

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Thursday, October 19, 1978 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 63****The Attorney General Statutes
Amendment Act, 1978 (No. 2)**

MR. FOSTER: Mr. Speaker, I beg leave to introduce Bill 63, The Attorney General Statutes Amendment Act, 1978 (No. 2).

This bill includes changes further to those made in the spring session of the Assembly to decriminalize provincial traffic offences, and will make changes to The Provincial Parks Act, The Highway Traffic Act, and The Municipal Government Act, to provide for their better enforcement. There are changes to The Summary Convictions Act in relation to default judgments, and other minor amendments. There's also a minor amendment to The Trustee Act, to transfer from the Attorney General to the Securities Commission the supervision of annual financial statements filed by approved companies.

[Leave granted; Bill 63 read a first time]

Bill 67**The Consumer and Corporate Affairs
Statutes Amendment Act, 1978**

MR. HARLE: Mr. Speaker, I beg leave to introduce Bill No. 67, The Consumer and Corporate Affairs Statutes Amendment Act, 1978.

Mr. Speaker, the bill will amend The Credit Union Act, pursuant to requests made by the Credit Union Federation of Alberta. There are amendments to The Debtors' Assistance Act and to The Franchises Act, and rather technical amendments to The Trust Companies Act.

[Leave granted; Bill 67 read a first time]

Bill 69**The Municipal Taxation
Amendment Act, 1978 (No. 2)**

MR. JOHNSTON: Mr. Speaker, I beg leave to introduce Bill No. 69, The Municipal Taxation Amendment Act, 1978 (No. 2).

Mr. Speaker, the intention of this bill is to react to requests from the cities of Edmonton and Calgary to assist them in carrying out their municipal responsibilities, in particular with respect to the business tax sections.

[Leave granted; Bill 69 read a first time]

Bill 68**The Maintenance and Recovery
Amendment Act, 1978**

MR. ASHTON: Mr. Speaker, I request leave to introduce a bill, being The Maintenance and Recovery Amendment Act, 1978. The purpose of this bill is to make more equitable the procedures for the recovery of social assistance overpayments or mispayments.

[Leave granted; Bill 68 read a first time]

MR. HYNDMAN: Mr. Speaker, I move that Bill No. 68, The Maintenance and Recovery Amendment Act, 1978, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **TABLING RETURNS AND REPORTS**

MR. HYNDMAN: Mr. Speaker, I wish to file the Alberta government position paper on constitutional change entitled, appropriately I think, Harmony in Diversity: A New Federalism for Canada. I believe it will make a timely and important contribution to provincial and national discussions on a revised federalism. As well, I wish to file the report of the minister's Advisory Committee on the Constitution. Copies of both documents will be made available to all members immediately.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. LEITCH: Mr. Speaker, I have the very real pleasure of introducing to you and to members of the Assembly six members of the 223rd Calgary Company and three members of the 177th Calgary Company of Girl Guides from the constituency of Calgary Egmont. They are accompanied by three of their leaders, Mona Hutton, Ruth Sortland, and Dorothy Gifford. They are seated in the members gallery, and I would ask that they now rise and receive the welcome of the Assembly.

MR. SHABEN: Mr. Speaker, it's a pleasure for me to introduce to you, and through you to members of the Assembly, a group of students from the Kinuso school in my constituency. They are visiting the Legislature today with their teacher Mr. Radcliffe. We have had a delightful discussion about the important issues within the province, and the students displayed a keen interest in the legislative process. They are seated in the public gallery, and I would ask that they stand and receive the customary welcome of the Assembly.

MR. NOTLEY: Mr. Speaker, we have in the public gallery this afternoon the president of the Alberta Firefighters Association, Mr. Merle Schnee, and the other members of the provincial executive. I would ask them to stand and be recognized by the members of the House.

head: ORAL QUESTION PERIOD**Annual Reports**

MR. R. SPEAKER: Mr. Speaker, I would like to ask a question of the Premier. It relates to a practice the Premier carried out when he was Leader of the Opposition.

MR. FOSTER: You could use some help.

MR. R. SPEAKER: Right; just confirming the ground rules.

Mr. Speaker, what I would like to ask the Premier is with regard to annual reports. The practice at that time was to question ministers as to the content of annual reports tabled by them. I wonder if the Premier could elaborate on the procedure used prior to the tabling of annual reports. Are the ministers required to read those reports prior to tabling them?

MR. LOUGHEED: Mr. Speaker, I detect something behind that question. Having been on the other side, I'm therefore cautious. I'm sure every effort is made by the ministers, with the volume of documentation under the ambit of their responsibility, to check those documents. But I'm sure there is the odd case that escapes them. I recall that when I was in opposition we asked a question about how a particular large photograph was in an annual report by one of the then ministers, and he wasn't aware of the photograph. Those things do happen, Mr. Speaker.

MR. R. SPEAKER: Mr. Speaker, my supplementary question is to the Minister of Culture. I wonder if the minister could confirm that he is required to read each of his reports twice before tabling them in the House. In 1977 Sessional Paper No. 38/77 was the eleventh annual report of the Glenbow-Alberta Institute, and here the other day we have the same report received as Sessional Paper 38/78, the eleventh annual report, 1977. I wonder if the minister could confirm that he is required to read each of his reports twice in case he's questioned.

MR. SCHMID: Mr. Speaker, I hesitate to do so; however, I had been requested by the Clerk of the Legislative Assembly to file that annual report. And of course since I felt that this man could never be wrong — after all he is looking after all of us — I filed it once again. [laughter]

MR. R. SPEAKER: Mr. Speaker, to the minister, just to assure myself that he has reviewed it. Is the minister aware of all the contents of both reports?

MR. SCHMID: Mr. Speaker, since of course the financial obligations of the Glenbow-Alberta Institute have been quite severe in the past, I am quite familiar with most of the contents of the report. However, I would not want to quote figures off the top of my head in case he is going to ask me about any kind of, should I say, financial statements contained in the report.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Will the minister be tabling a 1978 report shortly?

MR. SCHMID: Yes, Mr. Speaker, as soon as this report is available.

DR. BUCK: Single copy or double?

PWA Operations

MR. R. SPEAKER: Mr. Speaker, my second question is to the Minister of Transportation. It's a follow-up to the questions we started yesterday as supplementaries, relative to Time Air. I wonder if the minister could confirm that PWA has offered to compensate Time Air if Time Air will agree not to oppose PWA's application to CTC for approval of an Edmonton-Lethbridge-Vancouver passenger route.

DR. HORNER: Mr. Speaker, as I noted in the Legislature yesterday, the discussions with Time Air are now at such a state that it would be inappropriate for me to comment on them at the moment. The discussions going on are among the various companies involved, and as soon as those discussions have been reported to me I'd be happy to answer any questions in the Legislature.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. I wonder if the minister could categorize generally the type of compensation that has been offered. Is it a compensation to purchase, or is it an operational compensation?

DR. HORNER: Mr. Speaker, again I think that would be inappropriate in the middle of some negotiations that are now going on between two parties which are at arm's length.

MR. R. SPEAKER: A supplementary to the Minister of Transportation. Is the minister denying that it is not an offer to purchase Time Air?

DR. HORNER: Mr. Speaker, I can say categorically that it is not the intention of the government to purchase Time Air.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. In view of the fact that Time Air depends heavily on the revenue from the Lethbridge to Edmonton run, and that the compensation that's been offered, as I understand it, was offered for only one year, I wonder if the minister could comment on the reason for just a one-year compensation rather than a long-term compensation.

DR. HORNER: Mr. Speaker, I don't know where the hon. gentleman is getting his information, but I can say to him that he is several months behind the times.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Will the minister give any kind of assurance that routes that would not be covered by Time Air — or if Time Air has to cut back on certain services in the province, will PWA be assuming that responsibility?

DR. HORNER: Mr. Speaker, to date the awarding of routes in the province of Alberta has been the exclusive right of the federal Ministry of Transport.

Although I have on occasion disputed that right, to date that's the situation.

Resource Revenue Decision

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Premier. Following the practice of sending congratulatory telegrams to Conservative politicians from time to time, I must say I am tempted to ask the hon. Premier whether he has sent a telegram to Mr. Colver congratulating him on becoming Leader of the Opposition, subject of course to a recount in that gentleman's riding.

But I'll resist that temptation, Mr. Speaker, and ask the hon. Premier a more important question: has the Alberta government had an opportunity to assess the implications for the pro-rationing system in Alberta of the potash case decided by the Supreme Court?

MR. LOUGHEED: Mr. Speaker, no, we haven't completed our review and assessment of that matter. We're awaiting legal opinions through the Attorney General's Department.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier, and a word of explanation is necessary. It's my understanding that as a result of the Supreme Court decision on potash, one of the real problems is with respect to freehold minerals as opposed to minerals owned by the Crown. My question to the hon. Premier is: is there going to be a specific assessment of the entire range of conservation legislation as a consequence of the Saskatchewan potash decision?

MR. LOUGHEED: Mr. Speaker, I have full confidence that the Attorney General, together with his advisors, will cover the ambit of the issues that are raised directly and indirectly out of that judgment.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Attorney General. Would the Attorney General be able to outline to the Assembly what specific steps have been taken by the department with respect to reviewing the constitutional implications of this decision, and whether or not any outside constitutional advice has been engaged?

MR. FOSTER: Mr. Speaker, I believe that the Premier has adequately responded in this Assembly. I cannot go further, except to say that it is very often our practice to obtain opinions from lawyers outside the Department of the Attorney General, in addition to our own constitutional staff, on matters of great importance such as this one.

MR. LOUGHEED: Mr. Speaker, perhaps I could supplement my first answer. I should say to the hon. member asking the question that having regard to the judgments of the Supreme Court of Canada and statements that the government, including myself, has made with regard to the Supreme Court of Canada, I suggest to him the proposal contained in the important document which was tabled today with regard to the constitution and which will be debated in the House next week.

MR. NOTLEY: Mr. Speaker, a supplementary question, then, to either the hon. Premier or the hon. Attorney General. The question I would like to pose to either hon. gentleman is with respect to the issue of our ability to set conservation legislation in this province, not on Crown land but on freehold, and whether or not that specific problem, which I gather is at the crux of the test in Saskatchewan, has been evaluated. Because 15 per cent of the resource revenue generally — oil and gas revenue — comes from freehold.

MR. FOSTER: Mr. Speaker, normally when the Department of the Attorney General is asked to embark upon a legal review of a problem on behalf of the government, and it's a matter that arises out of an important case from the Supreme Court of Canada, we do our very best to be comprehensive and thorough and to look at all aspects of it. The hon. member will realize that in striking down the potash case in Saskatchewan, the Supreme Court of Canada placed rather great emphasis on the fact that Saskatchewan has 1,500 years' supply of potash, which would supply the entire world. Therefore the Supreme Court of Canada wasn't terribly impressed with the reasoning of the Court of Appeal in Saskatchewan. So obviously we're looking at all aspects of it.

Electrical Service — Lethbridge

MR. GOGO: Thank you, Mr. Speaker. I have a question for the Minister of Utilities and Telephones. It's related to electrical service in the city of Lethbridge. Back in 1975-76 the city of Lethbridge sold its electrical generating equipment to Calgary Power for many reasons, one of which was that Calgary Power would be able to provide adequate electrical energy to the city of Lethbridge with a new electrical transmission line. Could the minister advise what has happened to providing that service as of this date?

DR. WARRACK: Mr. Speaker, that is a very important question, and one that I expressed some concern about a year ago. The hon. member is referring to a line that's necessary somewhere within the Alberta grid system to serve the Lethbridge area and its surrounding communities in a reliable way during the winter peaks, not so much the coming year but the year after that.

The application for that line has been heard by the Energy Resources Conservation Board, but has since been contested in a series of court steps. My understanding is that an appeal is presently before the appellate division of the Alberta Supreme Court, and that that matter was heard in June of this year. I for one am very anxious to see the outcome of that appeal so that we can know how to try to assure reliable electrical service to Lethbridge and surrounding communities.

MR. GOGO: Mr. Speaker, a supplementary. In view of the time frame that such a line would obviously take to construct from Calgary to the Lethbridge area, and also in view of when the application was made, would the minister view the situation as becoming somewhat critical to the assurance of electrical energy to the city of Lethbridge?

DR. WARRACK: Mr. Speaker, yes, I do. Having said that, I think I should indicate my concern, I certainly haven't called the judge, but I did ask the Attorney General if he would inquire what the timing would be in terms of that appeal. Regardless of the outcome of the decision involved, there is now a possible critical problem before us because of the lead time the hon. member explained.

MR. GOGO: Mr. Speaker, one final supplementary to the hon. Attorney General with regard to this. I don't know the procedures, whether he goes around calling judges or not. But could he advise the House whether his office has been able to expedite the matter that is presumably before the courts?

MR. FOSTER: Mr. Speaker, yes, I do go around calling judges. Fortunately I'm the only one in this government who does. I think that should be clear. When I do, I don't talk to them about cases they're considering or have considered. I talk to them on administrative matters, clearly.

On this occasion I did respond to the inquiry of my hon. colleague. My office has been in touch with the Chief Justice's office to inquire when this decision may in fact come down. I don't have the information before me in the House, but the inquiry has been made. My office may be back in touch with my colleague. I'm not sure yet, but I'll check.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Minister of Utilities and Telephones. A number of the farmers are concerned about the location of some of the towers and the direction of the line. Can the minister assure the Assembly that all possibilities of appeal — or routes through which the farmers can go to have their cases heard as to moving the lines, say, even half a mile or a quarter of a mile — have been explored and are open to the farmers at the present time?

DR. WARRACK: Mr. Speaker, as a result of discussions I had with the farmers involved during the course of the cabinet tour at Cayley, and later at Langdon in my own constituency, I do know they have been pursuing what courses and alternatives might be available. Moreover, in discussion with the Energy Resources Conservation Board, I know they have taken seriously the concerns expressed and the suggestions for alternatives. As a matter of fact, some considerable adjustment has been made from the original configuration proposed.

So aside from commenting on the question of legal recourse — of which there have been several steps, though I don't have a way to know whether the case pending at the present time is the final step — they have in any case been pursuing all the alternatives, I think, and rightfully so. I'm confident the Energy Resources Conservation Board has heard and seriously considered all those alternatives.

Grain Marketing

MR. BATIUK: Mr. Speaker, I'd like to pose my question to the hon. Minister of Agriculture regarding a statement he made yesterday at the Canada Grains Council meeting in Calgary indicating he is going to ask for a plebiscite to decide whether barley should

continue to be exported through The Canadian Wheat Board. Does the minister prefer the export and handling of grain on the open market rather than the present system?

MR. MOORE: Mr. Speaker, in speaking at a luncheon meeting of the Canada Grains Council yesterday, I asked that a plebiscite be carried out among western Canadian barley producers as to the manner in which they wish to sell their export barley. In making that statement I did not take any position whatsoever in the matter, and prefer not to now; rather to open the way for barley producers themselves to make a decision on the future of the export marketing of barley out of western Canada.

MR. BATIUK: A supplementary question to the minister, Mr. Speaker. In view of rape being sold on the open market, and it seems it has been going well for the last few years, is there any indication that it would be much more feasible and profitable to market barley in the same manner?

MR. MOORE: Mr. Speaker, that's a matter of speculation. As I said in my original answer, I would like to have that matter fully debated over the course of the next few months before a plebiscite is held. I think that's one that the farmers themselves would answer in the event that a plebiscite were agreed to.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Agriculture. Bearing in mind his comments about a plebiscite among barley producers with respect to the open market for export of barley, what is the position of the Alberta government regarding the promise made in 1974, when the feed grain policy was changed by the federal government, of a plebiscite among feed grain producers to determine whether or not they liked the new program — a promise not kept by the federal minister in charge, Mr. Lang? Is it the position of the Alberta government that that promise, made four years ago, should also be redeemed?

MR. MOORE: Mr. Speaker, I don't believe it's our responsibility to consider promises broken by the federal minister responsible for The Canadian Wheat Board, as the hon. member alleged. I would expect that that situation will likely be taken care of in the spring of 1979.

MR. NOTLEY: A supplementary question to the hon. minister. Is the minister prepared to make representation to the Hon. Otto Lang or whoever succeeds him, either with the present administration, a new one, or some combination . . . Is it the position of this government that it will ask for a plebiscite among producers, as was promised in 1974?

MR. MOORE: Mr. Speaker, in calling for a plebiscite with respect to the marketing of export barley, I suppose one almost has to consider the marketing of domestic barley as well, because I wouldn't think we would foresee a situation where The Canadian Wheat Board had control of domestic marketing but not of export marketing. So I really think the question of the continuation of the open market domestically is one that could well be addressed when a plebiscite is held

with respect to the export marketing matter. I would undertake to consider that matter in any representations I may make to the federal minister responsible.

MR. MANDEVILLE: Mr. Speaker, a supplementary question to the minister. As a result of large quantities of barley not qualifying for pearling or malting, was there any discussion on increasing the quotas or giving any direct assistance to barley growers?

MR. MOORE: I'm not sure I understand, Mr. Speaker. Any discussion where? I was speaking yesterday noon at a public meeting and made a number of remarks about export grain marketing.

MR. NOTLEY: A supplementary question, the last . . .

MR. SPEAKER: Possibly the hon. Member for Bow Valley wishes to clarify the question.

MR. MANDEVILLE: Mr. Speaker, it was the meeting the minister attended yesterday. Were there any discussions of increasing quotas or giving direct assistance to barley growers?

MR. MOORE: Mr. Speaker, no discussion with regard to direct assistance. But I did meet yesterday afternoon with the chief commissioner and one of the assistant commissioners of The Canadian Wheat Board for discussions on a number of matters relating to sales of Canadian Wheat Board grains, wheat and barley. I had full discussions with them with regard to the outlook with respect to quotas in this province and the sale of malting barley as well as feed barley, and the outlook as far as they were able to determine for prices and quantities that might be moved throughout the course of the crop year we're now in.

MR. CLARK: I'd like to direct a supplementary question to the minister. Following the minister's announcement yesterday of what he was suggesting be done, what steps does the minister now plan to take to see that the plebiscite is in fact held? Has he already made representation to the federal minister responsible for The Wheat Board?

MR. MOORE: Mr. Speaker, I've made no representations to anyone, but the meeting I spoke at yesterday was attended by almost everyone in the grains industry in western Canada who is in a position of making decisions with regard to these matters. Farm organizations, grain industry people, Canada Grains Council people — who of course sponsored the meeting — Canadian Grain Commission members, and Canadian Wheat Board commissioners were at the meeting.

So, Mr. Speaker, everyone is fully aware of the proposal I put forward. I expect that in itself will be adequate to get some response and discussion going amongst interested persons as to whether or not a plebiscite would indeed be held.

MR. CLARK: Mr. Speaker, a further supplementary question to the minister. Mr. Minister, what I'm trying to get at is: does the minister feel his responsibility is finished now that he has proposed a plebiscite? Or in fact is the minister now prepared to seize the idea and go to the federal government and try to make that happen?

MR. MOORE: Mr. Speaker, on the morning this Legislature opened for the fall session I forwarded to Otto Lang, the minister responsible for The Canadian Wheat Board, a telex with regard to quotas, to which I have not yet had a response. The following Thursday, on private members' day in this Legislature, I made some comments in debate with respect to barley quotas in this province and Saskatchewan. I had a response through the media from Mr. Lang the following morning.

MR. CLARK: Mr. Speaker, I sympathize with the minister and his problems with Mr. Lang; so do a lot of other people. But the question, Mr. Minister, is simply this: after the proposition you put forward yesterday, are you going to seize the initiative and try to convince Mr. Lang and his colleagues of the wisdom of your suggestion, or do you feel your responsibility . . .

MR. SPEAKER: Could the hon. leader please . . . Order please. It really is not something that any Speaker likes to do, but it does seem to me that we should be remembering the ordinary parliamentary form, which is backed by a long tradition and has its practical as well as formal aspects.

MR. CLARK: Mr. Speaker, I appreciate the point.

Is the minister going to seize the initiative and help the federal Minister of Agriculture see the wisdom of the suggestion of the Alberta Minister of Agriculture? Or does the Alberta Minister of Agriculture simply feel that once he's thrown the balloon up, it looks after itself?

MR. MOORE: Mr. Speaker, the hon. Leader of the Opposition quite frankly hasn't recognized what has occurred. The people who are involved in farm organizations in western Canada, The Canadian Wheat Board officials, and others have been made aware of our concerns in this regard. I want them to have an opportunity to think about the proposal. Certainly there may be a point down the road — next week, two weeks, I don't know when — when we may make official proposals via letter or in person to the minister responsible for The Wheat Board. I don't know. But the idea has been put forward in a very appropriate way, I think, and farm organizations and farmers have an opportunity to consider it.

Before I made the suggestion yesterday at noon, I don't believe any consideration was going on about the method in which we might market barley in this country. I made the suggestion after reviewing the export marketing record for wheat, rapeseed, and barley in western Canada over the last three years. The export market in terms of volume of wheat, not to mention price, has been relatively good. That's controlled by The Canadian Wheat Board. For rapeseed it's been good, and the price has been good. That's on the open market. The situation with barley has been that we've had a declining share of the export market, and the price has been rock bottom. I said that it's time we considered whether or not we should continue marketing barley under The Canadian Wheat Board, and that the farmers themselves should have an opportunity to undertake that consideration.

Now the matter of carrying out a plebiscite with

respect to the operation of The Canadian Wheat Board is a well-established one. In 1973 we had a plebiscite with respect to the marketing of rapeseed and whether or not that should be brought under the control of The Canadian Wheat Board. I think it's appropriate that the farmers themselves, not the Minister of Agriculture from Alberta, the minister responsible for The Canadian Wheat Board federally, or my counterparts in Saskatchewan and Manitoba — I don't think we should make the decision, but we should give farmers, who are the ones out there suffering the problems of price and delivery, an opportunity to make that decision.

DR. BUCK: Trudeau said, sell your own grain.

MR. CLARK: Mr. Speaker, one last supplementary question to the minister. Is it the position of the government of Alberta that such a plebiscite should be held, that that opportunity should be available? Or in fact was the minister simply throwing up a trial balloon yesterday, like he does quite often?

MR. MOORE: Mr. Speaker, I said quite clearly that it is my position that a plebiscite on that matter should be held.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Agriculture. During the debate last week the hon. minister made some comments with respect to the operations of the board, indicating that it might have something to do with the minister in charge of the board, Mr. Lang. My question is: what specific discussions, if any, took place between the Minister of Agriculture and the chief commissioner of The Canadian Wheat Board with respect to the concern expressed by the minister in this House last week that in fact there appeared to be unfair treatment where Alberta producers were not being given the same delivery opportunities as producers from Saskatchewan and Manitoba?

MR. MOORE: Mr. Speaker, there are a number of problems. First of all, as was mentioned in this House during our debate on grain marketing strategies last spring, we were previously not privileged to receive the kind of information that's really required to know what's going on in The Canadian Wheat Board operations. We're now beginning to receive some of that through the courtesy of the chief commissioner of The Canadian Wheat Board, although I'm at a loss to understand how their operations are being carried out and why there are quotas in one Canadian Wheat Board area and not in another.

Yesterday I had a good discussion relative to the opening of barley quotas earlier in Saskatchewan than in Alberta. Quite frankly, I agree with The Canadian Wheat Board, after having seen the figures they have, that the reason largely had to do with the requirement to move substantial amounts of barley through the port of Churchill early this crop year. However, they did promise me that consideration would be given to matters that I raised with respect to barley quotas in Alberta, and that they would try to ensure, to the best of their ability within the terms of the export marketing opportunities they have, that farmers were treated equally in each province and

indeed in each region of each province.

On the other hand, I provided The Canadian Wheat Board officials with information gathered by my department with respect to the amount of livestock feeding we expect to take place this year in the various regions of the province where disappearance of grains may occur outside The Canadian Wheat Board system. I think that indeed they expressed appreciation for being able to receive that kind of information from us.

So as our Premier was saying last spring in the debate, it's a two-way street. We have a very vital interest in grain marketing in this province, and if we can provide some information to The Canadian Wheat Board our assistance can go a long way in helping the situation.

MR. NOTLEY: Mr. Speaker . . .

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

MR. NOTLEY: . . . a supplementary question to the hon. minister. I agree with him as far as northern barley quotas are concerned. But for clarification, my question to the minister is: after the discussions that took place yesterday with the chief commissioner of The Canadian Wheat Board, would it be an accurate assessment to say that the minister has modified the position he took in this House on Thursday of last week with respect to a reference that there seemed to be an unfair advantage given to producers in the other two provinces, and that might have something to do with the interests of the Hon. Otto Lang?

MR. MOORE: Well, Mr. Speaker, I don't intend to modify my positions in trying to get a better deal for Alberta grain producers, whether they be wheat or barley, and better quotas and better prices. And if it happens once in a while that I step on Mr. Lang's toes a little bit in that regard, I'm sorry.

Tourist Industry

DR. PAPROSKI: Thank you, Mr. Speaker. A question to the very active Minister of Business Development and Tourism regarding the tourist industry. I wonder if the minister would inform the House if he has information that indicates that the tourist industry in Alberta has increased or decreased over the past year, and some of the major reasons.

MR. DOWLING: Yes, Mr. Speaker, we now have some statistics to indicate that by the end of the year our revenue from tourism will have increased substantially over last year. Last year about \$814 million was realized in direct revenue; that's up somewhat from our original estimate. This year we feel we will very closely approach \$900 million in direct revenue out of tourism. That doesn't take into account any spinoff benefits.

One of the reasons I believe that is happening is that more Canadians are travelling in Canada. Secondly, our Stamp Around Alberta campaign has been substantially successful, and statistics indicate that a greater number of Albertans are travelling in Alberta than before. Our gate counts on the east side of the province, which are fairly accurate, indicate

substantial increases in traffic. However, because of no gates at the west entrances to the province, we are unable to prove statistically that a great number of people are coming from that direction. Our one big disappointment, Mr. Speaker, is that the traffic from the United States is not as large as we would hope, but that's countered by the fact that the traffic to the United States by Albertans is much less than in previous years.

DR. PAPROSKI: Mr. Speaker, that's very interesting, in view of the fact that I understand the tourist industry has dropped in the rest of Canada. I wonder if the minister would indicate whether the tourist industry and market is being developed within a national plan, and whether the government is participating in that plan.

MR. DOWLING: Mr. Speaker, for some years the branch of our department called Travel Alberta has advocated a national tourist plan for Canada. We've been successful to some degree with regard to Bill 602, the American bill limiting convention expenditure in foreign countries; the advance booking charters; an awareness program; the participation in the Regional Development Incentives Act of the federal Department of Regional Economic Expansion — those kinds of things.

But we still haven't made the big mark with regard to regionalization of tourist promotion, the image making being the responsibility of the federal government and the actual tourist promotion in a regional sense being left to the provinces. We feel that the sectoral document presented to the minister very recently is substantially good, and we concur in most of its recommendations, in particular with regard to this very item.

DR. PAPROSKI: Mr. Speaker, regarding the last tourist ministers' conference — and I understand the last one was cancelled because of the Air Canada strike, so the one before that — I wonder if the minister would indicate to the House what major resolutions came out of that conference.

MR. DOWLING: Yes, Mr. Speaker. Perhaps the hon. member didn't understand that I alluded to that in the former answer. We dealt extensively with Bill 602, which is the U.S. federal legislation limiting the amount of convention expenditure that can be made by American citizens outside their country, and pressed the then minister to intervene with the U.S. government to have that legislation changed. We've had some success with that. We took a strong stand that there should be domestic advance booking charters in Canada and that they should be expanded. We've had some success with that, having had 25 charters allowed for both Canadian Pacific and Air Canada. The third one was participation by the tourist industry and facility developments through the Department of Regional Economic Expansion; we have not been successful. With regard to a national awareness program for tourism, we have also not been successful to this date.

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

DR. PAPROSKI: Then I'll try to amalgamate it in one supplementary. Thank you, Mr. Speaker.

I wonder if the minister would confirm that the service employees in tourism in Alberta are still a major concern. What is the minister planning or doing to correct that situation? Has there been a policy change in regard to the role to improve and augment tourism in Alberta?

MR. DOWLING: On the last part first, Mr. Speaker, there has not been a policy change. Our policy is that tourism is a great contributor to the economy of Alberta. That will continue, and promotion of that industry will be continued as well.

We have undertaken awareness programs through our 14 zones in Alberta. Some of them have been extremely successful. Zone 5, represented by a number of members in this House — Camrose, Fort Saskatchewan, a number of places like that — has had a very successful awareness program, as have some of the others. We rely primarily on the private sector to undertake these, although we do sponsor some of our own programs where we acquaint people with how to handle themselves in this industry.

DR. BUCK: A short supplementary question to the minister, and one to the Premier. Just in case I missed something, does the minister have any breakdown as to how much the Commonwealth Games contributed to our increased tourist trade this year? Any ballpark figure?

MR. DOWLING: Mr. Speaker, what we do know is that the major participants attending the Commonwealth Games came from a maximum distance of 500 miles around the city of Edmonton. That's pretty well statistically correct with any major event of that kind. We have no actual count of visitors from outside the province for the Commonwealth Games, but I know that a great number of them who attended did travel Alberta and have their passports stamped.

DR. BUCK: A supplementary question to the hon. Premier, Mr. Speaker. In light of the fact that tourism is one of our major industries, has the Premier reconsidered getting rid of some of the heavyweight departments, like the ministers for Calgary affairs and for Crown lands, and having a full-time minister of tourism in this province?

MR. LOUGHEED: Mr. Speaker, as the hon. member knows, I'm always very interested in the representations he makes to the Legislative Assembly on government organization. They will be given very careful consideration, as they always are. [interjections]

Smoke Detector Regulations

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Recreation, Parks and Wildlife. Has the minister examined the effect, if any, of the smoke detector regulations on recreation centres in the province of Alberta?

MR. ADAIR: Mr. Speaker, the best way to respond to that would be that we're looking on an ongoing basis at the implications for recreation facilities.

MR. R. SPEAKER: Mr. Speaker, to be very clear from the minister. Has the minister examined the effects, and has he any statistics at the present time to indicate the cost increases or costs to be faced by recreation centres by January 1 or whenever the minister makes a delayed recommendation?

MR. ADAIR: Mr. Speaker, as I said a moment ago, we haven't completed that. We are looking at that and haven't gathered the total information as yet.

MR. R. SPEAKER: Mr. Speaker, to the minister. Have you started on it? That's what I want to know.

MR. ADAIR: Mr. Speaker, I won't shout. If you are having difficulty hearing me, I'll say it again. We are looking at that; we have started on it.

SOME HON. MEMBERS: Oh, oh.

MR. ADAIR: I'll quote that again for you. We have started on that, Mr. Speaker, and when it's detailed we'll have that information.

MR. R. SPEAKER: Mr. Speaker, to the minister. Did the minister start this evaluation prior to the implementation of the regulations that are before us at the present time?

MR. ADAIR: Mr. Speaker, some time ago.

MR. R. SPEAKER: Mr. Speaker, I think that's irresponsible, and just an indication of the lack of ability of that minister. [interjections] He never did . . .

MR. SPEAKER: The hon. member for Calgary Bow, followed by the hon. member for . . .

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Is the minister considering adding moneys to the recreational capital grant program to be forwarded to recreation centres in this province to implement this regulation, which was unilaterally and without any consultation, as I see it in this government — on the people of Alberta? No consultation with local government, I might say.

MR. ADAIR: Mr. Speaker, I would take question with that last particular statement by the hon. gentleman. Until we get all the details and figures in, I'm not prepared to say we're going to put additional moneys in until we know the implications. Now we're looking at that, and I can say very clearly that we're aware of some of the problems. We have had many discussions with the local municipal authorities and those who are applying for funds under the MCR program.

MR. R. SPEAKER: Mr. Speaker, is the minister considering special grants for this regulation that has been placed across the province at the present time? That's what I want to know. Are you considering it?

MR. ADAIR: Well, Mr. Speaker, I'll try it again. Once we get the information so we can see whether there is in fact a need to include any additional dollars, we will make the decision at that time.

MR. R. SPEAKER: A supplementary to the minister. Is the minister aware that even in Grande Prairie, when this regulation goes into effect, there is going to be a severe limitation as to the number of people who can use the facility? Will a recommendation be ready even by the end of this year?

DR. BUCK: Mr. Speaker, a supplementary question to the minister. Is the minister in a position to table in this Legislature the preliminary studies the minister has, I presume, in his possession?

MR. R. SPEAKER: A cost/benefit study.

MR. ADAIR: I guess, Mr. Speaker, I'm having some difficulty in getting across to those particular members who don't seem to understand what I'm trying to say.

MR. R. SPEAKER: I want to understand but don't hear anything; that's my problem.

MR. ADAIR: If you're finished talking, I'll talk.

DR. BUCK: Start saying something.

MR. CLARK: Stop talking and do something.

First Ministers' Conference

DR. WEBBER: Mr. Speaker, I'd like to direct my question to the Minister of Federal and Intergovernmental Affairs. Since the minister tabled the Alberta government's position paper today on constitutional change, I wonder if he could indicate who from Alberta will be accompanying this impressive document to the first ministers' conference on the constitution scheduled for October 30 to November 1 in Ottawa.

MR. HYNDMAN: Mr. Speaker, the group which will be going to Ottawa will break down into essentially three areas: delegates, advisers, and observers. The delegates, led of course by the hon. Premier: the Attorney General; the Member for Lacombe, Mr. Cookson; the Member for Edmonton Highlands, Mr. King; and I. Advisers would be headed up by the Deputy Attorney General, Mr. Paisley, and include the Deputy Minister of Federal and Intergovernmental Affairs, Dr. Meekison. Observers would be Senator Ernest Manning; Mr. Speaker, the Member for Little Bow; Mr. Notley, the Member for Spirit River-Fairview; some members of the ministerial advisory committee whose report was tabled today; and possibly others.

MR. YURKO: A supplementary question, Mr. Speaker, to the hon. minister. Can the minister advise the Assembly whether or not the government has endorsed the report of the Alberta Advisory Committee on the Constitution?

MR. HYNDMAN: Mr. Speaker, as noted in the introduction, the report is by representative and thoughtful Alberta citizens. In some cases it does vary from the report of the government, appropriately so. In many ways it identifies very clearly and responds to a number of the issues brought up in the federal Bill C-60. The Alberta government document, of course, does not respond to the federal Bill C-60, because it

is not the only document on constitutional reform in the country.

So we found the report of the advisory committee very valuable. It does differ and, indeed, as the report suggests, the members differed. But it certainly was a very useful contribution to the debate by thoughtful citizens.

Power Plant Application

MR. ZANDER: Thank you, Mr. Speaker. My question is directed to the Minister of Energy and Natural Resources. Could the hon. minister inform the Assembly whether the Energy Resources Conservation Board has reached a decision or whether a report is available on the findings of the city of Edmonton's application for a thermal plant in the Genesee area?

MR. GETTY: Mr. Speaker, I'd have to check on that. I haven't seen such a report come to my desk yet. But I'll check on it and advise the hon. member.

ORDERS OF THE DAY

MR. BATIUK: Mr. Speaker, on a point of personal privilege. Yesterday, in participating in the debate on Government Motion No. 20, in one area I stated that the philosophy of the New Democratic Party is to leave the oil in the ground if you don't need it. Then I went on to say that's exactly what the Social Credit government was doing. Even though there may be some similarity, the intention was that that's exactly what the New Democratic government in Saskatchewan was doing.*

This is for *Hansard* purposes.

head: WRITTEN QUESTIONS

145. Mr. Mandeville asked the government the following question:

- (1) What is the name of the lawyer who currently performs the legal work for the Agricultural Development Corporation in Lethbridge?
- (2) What is the total amount that this lawyer was paid in legal fees for work done for the Agricultural Development Corporation during the period from April 1, 1977, to March 31, 1978?

MR. MOORE: Mr. Speaker, I accept Question 145, and I'd like to table copies of the answer.

head: MOTIONS FOR RETURNS

MR. FOSTER: Mr. Speaker, I move that Motion for Return 144 stand.

[Motion carried]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

222. Moved by Mr. Notley:

Be it resolved that the Assembly urge the government

to implement a provincially co-ordinated ambulance service incorporating integrated communication, and with personnel and facilities which meet widely accepted standards; and

Be it further resolved that ambulance services be recognized as an essential health service, to be provided under the Alberta health care insurance plan.

MR. NOTLEY: Thank you very much.

Mr. Speaker, this matter has been raised in the Assembly before. During the early stages of this fall sitting, I raised questions with the hon. Minister of Hospitals and Medical Care with respect to the provision of a province-wide ambulance scheme. We got the kinds of answers we frequently do from members of cabinet across the way: beautifully ambiguous answers, the bottom line of which seems to be, we're looking at it later as opposed to now.

Mr. Speaker, I suppose the best way to begin the discussion of this resolution is to take a look at some of the things the hon. minister has had to say about ambulance service over the past years. The one thing I've discovered in doing research on this particular resolution is that, like the Minister of Labour, who can succeed in getting both sides in the Parkland dispute mad at him, I think the hon. Minister of Hospitals and Medical Care has got everybody involved in the ambulance business mad at him.

DR. BUCK: It takes a lot of talent.

MR. NOTLEY: In any event, Mr. Speaker, what we see are some interesting comments. For example, June 9, 1975, page 537 of *Hansard* we have the hon. minister saying:

But I think we can't make the decision on the ambulance service totally divorced from the rest of the health care system.

Well, that's a reasonable statement. Of course that's what he said the other day, too.

... I think it's my intention to spend several months examining the entire area.

Several months. That's in 1975, three and a half years ago.

Then, Mr. Speaker, we had *Alberta Hansard*, page 1344, May 17, 1976, again the hon. minister:

I think a substantial expansion of the ambulance service on a province-wide basis needs to be related to the development of the hospital system generally ...

Well I think it's fair to say he hasn't changed his story very much. He's not being inconsistent.

... and the policies we pursue in the future. I've indicated in the House that I view 1976 as a year of broad policy development of future directions.

Nineteen seventy-six, the year of decision.

Then we had *Alberta Hansard*, October 28, 1976, page 1706, and the hon. Mr. Miniely again says:

I'm now at the stage ...

And he makes a few comments, and then:

... of addressing myself to some alternative directions we might go [regarding ambulance services]. That process is going on now and in due course ... I will be presenting to the Legislature some of our policy proposals in the area.

So, Mr. Speaker, in 1975 we were working at it; 1976 was the year of decision; the end of 1976, in due course; and in 1978 it appears still to be a goal

*See page 1403, left

that may or may not materialize.

Mr. Speaker, I don't think there is really much doubt that the provision of an ambulance service is a vital link in the health care delivery system. It's a rather strange proposition to spend the kind of funds we do in this province on very beautiful hospitals, very costly acute care, active treatment hospitals on one hand, yet have what has to be very bluntly expressed as an ambulance system that ranges from the city of Calgary for example, where they have a very good ambulance system, to parts of rural Alberta where we have, at best, the most primitive kind of ambulance service. In 1978 the facts are that after seven years of Tory government we still have an ambulance service that operates on a catch-can basis in this province.

I would say this matter has been serious for many years, but I think one particular incident in the central Peace this fall underscored the significance of the government's delay. We have the Spirit River hospital which services the people in the central Peace, people as a matter of fact from three constituencies: those represented by the hon. Member for Grande Prairie and by the hon. Minister of Agriculture, and my own constituency of Spirit River-Fairview. Some months ago the private operator found it just wasn't possible for him to continue in the ambulance service, so it was necessary to try to organize a municipally run ambulance service that was an adjunct of the hospital. The problem was where to get ambulance drivers. For approximately four weeks this fall, the region was without a driver at all. The minister can point out that the RCMP was available; that's true. But, Mr. Speaker, in a province with the wealth and the resources of Alberta I don't think we should be asking the RCMP, whose main job is law enforcement, to be ambulance drivers because we haven't got a proper provincial ambulance policy in place.

Mr. Speaker, in looking over this matter, ambulance policy is not something that is a new thrust. One goes back to the Hall commission report in 1964 — 14 years ago — when Mr. Justice Emmett Hall looked at the delivery of health services in Canada and concluded we should move toward a comprehensive national health scheme. But even at that time Mr. Hall said in his report that ambulance services and other forms of transportation should be classed as a basic medical service benefit to be provided as the first priority under a comprehensive, universal medicare program.

"To be provided as the first priority," Mr. Speaker. That was 14 years ago, and still we have people being rushed to the hospital in the backs of farm trucks, station wagons, and whatever they can get in a given situation, because no ambulances are available.

Mr. Speaker, we have the MacKenzie report of 1975 on highway accidents — that's three and a half years ago now. Dr. MacKenzie is quoted in his report as saying, "The establishment of a province-wide, 24 hours ambulance service is necessary. He goes on to say it "should be planned, organized and co-ordinated at the provincial level and operated at the regional or local level".

Dr. MacKenzie made the point that if you're dealing with accident victims from highway accidents, the quality of the ambulance service will frequently be the major determining factor in whether or not the individual survives the injuries of the accident.

Or in 1976, Mr. Speaker, we had the report of the special committee of the Alberta Medical Association that says that we should bring ambulance service under the Hospital Services Commission. That, of course, was before we did away with the Hospital Services Commission and set up the new Department of Hospitals and Medical Care. Nevertheless, that proposal was made in 1976.

In 1976 we had the ambulance operators calling for a new ambulance act to improve standards they saw as obsolete and inadequate at that time.

Then again, Mr. Speaker, this fall the Alberta medical convention in September passed a resolution essentially saying to the government, look, we've been talking about the ambulance question now for five years; let's get on with the job and develop a provincial ambulance policy.

So, Mr. Speaker, 14 years ago this country first had dramatically drawn to its attention the need for ambulance service to be provided as part of the basic health insurance package, yet we still have an unco-ordinated ambulance service in this province that is quite frankly, Mr. Speaker, at the very — the most generous comment I could make is that it is at best second class in most of the province.

Mr. Speaker, the current situation finds a fragmented jurisdiction. We have all sorts of departments involved in setting regulations as far as the provision of ambulance services is concerned. For example, the department of highways will set the regulations for the vehicles. But from this government we've had no upgrading in any substantive way of the regulations on equipment and vehicles first passed in 1960. That's almost 20 years ago, Mr. Speaker. As the ambulance operators tell me, we have moved a great way in that time, but there's been no substantive change in the regulations from the now team.

We have the Department of Advanced Education and Manpower getting a piece of the action. The whole question of the training of emergency paramedics at SAIT in Calgary comes under Advanced Education, and we have the emergency medical technicians as well, a shorter course now being provided.

We have the Department of Social Services and Community Health involved as well because, as a result of air ambulance, more often than not that kind of cost is borne by the department.

We have many municipalities. We have a bit of the private sector left, but we have municipalities which have got into ambulance services, not as a first choice but because they simply weren't able to do anything else. The private sector couldn't continue to supply the service, and the bottom line was the provision of a service by the municipality.

So we've got, if you like, a very fragmented picture in Alberta: various departments involved but no overall co-ordinated ambulance policy. The very best that could be said is that the Department of Advanced Education and Manpower has begun to do at least some work on the training of ambulance attendants. But apart from that, Mr. Speaker, at the very best our progress has been very modest indeed. The costs of present ambulance service are very high, and even those who have Blue Cross find that Blue Cross will not cover car accidents or pay for a heart monitor, for example.

What are the alternatives this Legislature should

examine? It seems to me, Mr. Speaker, that there are probably several major alternatives we should look at when reviewing ambulance policy. But before getting to that point, I'd like to make a comment about the role of the paramedic in our present system. I've had at least several people from the Alberta Medical Association bring to my attention their concern about the legal status of paramedics. Very often a paramedic will phone a doctor, the doctor will consult with that paramedic, and something will be supplied, for example, to a victim of a highway accident or someone who has been injured. But to what extent is that kind of relationship one that protects either the paramedic, on one hand, or the doctor from somebody suing him in court? That has not been clarified, Mr. Speaker, and it's one of the concerns of people in the medical profession. Quite frankly, considering some of the malpractice suits that have been launched, it's a legitimate concern. But it hasn't been answered, in this province at least.

I think also we need to know what this government's policy is with respect to the paramedic, the two-year training program at SAIT, or whether the government leans toward the emergency medical technician. I have no objection to that particular course, which I gather is 14 weeks and a very useful start. But it seems to be that we should be looking at a two-tier approach. The emergency medical technician is the beginning, because obviously if you're going to have adequate ambulance service you can't demand right off the bat that everybody have two years' training. But surely we should not presume that the 14-week course is adequate.

The reason I raise this, Mr. Speaker, is that I've been told by paramedics in this province that they've received at least at suggestion from people in the department that this government isn't sure yet what its position is on the paramedic or whether we will choose instead to go the route of emergency medical technicians; not quite as costly, but I suggest a quality of training not as adequate as the emergency paramedic course now available at SAIT.

Mr. Speaker, I'd like very briefly to talk about what I see as alternatives. One obvious alternative would be to look at the province of British Columbia, where they have a province-wide ambulance system operated by the provincial government. There are pluses to that kind of approach but some deficiencies as well. One of the obvious deficiencies is that you don't have as much local input as would be desirable. I think the Alberta Medical Association, when it has reviewed the various options, has leaned toward a system of province-wide service, as I've said in my resolution, but where there would be local administration.

I think perhaps the other alternative to the B.C. approach can best be described by a program recently unveiled in the province of Saskatchewan. It's a program developed in conjunction with the Saskatchewan Association of Rural Municipalities, the Saskatchewan Urban Municipalities Association, the Saskatchewan Road Ambulance Association, and the Saskatchewan Health Care Association. In that province an effort was made to get the various people involved in providing ambulance service together to come up with a workable provincial policy. The provincial role in this Saskatchewan plan is very similar to the proposal made by the Alberta Medical Association.

It would essentially require the province to make funds available; it would require co-ordination; it would require setting standards; it would require providing the training for personnel in the ambulance field; but the administration would be done on a local basis.

The Saskatchewan plan, for example, sets out a system of grants to municipalities which participate, so that even though a portion of the cost still has to be assumed by the individual who has to use an ambulance, that cost is substantially less than in Alberta. The maximum rate per mile under the Saskatchewan plan is 40 cents, compared to \$1 charged, for example, by Smith's Ambulance here in the city of Edmonton or by most ambulance operations in this province. I don't want to single out one concern with any implication that they are charging unfairly. I'm just saying that in Saskatchewan, as a result of the money being made available by the province, we can have the development of a province-wide ambulance service at a considerably lower cost to the person who requires it than we presently have in Alberta.

In conclusion, Mr. Speaker, the reason for introducing the resolution today is very clearly to once again get the message across to this government that three and a half years of examination, study, and passing the buck or delaying decisions is really not good enough. Albertans have a right to see Alberta provided with reasonable ambulance service that recognizes, as the doctors I think very persuasively argue, there really isn't a lot of point in spending vast amounts of money on acute care hospitals if, when you have an accident or you have to take somebody to the hospital, your first stage is so primitive, so disorganized that people simply don't make it to the hospital in the first place.

Mr. Speaker, I'm not saying a provincial ambulance service is going to solve all problems overnight. I'm not saying there won't be some differences, some variation in the province. That's obviously going to be the case. It's going to be much easier to run an ambulance service in the city of Calgary, for example, where the fire department operates the ambulance service, than it is in many of the smaller rural areas. But I do say that for us to get on with the job of developing a service we have to have some funding available.

In talking with people in my own constituency, trying to organize a ambulance service is a very tough proposition. First of all we have the difficulty of inducing the municipalities to participate in the program. Sometimes you have municipalities, in the case of improvement districts, who just aren't prepared to do it because they don't have the final decision in any event. The advisory board could recommend participation, but the final decision as far as an improvement district is concerned is made by the provincial government. As most members know, the ability of an advisory board to make these kinds of binding decisions doesn't exist in an improvement district as it does in a municipality, town, or village. So we have that kind of problem, and we have the added costs incurred because no funds are made available from the province.

Mr. Speaker, in closing I would say that this matter has been raised before; it is raised now because we haven't seen any action. While the minister indicated the other day that the government was reviewing the

matter once again, three and a half years are still three and a half years. I would hope we could have a definitive statement in the House today that there will be a province-wide ambulance service — not evaluated, assessed, another study commissioned, not connected to all the other things the minister talked about the other day, but that we will have a definitive statement on a hospital ambulance system, connected to the hospital system or at least funded out of the department, and that we will have an announcement on that before the end of the year.

I would say to hon. members, especially in rural Alberta, what better kind of record to be able to take — not to promise, because nobody is going to believe a promise from this government anymore. They know the "now" government really means "later", maybe, and "perhaps", not "now". But, Mr. Speaker, if we had a ministerial announcement, a commitment in the budget before the election is announced next spring — presuming it's still next spring — we get the program off and running. That's the kind of thing the people of Alberta want. It's a sort of commitment they have a right to expect from this government, and that's why the resolution is before the members this afternoon.

MR. MUSGREAVE: Mr. Speaker, I enjoy the opportunity of engaging in this debate. I'd like to advise the hon. Member for Spirit River-Fairview that I have the objective in view of hoping that some day while I'm in this House I'll hear the minister of health announce a provincial ambulance service. In fairness to the minister, though, I think . . .

DR. BUCK: Do you think you'll last that long?

MR. MUSGREAVE: Well, it's possible. If I don't, lots more are coming behind me.

Mr. Speaker, I'm a little concerned that the member would attack the minister as he did. I think the minister has had a very large portfolio and a very difficult task in reorganizing various departments. I appreciate that I cannot speak with any authority on problems in rural areas, but I would like to point out that I think the solving of the ambulance situation can be helped by local initiative.

Mr. Speaker, the Member for Spirit River-Fairview mentioned the service in the city of Calgary was good. In my opinion it's excellent. One of the difficulties I had to overcome while a member of that council in getting that service was that, unfortunately, all of us in our society are prone to be more concerned with protecting property than life. We have excellent fire departments and means of fighting fires throughout our province, but when it comes to matters of health, and particularly ambulance service, we're a little slow to get the situation resolved.

I know there have been built-in biases. In the city of Edmonton I know you have a good ambulance service run by a private company. Another bias we have to overcome is that historically, many hundreds of years ago, education was a private preserve, a profit-oriented operation, and health matters were of a similar nature. I know it may seem strange to the Member for Spirit River-Fairview to hear someone on this side of the House advocate that the ambulance system should be run by the government, but that's my position.

He suggested the Department of Advanced Education and Manpower has done some work. Mr. Speaker, I'd suggest the Department of Advanced Education and Manpower has done excellent work in that regard, and I'm sorry the minister isn't here. We have a two-year program that's been operating for several years in Calgary. People from all over North America are coming to review and study the program. I'm quite sure they wouldn't be doing this if it were just turning out average technicians, as the member implied.

Possibly the situation in rural areas and perhaps in Edmonton, I'm not sure, may be similar to what we have in the city of Calgary. I find it rather curious that the Member for Spirit River-Fairview kept mentioning the medical association, its concerns, and how it is not happy with what's happening. In Calgary we had a difficult situation. We had two ambulance services fighting over who would get the bodies or the injured people to take to the hospitals. We had them monitoring police calls, racing to accidents, and then fighting over the victims.

DR. BUCK: Just like the lawyers.

MR. MUSGREAVE: Exactly. Just like the lawyers and the dentists.

So, Mr. Speaker, in Calgary we put together a committee composed of representatives from the labor unions, the Calgary Safety Council, the law society, the medical society, the ambulance services then operating, various city officials, and the Alberta Motor Association. We examined the ambulance services throughout Canada and brought in the system you now have in Calgary. But we were able to do this only because of the co-operation of the province, which agreed to provide us with the training facilities at SAIT on the understanding that we would provide a regional ambulance service in southern Alberta. That service right now has an ambulance on the highway every day of the year, going as far east as Regina and as far west as Cranbrook, British Columbia. They charge a reasonable amount for outside service and a very modest fee for service within the city.

As the hon. Member for Spirit River-Fairview said, it doesn't cost very much. It doesn't cost very much to you as a user, but as a taxpayer — in the city of Calgary it now costs us \$1.25 million a year. So it's not cheap. I think one of the reasons I support the ambulance system is — again I'm not qualified to comment on the Edmonton situation. Here's what we have in the ambulance system in Calgary, and I would doubt you have it in Edmonton. We have some of the best equipped ambulances available in North America and highly trained people in them with sophisticated equipment. We have unionized people, and we have them located throughout the city. They're not under the control of the Calgary fire department. They happen to be located in the fire halls only because they're able to serve large areas, but the ambulance system is run under a separate jurisdiction. A lot of people assume it's the fire department because it works with them.

I hope and trust this government will be returned. Whether I'm returned is not important. I think the important thing is that the government gets the message. I'm sure the hon. minister has the message. I hope there will be global budgeting for

ambulance services in the province, because I've maintained all along that this is one area where the province can help local municipalities. I think the ambulance service in the province should be treated much like the hospital system and should be part of the global budget. One of the things we determined when we visited Ontario was that the ambulance program was a global budget item and, as such, was able to serve large parts of the province.

I know the minister attended a seminar in Calgary on the provision of an ambulance service using helicopters. To have one operating out of Calgary and one, say, out of Edmonton and possibly one out of Grande Prairie would probably run into millions of dollars. Right now the cities of Grande Prairie, Medicine Hat, Fort McMurray, St. Albert, and High River are all using paramedics trained at SAIT, and most of them have ambulances operating out of their hospitals.

So I think many of the smaller communities in the province are now being served better than they were before, primarily because of the training being made available at SAIT. Now I agree that the training of technicians may not be as adequate as the paramedics; I think the training program amounts to about 140 hours in total. Obviously that doesn't equal two years, but it certainly is better than the minimum St. John Ambulance first-aid certificate.

On the matter of paramedic legal liability, I find it a little strange that the hon. member would bring this up, because in the Calgary situation there has been close liaison with the medical society and the medical people all the time. They serve on the board, they structure and monitor the course. I spoke to Dr. Donald who, I would point out here and particularly to the citizens of Calgary, has done an excellent job in establishing in the city of Calgary, on behalf of the Medical Association, for nothing, a tremendous service that is the envy of many communities throughout America.

So, Mr. Speaker, I'm glad of the opportunity to participate in this debate. But I would suggest to the hon. member that perhaps it's not quite as bad a situation as he tries to paint. That's his responsibility: to paint us into a dark corner if at all possible. But I think the minister and his department are making reasonable progress on this. I look forward to more progress. I look forward to a universal ambulance system throughout the province of Alberta and, where possible, in areas I mentioned, such as Grande Prairie, Medicine Hat, and these communities that have the financial resources; they're able to provide it. And I think we'll be able to augment that service.

As far as being concerned about the department of highways concerning itself with how fast vehicles go, higher education, and something else, I doubt if there's a thing in this entire complex administrative process we're involved in that doesn't involve several departments. You know, they're not enemies; they can speak to one another and work things out for the good of the people.

So I hope that when this item does come up, either as a plank in the Conservative platform of the next election — I think that would be an excellent plank, but I'm not putting it together at this point. I'll do my best when I can suggest it. [interjection] I think and I hope that the hon. member will support it. This is one occasion I'm glad to support his point of view.

But I don't want him going away thinking he had all the ideas, because a lot of it came from this side of the House.

Thank you.

DR. BUCK: Mr. Speaker, I'd like to enter into the debate in that I had the, I thought at that time, great honor to bring a resolution before the Assembly. I thought it was even a greater honor to have an opposition motion passed by this Legislature, even though it was amended by the government. You know it was really something to have an opposition member's resolution passed. But what happened? After the Assembly, the Assembly of the people of Alberta passed a resolution directing the government to take some action in the provision of ambulance services, a program right across the province, what happened? Absolutely nothing happened.

It'll be interesting to see if we get any support from the rural members of this government caucus. As usual they are silent in most affairs; as usual they are just listening to what the party whip tells them to do. But this time, Mr. Speaker, I think it's just about time we heard some support from the rural backbenchers as to the lack of service they have in their communities. The hon. Member for Calgary McKnight, who just spoke ahead of me — they have services in Calgary. That's fine. But this doesn't do any good for people in the rural areas.

Most of us are fortunate to have some type of ambulance service; it gets us by. But I would just like to indicate that until just last year the town of Fort Saskatchewan, with a resident population of 10,000 people, sitting right next to a gigantic petrochemical complex, did not have an ambulance service. It wasn't too many years ago that the town of Lamont didn't have an ambulance service *per se*. The service was provided from Vegreville or from Edmonton. You had one of two choices if you were injured halfway between that point: you could either lie there and die waiting for the ambulance to come, or you could put the patient into a half-ton or station wagon and take him to the hospital. Now surely, in a province where money should really not be an object when it comes to providing people services, I think it's a shame, a dereliction of duty and responsibility on the part of this government, that we've had the runaround. We the people of Alberta have had the runaround by this government, especially when this Legislature itself, this very Legislature, directed the government to get cracking.

Mr. Speaker, let's just have a look at the resolution I presented on March 26, 1974. That was before the last election. The government had an opportunity to do something. I don't care, I don't think we should play politics. I don't think we are playing politics with an issue that essentially, as far as the entire budget goes, is relatively insignificant, but provides great benefits to the people of this province, benefits that the people are demanding.

On March 26, 1974, I presented this resolution:

Be it resolved members of the Assembly strongly recommend the creation of a Select Committee of this Legislature to study and make recommendations upon all aspects of ambulance service in rural Alberta.

The debate went on, and an amendment was moved by the hon. Mr. Harle, now the Minister of Consumer

and Corporate Affairs, that the motion be amended by striking out all words after "Assembly", and substituting the following therefor:

recommend that the government give consideration to studying and making recommendations upon all aspects of ambulance service in Alberta.

That was fine. That resolution as amended was passed by this Legislature. But what happened? Nothing, that's what happened.

So let's just have a look. The smooth-talking Minister of Labour over there took that recommendation and with his smooth, casual manoeuvring dead-ended us, because nothing happened. Here's a small chronology of government commitments re ambulance service, 1973 to 1978, by that same hon. minister, Mr. Crawford. March 27, 1973:

I certainly don't hesitate in any way to undertake a review of this situation [that is, discrepancy in rural/urban ambulance services]. . . . we've already recognized the fact that there are indeed discrepancies.

Now that's smooth. You know, that got us through the little problem that we knew we needed ambulance service but if we kept talking long enough and smoothly enough, everybody would forget the issue.

That same minister, October 24, '73:

This particular subject [that is, a comprehensive province-wide regionally organized ambulance system] is one that has received a great deal of consideration. At the present time, however, the government is not prepared to make a formal, public policy statement on it.

Very good, very good.

The Hon. Helen Hunley, December 4, 1973:

. . . ambulance service is one of the health services which we have under continuing review.

We get that same answer from the Minister of Hospitals and Medical Care now: continuing review. Well, the minister has reviewed himself right out of a job.

The Hon. Helen Hunley, December 4:

Ambulance service is one of the health services which we have under continuing review. We don't have anything or any firm commitment or any firm program at the moment, but we're hopeful that we may be able to offer something before too many years roll by.

Well, from '73 to '78 a few years have rolled by. But most importantly, a few people have had to suffer unnecessarily because a few years have rolled by. That is a responsible government? Not in my estimation.

In the discussion on my original motion on March 26, 1974, the hon. minister Mr. Crawford, March 27, '74:

. . . in regard to the government task force . . .

The answer is that at the present time the work that has been done has been on a departmental basis.

So at least we were shoving a little paper here and shoving a little paper there. We were having interdepartmental discussions. That was a step in the right direction. It still didn't provide us with any ambulance service, though, Mr. Speaker. And that's really what we're talking about. We want some action. The people of this province want some action.

But the minister is an excellent speaker, so we have to quote a few more of his activities. The hon. minister Mr. Crawford, April 8, '74:

It [that is, a provincial government takeover of ambulance services] is a subject on which we have been collecting input from various sources . . . We are very interested in it and expect it to be a subject that will continue to attract attention.

Now that is action. That is action. So in the amendment to my original motion that was brought in in 1973 the hon. minister Mr. Crawford, because he's a man who provides initiative to this government, makes it really go . . . The hon. Mr. Crawford, October 25, '74:

. . . I remarked to the House earlier in the year . . . that the Hospital Services Commission had been collecting data for the purposes of a report to the government . . . at the present time that report is in draft form but hasn't been finally submitted.

We're moving very, very rapidly.

The same hon. minister, who must have been a demon administrator in that department, November 5, 1974:

. . . what we had in progress was an overall study across the province of the existing ambulance service, which would no doubt lead to recommendations in the form of a report, or in the form of government policy.

. . . the report has been drafted . . . but no decision has yet been taken on when the recommendations will be fully considered and made public.

But we are making a little bit of progress.

We have changed ministers in the interim. The hon. minister Mr. Miniely, June 9, 1975, on province-wide rural ambulance service:

. . . we're in the process of examining that . . . we have a general feeling at the present time that we should improve the ambulance service.

We are really making giant steps forward, Mr. Speaker, "we have a general feeling at the present time that we should improve the ambulance service." Now that is really progress.

. . . it's certainly my hope that . . . we make substantial progress in improvement over the next three and a half to four years . . . I think it's my intention to spend several months examining the entire area.

That was June 9, '75, Mr. Speaker. Some progress. This is 1978.

So are we going to have to wait for another minister? The Premier, if he gets re-elected, always has his little game of musical chairs where we go round and round the executive chambers. You have this chair and the other fellow has this chair, and then we'll go round and round again in four more years. You know, Mr. Speaker, it takes four years for a minister to really get hold of his department. So about the time he has really found out what is going on there, we have the game of musical chairs and we start all over again. [interjections] I think that is what has happened with this ambulance question. We keep buying time. And while the government buys time, people are being hurt. That's what we're concerned with.

Mr. Speaker, because we were making such rapid progress, the hon. minister, Mr. Miniely, May 17, 1976:

. . . I think a substantial expansion of the ambu-

lance service on a province-wide basis needs to be related to the development of the hospital system generally, and the policies we pursue in the future . . . I view 1976 as a year of broad policy development of future directions. I believe the province-wide ambulance system or the substantial expansion thereof has to be related to the directions we take in the health care field generally.

Now we are making a little progress again.

On October 28, 1976, the minister, Mr. Miniely:

Ambulance service . . . the balance of services, urban and rural. These are all aspects which I'm working on and which I hope to present as a basic package to the Legislature in the future, a part of which would be province-wide ambulance policy.

. . . there's no question in anyone's mind that have to do something with respect to . . . ambulance service.

Study, study, study. But we're making a little progress.

The same minister says on October 12, '78:

. . . I should not leave the impression that we haven't moved in very important ways in ambulance service. . . .

In short . . . it's a local responsibility.

Now we have come full circle. [laughter] That's unbelievable.

AN HON. MEMBER: How many years did it take?

DR. BUCK: It took us five years to find that out. Unbelievable.

But, Mr. Speaker, I am giving notice to the government that as of now we as a party . . .

AN HON. MEMBER: Are you resigning?

DR. BUCK: No, I am not resigning. I think the minister should. But the minister's not having to resign because he's not running.

It will be one of the planks in our party policy for the upcoming election that we will provide the people of this province the best and most extensive ambulance service we can provide them. Not because I think we're so brilliant, Mr. Speaker . . .

SOME HON. MEMBERS: Agreed.

DR. BUCK: . . . but we are responding to what the people would like us to implement for them.

AN HON. MEMBER: Outline the details.

DR. BUCK: Outline the details? One of the puppets came to and said, outline the details. I don't think you have to have \$150,000 worth of consultants to set up a grid program of ambulance service in this province. It wouldn't require three Ph.D.s, plus 12 consultants from Ontario, to figure that out.

So, Mr. Speaker, my plea is that we set party politics aside. The people of Alberta are asking us as legislators to provide them with this type of service. That's what I am asking on behalf of the people of this province, that we provide the service they are asking for.

Mr. Speaker, I appreciate your patience, and I thank you for your time.

MR. WOLSTENHOLME: Mr. Speaker, it's my pleasure this afternoon to give a few remarks regarding Motion 222. The Member for Spirit River-Fairview says that rural ambulance service is — what was the word he used? Primitive. Primitive. I would suggest that the hon. member not show up at Nanton or some of the other places down in my constituency — or Peace River — and make those remarks, because I'm afraid he might have to eat some words. I'm about to tell you about an ambulance service in a town of 1,000 people — at the time it was instituted; it's about 1,300 now.

I'm afraid the remarks I've heard from the other side this afternoon don't take into account any initiative on the part of the people of this province. It seems to me it's Big Daddy give me this or the heritage fund give me this. My main concern is that nothing be done which will interfere with community ambulance services which have purchased their own equipment and are run by volunteer people. Instead of trying to ask Big Daddy and the heritage fund, I think we should encourage the volunteer people.

I'd like to tell you a little bit about our ambulance service down there. I'm proud to say that I was the mayor when we instituted the program. The town made all the capital expenditures, and the 24-man volunteer fire department operates that ambulance service. Many have got the Emergency Medical [Technician] 1. Three have passed the paramedics' training; unfortunately, though, those three have now been offered employment with some of the city ambulances. However, they still live in Nanton and contribute considerably to the rest of the fire department in the operation of the ambulance service.

Our ambulance service only makes 70 or 80 trips a year. But we have one of the best-equipped rural ambulances, I would dare say, in Alberta, particularly in a town of that size. The way it works is that the town collects the fees. They keep 40 per cent and split the 60 per cent between the driver and the attendant. Now these volunteer people are very keen. They have fund-raising projects which enable them to purchase about 90 per cent of the auxiliary equipment.

Mr. Speaker, may I reiterate. I'm all in favor of improved ambulance service in Alberta. But I do caution again: do not make regulations or improve or compare training requirements that will cause communities to lose their ambulance services because of too many stringent requirements. There are many other communities with ambulance services such as Nanton's. Projects such as this are a wonderful example of local autonomy. Let's not lose it.

Thank you.

DR. PAPROSKI: Mr. Speaker, the resolution is a good one. I feel that asking and urging the government of Alberta to have a provincial ambulance service is a very necessary thing in the province. The government has been urged, though, by government members on this side of the House, and the government is not only planning and reviewing the matter very carefully for a provincial ambulance co-ordinated — and taking into consideration the items mentioned in the motion — but in fact is doing something about it at

the present time.

I don't believe, Mr. Speaker, that anybody could possibly disagree in principle with the motion. I for one, as the representative for Edmonton Kingsway, have indeed urged and will continue to urge the government to carry on and improve the system to the ultimate. Furthermore, the need for communication and the need for personnel and facilities are central to the whole topic of a province-wide comprehensive ambulance service.

Mr. Speaker, ambulance service is a very important part of a health delivery system; in fact, as we can all recognize, it's an emergent part of the health delivery system. As we all know, the Alberta Medical Association recently brought forward at its convention a resolution for the need for such a co-ordinated, province-wide ambulance service. The minister and the government are aware not only of that resolution but prior to that, as the hon. opposition member has raised already. I have no doubt that such a direction is in fact being carried out and formulated very carefully regarding making such a service available across this province.

Mr. Speaker, the cost and complexities related to such a co-ordinated service integrated with the whole health delivery system, which was a shambles when we took office in 1971 and took so much to undo, and redo, and redirect — I can assure you that that is one of the reasons for some delay. But, Mr. Speaker, for the opposition members for one minute to create an urgency, that there is no ambulance service in this province or that people are not being cared for by ambulance service of one form or another, is, I think, a misdirection and unfortunately causing a panic situation when no panic situation in fact exists.

Mr. Speaker, we know that in any rural or isolated community where there is a problem that may be associated with some emergency, the police, whether it be the RCMP or the local police, the fire department, emergency air ambulance service, and even volunteers — and those volunteers are very important — play a very important role in that municipality or community in assisting in that emergency ambulance dispatch to help the patient.

The point here, however, is that ambulance service in the province of Alberta is not in fact co-ordinated. It is not uniform in standard of vehicles available or the training of the personnel and where they are trained. As is usually the case, Mr. Speaker, in a highly concentrated area such as the cities of Edmonton, Calgary, Lethbridge, Medicine Hat, or any other cities where there is more concentration of population, the service is certainly more readily available and much more standardized than in rural areas. So the problem primarily to be focussed on is in the rural areas.

At this time, Mr. Speaker, I'd like to take just a moment, because I don't know if anybody has offered congratulations for their excellent work to the ambulance drivers and personnel in this province who are doing such a good job. Their presence and prompt attention is truly essential, Mr. Speaker, and their attitude toward emergency cases is well known. This includes the police department, the fire department, and the many, many volunteers, including the air ambulance service personnel, who so often participate in this emergency role and just walk away after they leave the patient in Emergency. Nobody thanks

them, and they go on to the next case. In the 23 years I have been in medical practice in this province, I have never found more commitment than by these people in the ambulance service, whether they are volunteers, police department, or the ambulance drivers themselves. They're committed and concerned. I'm sure this is true in rural points as well as in the city.

Mr. Speaker, what is the situation that we're talking about? I'm sure it's been indicated already — and I'm sorry I missed the first few moments of this discussion because of an urgent matter — that ambulance service in this province is indeed fragmented. The level of service in some communities is something to be desired; and I underline "some" rural areas have problems. As I understand it, there is a lack of trained staff to assure 24-hour coverage. Even if they're not trained, just to assure 24-hour coverage for driving the vehicle is difficult. But in the rural areas, Mr. Speaker, the RCMP, the fire department, and/or the volunteers have filled that gap very well; not perfectly, but well.

Funding, Mr. Speaker, is the responsibility of local municipalities. Ground ambulance service is their responsibility. So if at this time any rural community does not have any form of vehicle to transport emergencies, I suggest they review the matter immediately and exercise that responsibility until a province-wide, co-ordinated ambulance service is provided via provincial funding or a provincial program.

Mr. Speaker, it should also be noted that provincial funding is available in a wide variety of ways for ambulance service. There's the air ambulance service, which is available right across the province in some unusual cases. Those on social assistance receive the benefit of ambulance service and are funded. Senior citizens are funded by our provincial programs for ambulance service. Transfer from one hospital to another within the city boundaries is also provided and covered by the provincial program.

Mr. Speaker, as you and the members know, if we had a province-wide disaster or a disaster in any one community, Disaster Services would cover this very well. Workers' Compensation also provides coverage for the transportation of patients via ambulance, when funding is not available. And many industries in this province, when they're located in isolated areas, have already provided some form of service in order that injured workmen will indeed have the attention of an ambulance service to take them to some facility.

Mr. Speaker, there is no legislation relating to ambulance service, hospitals, and the health care system in general; in other words, it's important that we try to relate and co-ordinate this. This is exactly what the hon. Minister of Hospitals and Medical Care is doing. I know an ambulance study is being conducted and a comprehensive program is being reviewed right now to assist in this area and review the financial, human, and material resources necessary. A questionnaire has gone to all ambulance service drivers in this province. I understand about 60 per cent of those questionnaires have been returned, in order to properly evaluate the real need so that in fact something could be done to correct this in a positive way and not in a band-aid fashion as has been done in the years prior to 1971.

Mr. Speaker, the situation now is not as desperate

as has been made out by the opposition members. But I for one support this resolution, because I think we should have a co-ordinated provincial ambulance service.

Mr. Speaker, I understand I'm running out of time. I'd like to speak on this in a more extensive way, but let me say this: a new training program, which was approved by this government in July 1978, has been established for emergency medical technicians. The program will start this fall, and it's expected that some 1,200 ambulance attendants will be trained to the new standard level by 1982. Mr. Speaker, that is a very important item. In addition, I am confident that funding will occur in very short order to fill the gaps in rural communities.

There are many more items I'd like to mention on this topic, but because of time I must conclude. Therefore I beg leave to adjourn debate.

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

**Bill 212
An Act to Provide for Warranties
in the Sale of Consumer Products**

MRS. CHICHAK: Mr. Speaker, I move second reading of Bill 212, An Act to Provide for Warranties in the Sale of Consumer Products.

I might say at the outset, Mr. Speaker, that this is perhaps my second attempt at bringing forward this piece of legislation for discussion and debate in principle. Hopefully the result at some future time will be the passing of legislation, certainly similar to what is before this Legislature today.

Mr. Speaker, I will address myself to several aspects of the principle of this very important proposal for legislation. I will first discuss some of the shortcomings of current consumer warranties and the consequent need for this bill. I will then briefly summarize some of the main points of the bill, in the interest of determining how this proposal compares with consumer product warranties legislation that has been enacted in other provinces. As well, I will give consideration to the implications this bill will have for the consumer and the retail and manufacturing interests in Alberta.

Mr. Speaker, in order to understand the present situation, perhaps it may be first worth while to review the market conditions of the post World War II era. The mid-1940s saw the beginning of mass production and the proliferation, if we might call it that, of consumer products designed to meet the high demands of increasingly affluent consumers. The mechanisms of this production have succeeded in making a great number of products available to consumers at greatly reduced cost per item. But the satisfaction to the consumer has not been complete. The greater availability of products has been accompanied by a general decline in the quality of many of those products and by an increase in the number of defective products on the market. This is not a criticism of the manufacturing industry, that such direction was intentional, but simply what we might perhaps call a result that is to some degree inevitable.

To state the case another way, market conditions have ensured that the average Canadian family will have a color television and a car, but whether either will function adequately for any length of time may not be guaranteed. If a guarantee in the form of a warranty is provided by a manufacturer or retailer, there is the distinct possibility that the warranty has been offered, perhaps as a ploy, to encourage the consumer to purchase the product without reservation. In some cases the reassurances of the warranty may be empty because of the way in which the terms are constructed or by the refusal or failure of a manufacturer or retailer to honor its terms. There are numerous instances of this, the most frequent involving the passing on of responsibility where both a retailer and a manufacturer are involved, the provision of partial warranties only, and the inclusion of certain disclaimer clauses which release the manufacturer or retailer from liability.

To elaborate, Mr. Speaker, perhaps I can draw some examples of these situations. When an industry refuses or fails to meet the terms of its warranties, a consumer could take court action against that segment of the industry. For the most part, however, the consumer has been reluctant to do so. If it is a relatively small item, the consumer sees that it is obviously unprofitable to do so. Furthermore the consumer is almost always intimidated when dealing with a large retailer or manufacturer, and at times becomes confused by the legal terminology involved in sales contracts and warranties and is not sure of his or her position. The machinery for the redress of consumer grievances has been, to my mind, inadequate. Consequently the consumer's rights would not have much real force behind them in these kinds of cases.

In situations that involve both a retailer and a manufacturer, the retailer may try to evade responsibility by insisting that he has not endorsed his counterpart's warranty and therefore is not responsible under it. For example, a consumer purchases a product with a warranty on the label and finds there is a breach of that warranty. The consumer takes action against the distributor or retailer of the product, but the retailer claims he had not adopted the manufacturer's warranty as his own and therefore is not liable for breach of the express warranty. The consumer would probably succeed in taking action against the manufacturer, but at this point he's reluctant to enter into another court dispute.

Then there are cases where manufacturers are prepared to provide only partial product warranties. For example, in the household furnishings industry, manufacturers may provide labor and parts guarantees for a television tube, the most costly component in the set, for only one year, and a parts-only guarantee for the second year. This is not always clear to the consumer. While this is not necessarily a breach of warranty, advertising such a television set as having a two-year warranty is certainly misleading. I recognize that although in the past we saw a fair degree of advertising of this nature, much of it has been corrected.

Finally, for the limited purposes of this discussion at least, there are disclaimer clauses. Most consumers' grievances in regard to warranties are in reference to such clauses, of which there are several types. For a clearer understanding of disclaimer

clauses, I would like to list some of the most common types: for instance, clauses excluding all representations, warranties, and conditions, express or implied, statutory or otherwise, and substituting in their place the suppliers' own warranties of quality and performance — this is frequently done in the auto industry — the same types of clauses as in the above example, but without substantial warranties; then clauses which do not exclude the implied warranties and conditions but which limit the measure of damages recoverable from the seller; clauses which exclude all claims for consequential damages; clauses which describe the goods as being sold as is, or with all faults — these clauses are often applied in the sale of used vehicles — clauses which require all complaints involving the goods to be lodged within a restricted period of time, too restricted a time frame; clauses in which the buyer acknowledges that he has received the goods in good condition and that they conform to the terms of the contract without the accompanying capability of a proper and complete examination of the goods.

Mr. Speaker, I think it would be worth while at this point to provide some statistics with regard to complaints on the part of consumers related to problems experienced with goods and services, the majority of which have some element or degree of warranty attached to them. The statistics I will quote will be in different categories and may have some degree of variation of accuracy, as these statistics had to be pulled together from the various reports received in the Department of Consumer and Corporate Affairs and have an element of interpretation as to the nature of complaints involved.

I would like first to indicate that there are generally perhaps three categories in which complaints come in, in their major aspect. I will only refer to those that have some significant percentages; that is, above 10 per cent of the overall total of the complaints received by the department.

Complaints regarding problems with goods and services not received, of one nature or another: in the Edmonton area the percentages are 27.46 per cent; in the Calgary area, 16.1 — that is, of the total complaints received for the area. The overall percentage of the total complaints received, combining the two Edmonton and Calgary areas, is in the vicinity of 22.1 per cent, which is significant.

Complaints involving goods and services involving more specifically the nature or the type of merchandise or product: complaints respecting motor vehicles for the Edmonton area, 22.5 per cent; Calgary, 22.8 per cent; and the overall percentage of the total complaints received from across the province for the two areas, Edmonton and Calgary, 22.6 per cent.

Percentages of complaints related to appliances and home furnishings for the Edmonton area were 13.6 per cent, Calgary area 17.6 per cent, and the overall percentage was 15.5 per cent.

With respect to building materials and home improvements, Edmonton percentages of complaints related to this particular aspect of the problem are 12.2 per cent; Calgary, 13.8 per cent; the overall total, 13 per cent. The types of transactions involved in these complaints were: first of all, regarding retail transactions with respect to new items, new consumer products, for the Edmonton area, 31.7 per cent; for the Calgary area, 34.3 per cent; and the overall was 33

per cent. With regard to complaints where warranties and service contracts are concerned, the percentages for the Edmonton area were 23.3 per cent; Calgary 30.5 per cent; an overall 26.8 per cent for the two major centres as compared to the total Alberta area.

These figures are related to the statistics as they could be compiled for the year ending 1975. It has been extremely difficult to have the calculation and correlation for a more current date respecting these statistics.

Complaints specifically regarding warranties expressed as a percentage of the total complaints; that is, out of all the complaints received by the department, those directly relating to warranties: for the city of Edmonton the total was 12.5 per cent; Calgary was 6.1 per cent; the overall for the two areas was 9.4 per cent.

The additional category of quality of goods and services in which a certain element would deal with warranties: the percentages for Edmonton were 29.8 per cent; for Calgary, 44.7 per cent; the total percentage for these two areas, as compared to the entire percentages for across the province, is 37 per cent.

The need for legislation that will eliminate the kinds of loopholes, ambiguities, and disclaimers that these examples have illustrated is apparent. The average consumer generally does not have the means to gain redress for his grievances. Only a bill that comprehensively deals with the nature and substance of warranties will ensure that the consumer is afforded some real protection. Mr. Speaker, I believe that Bill 212 will effectively afford that protection because of the things it takes into consideration and the remedies it provides.

To begin with, the definition of "consumer" is sufficiently broad to protect the purchaser of a product as well as family members and anyone in the household who might reasonably be expected to use the product.

The bill applies to both implied and express warranties, ruling out the possibility that a retail seller or manufacturer could evade responsibility by using a narrow interpretation of such warranties or by claiming responsibility under express warranties only. It is specified that a consumer product and its components must perform for a reasonable length of time by implied warranty. Advertisements and labelling are included under implied warranties, so that all kinds of inducements to purchase are covered and found binding under the terms of such warranties. Express warranties are described so as to include printed, published, and broadcast warranties and so as not to negate implied warranties.

Mr. Speaker, Bill 212 also ensures that all disclaimer clauses are disallowed and provides that employees or agents having apparent authority are liable for representations made to consumers. Joint liability would be established between retail sellers and manufacturers, ensuring that the consumer is able to receive complete and quick justice since the retailer and manufacturer will be required to make contribution and indemnity where a breach of warranty has occurred according to their respective responsibilities.

Assuming that a consumer has already proved loss, damage, or injury in the use of a consumer product, it would become the onus of the retailer or manufacturer, who has greater means at his disposal, to

provide counter-proof that the loss, damage, or injury was not produced by a breach of warranty. I would just like to stress the one significant point of this particular item: that the consumer would be required to provide proof of loss, damage, or injury rather than simply making an allegation and expecting the retailer or manufacturer to then prove their innocence.

Finally, Mr. Speaker, under Bill 212 the consumer would have governmental and legal means of bringing a retailer or manufacturer who has committed a breach of warranty to fulfil the warranty obligations and to cover the cost of any loss, damage, or injury caused by the breach.

Certainly Bill 212 will give much greater security and satisfaction to the consumer. One of the concerns must be whether this satisfaction is going to be at unfair expense to the retail seller or manufacturer. Mr. Speaker, the bill has been constructed in a way that it affords the retail and manufacturing interests protection against such occurrences.

It might be noted that the definition of consumer transaction separates actual consumer transactions from business transactions in order not to unduly limit the conditions of the latter. A clause dismissing disputes involving consumer products worth less than \$25 has been included in the bill. Retail sellers and manufacturers are generally protected against unreasonable claims and are liable for second-hand, substandard, and inferior goods only to an appropriate extent in consideration of the nature and price. Sellers and manufacturers are relieved from liability where employees or agents under them, not having apparent authority, have made representations to consumers.

In cases of joint liability the retail seller and manufacturer are liable between them to make contribution and indemnify each other in the degree to which they are responsible, thus protecting each from the other. In court cases where escalating or unfair claims have been made, the court may disclaim or restrict indemnity as it sees fit. No action can be commenced more than two years after an alleged occurrence of a breach of warranty. And of course the Lieutenant Governor in Council may exercise judgment in exempting any class of consumer transaction or consumer product from the operation of the provisions of this act.

Mr. Speaker, these measures lend themselves to what I feel is the best possible basis for consumer transactions in Alberta. Although many aspects of the bill are similar to provisions made under the consumer products warranties legislation of Ontario and Saskatchewan, there are some distinctive differences in the construction of this and other acts. The Saskatchewan legislation is generally more consumer oriented, and my concern would be that the detail into which it enters in terms of remedies for breaches of warranty and additional warranties might be undesirably restrictive to business practices. Even though it clarifies and in some cases extends the responsibility of retailers and manufacturers under warranties, the Ontario bill offers greater protection to business interests. Bill 212 incorporated from the respective bills those measures which most effectively protect both the consumer and the retailer or manufacturer, and will hopefully provide the most well-rounded legislation possible.

I wish to acknowledge that I have received several

submissions and communications from various interested groups since the introduction of this legislation. The Better Business Bureau of Edmonton and Northern Alberta expressed as one of its concerns that the bill might constitute unwarranted interference in the market place and that it would inevitably increase the cost of doing business, which would, of necessity, be borne by the consumer. I would simply like to inform the members of the Edmonton Better Business Bureau that Bill 212 does not require higher or more extensive warranties but simply that those in place or implied be honored and, when in breach of those warranties, a mechanism for easier redress by the aggrieved consumer.

Submissions were also received from the Alberta Automobile Dealers' Association, the Edmonton Chamber of Commerce, the Edmonton area home economists association, the Faculty of Home Economics of the University of Alberta, and home management specialists of the Department of Agriculture. Although a number of points raised in these submissions were related to interpretation of terminology in the legislation, I feel two very significant points need to be mentioned here: one, that the manufacturer or retail seller may appear automatically in the public eye to be guilty of breach of warranties upon a consumer filing a complaint under this legislation; the other, that this legislation may tend to remove all reasonable responsibility from the consumer exercising prudence and caution in purchasing products.

On the first point, Mr. Speaker, I would like to say that the legislation is designed to eliminate ambiguities in consumer product warranties, to provide consumers with methods of governmental and legal recourse where warranties are not properly honored by sellers, retailers, and/or manufacturers, and to provide a measure of protection for sellers and/or manufacturers not to be held unfairly responsible in claims. On the second point, the bill provides that a consumer must submit in his or her complaint proper evidence of being aggrieved as a result of some deliberate action on the part of the seller, retailer, or manufacturer as against the consumer.

Mr. Speaker, I will not take the final three minutes but will conclude very rapidly in order that others may have an opportunity to express their views on this legislation. I would simply say that I feel confident that Bill 212 is in the best interests of all Albertans: the consumer, the manufacturer, and the retail seller. In clarifying the conditions that warranties must fulfil and the liabilities of retail sellers and manufacturers under such warranties, it will resolve many of the difficulties currently faced by consumers. In areas where grievances continue to occur, consumers will have access to governmental and legal channels of recourse. Yet the bill also allows for sufficient flexibility that the [conscientious] retailer or manufacturer will not find its provisions restrictive or unfair.

Mr. Speaker, this act offers protection to both the public and private sectors, and provides appropriate measures for its enforcement. It is not a vehicle designed to expand the bureaucracy or extend the Department of Consumer and Corporate Affairs, as all the mechanisms required to carry out the principles of this bill are already in place for other purposes.

Mr. Speaker, I thank you, and I invite other mem-

bers to engage in the debate. Hopefully they will be supporting this legislation.

MR. LITTLE: Mr. Speaker, in rising to speak to Bill 212, I would first commend the hon. Member for Edmonton Norwood for introducing this most important and timely piece of legislation. From examining Bill 212 it is quite obvious that she has put a great deal of work and careful consideration into the formulation of this legislation. The hon. member has provided us, as legislators and consumers — and we're all consumers — with an opportunity to air our views on this important subject. The issue of consumer warranties is well worth the scrutiny of this Assembly. It is something that has an impact on all of us in our day to day lives. It is becoming increasingly apparent that consumerism is a significant part of our existence in today's very complex market place.

The type of protection Bill 212 offers consumers is most important. We live in a consumer-oriented society where it is becoming ever more difficult to get quality products for our money. As a result governments across the whole country have been under increasing pressure by consumers groups that feel our present laws do not offer enough protection. Although I doubt that the present legislation will entirely solve this problem, it will do a great deal to alleviate it. Further, in view of the fact that other provinces have moved toward legislation of this type, this is a suitable occasion to be discussing this issue. We as legislators should always be aware of new events and developments taking place in other parts of the country.

The need for legislation such as Bill 212 is evident when we examine the types of problems consumers are experiencing in this province. For example, a study entitled "How Do Consumers Manage Problems?", by the Alberta Department of Consumer and Corporate Affairs, cites that 80 per cent of the people surveyed were having problems with service and repair of goods purchased during this past year. The fact that approximately four out of five problems were associated with poor service or repair should be cause for concern. To me it suggests two things: first, the fact alone that a substantial portion of the sample in this study had need of repair or service on goods only a year old does not say much for the quality of the goods we are purchasing; second, it is obvious that frequently the retailers or the manufacturers are not standing behind their products.

Another cause for concern is the method consumers are using to solve their problems. Very few sought help with their problems from the supplier. For the most part it appears that most consumers are reluctant to deal with the retailer or manufacturer when they are dissatisfied with a product. When contacting the store where they purchased the product does not result in satisfaction, many will simply seek service by an independent repair company.

The provisions outlined in Bill 212 would first of all clarify exactly for the consumer the responsibility of the retailer and the manufacturer. Further, they would make the consumer more aware of what channels of redress are open to him when he feels he has been unfairly dealt with. This type of assurance can only be provided through government legislation. Indeed many portions of warranties are unknown to the consumer and can only be found when he is quite

persistent in his inquiries.

Mr. Speaker, one section of Bill 212 that I am especially appreciative of is Section 12. In this section, by having the alternative of referring a dispute to an official of Consumer and Corporate Affairs, many costly court battles can be avoided: a very worthy alternative, I would say. Not only could this official serve as mediator in a dispute, he could also supply the consumer with help in dealing with the complexities of the business and legal world. Many consumers do not realize they have access to this type of help and instead are overwhelmed in their first attempt at seeking satisfaction in a court.

Although the majority of my remarks so far have concerned the consumer as the victim, I would like to point out that this is not always the case. In fact, in a great percentage of situations it is not. Many manufacturers and retailers do stand behind the spirit of their warranties in order to maintain good will, and do a very fine job. This is an important part of our free-enterprise system. If a manufacturer wishes to remain competitive in this day's market place, he cannot risk losing customers. Therefore I do not wish to leave the false impression that the business sector is always fault. Much of the responsibility must lie with the consumer himself. He should be encouraged to be aware of the existing market and be selective in his choice of goods and services he wishes to purchase.

Although we should ask ourselves exactly where government responsibility lies in consumer matters, I believe that Bill 212 offers a balanced enough approach that we should feel comfortable enacting many of its provisions. It allows protection for both the consumer and the manufacturer or the retailer. The consumer is shielded from improper business practices, and the retailer is granted protection from unreasonable consumer claims.

Mr. Speaker, in conclusion I feel that when all facets of Bill 212 are considered, it is a subject worthy of debate in this Legislature.

MR. KROEGER: Mr. Speaker, having lived with man-made consumer products for a lifetime, and thinking today about the advice I got many years ago, before I attempted to go into business — that if you're going into selling, for heaven's sake stay away from selling something that has to do something. That has a lot of implications when you think about it, because if you sell something that has to perform work, to last, or to do things, you immediately get into the possibilities of breakage, wear, failure, and — horror of horrors — warranty. Warranty to those of us in business is an ever-present threat and problem. Warranty is a wonderful thing when you buy something, and it's a very useful factor. No reputable manufacturer or retailer even thinks about selling without servicing and providing warranty. It's built-in. There's legislation covering it.

I think one of the things that ought to be looked at when people start looking for something they want to own is the place to buy. Reputations are built over a long period of time; you can't decide you want to have a good reputation and then that day have a good reputation. It just doesn't work. If you want to go into manufacturing, reputations are built by manufacturing, on average, good serviceable items that are going to give you a reasonable return. But when you

think about warranty, you also must think about cost.

You can have any kind of warranty you want, six months or six years. I recall in Manitoba a few years ago, dealing in the kind of heavy equipment that we worry about, they decided to go with a three-year warranty on heavy equipment. When the legislation came down, the actuaries did their job and came up with a number, that the two extra years beyond what was normal would be 4.5 per cent. Keeping in mind that a lot of the equipment we sell runs in excess of \$50,000 per unit, that converts into an additional cost of \$2,250 on a \$50,000 item, and that was immediately added on. There was an objection, so that manufacturer and retail chain said, well, we'll make it optional: you can have it for the year, which is the standard warranty, at this price, and if you want the extended warranty it will be this price. It was interesting that a lot of people opted for the shorter price.

So warranty, while it's sort of implied that it's something you get, deserve, that doesn't cost you anything, is actually part of the cost of an item. We have used warranty in our business as one of the best selling tools available to us, so that when we sell something that warranty is part of it. The point that the Member for Edmonton Norwood made was very valid. If the warranty built into any agreement of sale was adhered to, it would take away a lot of the need or the thinking for the need of the kind of legislation now being discussed.

But the difficulty with warranty, if you are on the problem end of it — you bought something, it fails, and now you want warranty — is the interpretation. The member ahead of me spoke about this 80 per cent factor. If you were able to look at the interpretation of what those people thought they had coming as compared to what was actually a part of the manufacturer's agreement, he would discover there's another side. Let me illustrate.

For purposes of speeding up sales — since we are heavily involved in harvest sales, you're normally looking at a very short period of time, both in taking off the crop, as we saw it this year, and consequently the time we have to sell the equipment that takes that off. Let's take a specific piece of harvest equipment, a combine. We discovered something. We discovered that it was cheaper to give a person total warranty for one harvest on a six- or eight-year-old combine; simply say, okay, there's the machine; you look at it; you like it or you don't like it; but keep in mind that we'll be responsible for all parts that machine uses for this harvest we're in. It was cheaper to do that than to spend days going back and having that potential customer kicking the tires, wiggling the shafts, and looking for problems that he thought might be there and undoubtedly were there. It was much cheaper for us to say flat out: no problem; whatever you use this fall we will pay for. That took away from the waste of time, and we discovered that on average the parts were not major enough to create any problem for us.

So we did that, and we do it. We're not doing it because we want to give something away; we do it because we want to have more time to actually sell what has to be sold in a very short period of time.

Where the difficulty came in, though — that was a very open-ended kind of thing. The first time I got trapped on it was in the interpretation of what that means. What we said was, we will buy for you

whatever parts you need to finish that season. The first time I got my lesson was when harvest was over, and in came this very good customer. He had six belts hanging over his arm, and he had some other parts that he wanted replaced. I took a look at this and said, what is the deal here? Want do you want me to do? Well, you warranted the machine, and now I want to get this stuff. I said, well, those six belts that are hanging on your arm aren't broken. No, but they're cracking, and they're going to go. So then I realized that I had to make a better explanation of that warranty. I did not say that we're going to rebuild your machine to new standards after you finish the first year, but we will replace whatever breaks during the operational year. Yet that person in good faith came in and said, well, this is what I want; that's the warranty, and now let's get on with it. The only way out of that was to give him what he wanted at that time. After that, though, you go into the explanation of what that kind of warranty means.

You get into all kinds of situations with equipment, or almost anything we have, Mr. Speaker, that relates to the invention of the wheel, a marvellous thing. You know, that car you drive is nothing but a series of shafts and bearings that roll, which are little wheels and bigger wheels and gears and all sorts of things. They're made of very good material; they're made of steel. But as these things work something starts to happen, and you can't see that. You can't see what's happening. I have a piece of very good steel in my hand, and I'll illustrate. It's just an ordinary steel paper clip, but if you stretched that out and hung weight on it, it would lift about 200 pounds. Now I'm opening it up. I haven't done it with this piece of good new steel, but I suggest to you that if I bend it about seven times it'll break. Have we got time to do that? Four times and it broke. Perfectly good new steel. That's not normal use; that's abnormal use. Yet the person who bought that paper clip could come and say, hey, it's broken; I want a new one. Okay, you want a thousand of them.

The same thing happens in the working parts of machines and appliances, those things we buy that we want warranty for. A piece of steel in any component, whether it's in a washing machine or in a four-wheel drive unit, the day that it starts to work that steel axle starts to flex, very slightly — but it starts to flex. Over a period of time the same thing I just demonstrated with that very miniature steel shaft will happen. That shaft will break, and that day you will want warranty. Now when that thing has been flexed a number of thousands of times, which occurs in a matter of so many miles or so many days or so many years, it will fail. There isn't anyone who can really totally warrant against that kind of thing. So there has to be a good definition of what it is that's being warranted, what the time period is.

But really, your best guide in getting protection on warranty is not legislation; it's good common sense. Take a look at the reputation of a manufacturer or the reputation of the people who are selling that thing, and I'm sure you can go back and get the kind of results you want.

MR. GOGO: Mr. Speaker, I wish to participate in Bill 212, dealing with consumer warranties. Likewise, I'd like to commend the Member for Edmonton Norwood for having the persistence and the tenacity to bring

the bill back. As most members know, it was here two years ago. I have some rather strong feelings about not only the content of the bill but the philosophy of the bill and the intent. But I support the bill in principle.

I was interested in the comments by the Member for Sedgewick-Coronation, in that he's been in selling all his life. I hope he's not about to depart. I understand his plans are to remain around a while, and I would hope he would stay in the business of selling.

Some of my concerns, Mr. Speaker, relate more to the philosophy of the bill than the kind of society we're structuring. As the Member for Calgary McCall mentioned, society has become rather complex, so complex in fact that it's difficult to keep up with not only the times but the ability to read and understand warranties. I think it's important. The very excellent demonstration by the Member for Sedgewick-Coronation with the paper clip certainly points out that anybody who was to warranty that would obviously say, on seeing that it broke after bending it four times, that it would be warranted after the fifth time.

Anyone who's read Vance Packard's book on the obsolescent society and the obsolete society recognizes that the giants like General Motors know that one mile over the 40,000 kilometres something is going to go wrong; that's why there's a 40,000-kilometre warranty. I don't think that's any secret. I've always assumed warranties were not means of protecting the public but indeed were selling tools, no different at all from pensions, no different really from sickness and accident benefits with an employer. They're all sales tools or strings by which to attract people. That's all they are.

The point of the Member for Edmonton Norwood is this, and I would hope that we don't lose sight of it: that where manufacturers have put and implied in writing — albeit they have hired people like the Member for Medicine Hat-Redcliff to write it — that the consumer is protected in reasonable use of that product for a specified time, surely there's responsibility by the lawmaker to ensure that that's enforced. I think it's as simple as that.

Sometimes we get carried away, and we can ramble all we want. On the one hand, we can say our school system is deficient in that it does not provide through the educational system the ability whereby our young people can understand and learn to read. On the other hand, we'll say anybody who has the wherewithal or the desire to purchase these products should know better.

How many of us — and I would think we're all reasonable citizens and certainly reasonable consumers, although perhaps many of us can't afford to buy many of these consumer items — when we need a toaster, kettle, or television set, and so on, really don't spend hours and days going over the warranties. Certainly we say, who should we buy it from? As we all know, when you deal with Woodward's, Eaton's, Sears, and those kinds of people, if you're 35 years of age you're probably going to spend \$70,000 to \$80,000 in your lifetime in that place, so they'll honor it regardless of the warranty. With the small business owner it's a little different. Here is a man who in good faith accepts, from a manufacturer, products he can market to the consumer. He cannot afford to continually replace defective merchandise

on a good-will basis. So I don't think it's fair to him.

This bill has, I believe, provisions whereby there's a joint responsibility that if it is not the retailer's responsibility it can go back to the manufacturer without going through that strong and, I think, rough situation of going to the courts. Two specific provisions are made. One, if the item is under \$25 you avoid the petty nuisance claim. On the other hand, there is provision in the bill for the services of The Unfair Trade Practices Act director, who I suggest has had a very successful experience in this province in the last two and a half years, since that act was enacted, in persuading, through moral suasion, merchants who tend to sell merchandise that either is shoddy or that they don't live up to in warranties to correct it. I think that's very successful.

Mr. Speaker, I would simply say in conclusion that we have a responsibility to the consumers of Alberta. We have a responsibility to the businessmen in Alberta who are reputable dealers but who perhaps cannot really afford the hassle of having people with television sets or automobiles with lemons painted on them outside their store. If we look at this in a favorable way, I can't help but think that it would be for the benefit of most Albertans.

Thank you very much.

MR. MUSGREAVE: Mr. Speaker, I'd like to join this debate very briefly. I agree with the hon. Member for Lethbridge West that perhaps the small stores cannot provide the kind of warranties that Eaton's can. But I would point out that when Timothy Eaton started he had a pretty small operation, and he took the philosophy of "goods satisfactory or money refunded". Just a very simple warranty. There it was right before you.

Mr. Speaker, I'm concerned about this bill because, while I certainly think the hon. Member for Edmonton Norwood has some very good reasons for supporting and promoting the bill, it does imply more government interference or regulation, or more government in our society. That worries me greatly. I'd like to think that we could — and I fault the federal government in this situation. They've withdrawn or held back funds from the Consumers' Association of Canada. I think there should be more emphasis on such groups as that.

I think there should be more emphasis toward people who go and buy from a consumer outlet that poses as a wholesale outlet and is going to give you cheaper goods. Obviously it's not going to stand behind its goods like the Bay, Eaton's, Woodward's, or one of these stores. You should educate people to be aware of buying brand names that are similar to recognized good brands. Obviously if you're going to buy a Sunbeam toaster and suddenly one there says it's a Sunshine toaster and it's half the price of a Sunbeam, warning bells should be sounding in your head.

I guess what I'm saying, Mr. Speaker, is I think the buyer still has a prime responsibility. I notice in the debate on the bill the Member for Edmonton Norwood said one of the provisions of the bill would protect the buyer. My reaction to that is, if you cannot examine the goods you should not buy them, regardless of what the purchaser says. It's not a matter of life and death.

Along the same vein, we have the Department of Consumer and Corporate Affairs running advertise-

ments on television now of a man slowly sinking into the swamp. They're very good advertisements. As a chartered member of a credit union I take umbrage at that television series, because in credit unions we try to educate people, to help one another. We did it for nothing, and we were working together. Why do we have to have government telling people how to look after their money: don't spend more than you earn. David Copperfield was saying, if you spend \$10 and you're only making \$9, you're going to have trouble. If you spend \$10, and you're making \$8 you're going to be well away.

DR. BUCK: Tell the members what umbrage is. That's a pretty big word.

MR. MUSGREAVE: Mr. Speaker, I suppose this is sort of a strange position for a member of the government to be in. But the Member for Edmonton Norwood was mentioning the kinds of complaints received, whether relating to automobiles, goods and services, or things of this nature. I would say to you, what are the total

number of transactions in the community of Edmonton in a year? Are there several hundred thousands, or maybe a million? How many have been referred to the Department of Consumer and Corporate Affairs? That to me is a relevant statistic. Then we would know, Mr. Speaker, whether or not there was a need for this kind of legislation.

I question whether there is. I think the hon. Member for Calgary McCall made some good points in this debate, but I think we should all be concerned with trying to put money into, say, educational programs where people become more aware, particularly in the schools, that we should make more citizens responsible for their own actions, and not be trying to be all things to all people all the time, using their money to mollycoddle them along from the cradle to the grave.

Mr. Speaker, in view of the hour I move that we adjourn debate.

[At 5:24 p.m., on motion, the House adjourned to Friday at 10 a.m.]

