already paid. The focus, then, of this amendment would be to hold the focus on the lien note collections on those who have not paid and in fact are liable for those delinquent lien notes. That's an important element of the intention involved in proposing this amendment to the Legislature.

[Motion carried; Bill 25 read a second time]

Bill 27
The Education Statutes
Amendment Act, 1978

MR. KOZIAK: Mr. Speaker, I move second reading of The Education Statutes Amendment Act, 1978, being Bill No. 27. Within this bill three statutes are being amended: The Department of Education Act, The School Act, and The Teachers' Retirement Fund Act.

The amendments to The Department of Education Act are few. Of significance is the extension of authority to the Minister of Education to award prizes to students attaining high scholastic achievements. In this regard, I should point out to hon. members that since the elimination of examinations at the grade 9 level, the accreditation of high schools, and the elimination of the compulsory grade 12 departmental examinations, prizes haven't been available to students, such as the Governor General's medal, that recognize effort, achievement, and excellence. Now with the high school achievement tests in place, with a number of these tests having already been administered and tests being administered in the future, such as the English examination this June followed by social studies and French, I'm seriously looking at the provision of prizes for those who achieve well in these high school achievement tests. Authority for that is necessary, and I would appreciate the support of hon. members in providing that authority.

In regard to The School Act, there are a number of amendments which I would like to bring to the attention of hon. members. They deal with such items as part-time teachers — clarifying the provision with respect to part-time teachers — and clarify the provision with respect to sick leave available to teachers. The amendments provide for broadening the contractual abilities and borrowing powers of school boards, and easing the ability of boards to accommodate name changes.

Of fairly important significance, Mr. Speaker, is that amendment dealing with the distribution of grants paid in lieu of taxes between the public and separate school boards. In dealing with that amendment, I remind hon. members of the amendment in Bill No. 44 during the course of the spring session last year. You will recall that at that time we afforded holding companies the same opportunity to designate their respective share of the taxes as was available to a shareholder who was a natural person. During the debate on second reading of that bill, I indicated there were other steps that should be taken in the future, that the amendment last year in Bill 44 was a first step in terms of provision of equitable distribution of local property taxes between the public and separate school boards in each jurisdiction.

Hon. members will recall the motion placed on the Order Paper last year by the Member for Edmonton Beverly, Mr. Diachuk. That resolution was in fact passed last fall. It read:

Be it resolved that the provincial government give consideration to introduction of legislation amending The School Act to provide for the distribution of corporate assessments on a per pupil basis for those corporations that are unable to determine the religious faith of their shareholders.

Now in a sense this amendment moves in that direction, because the provincial government repre-

sents the people of the province of Alberta. It does not represent the property located within a particular jurisdiction, but the people within that jurisdiction. So where provincial property comes within the definitions found in the proposed Section 64.1, the amendments providing for provincial grants in lieu of taxes to municipalities, those grants would be paid in accordance with the resident pupils in each jurisdiction, rather than on the basis of the split in property assessment.

Last year I provided some figures to hon. members on the split that would exist in certain selected jurisdictions. To my knowledge, the information I provided is fairly similar to the information that would be available this year. In other words, the percentages basically haven't changed. In the city of Calgary, for example, the separate school board is educating 20.9 per cent of the students and has 13.3 per cent of the local assessment.

What would presently happen with provincial grants paid in lieu of taxes on provincial property in the city of Calgary is that 13.3 per cent would go to the separate school board and 86.7 per cent to the public school board. On the basis of the amendment, the split would not be on the basis of assessment, but on the basis of students each jurisdiction educates, so the split would become 20.9 per cent to the separate school board and 79.1 per cent to the public school board. Now those figures are subject to change, because the information is always capable of being updated, and the percentage of resident pupils in each jurisdiction will vary annually as well. So we will have to have a count that will accommodate that. Not a difficult problem.

I should point out to hon. members that the effect of this section will not be felt until 1979, because we don't want to disrupt the process in place now. The grants paid by the provincial government in lieu of taxes for '78 will be distributed on the present basis, and this section will come into effect for the 1979 year.

The provisions that apply to municipal grants in lieu of taxes would apply equally to municipally owned property that would be subject to evaluation and to the same processes. So municipally owned property would also provide revenues to the school boards, not on the basis of assessment but on the number of pupils they in fact educate. That would be a second step in the direction of providing equity between the two types of jurisdictions within a locale.

A third step which must be considered in the future is: what are we to do with the assessment of corporations unable to determine whether their shareholders are public or separate school supporters because of the distribution of and constant trading of shares, and the physical impossibility of finding this out when you have so many thousands of shareholders in the company?

I think, first of all, it should be clear that from a constitutional and legal point of view the provincial government cannot interfere with the rights of the individual to allocate his assessment to the school board that he supports, as required under The School Act. Not only is that right protected by the Alberta Act and beyond the jurisdiction of this Legislature to change; I don't think it should even be considered. I think we should all agree that an individual who is a public school supporter should be entitled as a right

to allocate his or her taxes to that public school system, and that this Legislature should not interfere in distributing those taxes otherwise. I think also that a separate school supporter as defined under The School Act should also be able to allocate his or her taxes to the separate school board without interference by this Legislature.

Further, where you have a corporation where the shareholders are known to each other, or where the corporation can determine which school each shareholder supports, again the corporation should be able to allocate support, in accordance with the shareholdings of the shareholders, to each jurisdiction on the basis of their shareholdings. So if 40 per cent of the shareholders are supporters of the separate school system, then 40 per cent of the assessment of the corporation would go toward providing revenues to the separate school system. Where you have 60 per cent of the shareholders of the corporation supporting the public school system, as well 60 per cent should be capable of being directed to the support of the public school system.

The problem becomes, Mr. Speaker, where you have corporations like Imperial Oil, the Bank of Montreal, the Canadian Imperial Bank of Commerce — there are many. You can see them in the stock exchanges, in the listings that appear in your daily newspapers. You can see also that the number and make-up of shareholders changes every day, because trading is taking place daily on the markets of this country in the shares of these companies.

Presently what happens is: where such a corporation has property within a locale that has two jurisdictions, the public and the separate system, the assessment from that property is divided between the two jurisdictions not on the basis of the students each jurisdiction educates but on the basis of the existing split of assessment between the public and the separate system in that locale. So what would happen is: one of the major oil companies having a large office building in the city of Calgary or the city of Edmonton — let's use the city of Calgary for the moment. The assessment of that office building would be 13.3 per cent to the separate system and 86.7 per cent to the public system, notwithstanding that the separate system educated 20.9 per cent of the students in the jurisdiction. The same thing with the large industrial complexes in Edmonton. The split would be 25.2 per cent to the separate system, notwithstanding that the separate system educates 30.1 per cent of the students.

Now basically the third step we have to consider flows from the resolution passed by this Legislature last fall. I don't believe it would be correct for us to make this move this year. I think any shift of assessment should take place slowly so as not to disrupt existing patterns in such a way that fiscal planning is unduly disrupted. The move we made last year, the move we'll be making this year is a move in a particular direction, slowly but surely, toward equity between jurisdictions, but without unduly disrupting the fiscal planning these jurisdictions have to undertake.

How we then deal with this issue, how we give effect to the resolution passed by this Legislature last fall, is a matter I would like to give consideration to over the course of the next year. We may have to consider these things, Mr. Speaker: do we limit a change to those companies that are public corpora-

tions? In other words, do we leave the present situation where assessment of corporations is split on the basis of assessment rather than students for those companies that are private companies, but move into a split on the basis of resident students for public companies? Or should the cutoff be those companies that trade on recognized Canadian stock exchanges? What about the situation where a large block of shares in a public company that trades on the stock exchange is held by one individual, and that one individual, of course, knows which school system he or she supports? Should an exclusion be made for that? These are considerations, of course, that will have to be taken into account as we look toward the next step.

Staging is also important, because this next step may result in more of a shift than the ones taken so far. We would have to look at whether it should be done over a number of years.

So I would much appreciate any suggestions hon. members might provide as to approaches we might take over the next number of years as we seek equity. I'd also be appreciative of the same type of advice from school boards, school trustees in this province, and from all those interested in education. I leave that on the table, because I think that is the direction we must take. We must take that direction deliberately but slowly.

The third act covered by the amendments in Bill 27 will be The Teachers' Retirement Fund Act. There we find that the investment powers of the teachers' retirement fund are brought into line with other investment plans and that provision is made for recognition of private school service by teachers in terms of their pension rights. I should point out here that private school service has probably been one of the areas in which I have received the greatest number of letters and concerns by teachers.

Numbers of teachers have found themselves in the position of having taught many, many years ago in private schools, on occasion even private schools operated by the federal Department of National Defence and subsequently taken over by regular school systems in this province, but find that the service for the period of time they taught in those private schools is not recognized for purposes of their pension. What we will have with respect to this amendment is a recognition of that service, but it will require the appropriate contribution by the teacher, as calculated by the teachers' retirement fund board. Those funds will be calculated on a sound actuarial basis.

Other amendments to The Teachers' Retirement Fund Act deal with the question of the teacher who temporarily leaves teaching in Alberta to pursue some other approved undertaking for a temporary period, teachers leaving the province to work in other countries. What has happened now is that teachers find if they do not contribute while they are away, their pension may be jeopardized in some way or other. We've amended the act to provide that that contribution could be made upon the teacher's return to teaching in the province.

I would specifically like to draw to the attention of hon. members, and through hon. members to the teachers of the province, the section dealing with the designation of a beneficiary under the plan. By looking at The Wills Act, hon. members will realize that a

subsequent marriage after a will has been made voids that will. That has not in fact taken place relative to designation of a beneficiary under The Teachers' Retirement Fund Act. So you can have this type of situation: a teacher, before marrying, designates his brother as beneficiary. Five or 10 years later the teacher marries, and it doesn't cross his mind that he should look at this particular aspect. Some time after marriage the teacher passes on. When it comes time to look at who is entitled to the benefits under The Teachers' Retirement Fund Act, we find the designated beneficiary is a brother rather than the wife. An oversight, but one that can create hardships.

Section 46.1, which is being added to The Teachers' Retirement Fund Act, will solve that situation. It will place the designation of a beneficiary in the same position as any other testamentary disposition dealt with under The Wills Act. So a subsequent marriage acts as a revocation of that designation.

I should warn hon. members, and through hon. members the teachers of this province, that this is not retroactive. In cases where teachers have already made their designations and subsequently married before the coming into effect of this act, this section will not correct that. Teachers throughout the province should take another look at their designations to ensure they do not fall into that situation. I raise that as a warning, so that teachers are aware that although the amendment will correct the problem in the future, it will not correct the problem in terms of those teachers who made a designation, and married before the coming into [effect of] this act. Those teachers should take a second look at their designation to ensure the benefits go to those people they want.

MR. CLARK: Mr. Speaker, I would like to make three brief comments with regard to Bill 27. First of all, Mr. Minister, I was out when you started your comments. If the minister dealt with the reason for 7.3, this . . .

MR. SPEAKER: I hesitate to intervene, but the established practice of the Assembly and of all parliaments of our tradition is to refer to other members in the third person and, when we're being specific, either by their portfolios or by their constituencies. I realize the custom has arisen in this Assembly of lapsing almost totally into the second person in committee. Perhaps it is no direct concern of mine that that is absolutely contrary to Standing Order 52. But the result, of course, is that this unparliamentary practice also creeps into the Assembly when we are in formal debate on legislation and other serious matters.

MR. CLARK: Mr. Speaker, to the minister. Dealing with Bill 27, I was out of the House when the minister commented on Section 7.3 of the bill. If he covered it in the course of his remarks, I can get that from *Hansard*. But if the minister didn't outline in some detail what plans the minister has in this particular area, I trust that when the minister concludes the remarks he would outline specifically what he has in mind when we get involved with this particular area. I think a good case can be made for the minister outlining to the Assembly exactly what you have in mind. I would hope there would be some detail there.

Secondly, with regard to the question of the more

equitable distribution of local property tax to public and separate boards: I was pleased to hear the comments with regard to plans the minister has in mind for the next year, to in fact get a really wide cross section of views, not only from the boards affected but also from other constituent groups, with regard to the next step forward. I think some progress is being made there.

Thirdly, when the minister deals with the question of the teachers' retirement fund, I'd ask the minister to indicate to his appointees on the TRF board that perhaps on occasion this board would be wiser to think in terms of the sentiment and the basic humanitarian situations that some teachers find themselves in after having giving long and dedicated service to this province, than to be as the board sometimes is. I say that with great respect for the board, having been a member at one time.

I'm sure the minister is familiar with the case of an individual who taught at Lethbridge for many years. In that individual's early teaching years, he taught in a Hutterite colony. Because that Hutterite colony wasn't part of a school system in Alberta, that individual isn't eligible to get credit for that period of time. Mr. Minister, in the course of the comments made, I had the very distinct impression that that situation will be looked after by this amendment. If he is prepared to make payments calculated by the board as a result of that service — until this legislation is approved, he would be considered ineligible — an individual like that would then be able to have an adjustment made in his pension even though he is collecting a pension now.

The minister shakes his head. If that's the case, I'd appreciate the minister's outlining that during the course of the Assembly, because there are some expectations among teachers that with the changes coming in at this time, those kinds of situations in the past are going to be dealt with. If that's not the case, let's get it on the record now so that neither the minister nor any other member of the Assembly is misleading people in that kind of situation.

Mr. Speaker, I'd make one last comment to the minister. I'd make the suggestion that perhaps a very small group of representatives of the trustees, the teachers, home and school, and the department — with not that many from the department — be given the task of having a look at the present appropriateness of The School Act. The act has now been in effect in Alberta going on nine years. When the legislation was approved — I think it was in 1969 — I don't think a written commitment was given, but certainly an understanding to the constituent groups at that time, that after a period of five years or so of operation of the act a similar group would be established to look at some of the possible areas for major overhaul, if that's a good term.

I think it now very appropriate that we look at this whole area of regional bargaining. We've now had experience with regional bargaining for something like seven years. Now is likely an appropriate time to sit down and look at the pros and cons of regional bargaining. What have the effects really been? In my recollection, this hasn't been done during the period of time since The School Act of '69 came into effect. Mr. Speaker, to the minister: I think that kind of view, especially of that area, would be appropriate, given the problems and strong points of view there have

been from all sides with regard to regional bargaining.

MR. NOTLEY: Mr. Speaker, first of all I propose to support the bill. I understand the government had a fair amount of consultation with both the ASTA and the ATA before the changes were made. As a consequence, there are several items in it that I'd like to put in the form of questions. I'll come to that in a moment.

I want to deal first of all with this question of what we do with assessment as concerns those corporations not able to identify the preferences of their shareholders. I recall the resolution the minister made reference to, put forward in the House last year by the hon. Member for Edmonton Beverly. At that time I took part in the debate and supported the position he advanced to the House. It does seem to me that an unfairness exists at the present time. When one looks at the figures the minister cited from Calgary or from Edmonton, quite clearly the separate systems in both cities are educating a larger percentage of students than the amount of money they are getting from supplementary requisition, as a consequence of the assessment base.

My advice to the minister would be that we should very clearly say, as I understood him to say, that we're moving toward a position of equity and that it will be the policy of the government that in the case of companies that aren't able to identify the preferences of their shareholders, it will be divided on a per pupil basis. Then the question is whether that should be done within a year, two years, or whatever the time frame is. I can understand the argument that it requires some time to make the planning and the adjustments. You're talking about considerable sums of money, especially to our two major cities, both the separate and public divisions in Edmonton and Calgary.

You can't just say, as of tomorrow we're going to change this. But I think we have to say in a completely uncategorical way that we are moving toward equity. I would suggest a time frame should be given. I notice the minister didn't give a time frame in his remarks, whether that time frame is two or three years. I think it does have to be set out. My advice would be: (a) an uncategorical statement that we are moving in that direction, and (b) the designation of a time frame so the administrations of both public and separate divisions can make the necessary adjustment.

Certainly, as far as the move being made in the act today is concerned, that's clearly a step in the right direction. I'm not sure what we're talking about in terms of dollars. I would be interested if the minister has any figures on the amount of grants in lieu on provincial buildings throughout the province. I would say it will probably be beneficial to the one major separate school in my home town, because there's now a nice new provincial building in Fairview. The grant in lieu on that building is some considerable thousands of dollars a year. I'm sure that if we look at it on a per pupil basis . . . [interjections] I beg your pardon?

AN HON. MEMBER: How did you get it?

MR. NOTLEY: Oh, it's amazing what you can do if you've got good constituency representation.

But the fact of the matter is . . . [interjections] Yes, the problem with the city of Edmonton; they've got people on the wrong side of the House, I hear.

DR. BUCK: The Premier likes to get up to open a few things.

MR. NOTLEY: We'd be glad to have the Premier come up every second week. I'd like to have him come up to open some roads. We'll have road-opening ceremonies every second week, if it'll help get the roads.

The point is that in this one community the formula now contained in the bill we're looking at will be extremely helpful to the St. Thomas More separate school division. I guess I have a certain vested interest in supporting the legislation.

Mr. Speaker, before we get into committee stage I'd like the minister to respond to several questions on the issue of part-time teachers. Is any consideration being given to limiting the number of part-time teachers? We have the obvious advantages to a board in substituting part-time for full-time teachers where that's possible, because the costs are somewhat less. At a time when we have a surplus of teachers, plus teachers moving in from other parts of the country, it would seem to me that the temptation would exist.

Secondly, and probably a good deal more important, I'd like the minister to indicate what the government means by the phrase "render service". Obviously that will include professional development days. What about convention attendance? Are we going to continue the program, which I think is a perfectly proper one, of paying teachers their normal salary when they are attending a teachers' convention?

I raise that because several years ago one of the more vocal members of the Calgary Public School Board made a suggestion that captured the headlines in the local papers and other media, to the point that teachers were really goofing off and weren't spending time at these conventions. He wondered why taxpayers should be paying teachers' salaries for teachers' conventions. I think the particular school board member or trustee subsequently backed off from that position, and as far as I recall the matter was dropped.

But I raise the issue to the minister at this time because I would want it clearly understood that if we're passing this bill, "render service" does not negate what has been an accepted practice anyway, that people who attend either professional development days or teachers' conventions, which as most members will agree are largely professional development oriented sessions in any case, would continue to get their full pay. I think that's an important matter to have clarified.

Mr. Speaker, in general it seems to me the bill before us is a reasonable one. I certainly concur in the objective of moving toward the per pupil allocation of funds as opposed to the determination of it on the basis of existing assessment. I think it will be fairer for our separate divisions in the two major cities, and certainly in some of the smaller centres in the province as well. However, my guess is that we should put a time frame on it. The minister should officially do that as soon as possible.

MR. YOUNG: Mr. Speaker, I'd like to address the bill very briefly this morning, first of all to maintain the consistency of my position over the seven years I've been in the Assembly. Therefore I would like first to address the issue of this Legislature and the hon. members in this Legislature intervening to the degree we do in the terms and conditions of employment that exist between teachers and school boards. We have intervened for many years.

Years and years ago I think there was good reason for doing it. The reason became less in the '50s, even less in the '60s, and I would venture there is virtually no reason in the '70s. I realize that I speak from a minority point of view, but I wish to indicate that it is my view that we have posed some pretty severe strait jackets for school boards and, for that matter, teachers. We obviously didn't understand where we were moving a year ago in some of our legislation, and it caused some severe problems for both teachers and school boards. I note that we are again extending even further into that relationship, albeit trying to correct what was done last year.

Mr. Minister, I would point out that we as a legislature do not extend ourselves to that degree with respect to our own employees; that is, persons employed very directly by the government. We do not do that with respect to nurses, to take a more analogous group. In other words, Mr. Minister and hon. members, I want to identify what I consider an unfortunate anomaly in our treatment of this particular group of persons, and in our treatment of school boards.

Mr. Speaker, having expressed my view on that, I should now like to add just one more point. The hon. Member for Spirit River-Fairview raised the question of limitations on part-time teachers due to — his allegation — a surplus of teachers. To my surprise, in discussions I have had, my understanding is there is no surplus of teachers in some school boards which may not be considered to be in the centre of the province. In fact there may yet be some problems about getting teachers. So whether or not we have a surplus of teachers — and I know there are persons within the cities of Edmonton, Calgary, and some other areas, looking for employment — to some degree that is predicated on how far afield those persons wish to look for work. I think it is a situation which pertains not only to teaching, Mr. Minister, but also to a number of other professions and occupations.

I don't wish to cast any negatives on the teachers as a particular group. I simply want to point out that I think our preference as individuals is to have the ideal. It isn't possible in all circumstances to obtain that ideal in our selection of employment opportunities.

I would oppose very rigorously any extension of limitations on the capacity of teachers to take part-time employment or, for that matter, of school boards to extend part-time employment. In my own case I don't employ teachers, but I do employ a number of people. For quite a number of them, part-time employment is not only suitable in a social sense for what they desire, but it's also suitable in an income sense. It makes for better family relations as far as they are concerned. As an employer it wasn't my original preferred method of employing people. But I have adjusted my operations accordingly, and I think I can state fairly that I am quite happy with the ar-

rangement. I cannot see that we in this Legislature should say to either group: you shall not, because we don't think you should.

My last point has to do with pensions and the problems that have arisen. If we are going to extend recognition for teaching service in the manner suggested by the hon. Member for Olds-Didsbury, I would hope we do so with some caution. Because I perceive that we could be acting with a degree of inequity, not toward teachers who teach or have taught for recognized school boards, but to this group of teachers vis-a-vis many other persons in society who have no, or very little, opportunity for pension. I think we have to be careful to recognize the relative position.

I think teachers and a number of other groups in this province are in a preferred position with respect to pensions. There are some teachers who have taught in situations where they were not given recognition for pension for various reasons, and I think all hon. members know what they are. That's unfortunate. But I would venture there are many, many others, more than a greater proportion of employees in the province, who have much less pension opportunity. I would prefer to see us working with all this relationship in mind.

In closing I would request the hon. minister that if he has a spare copy of the actuarial report done on the teacher retirement fund, I would be interested in viewing it.

Thank you, Mr. Speaker.

MR. DIACHUK: Mr. Speaker, I would like to make a few comments on Bill 27, and at the outset to say that I concur with my colleague from Edmonton Jasper Place. But I would like to just add a few areas.

I want to commend the minister and the department in moving on the areas discussed last year in the debate on the resolution I introduced. I think it has received good acceptance throughout the province, and the time is proper and right to move on the question of the corporate assessment and the grants in lieu of taxes that would provide more equitable financial support for all students in our school systems.

I would still hope that the area raised by one of the members in this Assembly, with regard to teachers having time off for conventions and all that, is left to the discretion of the school boards. I share with my colleague from Edmonton Jasper Place that it's not necessary it be in the statutes. I noticed that a certain amount of the decision is left to the boards. I would hope we don't legislate every hour of the day that the teacher is supposed to have, whether it's professional development or conference time, that we don't move into that area any more than we are already. First of all, we have to accept that the responsibility is with the ATA and the respective school board that teacher is working for.

As to the surplus of teachers in this province, I often wonder where these figures come from. Is it good or bad? I believe that when there is a surplus there is a better competitive approach and more dedication. Mr. Speaker, human nature is such that when there is a shortage of people, the competitive spirit is lost. This isn't to detract or to persuade potential students into the Faculty of Education, but I think young people who are entering the field of

education should re-examine their objectives, whether that is the profession they want to enter.

As a supporter of private schools, I would hope that we are careful and don't just move quickly into providing an opportunity for people who have taught in a private school. We now have a group that may not receive any funding from the provincial government for their private school. I hesitate to say that that teacher should be given recognition toward any pension program for the years of service in that private school. I am one of the first to support the concept of the private school. But at the same time I place my reservation that teachers realize that when they're teaching in a private school, they don't automatically become eligible to get into the pension plan later on, even if they provide back pay for the years of service, when they move into a recognized school jurisdiction that participates in the pension plan.

I want to say there are areas the minister is still wrestling with, that I look forward to sharing with colleagues in this Assembly. Education must continue to evaluate. Changes are no doubt always acceptable, and we should be expecting them. I intend to support Bill 27 and commend the department and the minister on the actions.

DR. WEBBER: Mr. Speaker, I just want to make a quick comment. During the fall session last year I introduced a private member's bill relating to an amendment to The Teachers' Retirement Fund Act. It was related to the designation upon marriage of the spouse as beneficiary. I indicate that at this time, because I want to thank the minister for including that in the current bill. In other words, the recommendation in my private member's bill is now included in this particular bill, and I would like to thank the minister.

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

HON. MEMBERS: Agreed.

MR. KOZIAK: Mr. Speaker, the Leader of the Opposition raised the approach that the teachers' retirement board has toward the responsibilities and powers it has under the act. He thought they were perhaps a little sticky in that respect. Their responsibilities are onerous. Their responsibility to thousands and thousands of teachers in this province is to handle responsibilities in a sound fiscal manner. I'm extremely pleased with the way that board is in fact discharging its duties. However, that board must discharge those duties in accordance with the laws this Legislature passes. In many cases the problems that board faces, and that we then hear about, are a result of inability to act by reason of the provisions of the act.

In this case, we are amending the act to correct that one particular problem dealing with private schools. The hon. Leader of the Opposition pointed out the Hutterite school that subsequently became part of a system, but at the time wasn't, and the years of service the teacher gave in teaching in that Hutterite school not being recognized for pension purposes. This will now take place with respect to future pensions but will not correct the situation with respect to pensions presently in place.

While I mention that, I should also respond to the

Member for Calgary Bow. He mentioned the amendment proposed in his bill last year. That is again in the same category. Unfortunately we can't go back. I intended to mention that in my initial comments on second reading. We can't go back and retroactively change pensions now in place. Constant changes are being made in pension plans, and those can only be effective prospectively, not retrospectively. Otherwise the disruption would be something we couldn't live with. As a result, the amendment contained in the act relative to the concern of the hon. Dr. Webber is dealt with, but on a prospective basis and not retroactively. We can't correct inequities that exist by reason of pensions presently in place or deaths that have taken place.

The same with the situation raised by the Leader of the Opposition with respect to those presently on pension who had private school service. This will be of no benefit to them. But teachers who are still teaching will be able to benefit as a result of this amendment. Of course that benefit will be accompanied by a monetary contribution they will have to make to the fund.

The hon. Member for Edmonton Beverly raised some concerns here. We must remember that in many cases there has been no contribution to the fund by private school teachers or by private schools for those years in question. Should those teachers wish to benefit from those years of service, they will have to provide to the fund an amount which the board will calculate. That amount will include not only the amount the teacher would normally contribute, but also the amount the employer would have contributed. There is a fiscal penalty, if you want to call it that; not a penalty but an accounting, so the benefits that flow from the fund will be as a direct result of the monetary contributions that teacher will be required to make. At least that option will be there. Now that option is not there.

The hon. Leader of the Opposition asked about Section 1 of the bill, which would add Section 7.3 to The Department of Education Act. I dealt with that in my initial comments. Perhaps he can check *Hansard* for that.

Mr. Speaker, he suggested we should review The School Act regularly. Over the past three years, and prior to that as well, I find that we have seen amendments to The School Act as they are needed. Other than the request I have heard this morning, I really can't say that there has been any ground swell of opinion for a major overhaul of The School Act or of the legislation the Department of Education is responsible for administering.

He raises the question of regional bargaining. I don't believe that would properly fall under the School Act in any event. It's probably an outgrowth of The Alberta Labour Act rather than The School Act.

The hon. Member for Spirit River-Fairview wanted to know about the dollars that might be involved in the shift between public and separate school systems as a result of the amendments to this act. I could say that the grants in lieu of taxes presently provided to the two major systems, Edmonton and Calgary, would see a shift of approximately \$100,000 between the public and separate jurisdictions in each of those two cities. You would have a flow of about that amount in the way of dollars. Of course in other jurisdictions the amount would be substantially smaller.

The matters of part-time teachers and convention days were also raised by the Member for Spirit River-Fairview. I should point out that Section 74 of The School Act — maybe, as the hon. Member for Edmonton Jasper Place points out, The School Act does in fact go too far in outlining the rights, duties, and responsibilities that exist between school boards and teachers. In this province we probably find ourselves in the situation where two levels of bargaining take place: one between the school boards and the teachers, and another at this level, involving the school boards, teachers, and the minister, to see what additional benefits can be derived by amendments to The School Act. I suppose we should resist those. Section 74 of The School Act does indicate that two days for teacher conventions are included in the definition of the word "day", or in the definition of "day in a school year" on which a teacher is required to teach. So that's left in the act.

I believe that deals with some of the concerns raised by hon. members during the course of their contributions to second reading of this bill. I would like to thank all hon. members who contributed and ask for the support of all in second reading of this bill.

[Motion carried; Bill 27 read a second time]

Bill 37

The Corrections Amendment Act, 1978

MR. FARRAN: Mr. Speaker, I move second reading of The Corrections Amendment Act, 1978. There are no new earth-shaking principles in this bill. We thought proper to consolidate in this act duties, powers, obligations, and practices contained in other acts, such as federal acts or provincial statutes. I'll go over them quickly one by one.

One provides for the transfer of inmates to a hospital or mental facility; this obviously has to be done once in a while. Another amendment gives the chief executive officer the power to delegate. It could have been a power straight from me under the existing act, but it allows a further delegation. It designs as peace officers government employees working at correctional institutions, so they have some control over help or inmates who may be painting the jail.

The temporary absence program is lifted straight out of the federal Prisons and Reformatories Act. Temporary absence is a practice in all penitentiaries and correctional institutions in Canada. The provinces derive their powers from the federal Prisons and Reformatories Act, but it was thought proper to put in it the provincial Corrections Act.

There is a section for witnesses to come in on inquiries, the same sort of thing we have for inquiries into police matters. Finally, there is the same provision there is in disciplinary inquiries for policemen, applying to correction officers to avoid them seeking to remain silent on the grounds they might incriminate themselves. We give them the protection of the Canada Evidence Act, and the procedures under which it's done are spelled out in the act. That's almost exactly the same, word for word, as the provisions in The Police Act.

[Motion carried; Bill 37 read a second time]

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

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 5
The Alberta Insurance
Amendment Act, 1978

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. HARLE: Mr. Chairman, I move the bill be reported.

[Motion carried]

Bill 28
The Real Estate Agents' Licensing
Amendment Act, 1978

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

Are there any comments, questions, or amendments to be offered with respect to any other sections of this bill?

[Title and preamble agreed to]

MR. HARLE: Mr. Chairman, I move that Bill 28 be reported as amended.

[Motion carried]

Bill 8
The Survival of Actions Act

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

DR. WEBBER: Mr. Chairman, last evening the hon. Leader of the Opposition asked two questions with regard to this bill. Under Bill 8, causes of action survive for the benefit of a deceased's estate, including causes of action related to adultery, seduction, or inducing one's spouse to leave or remain apart from the other. The hon. leader asked why exceptions weren't made for those three categories as recommended by the Institute of Law Research and Reform.

From what I can determine, Mr. Chairman, damages in most Canadian cases are relatively low,

between \$2,000 and \$3,000. In Alberta only two cases have been reported in recent years, in 1959 and 1958. Now the damages awarded with these actions surviving under this new act would be reduced somewhat in that it's only the actual monetary loss if a husband had to hire a housekeeper, et cetera, related to any one of those three categories. So it's only related to the actual financial loss and not to any personal loss, such as his feelings being hurt or whatever. Therefore, I doubt that very many cases of this type of action would be brought by an estate under this new Survival of Actions Act.

The second question was related to, I believe, why the \$500 limit was removed in cases of funeral expenses. Under Section 6 of Bill 8 there is a reference to funeral expenses, but it says that

reasonable expenses of the funeral and the disposal of the body of the deceased may be included in the damages awarded.

When the institute recommended that a limit of \$500 be put in, the reason they left it is that there would have to be an amendment to The Fatal Accidents Act. So we are leaving out the \$500 limit in Section 6 of this act and at the same time excluding it from The Fatal Accidents Act. That's the only reason. The institute recognized that certainly there may be instances where damages above \$500 may be necessary, so now it's left for the courts to decide what that would be.

[Title and preamble agreed to]

DR. WEBBER: Mr. Chairman, I report Bill No. 8, The Survival of Actions Act.

[Motion carried]

Bill 9
The Natural Gas Pricing Agreement
Amendment Act, 1978

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

MR. CLARK: Mr. Chairman, to the minister. I presume this amendment is designed to make it possible, where constituents are taken out of the gas, for the producers to be compensated. I ask the question, Mr. Minister, frankly because of a question I got just this morning from an individual in the industry who phoned and wanted clarification of that.

MR. GETTY: No, Mr. Chairman. The purpose of this amendment is to make it clear that when a buyer of natural gas sells a constituent like ethane — for instance, if TransCanada buys natural gas from a well in northern Alberta and carries that through the trunk line to Empress, and at Empress sells ethane out of it — the description of natural gas was not specific enough that when gas is sold in the province, the seller, under one interpretation given to TransCanada by a legal firm, then became eligible for the export flowback as a seller of natural gas. We wanted it to be clear that it's only the producer who receives the export flowback. Therefore, it clears up the problem for TransCanada, who had this legal opinion on their desk.

That's what this amendment does. A producer who wants to sell ethane makes his arrangement with the person buying it. It's a contract they make between themselves. This does not enter into it.

MR. CLARK: The producer of gas?

MR. GETTY: Yes, the producer of gas.

[Title and preamble agreed to]

MR. GETTY: Mr. Chairman, I move that Bill No. 9, The Natural Gas Pricing Agreement Amendment Act, 1978, be reported.

[Motion carried]

Bill 12
The Motor Vehicle Administration
Amendment Act, 1978

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. FARRAN: I move this bill be reported, Mr. Chairman.

[Motion carried]

Bill 11
The Feeder Associations Guarantee
Amendment Act, 1978

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. HANSEN: Mr. Chairman, I move that Bill 11, The Feeder Associations Guarantee Amendment Act, 1978, be reported.

[Motion carried]

Bill 15
The Motor Transport
Amendment Act, 1978

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

[Title and preamble agreed to]

DR. HORNER: Mr. Chairman, I move that Bill 15, The Motor Transport Amendment Act, 1978, be reported.

[Motion carried]

Bill 31
The Hazardous Chemicals Act

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any

sections of this bill?

There are some amendments here. Are you all familiar with the amendments?

[Title and preamble agreed to]

MR. LYSONS: Mr. Chairman, I move that Bill 31 be reported as amended.

[Motion carried]

Bill 6
The Alberta Property Tax Reduction
Amendment Act, 1978

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. JOHNSTON: Mr. Chairman, I move that Bill 6, The Alberta Property Tax Reduction Amendment Act, 1978, be reported.

[Motion carried]

Bill 14
The Alberta Games Council Act

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

There are some amendments to the bill. Are you all familiar with the amendments?

MR. ADAIR: Mr. Chairman, the amendment relates to the deletion of Section 7(i).

If I may, I think I'll just take a moment to answer the question raised by the hon. Leader of the Opposition a little earlier in second reading. We were talking about the acquisition or donation of land and what provisions there were to protect that from becoming something other than the building up of either a bureaucracy or a centre or permanent site for the Games. If you look at Section 8, basically the provision is covered. You have what I consider the control mechanism where the minister can give directions to the council for the purpose of the priorities and guidelines. If you go back to Section 4, look at the objects of the council, which basically are "to organize, manage and operate periodic athletic events called the '... Games'". That's the prime function. At no time do we want them to be purchasing for the sake of creating a permanent site, nor would we allow that to happen under the act.

The basic concept of having it as broad as we could was to allow those who have indicated they may be prepared to donate to the council land for revenue purposes or the like to in fact do that. At some point it may be to the council's advantage to pick up an adjacent piece of property that would give them a viable unit that could be used as a revenue producer. But it is not for the purpose of creation of a permanent site for the Games at any place, or for a site to build, for example, a building that could be used by the administration. The administration of the council will be held basically to those appointed members

plus one member from the Department of Recreation, Parks and Wildlife as a secretary to the group.

I think that should cover the main concerns. The concerns you raised as well partly covered them. As a matter of fact, I think we've covered them all under Section 8. We raised those earlier, that we wanted to ensure they did not become something other than they were actually set out to be, that they couldn't become another major Crown corporation doing things on their own. We have the mechanisms there to control the guidelines and priorities of the organization as set out in the objects in Section 4.

MR. CLARK: Obviously you've considered the point we raised, Mr. Minister. You have decided it isn't in the best interest of the Alberta Games Council to spell out specifically in the act that they cannot use property which is acquired to build a centre in the province. That's what we asked you to do earlier today. You're coming back now and saying you don't feel that has to be done. That's the way I interpret the minister's remarks.

Mr. Minister, I think one always has to recognize that you may not always be the minister. I've no question that the minister doesn't have the intention of having this happen. But in the future the Games Council or civil servants can look at this act without any regard to what you've said in the House today. It's open sesame for acquiring land, getting money for buildings, and moving in that direction.

The only hold any minister in the future will have would be on the funding of the venture. Likely that would have been your best argument as far as trying to prevent that kind of thing. It isn't a bad argument. It's too bad the minister didn't use it.

The point is simply that this is a classic example of wide-open legislation that can be used today for what the minister says he wants to use it for, but down the road will find itself being used for something much more than we're really being asked to do here today. If, as a result of this kind of wide-open legislation, the Games stop circulating across the province, we're going to lose very much of the benefit of the Alberta Games. I commend the minister for what's taken place in that area. If we end up having these things lodged in Calgary, Red Deer, Edmonton, or wherever else, I think the minister will find a real loss in the interest across the province.

I was pleased to hear the minister recognize that some real snags are developing between the provincial and regional Games. The minister and I had an eyeball-to-eyeball discussion a couple of years ago with regard to competitions which are held. There's a desperate need for some kind of reasonable co-ordination between some of the things that are happening regionally. We end up in stupid situations. The minister doesn't, but I say young athletes in this province end up in the ridiculous situation of having won in their region, and then in the provincial Games there's no contest or the winners aren't recognized as far as the provincial Games are concerned. We're talking about using the Games not only for participation but also for young athletes to further develop their capacities, then a number of them end up being disappointed. Mr. Minister, I guess we'll have to rely on your comments in *Hansard* if somebody gets involved in somewhat of a land grab down the road.

MR. ADAIR: Mr. Chairman, I may respond to that. Certainly you have the right to rely on *Hansard*. It's there, and I'm sure it'll be used. But I think the assurance . . . It was implied that dollars were obviously a major contributor to the controls in there as well, because we certainly have control over the budget the council has, over the funds that would go to the various communities. I want to re-emphasize the fact that it is not the intent, nor will it be the intent, that they could in fact set up a permanent site. We think we have in place the mechanism to control that. The site for the games would be on a rotating basis.

As the hon. Leader of the Opposition has mentioned, we've had some difficulties relative to the transition, if you can call it that, of athletes from the regional Games to the Alberta Summer and Winter Games. That was partly as a result of the events chosen by the host community and the events of the regional Games. In fact we're attempting to have the council — and they are having a meeting this month, I believe — sit down with the co-ordinators of regional Games to try to work out some of the details to ensure they're covered by better co-ordination and transition.

MR. CLARK: Would it be accurate to say: the events chosen by the chairman?

MR. ADAIR: No, it would not be accurate. I think the host community will submit those events to the particular Games council for selection by them. Then there may be some adjustments within that, relative to the accommodations and the like. I would like to clear that up for the hon. member.

MR. CLARK: Mr. Chairman, to the minister. I trust that will be the situation in the future. It certainly wasn't the situation at the Games in Banff.

MR. ADAIR: Yes, it was.

[Title and preamble agreed to]

MR. ADAIR: Mr. Chairman, I move that Bill 14, The Alberta Games Council Act, be reported as amended.

[Motion carried]

Bill 24
The Municipal Taxation
Amendment Act, 1978

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. JOHNSTON: Mr. Chairman, I move that Bill 24, The Municipal Taxation Amendment Act, 1978, be reported.

[Motion carried]

Bill 37**The Corrections Amendment Act, 1978**

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. FARRAN: Mr. Chairman, I move that Bill 37, The Corrections Amendment Act, 1978, be reported.

[Motion carried]

Bill 25**The Utilities and Telephones
Statutes Amendment Act, 1978**

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

[Title and preamble agreed to]

DR. WARRACK: Mr. Chairman, I move that Bill 25, The Utilities and Telephones Statutes Amendment Act, 1978, be reported.

[Motion carried]

Bill 27**The Education Statutes
Amendment Act, 1978**

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 this bill. Are you all familiar with it?

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill 27, The Education Statutes Amendment Act, 1978, 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. McCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following bills and reports the same: 5, 8, 9, 12, 11, 15, 6, 24, 37, 25.

The Committee of the Whole Assembly has had under consideration the following bills and reports the same with some amendments: 28, 31, 14, 27.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, as to the probable business for the first part of next week: on Monday afternoon we will proceed on Orders of the Day to the motion on grain marketing of which I gave notice earlier today and which is found as Government Motion No. 16 on page 5 of Votes and Proceedings, distributed about an hour ago.

Monday evening, in Committee of Supply, we begin with the estimates of the Department of Hospitals and Medical Care. On Tuesday afternoon, as members note on Votes and Proceedings, the government designated hour will be Committee of Supply, which will continue into Tuesday evening as well.

Next Wednesday, members should be prepared to debate Government Motion No. 14, with regard to goals of basic education.

I move we call it 1 o'clock.

HON. MEMBERS: Agreed.

[At 12:55 p.m., pursuant to Standing Order 5, the House adjourned to Monday at 2:30 p.m.]