

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Tuesday, June 26, 1979 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF VISITORS

MR. SPEAKER: I'm honored to have as a guest in the Speaker's gallery today the Hon. Kenneth Irving Wright, member for the northwestern province in the Parliament of Victoria, Melbourne, Australia.

Mr. Wright was here during the war in the Royal Australian Air Force and earned his wings in the city of Calgary. Following that auspicious beginning, he went into politics and was elected in July 1973. He serves in various capacities in the Parliament of his state, and is the official representative of Victoria in the Australian branch of the Commonwealth Parliamentary Association.

I would ask Mr. Wright if he would kindly stand and receive the acknowledgment of the Assembly.

head: INTRODUCTION OF BILLS**Bill 223****An Act to Amend****The Blind Persons' Guide Dogs Act**

MR. R. SPEAKER: Mr. Speaker, I beg leave to introduce Bill 223, An Act to Amend The Blind Persons' Guide Dogs Act. This Bill would forbid discrimination in employment against any person on the grounds that he or she is a blind person accompanied by a guide dog.

[Leave granted; Bill 223 read a first time]

head: TABLING RETURNS AND REPORTS

MR. KOZIAK: Mr. Speaker, pursuant to The Credit and Loan Agreements Act, I'm tabling the report of the supervisor of consumer credit.

MR. HORSMAN: Mr. Speaker, I wish to file with the Assembly an exchange of telexes between the Hon. Ron Atkey, Minister of Employment and Immigration, and me with respect to refugees from Indo-China.

head: INTRODUCTION OF SPECIAL GUESTS

MR. HYNDMAN: Mr. Speaker, I'm very pleased today to introduce to you and to other members of the Assembly over two dozen grade 6 students from St. Rose school in the Edmonton Glenora riding, in the members gallery accompanied by their teacher Mrs. Mary Krpan. They're happily enjoying their last few

days of elementary school. I'd ask at this time that they stand and receive the welcome of the Alberta Legislative Assembly.

MRS. OSTERMAN: Mr. Speaker, it gives me a great deal of pleasure to introduce 18 grade 8 students from the Torrington school in the Three Hills constituency. They're accompanied by Mr. Ed Lasiuta, their teacher and principal; three parents, Sharon Brown, Ruth Smith, and Sharon Ziegler; and their capable bus driver Ted Vandenbor. Would they like to stand and receive the welcome of the House.

MR. HIEBERT: Mr. Speaker, I wish to introduce 30 students from Forest Heights school, residents of the Edmonton Gold Bar and Edmonton Avonmore constituencies. They are in the members gallery and the public gallery. If they would stand, I would like the House to accord them the usual welcome.

DR. C. ANDERSON: Mr. Speaker, it is my privilege to introduce to you, and through you, 36 students from the grade 7 class at Vilna in the St. Paul constituency. They're accompanied by two teachers, Mrs. Lucy Ash and Mr. Keith Nixon; their bus driver George Keeper; and three parents, Mrs. Townsend, Mrs. Pierce, and Mrs. Lyster. I'd ask them to rise to receive the welcome of the House.

MR. WOO: Mr. Speaker, I am pleased to introduce to you, and through you to members of this Assembly, Mrs. Gabrielle Preston, a visitor from Auckland, New Zealand. Mrs. Preston is an occupational therapist dealing in the area of physically handicapped children. She was a member of a two-person study group which recently completed a tour of Sweden, the United States, Britain, and Canada in a study of facilities related to the handicapped young.

Mrs. Preston is seated in the members gallery. I would now ask her to rise and receive the very warm welcome of this Assembly.

head: ORAL QUESTION PERIOD**Metis Settlements**

MR. R. CLARK: Mr. Speaker, I'd like to direct my first question to the Premier. Following the question period yesterday, has the Premier refreshed his memory as to the directive he gave the Federation of Metis Settlements to channel all their requests through Mr. Cote, the solicitor retained by the Attorney General's Department? Will the Premier advise the House what instructions were given to Mr. Cote as to the handling of requests coming to him from the settlements?

MR. LOUGHEED: Mr. Speaker, I'll refer the question to the hon. Attorney General.

MR. CRAWFORD: Mr. Speaker, I've been able to make at least a partial inquiry into the circumstances of 1977 that the hon. leader has asked about. It's clear that some instructions went from the Attorney General to Mr. Cote in this connection. However, it's not clear that all of them were necessarily in writing. There may have been some conversations, although anything of full importance would have been in writing.

The result was that Mr. Cote was placed in the position of a person whose duty it was to give opinions to a client with respect to certain matters. My understanding is that the matters were limited and primarily would have dealt with any concerns relating to subsurface rights or the surface rights of individuals on the Metis settlements.

The reason is that the lawsuit related to that. It came to the attention of the solicitors that if arrangements or proposals — in the sense of contracts or agreements that would involve subsurface rights or indeed surface rights — were being made, those agreements shouldn't be made while a lawsuit was in process without referring them to the chief counsel acting on the case. So on that basis matters went to Mr. Cote, and after giving his opinion it was his practice — and I'm sure it happened in all cases — simply to return the opinion along with the proposed transaction.

As to people being in the position of having to present things to Mr. Cote directly, as distinct from departmental people asking for legal opinions, I understand that that rarely happened. Perhaps on a casual basis, one of the two firms of solicitors acting at that time on behalf of the Metis settlements occasionally referred matters directly to Mr. Cote.

MR. R. CLARK: Mr. Speaker, a supplementary question to the Premier. Was Mr. Cote given authority either to deny any such requests or to withhold them from the appropriate government departments?

MR. LOUGHEED: Mr. Speaker, as it was a matter of litigation, I would refer it to the Attorney General.

MR. CRAWFORD: Mr. Speaker, I believe I've given that information in part, at least, to the hon. member. I'm glad he asked his supplementary, though, because the substance of what he's asked is, to my understanding, something that was never involved in this situation.

Mr. Cote was not placed in the position of granting or refusing requests from anyone. In fact he was looking at proposed transactions that the departments which may have had dealings with the Metis settlements would submit to him for legal opinions, and giving an opinion as to whether the matter should proceed, not based on any policy of administration of government but on the mere question of whether or not, in his opinion as the chief counsel in the case, the matter would impinge upon the same issues in the lawsuit that clearly were going to be before the courts.

MR. R. CLARK: Mr. Speaker, a further question to the Premier. Can the Premier now advise the Assembly if Mr. Cote received a request from the Federation of Metis Settlements, proposing joint access to settlement files? If so, how did Mr. Cote handle that request?

MR. LOUGHEED: Because of the litigation nature of the matter, Mr. Speaker, I'd again refer it to the Attorney General.

MR. CRAWFORD: Mr. Speaker, my understanding is that the two firms of solicitors had discussions, as would normally happen in the conduct of a lawsuit. Probably both understood that whatever documents were in the hands of one would be available to the other. Now I might add that it's clearly a requirement

in any lawsuit that the production of documents from the other side can be enforced by a party. After all, if it's a matter in issue, the other party is entitled to see it.

In my understanding, the communications between the two firms amounted to discussing ways in which each could see the documents of the other, because of the large number of documents and their diverse locations. Nothing has come to my attention yet that would indicate there was an agreement or a clear offer to examine documents jointly.

In fairness to the question, I intend to pursue that matter further because of yesterday's question. On the particular point, if it goes beyond the area I've just described I have not yet been able to find that out.

MR. R. CLARK: Mr. Speaker, a supplementary question to the Premier. Earlier in the course of discussion on this issue, the Minister of Social Services and Community Health indicated that the collection of files followed a request from Mr. Cote. Did Mr. Cote suggest the specific method to be followed in collecting the files, or did he only suggest that the files be collected from the settlements by one means or another?

MR. LOUGHEED: Mr. Speaker, I'd have no knowledge of that, and I refer the question to the Minister of Social Services and Community Health or the Attorney General.

MR. CRAWFORD: Mr. Speaker, I'd like to answer that, because I sought and obtained the same information. I might say that at this point I think some of the questions are matters that come directly into what is generally referred to as a solicitor/client relationship, and that information of that type is privileged and need never be divulged, whether in the Legislature or anywhere else. I think everyone knows that that is the case between solicitor and client, as it has been for hundreds of years.

The privilege attaches to the client, however, and in this case the client is the government of Alberta. On that basis, I would be prepared to answer the question and not claim the privilege. Mr. Cote did what lawyers virtually always do in such cases: he asked the client to produce documents he should see in the interests of his preparation of the lawsuit; nothing more. He did not advise the government on how that might be done.

MR. R. CLARK: Mr. Speaker, then a supplementary question to the Attorney General. Prior to the visit made a week ago last Monday, did the Attorney General or any official of the government discuss with Mr. Cote the method that was used in acquiring the documents?

MR. CRAWFORD: Mr. Speaker, from the information that has come to me, I believe the answer is that no official of government discussed the method with him. I certainly did not. As a matter of fact, I have yet to discuss this case with Mr. Cote. It's an important enough case for me to have a discussion with him, but the spring session being what it is, I decided some time ago that I wouldn't brief myself on this large action until the more restful days of July, and did not meet or communicate with Mr. Cote in any way. That was merely a matter of my own scheduling of time.

I realize I'm repeating myself, but it is in answer to the hon. Leader of the Opposition. To my understand-

ing, Mr. Cote did not have such a conversation with officials of the Attorney General's Department either. He merely asked that the documents he should see in relation to the lawsuit be provided for him to see. This was in preparation for his meeting the request of the other side to provide them with our documents, at which time or about the same time they would provide us with theirs. Both firms of solicitors fully understood that.

Now the reason for the timing ... I'm not speaking now of picking up the documents, the hon. gentleman's question. The reason for the timing of the concern about exchange of documents — and there are a great many documents to review — was simply that the month of July had been chosen as a time when the parties would go into examinations for discovery. I need not say to the hon. Leader of the Opposition what that procedure is; but in summary, primarily it's the time at which a witness of the other side is examined. The documents are normally present at that examination of the witness, although they need not be.

MR. R. CLARK: Mr. Speaker, a further supplementary question to the Attorney General. Recognizing his desire for the more leisurely days of July before such a meeting would take place, in all seriousness I say: in light of what happened a week ago Monday, has the Attorney General not yet met with Mr. Cote, who is the government's chief legal adviser in this area? Am I to take from the Attorney General's answer that despite the questions raised in the House and the concerns expressed outside the House, in the eight days that have passed he has not met with Mr. Cote, the government's chief legal adviser in this area, and doesn't plan to until after the session is over?

MR. SPEAKER: Surely the hon. leader is simply repeating the content of the hon. minister's answer, possibly for the purpose of provoking debate, which other members might like to enter if it were allowed in the question period. It's clear to the Chair that the hon. leader is taking an answer, rephrasing it in his own way, and adding a question mark at the end of it.

MR. R. CLARK: Well!

MR. NOTLEY: A supplementary question to the hon. Attorney General, for clarification. In answer to questions yesterday and today from the Leader of the Opposition, the Attorney General indicated that Mr. Cote had requested that the documents be retrieved — I guess it's the best way of putting it in a way that doesn't incite debate.

Just so there is no misunderstanding, Mr. Speaker: at the time Mr. Cote made the request, was there any suggestion by that gentleman, as the solicitor for the government of Alberta, that there had been a proposal for the counsel for the Metis settlements that there be a joint review of the files so that we would not have had to get into this situation of last Monday?

MR. CRAWFORD: Mr. Speaker, that is the point upon which I felt it necessary to seek some further information, and since yesterday I've managed to get the information about what happened that I've offered to hon. members. But as to the existence of a specific offer prior to whatever date it was that the government's documents were brought to Edmonton from the

various settlements, I'm just not sure enough to provide that answer today. I do want to make further inquiries, and will do so.

MR. R. SPEAKER: A supplementary to the Attorney General, for clarification. The directives and the procedures by which the documents were taken from the Metis settlement offices a week ago last Monday are the direct responsibility of the Minister of Social Services and Community Health and, in turn, certainly his staff. Is that correct?

MR. CRAWFORD: Mr. Speaker, the hon. member is asking me to interpret the result rather than to try to give him what I understand to be the facts of the case. All I can do is repeat that my understanding is that Mr. Cote asked for the documents in order that he could see them prior to the examinations for discovery; and having done that, officials of the Department of Social Services and Community Health procured them.

MR. R. CLARK: Mr. Speaker, I'd like to pose another supplementary question to the Premier. I raise the question in light of the answers given in the House today by the Attorney General, that in fact the operative portion of this letter of September 9, 1977, is not in effect, in keeping with what the Attorney General said today.

My question to the Premier is: has a second letter or correspondence been sent to Mr. Cote redefining his role in keeping with what the Attorney General said this afternoon, and could a copy of the letter be tabled in the Assembly?

MR. LOUGHEED: Mr. Speaker, the original letter was sent under the instructions of the Attorney General at the time. If there are any subsequent instructions with regard to that matter, it would be only the Attorney General who could respond. So I'd refer it to him.

MR. CRAWFORD: Mr. Speaker, if the hon. leader would refer to the transcript of the answers I've already given today, when available to him, I think what has transpired since the letter of September 9, 1977, is very, very consistent with what was outlined in the letter. The Attorney General did indeed instruct Mr. Cote, as mentioned in the Premier's letter of September 9, 1977. I added, though, that some of the instructions may well have been either a conversation or a follow-up conversation to a written instruction, but that I was satisfied that any instruction of consequence would have been given in writing.

But the important part is that it was relating to the area I've described, where Mr. Cote in accordance with his responsibilities in the case would be bound to give, as he was asked by the Attorney General of the day to give, legal advice in regard to various proposals. The letter refers to requests, negotiations, and projects of the type I've described.

I suppose one other thing might be said. I would acknowledge that it's possible — indeed, it may approach being likely — that the instructions Mr. Cote acted under in the first instance encompassed a wider range than the subsequent eventualities showed; and that although he was consulted when necessary, any impression that he was consulted generally, or con-

sulted in regard to policy or administrative matters as distinct from legal opinions, wouldn't be accurate.

MR. R. CLARK: Mr. Speaker, one further question. I pose the question to the Premier and the Minister of Social Services and Community Health, and ask either of the hon. gentlemen if they've met with Mr. Cote since this matter was first raised in the Assembly last week.

MR. LOUGHEED: Mr. Speaker, I certainly would not be meeting with Mr. Cote as a solicitor under the instructions of the Attorney General. I'd have to refer the question to the Minister of Social Services and Community Health.

MR. BOGLE: As I indicated in the House yesterday, Mr. Speaker, I have not met with the solicitor, who is acting for the government through the Attorney General's Department.

MR. NOTLEY: Mr. Speaker, I'd like to ask the Attorney General a further supplementary question. Was there was any correspondence to the president of the Metis settlements association, after the letter by the Premier dated September 1977, which would clarify the position of Mr. Cote, in view of the wording of the Premier's letter which is somewhat broader than the narrower definition the Attorney General put on the responsibilities of Mr. Cote this afternoon? My question is whether or not there was any formal correspondence with the settlements association subsequent to the letter from the Premier.

MR. CRAWFORD: Mr. Speaker, I would think it unusual if there hadn't been letters on specific items; for example, the type of proposed contract that was made the subject of a communication to Mr. Cote and to which he replied. He may in some cases have replied, or Department of the Attorney General people may have replied, directly to the Metis settlement association. But I am assuming that virtually all such communications would be made by solicitors of the Attorney General's Department and not by Mr. Cote.

The hon. member's question included whether or not any subsequent communication was provided by way of further clarification. I'm not aware of any, but I think that some correspondence, which of course would be given the interpretation that its words should have it be given, undoubtedly followed at some time.

MR. NOTLEY: Mr. Speaker, a further supplementary question for clarification. The Attorney General has defined the responsibilities of Mr. Cote more narrowly than the Premier's letter of September 1977 implies. What steps did the government of Alberta take, either through legal counsel for the settlements association or directly to the president of the settlements association, to clear the deck as far as the responsibilities of Mr. Cote are involved?

The Attorney General talked about discussions that took place. Were there any discussions with the president of the settlements association, so that any misunderstanding he might have from the letter of September 1977 would be overcome?

MR. CRAWFORD: Mr. Speaker, discussions specifically for the purpose described in the hon. member's

question — I don't know the answer. I'd be glad to take that as notice.

I should say, though, that it would be remarkable if during this period the parties didn't talk to each other about the very items Mr. Cote was looking at. Undoubtedly in the course of those discussions some clarification was effected as to whether or not the issue was of a type that Mr. Cote had to see according to his instructions from my predecessor.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. Attorney General.

MR. SPEAKER: Followed by a final supplementary by the hon. Leader of the Opposition.

MR. NOTLEY: My question really relates to the instructions of either the hon. Premier or the Attorney General, because it was the hon. Premier who wrote the letter of September 1977, and if there was any ambiguity in that letter it was really the responsibility of the political leadership of this province to clear up that ambiguity. My question relates not to the discussion between lawyers — although the hon. Attorney General has answered that — but whether there was any follow-up by either the Attorney General at the time or the Premier.

MR. CRAWFORD: Mr. Speaker, I suggest that the passage of time is one of the features that should be looked at here, and that the original communication and the present situation are consistent in respect to Mr. Cote's role, in that undoubtedly some discussion and some minimum amount of correspondence would have taken place that would make it clear to both sides what Mr. Cote really should see, according to his instructions from the Attorney General.

To answer the hon. member's question, again I would think it most unlikely that a further communication went to the settlements in any other way than I've described: in occasional correspondence and discussions on individual approaches.

MR. R. CLARK: Mr. Speaker, then I direct a question to the Premier. In keeping with that letter, are the Metis still expected to route their requests through Mr. Cote or through the hon. minister? Was he correct in saying that the approach should be through his department, as he indicated in his estimates last night?

MR. LOUGHEED: Mr. Speaker, I think the Minister of Social Services and Community Health and the Attorney General have already given the answers to that question as to what the present situation pertains.

MR. R. CLARK: Mr. Speaker, to the Premier. Surely the Premier ...

Point of Order

MR. SPEAKER: I regret interrupting the hon. Leader of the Opposition.

I think it has been demonstrably clear that for more than a week past there has been most exceptionally broad latitude in regard to this topic. We have now had eight supplementary questions by the hon. Leader of the Opposition and five other supplementaries, making a total of 13 in addition to the original question.

Some nine other members are waiting to ask their first question, and the question period is just about half over.

I must therefore ask the hon. Leader of the Opposition to make this the last supplementary. But of course if there's further time at the end of the question period when the other members have been recognized, we can come back to the topic.

MR. R. CLARK: Mr. Speaker, with the greatest respect, sir, speaking on a point of order. We see this as a matter of extreme importance. I would refer to the RCMP break-ins which took place and the discussion in the House of Commons from June 7 to July 11, 1977. On 17 of the 23 days that the federal House of Commons was in session at that time, some 44 different questions were asked. On June 20 the whole question period was taken; on the 21st, 22nd, and 23rd over half the question period was taken. With great respect, sir, on no occasion did the Speaker of the House of Commons attempt to stop the opposition from asking those questions.

I raise that matter, Mr. Speaker, for your very serious and earnest consideration. We view this as a matter of extreme importance. With great respect, sir, this isn't the first occasion on which you have attempted to have the question period move on. I would like you very seriously to look at the precedent in the House of Commons. It dealt with RCMP break-ins in both Montreal and Toronto. On those days the members of the opposition, as I've indicated, spent a great portion of the time — several days more than a third of the time, one day all the time — on the matter. I think that's a comparable situation to this, sir. [interjections] It's for that reason that I think the situation should be allowed to continue.

DR. HORNER: On the point of order, Mr. Speaker, the Leader of the Opposition is obviously trying to tie this to some RCMP break-ins . . .

SOME HON. MEMBERS: Oh, oh.

DR. HORNER: . . . and to create some sort of nonsensical atmosphere, which is not correct. There is no similarity at all between the two.

SOME HON. MEMBERS: Agreed.

MR. R. CLARK: With all due respect to the Deputy Premier, he's just drawing a red herring across this whole thing. What we're talking about, Mr. Speaker, is the opportunity for members of the Assembly, and especially the opposition, to raise in question period the matters they feel important. [interjections]

MR. SPEAKER: The hon. Member for Spirit River-Fairview on the point of order, followed by the hon. Minister of Education and the hon. Member for Edmonton Gold Bar. Then, having regard to the precious time in the question period, I would hope to deal with the point of order.

Sorry, Edmonton Whitemud. I hope that was neither a promotion nor a demotion.

MR. NOTLEY: Mr. Speaker, speaking on the point of order. Clearly the issue is whether or not members of this Assembly have the right to ask questions even

though those questions may be on one topic for a considerable period of time, providing those topics meet the rules of this Legislature and are in a form that meets the rules set out in *Beauchesne*. But it seems to me that the number of questions in a particular area is really up to the individuals who ask the questions, and that there shouldn't be any form of — let me use the word advisedly — censorship by the Chair.

SOME HON. MEMBERS: Order.

MR. NOTLEY: Mr. Speaker, it's a question of whether or not the questions posed are in order. In my judgment, it's not up to the Chair to decide how many questions in a given area are accepted. We have the precedent of the questions in the House of Commons concerning the RCMP. While the Deputy Premier may not like the analogy, that's not the point. Certain members of this Assembly feel that the actions taken by the government are of sufficient importance that the questions have to be raised in the House during Oral Question Period.

In your assessment of this matter, sir, I would also refer you to two occasions in the House: in the fall of 1974, when every question but one dealt with the government's acquisition of Pacific Western Airlines; and in January 1975, when the hon. Premier returned from the Winnipeg conference to discuss the creation of Syncrude. Virtually all the questions on that occasion, too, dealt quite properly with the Premier's report.

I would say that it is essentially the right of members to raise questions. Whether or not they are in order is up to whether they meet the standards set out in *Beauchesne*.

MR. KING: Mr. Speaker, if I could speak to — I'm not sure it's a point of order which has been raised by the hon. members opposite — their comments.

I think it is clear that the hon. members do not appreciate the significance of Annotation 171 and others in *Beauchesne*. I think that for any hon. member to read 171 would demonstrate manifestly that the hon. members do not understand the purpose of the question period and the limitations placed upon it through history in this House and in others. I would argue that the analogy to the recent situation in the House of Commons is not apt, and that the hon. members have proven that point conclusively by their own action or inaction.

The purpose of question period is to raise a limited number of well thought-out questions in order to gain information which can be used during the business sessions of the parliament or legislature. That is why Oral Question Period has no status in our *Standing Orders* or in our annotations. If the hon. members opposite seriously believe this question is as important as they suggest, they could take the same course of action taken by members in the House of Commons in Ottawa. For example, they could move to adjourn in order to debate a matter of urgent public importance. They could put a resolution on the Order Paper in order to direct the government or the Assembly to take a certain action; for example, the creation of a royal commission.

The fact of the matter is, Mr. Speaker, that in eight days the members have not done anything definitive or

distinctive with the information that has been provided to them in question period . . . [interjection]

MR. SPEAKER: Order please. Order please. The hon. member is discussing a point of order.

DR. BUCK: Mr. Speaker, I say that he is not bringing up a point of order.

MR. SPEAKER: If we're going to have points of order on points of order, in the well-known analogy of the fleas, we're not going to conclude this matter.

MR. KING: Mr. Speaker, the point is still that question period is an informal structure designed to provide information which, if viewed with sufficient importance, will be used in the formal structures of the Assembly. In six days before this House, the hon. members have not taken any of the information provided in question period to move to a formal part of our proceedings.

I suggest to you, Mr. Speaker, that that is conclusive proof that they are not interested in the issue itself, but rather in . . .

MR. SPEAKER: Order please.

SOME HON. MEMBERS: Oh, oh.

DR. BUCK: You better resign, King.

MR. SPEAKER: The hon. minister is not entitled to impute motives to the hon. members of the opposition.

MR. KING: The Speaker is absolutely correct; I'm not entitled to impute motives. So I will not express to the House as a fact what others might take to be only firm opinion.

I would like to conclude with this point, if I may. To have used the question period in this way infringes on the privileges of other members interested in asking questions on other subjects, which when answered will provide them with information they can use in the formal proceedings of the House: estimates, debate on resolutions, debate on public bills, and debate on bills other than government bills. I suggest that all members of the House, not only you yourself, Mr. Speaker, must be concerned that questions have been asked to no end, and by virtue of taking up the question period in that way have impinged on the privileges of all other members of the House.

MR. SPEAKER: Under the circumstances, in view of what has already been said, might I respectfully ask that if the hon. Member for Edmonton Whitemud wishes to continue the discussion of the point of order, he might be somewhat brief.

MR. KNAAK: Thank you, Mr. Speaker. I think my point has been almost completely made. I believe I'm the only MLA speaking up for the group of MLAs on the government side not being asked questions.

I think it's easy for the opposition to say, we the opposition are entitled. They have to remember they're four people, and certainly a lot of us on the government side would like to ask our questions. It's only been a custom of this House . . .

DR. BUCK: That's what you have caucus for.

MR. KNAAK: It's only been a custom of this House to permit the Leader of the Opposition two initial questions. Surely the purpose of the two initial questions is not to dominate the question period to the exclusion of the rest of us on the government side who also have questions to ask.

MR. SPEAKER: The references to the two occasions in the past when I believe the entire question period was devoted to one topic are really not in any way troublesome in connection with this incident, because as I recall there was obviously an indication by the House generally that it wished to pursue that line of questioning. I haven't had an opportunity to read *Hansard* of those two occasions, but I believe I can remember that there were no instances of one member's asking one question, with eight supplementaries by that same member, and possibly five or more supplementaries by other members on precisely that same topic.

There is a custom in this Assembly, for which I'm perhaps responsible — although it wasn't original; it was copied from another parliament — for the hon. Leader of the Opposition to receive the acknowledgement of the Chair for his first two questions. Certainly I must respect the hon. leader's views as to which topics he considers important. But the matter of devoting a whole question period to one topic that may be chosen by the hon. Leader of the Opposition, when other members may consider other topics important as well, is something else.

With regard to the precedent in Ottawa, I am not able to say at the moment just how much unanimity there was on the part of the members for devoting the entire question period to one topic. There is also an implication, which perhaps should be mentioned in passing, that the topic then dealt with breaches of the criminal law. I would be very hesitant, on the basis of the information that has been sought and given in the Assembly here on this topic, that this topic would have that kind of importance, howsoever important it may be to those involved and to the hon. members of the opposition.

With regard to the submission by the hon. Member for Spirit River-Fairview, I would respectfully recall to his memory a statement which I thought might be helpful when I made it the other day: that the number of supplementaries is always at the discretion of the Chair. I must say that I have been more troubled by the possibility of being unfair to those members who may not be reached or whose questions may not be dealt with, than I have been about the latitude which has been accorded in this topic. I think it's quite without precedent, certainly in my memory in this Chair, and it has gone way beyond the extent that we normally have in effect here with regard to supplementaries. I must also say that if we have regard to Citation 171 of *Beauchesne*, which incidentally is repeated in the Fifth Edition, I have a notion that the author of that book may now be turning in his grave.

Hospital Fees

MR. NOTLEY: Mr. Speaker, I'd like to direct to the hon. Premier a question with respect to statements attributed to the hon. Minister of Hospitals and Medical Care concerning the possibility of a hospital users' fee

of \$10 a day. Does this tax on the sick represent an official policy of the government of Alberta, or is it a kite being flown by the minister?

MR. LOUGHEED: Mr. Speaker, it has not been discussed in Executive Council, but if the hon. Minister of Hospitals and Medical Care would care to respond or elaborate, I'm sure we'd all be interested in listening.

MR. RUSSELL: I certainly welcome the question, Mr. Speaker, because as a result of news coverage today I think the question deserves some elaboration on comments raised during discussion of the department's estimates yesterday.

I think all members in the House recall that during the exchange of questions and answers, we asked the rhetorical question as to the ongoing autonomy of local hospital boards, whether or not they ought to be elected, and whether some method of additional financial options ought to be made available to hospital boards throughout the province. It's an important question. I concluded my remarks by suggesting there could be a return to the system of hospital boards levying a charge on the local property tax, a system removed some years ago by this government, or by going to the concept of a users' fee. Those remarks were made in the House, and I made them as rhetorical questions.

In interviews with the press outside the House, a very charming reporter from the *Edmonton Journal* got me to give my opinion on what I thought was a reasonable daily charge. I suggested \$10 per day, a figure that had been put to me by some members of some hospital boards throughout Alberta.

It's not a kite; it's a balloon that's been put up. [laughter] I think during the next year, when ideas, response, and reaction to that come back, it'll help all members in the House reach a wise conclusion to that problem in front of us.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the proposal of a users' fee of perhaps \$10 a day, is it the government's assessment that in fact there is overutilization of hospitals in this province, that Albertans are spending too much time in hospitals?

MR. RUSSELL: Mr. Speaker, that's another important aspect, because yesterday I also mentioned the formal conclusion to the matter of getting the utilization committee to work. I mentioned the appointment of the chairman, Mr. Dalby. He expects to commence work within a week and to report within a year. We will have a reliable answer to that very important question.

Telecommunications — Shared Lines

MR. D. ANDERSON: Mr. Speaker, my question is to the hon. Associate Minister of Telephones. It is with respect to a recent ruling by the Canadian Radio-television and Telecommunications Commission which allows a separate company to use the transmission lines of Bell Telephone. Can the hon. associate minister tell this House what the effects of that ruling would be on Alberta Government Telephones if the same company or another applied for the same privilege?

DR. WEBBER: Mr. Speaker, the question the hon. Member for Calgary Currie brings up was related to the CRTC decision of several weeks ago which allowed CN/CP, a competitor of the Bell system and of the TransCanada Telephone System and members thereof, to interconnect with the Bell system for the purpose of transmitting certain messages.

The implications of that decision for AGT were made at the hearing by AGT and other telephone companies. At that time it was estimated there could be a loss of annual revenues of \$5 million to \$7 million, if I remember correctly. However, in making their decision the CRTC indicated that they thought the revenue losses would be much less than that. In any case, AGT as well as all members of the TransCanada Telephone System have made representation to the federal cabinet for an appeal of the decision.

MR. D. ANDERSON: Mr. Speaker, a supplementary question to the hon. associate minister. Is the minister informing this House that we could lose between \$5 million and \$7 million in revenue if CN/CP Telecommunications applies for that privilege, and that those costs would therefore be passed on to telephone users of the province of Alberta?

DR. WEBBER: Mr. Speaker, it's very difficult to put a figure on possible losses of revenue. Previous experience in the United States has indicated this difficulty. However, I think it can be said that when systems interconnection takes place, long-distance toll revenue is taken from the telephone system, which has to be made up by local rates. I think it would be fair to say that local subscribers could probably have rates increased.

MR. D. ANDERSON: Mr. Speaker, a final supplementary question. Can the hon. associate minister indicate if CN/CP Telecommunications has in fact made any moves to move into this system? If so, what steps is the associate minister taking besides the joint approach to the CRTC?

DR. WEBBER: The joint approach the hon. member is referring to is by members of the TransCanada Telephone System. At the moment I'm not aware that any governments in the country have made any appeal to the federal cabinet or even to the courts.

We are assessing the situation in Alberta. In the next few days I'll be meeting representatives from CN/CP who've asked to meet with me. Also, I've just returned from a conference dealing with the question of monopoly and competition in telecommunications, and I met with different parties affected by the decision. At that meeting I indicated willingness to discuss the matter with anyone who wanted to discuss it. As a result, I'll be meeting with some CN/CP people this week.

MR. SPEAKER: We've run out time for the question period, but I've already recognized the hon. Member for Vermilion-Viking. If the House agrees perhaps we might ...

HON. MEMBERS: Agreed.

Prince Rupert Terminal

MR. LYSONS: Mr. Speaker, my question is to the

Minister of Economic Development. It relates to grain transportation and grain handling; in particular, the port at Prince Rupert. I wonder if the minister has anything to advise the House as to how the consortium is making out with their project and what our chances are.

DR. HORNER: Mr. Speaker, the consortium has now had an opportunity to meet with the new federal Minister of Transport. My reports on that meeting are very positive. I've also written to the new Minister of Transport in Ottawa outlining the stages, as we saw them, relative to the port of Prince Rupert and indicating to him that our offer of financing was still available, and that we would act quickly once the consortium and the federal government could agree on the infrastructure costs relative to the site at Prince Rupert.

Point of Order
(continued)

MR. SPEAKER: Just before concluding the question period, I wanted to share a couple of thoughts with the Assembly, which I overlooked as I was speaking a moment ago and perhaps should mention.

One deals with the point raised by the hon. Member for Spirit River-Fairview, that it isn't the member or two who happen to get in the first questions who determine the number of supplementaries which may be asked. That is a duty which falls squarely on the Chair, and of course should be exercised having regard to fairness.

The other point I had intended to make was that having recognized and followed the custom of the hon. Leader of the Opposition asking the first two questions, it would seem to be extreme if, by the choice of one of those questions, the whole allocation of the 45-minute question period could be determined regardless of what other members in the House might think.

ORDERS OF THE DAY

head: **WRITTEN QUESTIONS**

MR. HORSMAN: Mr. Speaker, I wish to advise that Question [110] on the Order Paper is acceptable to the government.

head: **MOTIONS FOR RETURNS**

108. Mr. R. Clark moved that an order of the Assembly do issue for a return showing:

- (1) the annual remuneration received by W.S. Layerty in the position of director, Pacific/Asia sector, trade development branch, business development division, Department of Business Development and Tourism (now development and trade division, Department of Economic Development);
- (2) copies of all expense accounts approved in the above name for travel outside Alberta.

[Motion carried]

head: **GOVERNMENT DESIGNATED BUSINESS**

head: **GOVERNMENT MOTIONS**

13. Moved by Mr. Crawford:

Be it resolved that

- (1) a select committee of this Assembly be established to carry out a review of the policies and legislation which guide and control the recreational and commercial fishing industries in Alberta and in particular with instructions to:
 - (a) review ways of maximizing returns to Alberta commercial fishermen, including changes in the licensing system;
 - (b) review the agreement between Alberta and Canada respecting the Freshwater Fish Marketing Corporation, with a view to assessing the benefits to Alberta fishermen and recommending alternatives to the agreement which would increase benefits;
 - (c) examine the potential market in the province for Alberta-produced freshwater fish and the extent to which this market is being satisfied by present marketing policies;
 - (d) review the recreational fishing demands in the province, the extent to which these demands are being met, and recommend ways of improving recreational fishing, specifically in regard to:
 - (a) fish stocking
 - (b) fish habitat development and improvement
 - (c) fish hatcheries and rearing stations;
 - (e) examine the potential production of under-utilized species such as suckers, burbot, and tullibee, and the prospect for harvesting and marketing those species for commercial fishermen;
 - (f) make such recommendations as necessary to realize the objectives of increasing benefits to both recreational and commercial fishermen;
- (2) the committee consist of the following members: G. Topolnisky, chairman; E. Isley, N. Weiss, S. Cripps, N. Pengelly, A. Hyland, and R. Speaker;
- (3) members of the committee receive remuneration in accordance with Section 59(1) of The Legislative Assembly Act; and
- (4) reasonable disbursements by the committee for clerical assistance, equipment and supplies, advertising, rent and other facilities required for the effective conduct of its responsibilities be paid, subject to the approval of the chairman.

MR. CRAWFORD: Mr. Speaker, I move Government Motion No. 13, calling for the selection of a select committee of the Assembly in regard to a review of policies and legislation with general reference to fishing, both from recreational and commercial viewpoints.

I want to be brief in speaking to this motion, Mr. Speaker. I think some other members perhaps have a more direct input into the issue. I simply want to say that in my view it's a unique and valuable initiative by government at the present time to take a special look, which perhaps has not been taken before, in any event not recently, into an area so meaningful both to sportsmen and to people in business, primarily in smaller communities in Alberta; and, at the same time, to be

able to look at opportunities for change in policy on the part of government in respect of those important issues. I would urge all hon. members not only to support the motion, but to take a real interest in the deliberations of the select committee chaired by the hon. Member for Redwater-Andrew.

MR. MILLER: Mr. Speaker, I would urge all members to support this motion, because I feel that in Alberta we have a sleeping giant in the fishing industry that we've never paid proper attention to developing, both from commercial and from tourist standpoints. We do have some hatching and brooding facilities. However, there is need for a greater supply of fish to stock our streams and dugouts and to promote the commercial industry, both marketing fresh fish and to see if we can't establish some sort of market for rough fish.

We have an excellent committee of a broad section of members of the Legislature, who I know will do an excellent job reviewing the fishing industry. I urge all members of the Legislature to support the establishment of this committee.

MR. APPLEBY: Mr. Speaker, just a brief word about this motion. Certainly I'm in favor of this committee's being set up and placed in action. The hon. Associate Minister of Public Lands and Wildlife momentarily referred to Section (e), about rough fish. I think there's a very great potential market for this type of industry.

However, I would like to emphasize that I feel the commercial fishing industry in the province has been stifled over the last few years by the freshwater fish marketing board. I hope that as this committee is set up and investigates the various aspects of the commercial fishing industry in the province of Alberta, it will give careful consideration to the alternatives to marketing our fish, without utilizing the freshwater fish marketing board.

Thank you.

DR. McCRIMMON: Mr. Speaker, I would like to say a few words in support of this resolution, particularly with respect to commercial fish marketing in the province of Alberta. With respect to my department, a good number of people involved in commercial fishing in the province are native people: the Metis and treaty Indians of the province. I think that only a portion of the commercial potential of fishing in this province has been utilized over the past number of years. We seem to have been more or less hamstrung, due to the fact that a good many of the decisions with respect to commercial fishing in the province of Alberta come from Winnipeg and that export marketing has to be okayed by the Fish Marketing Corporation. We can't make our own arrangements and deals as to exporting our own fish, or even using them commercially in our Alberta market.

Mr. Speaker, I feel it's high time the whole aspect was looked at thoroughly. I'm much in favor of the resolution and hope that all members will support it.

MRS. CHICHAK: Mr. Speaker, if I may make just a few very brief comments. I believe I recall that back in 1973 we had a debate in the Legislature covering the breadth of the need for a move on the development of and assistance for fish farming and for sport. I welcome the decision that I hope we will make today on appointing the committee, so that we might move

rather quickly in the area of this whole future of fish marketing and sport.

I would like to emphasize the comments the hon. Member for Ponoka made on being able to market and make some decisions here in the province relative to our situation, rather than decisions being made by a board which perhaps has neither knowledge nor very much interest in what is happening or what the needs are in this province. So I certainly hope we will all support this motion.

[Motion carried]

MR. CRAWFORD: Mr. Speaker, just before moving that you leave the Chair in order to consider Bills in committee, I would like to note that the sponsoring members would like to have some opportunity to amend three Bills, in each case in a very brief way, and would therefore have the need to take them back to committee from third reading, where they stand at the present time. Asking for hon. members' consent in that regard, I move that Bill No. 18, The Local Authorities Board Amendment Act, amendment number two; Bill No. 20, The Department of Tourism and Small Business Act; and Bill No. 9, The Public Lands Amendment Act, 1979, revert to Committee of the Whole.

[Motion carried]

[On motion, the Assembly resolved itself into Committee of the Whole]

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

[Mr. Appleby in the Chair]

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

Bill 6 **The Fuel Oil Administration** **Amendment Act, 1979**

MR. GOGO: Further to second reading, Mr. Chairman, I'd like to make a couple of comments about how important Bill 6, The Fuel Oil Administration Amendment Act, 1979, is.

In the budget speech, we heard the many positive steps being taken by the government to assist small business in Alberta. I think this is another move which is extremely significant, when we consider that Alberta alone, of the four western provinces, has now removed all taxes on aviation fuel compared to Manitoba at 5 cents a gallon; Saskatchewan, which some members believe is the pacesetter for parts of Canada, is now the highest in Canada at 6 cents, British Columbia at 5 cents. Certainly it will . . .

DR. BUCK: You need the money, John.

MR. R. SPEAKER: We're going to have user fees, too.

MR. GOGO: Certainly it will help those . . .

DR. BUCK: Ten dollars a day for hospital beds, John.

MR. GOGO: Certainly, Mr. Chairman . . .

MR. R. SPEAKER: They'll take it out of one pocket and [inaudible].

ANHON. MEMBER: Oh, you guys, leave him alone.

AN HON. MEMBER: Carry on John, carry on.

MR. GOGO: You know, Mr. Chairman, I happen to represent a constituency that is home to Time Air. Other members here ride on it very frequently, and I don't think it would be out of line if they chose an opportunity during committee stage to make some comments in support of that air line. I think that would be in order.

DR. BUCK: Talk to Horner in caucus.

MR. GOGO: Mr. Chairman, we shouldn't lose sight of the fact that although Time Air is the third largest commuter air line in the province, the other air lines such as Gateway, Eldorado, and Wapiti are extremely significant in transporting Albertans around the province to connect with the major air lines.

Comments were made the other day — I don't know how they crept in — that in some people's minds Pacific Western Airlines was serving to the detriment. I suggest they all fit together in the transporting of goods and services, as well as people, throughout Alberta and adjacent provinces.

Mr. Chairman, I would certainly urge members to support Bill No. 6.

MR. NOTLEY: Mr. Chairman, just a couple of comments. First of all, as I mentioned in second reading, I intend to support this piece of legislation. It will be of some assistance. I think I mentioned in second reading that in talking to officials of Time Air, my understanding is that the approximate benefit will be about \$3,000 a month or \$36,000 to Time Air, Mr. Member. While that's helpful, and as a consequence certainly members should support it, I don't think we should be jumping up and down and concluding that we have solved all the problems of the third-level carriers.

As a matter of fact, I suggest to the hon. Member for Lethbridge West, the sponsor of this Bill, that with the decision it made the other day concerning the application of Pacific Western Airlines to service the Lethbridge market, perhaps the CTC has done a good deal more to ensure the continuation of Time Air. Similarly, while one can't prejudge the decision with respect to Cold Lake, there's no doubt in my mind that if Gateway is going to continue operation, PWA cannot be allowed into that Cold Lake market. If PWA does, it's only a matter of time before a carrier is in very serious trouble.

Mr. Chairman, while the benefits of this particular Bill will be important, what would be even more useful to the third-level carriers probably would be a pretty clear indication of government policy to Pacific Western Airlines, which after all is a completely Crown-owned air line, that we're going to get into the regional carrier business in a big way. We've taken over Transair, we'll improve our routes to Regina, Saskatoon, and Winnipeg, and we'll attempt to compete with Canadian Pacific on the Whitehorse run — I think that's a very important one for PWA to try to

follow up — but we'll stay out of competition with Gateway on the run to Cold Lake. We will accept with good will the decision of the CTC, which was a very wise one, and will allow the continued operation and gradual expansion of Time Air which, I happen to agree with the hon. Member for Lethbridge West, is an excellent air line which many of us travel on frequently, is doing a good job and, as a consequence of the CTC slapping down PWA, will continue to do an even better job in the future.

MR. CHAIRMAN: Are there any further comments, questions, or amendments?

DR. BUCK: Mr. Chairman, I'd just like to say a few words on this Bill, in that it's an opportunity for the Provincial Treasurer to look at some of the areas that cause problems with purple fuel, the taxed fuel.

When the regulations were brought in, I'm sure we didn't expect to have problems with people getting fined for putting purple fuel in their lawn mowers and outboard motors, but that is what has happened. I would like to know if the Provincial Treasurer would look at getting rid of that nuisance tax. That's about all it is: a nuisance tax that causes a lot of people to get upset, and really very little revenue is generated. I would like the Provincial Treasurer to look at that area and, secondly, to delineate clearly the people who are near-agricultural, those areas that are not really agricultural but still are growing agricultural products. In one instance, are the people in the business of raising turf or instant lawn eligible to use marked fuels? I think it would save a lot of people a lot of anxiety if these two areas were clearly laid out.

Those are the only comments I'd like to make in that section, Mr. Chairman.

MR. R. SPEAKER: In speaking to the Bill, Mr. Chairman, first of all I agree with the principle of the Bill and the process of enacting the policy behind the Bill. I've always said that in helping small business or industry in Alberta, we shouldn't go the route of subsidizing or giving large grants to the industry. If you subsidize them through a lower fuel cost, lower input costs, you do not create an artificial situation in the small business world or the private sector. Certainly this Bill encompasses that type of philosophy, as I see it. On that basis, I support the Bill and certainly appreciate the government's bringing in this kind of legislation.

When we look at the specific effects of the Bill, I think the small air lines of Alberta will be assisted. Certainly I hope they continue to flourish across the province. In raising comments, my concern is the influence PWA, a government-owned air line, can have on the small, private air lines of Alberta. I have indicated in various ways to the member who introduced this Bill that it should be incumbent upon him, a representative of the Lethbridge area where the Time Air head office is located, to be a strong supporter of a small air line. I wasn't sure just where the member sat on an issue such as this. Does he want PWA to come in? Does he want Time Air to continue in Lethbridge? Should Time Air be relegated to a secondary place where profits may be low, but it picks up the loose ends to make PWA look good to come into Lethbridge? Those are the kinds of things that are raised in my

mind. I'd want the member to speak up and state his position as a member from Lethbridge.

DR. BUCK: Right in the middle of the fence.

MR. R. SPEAKER: I think I raised that in the Assembly the other day. But there is no doubt about where I stand, Mr. Chairman. Time Air should be supported, and we should keep the government air lines out of Lethbridge. Because if we continue to support Time Air, maybe through growth Time Air will be able to meet the need for more luxurious service people in Lethbridge are asking for. We have to give it time to do just that thing.

Even in light of those comments, Mr. Chairman, I support the legislation.

DR. C. ANDERSON: Mr. Chairman, I rise to support this Bill. I hope we don't lose sight of the fact that this Bill doesn't apply only to Time Air. Not only will this Bill help them, it will help the private flier in Alberta. The government of Alberta has gone to an extensive program of airport development. Taking off this fuel tax will help to supplement that and to encourage the private aircraft industry and flier in our province. This reduction in taxation on the fuel will increase the efficiency of the use of aviation fuel in the province.

I wholly support the Bill. Thank you.

DR. BUCK: Mr. Chairman, speaking on the Bill and bringing another area of concern to the sponsor and the Provincial Treasurer; that is, the utilization of purple fuel in school buses. This is exactly the same parallel. If it's good enough for the air industry, it should be good enough for the school bus operators. Some of the areas the school bus operators have to travel on — as the Minister of Education gets a little tighter with his purse strings, it becomes more difficult for school boards to pay higher rates for transportation. So, Mr. Chairman, I would like to speak on behalf of the private and the municipal school bus operators to see if this parallel type of legislation and amendment could not be brought in. If it's good for the small air lines and private airplanes, we should extend this to school buses.

MR. KOZIAK: On that specific point, Mr. Chairman, the fuel tax on school buses was removed a year ago. The matter the hon. member has raised has already been dealt with.

MR. WEISS: Mr. Chairman, I would like to confirm what the hon. member just mentioned. If they were to incorporate such laws, it would cost the school bus operator more money. Because as it is now, they're eligible to apply for the 10 cent rebate, which is permissible.

MR. BRADLEY: Mr. Chairman, the hon. Member for Clover Bar mentioned the removal of a nuisance tax. I wonder if he might just clarify that. Was he referring to the farm fuel allowance?

MR. GOGO: Mr. Chairman, if there are no more speakers, perhaps I could close debate by responding to the points raised by hon. members. First of all, with regard to the comments raised by the Member for Spirit River-Fairview, as one of the members from

Lethbridge I certainly welcome his support of Time Air. He does make some comments relative to the enlightened decision of the CTC. I would simply comment that that happens to be his personal opinion and perhaps is not shared by others. He makes a comment about Pacific Western Airlines taking over control of Transair. I think it should be pointed out, as has been mentioned before in this Assembly, that that was done at the request of the government of Canada to make western regional transportation a viability. I don't know whether the good judgment used by the CTC was good for the people of that community.

The Member for Little Bow makes reference to the fact that any subsidy that helps small business is good. I would simply point out that no subsidy at all is involved in this matter; it's the removal of a tax. For some time there has been a 3 cent tax on aviation fuel, and that's being removed. I wouldn't construe that as a subsidy. The member puts a question: do we want Time Air? Do we in this Legislature decide that, or do the people of Alberta decide that? What about the people of the Lethbridge community? Shouldn't they be deciding which air line? I would point out that the decision of the CTC, which I am happy with, is already being criticized for the absence of public hearings. I would suggest the Member for Little Bow would agree with me that our job is to do what the people want. In that light, I suppose it wouldn't be out of line for us to make a comment that there should be public hearings. Perhaps the hon. member would want to comment about that.

I think the Member for St. Paul made an extremely important point, the consideration of the removal of the tax for the small private operator. We as a government have spent a considerable amount of money in putting airports throughout Alberta to assist Albertans in getting around this province. I think removing this tax is another indication to perhaps justify some of the airport expansion.

In closing debate, Mr. Chairman, I would hope I've answered all the questions, and again I would ask for members' support.

[Title and preamble agreed to]

MR. GOGO: Mr. Chairman, I move that Bill 6, The Fuel Oil Administration Amendment Act, 1979, be reported.

[Motion carried]

Bill 11
The Alberta Income Tax
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments?

[Title and preamble agreed to]

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

[Motion carried]

Bill 13
The Workers' Compensation
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments?

[Title and preamble agreed to]

MR. DIACHUK: Mr. Chairman, I move that Bill No. 13, The Workers' Compensation Amendment Act, 1979, be reported.

[Motion carried]

Bill 16
The Calgary-Canadian
Pacific Transit Agreement Act

MR. CHAIRMAN: Are there any questions, comments, or amendments?

[Title and preamble agreed to]

MR. LITTLE: Mr. Chairman, I move that Bill No. 16, The Calgary-Canadian Pacific Transit Agreement Act, be reported.

[Motion carried]

Bill 21
The Municipal Debt Reduction Act

MR. CHAIRMAN: Are there any comments, questions, or amendments?

MR. MOORE: Mr. Chairman, I'd just like to say very briefly that our target outlined on second reading for payment of something in the order of \$1 billion to municipalities is on schedule. Because of population counts we've had some difficulty in certain areas in determining the exact amount, but we think most of those are now resolved.

If the Legislature can approve this legislation prior to July 1, it remains our intention to provide the funds on August 1 of this year. In addition to the comments made earlier, Mr. Chairman, I can say that of the approximately \$1 billion, something in the order of \$350 million will be provided directly to municipalities for their own use. The balance of some \$650 million, together with interest accumulated since April 1 of this year, will be provided by way of the Provincial Treasurer's office to repay outstanding debentures. The municipalities will not actually see that money but, as I understand it, will receive notification that those debentures have been fully repaid together with the accumulated interest.

I urge all hon. members to support this very important piece of legislation, Mr. Chairman, and say to members as well that if members encounter any difficulties in terms of their individual municipalities, feel free to contact my office with respect to any concerns they might have. I'm sure we can deal with those as expeditiously and quickly as you would like us to.

Thank you.

MRS. LeMESSURIER: Mr. Chairman, may I revert to introductions?

HON. MEMBERS: Agreed.

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

MRS. LeMESSURIER: Mr. Chairman, it's my pleasure to introduce to you, and through you to the members of this Assembly, 47 members of Harmonic Calaxa Lavelle de Sorel, Quebec. They are here to help us celebrate Canada Week. They range in age from 16 to 65 and are seated in the public gallery. At this time I would ask them to rise and receive the welcome of this Assembly.

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

Bill 21
The Municipal Debt Reduction Act
(continued)

[Title and preamble agreed to]

MR. MOORE: Mr. Chairman, I move that Bill No. 21, The Municipal Debt Reduction Act, be reported.

[Motion carried]

Bill 23
The Glenbow-Alberta Institute
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments?

MR. McCRAE: Mr. Chairman, I would like to offer a couple of words in support of this Bill. I think it is very timely to have a Bill drawing attention to the Glenbow museum.

The incident I wanted to advert to, Mr. Speaker, was the recent agreement between the provincial government, the Glenbow institute, and the Devonian Foundation for Glenbow's taking over the very important Devonian collection, which I believe has in excess of 100,000 paintings, artifacts, and other memorabilia that as it is merged into the Glenbow collection will become extremely important to the cultural community of all Alberta, particularly southern Alberta.

Members will recall that the Glenbow institute was first initiated some 12 or 15 years back by an agreement between the Harvie family and the then provincial government, where each put up \$5 million whose interest was to be used in displaying the Glenbow collection. Since that time there has been extremely rapid growth in the collection itself, in the costs, and in the public interest for the Glenbow institute. It is now housed in a building the province constructed a few years back and still owns.

The financial contribution by the province is substantially higher now than was anticipated, and of course with the merging of the two collections our commitment in the future is again much, much higher than would have been expected. I think it is a significant thing. It will expand our cultural opportunities in southern Alberta tremendously and is in fact a major acquisition for all Alberta.

I think in saying that I should pay a compliment to the Harvie family for their contribution to our life style, in terms of both cultural areas and the oil industry, which is a first or second industry in this province. Of course their gifts have required us, the taxpayers and the government, to respond with a very generous contribution toward the operation of the museum, and our commitment will increase in the years ahead. One of the components of their gift was the hope or the wish that we might be able to undertake a presentation or display of the material by what is termed a visible storage concept. That is extremely expensive, has minuses as well as pluses, and is under review by the Glenbow directors and staff at this time. If it goes ahead, it will be a tremendously costly thing for the government and needs a thorough evaluation before we commit to it.

In indicating support for this very fine Bill, might I just pay my further respects and compliments to the volunteer board of the museum. They are friends of all of us, have done a tremendous job in the past, and will have even greater responsibilities in the future to assure not only public interest in the display but a greater display in terms of getting more of it out there on a rotational basis, so that more people will be encouraged to go and visit it. I think, Mr. Chairman, that the volunteer contribution, in terms of the directorship at the museum, is reflected very, very much in the total Calgary community.

If I could take a moment, I would refer to the tremendous work being done by the volunteer sector in undertaking major private fund-raising for the performing arts centre, which is to be matched by government dollars. Another good indication of the volunteer efforts there, Mr. Chairman, is the Calgary Zoo. The oil industry has put up several million dollars toward a total restructuring of that tremendous facility. As I understand it, the new facility will exhibit a dinosaur park, which of course depicts and reflects the origin of oil, which is so important to our Alberta community. Again, I simply want to salute the many, many volunteers in Calgary and in the total Alberta area for their contributions to our society.

I hope all members will support this very fine Bill.

[Title and preamble agreed to]

MRS. EMBURY: Mr. Chairman, I move that The Glenbow-Alberta Institute Amendment Act, 1979, be reported.

[Motion carried]

Bill 24
The Department of
Economic Development Act

MR. CHAIRMAN: There is an amendment. I believe all members have copies of it.

Are there any comments, questions, or additions?

DR. HORNER: Mr. Chairman, I'd just like to indicate that the amendment strikes out a portion of a clause, allowing the clause to work better, according to my friends in the Treasury Department. They've asked for removal of that section.

[Title and preamble agreed to]

DR. HORNER: Mr. Chairman, I move that Bill 24 as amended be reported.

[Motion carried]

Bill 25
The Landlord and Tenant Act, 1979

MR. CHAIRMAN: We also have an amendment for this Act. The amendment has been circulated to all hon. members.

MR. KOZIAK: Mr. Chairman, if I could speak to the amendments, basically they are two. First, in the printing of the Bill a phrase was left out which is necessary for proper understanding of that section. The second amendment corrects a reference to a section number.

MR. CHAIRMAN: Are there any further comments or questions on the amendment? Are you ready for the question on the amendment?

MR. GOGO: Mr. Chairman, I just want to ask the minister if, since the introduction of Bill 25, he's had much response from either landlords or tenants in Alberta.

MR. KOZIAK: Mr. Chairman, if I were to categorize the response I've received since the introduction of the Bill, I've had some response in terms of legal technicalities. But the majority of response has been from those you might categorize as landlords. Probably about a dozen contacts were received at the office by telephone or mail. The concerns raised were with respect to the length of notice required to terminate a periodic tenancy: the change from the old system of one month to a three-month notice. However, their concerns were of course allayed when they were referred to other provisions of the Act which permitted a much shorter termination of a periodic tenancy in the event of substantial breach of a tenancy agreement.

I gather the concerns were with respect to tenants who create problems for other tenants, tenants who do damage, things like that. When the other section was brought to their attention, I'd say their concerns were allayed in almost all cases.

MR. GOGO: Mr. Chairman, another question. I think the minister said that the area they were concerned about would be, say, the security of tenure period: the time period to increase rent is 90 days, and the time to vacate premises is now also 90 days from 30. Is that substantially what the minister has just said?

MR. KOZIAK: Except that I want to be perfectly clear in this respect: the 90 days is no longer 90 days with respect to termination of a tenancy. It's changed to three months. That's one of the changes that took place between the 1978 Act and the 1979 Act, Bill 25, which we're discussing now. But yes, the major concern was with respect to the length of security of tenure.

MR. CHAIRMAN: Are you ready for the question on the amendment?

MR. OMAN: Mr. Chairman, I'm not sure if I'm in order as far as the amendment is concerned. My question to the minister, however, has to do with the length of time for condominium conversion, which I believe is 180 days. I wonder what the reason was behind the difference of notice of vacating in a regular rental and a condominium conversion situation.

MR. KOZIAK: Mr. Chairman, a very interesting observation by the hon. member. First of all I should say that the Bill we are considering this afternoon is entitled The Landlord and Tenant Act, 1979. It's neither the landlord Act nor the tenant Act. In those two positions you have conflicting and sometimes competing interests. In this Bill we've attempted to handle those competing and conflicting interests and to provide as fair as possible a piece of legislation for consideration by this Legislature, and for dealing with relationships in the outside world between landlords and tenants. The security of tenure aspect was one of those that caused a great deal of interest and discussion in this Legislature, in caucus, and elsewhere.

The concern with respect to condominium conversion, I gather, would be described in this fashion: when you're dealing with a solitary tenant the three-month period would be deemed appropriate. However, when you're dealing with an entire building, which may involve 60 or 90 or 100 suites, the disruption is such that it would probably be best for all concerned to have the longer period.

Another aspect is that in a condominium conversion, I would think, the ultimate intention in most cases is sale by the landlord. Tenants who have occupied premises for a considerable length of time may find themselves somewhat attached to the premises and, with the longer period of notice, might find themselves in a better position to be able to move to the next step of purchasing their unit. The longer period of notice provides that opportunity.

MR. CHAIRMAN: Any further questions or comments?

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill No. 25, The Landlord and Tenant Act, 1979, as amended be reported.

[Motion carried]

Bill 26
The Election Finances
and Contributions Disclosure
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments?

[Title and preamble agreed to]

MR. McCRAE: Mr. Chairman, I move that Bill 26, The Election Finances and Contributions Disclosure Amendment Act, 1979, be reported.

[Motion carried]

Bill 27

The Research Council Amendment Act, 1979

MR. APPLEBY: Are there any comments, questions, or amendments?

[Title and preamble agreed to]

DR. HORNER: Mr. Chairman, I move that The Research Council Amendment Act, 1979, be reported.

[Motion carried]

Bill 28

The Assured Income for the
Severely Handicapped Act

MR. CHAIRMAN: Are there any questions, comments, or amendments?

MR. BOGLE: I just wanted to add some further information, Mr. Chairman. In tabling the proposed regulations yesterday, I indicated that Schedules 1 and 2 would not be ready to table in the House. However, I indicated that some additional information could be presented during the committee study, and I'm now prepared to do that.

As I indicated previously, there will not be an asset test, as there is with social allowance recipients. However, there will be an income test. Basically, Mr. Chairman, we're proposing that there be an exemption for a single person up to the first \$1,200 of income earned during the year, and that any income above that be 25 per cent exempt. Therefore, the top cutoff level would be \$6,978 for a single person. Looking at a couple, the base income figure would be \$4,000, again going up to a total of \$9,778.

[Title and preamble agreed to]

MR. BOGLE: Mr. Chairman, I move that Bill No. 28 be reported.

[Motion carried]

Bill 29

The Social Development
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments?

[Title and preamble agreed to]

MR. BOGLE: Mr. Chairman, I move that Bill No. 29 be reported.

[Motion carried]

Bill 9

The Public Lands
Amendment Act, 1979

MR. CHAIRMAN: There is an amendment to the original Bill, which passed through the committee before. Are there any questions or comments in connection with the amendment?

[Title and preamble agreed to]

MR. MILLER: Mr. Chairman, I would like to report Bill No. 9 as amended.

[Motion carried]

Bill 18
The Local Authorities Board
Amendment Act, 1979

MR. CHAIRMAN: We have Bill No. 18 for reconsideration with two amendments. Is that correct?

MR. MOORE: Mr. Chairman, just one amendment to Bill No. 18. I think it's before all hon. members. I'd like to provide a brief explanation.

A section in the existing Local Authorities Board Act has required for many years that a member on reaching the age of 65 cease to be a member of the board. I should say, Mr. Chairman, that it was an oversight to have left that clause in the Act when we brought in the original amendments. First of all, it is not necessary or desirable in this day and age, in my view, to require that someone retire at the age of 65 from a specific board of this nature. Those matters can be handled either under other legislation or, in the case of the Local Authorities Board, by terminating the appointment.

But in addition to that, I'd like to say that for the short duration of the Edmonton annexation hearings, we have under consideration a couple of individuals who in fact have attained the age of 65. It's necessary to provide this amendment so we might have freedom in selecting some pretty high-calibre people who may be beyond age 65.

[Title and preamble agreed to]

MR. MOORE: Mr. Chairman, I move that Bill No. 18, The Local Authorities Amendment Board Act, 1979, be reported as amended.

[Motion carried]

Bill 20
The Department of
Tourism and Small Business Act

MR. CHAIRMAN: We have back before us Bill No. 20, which also proceeded through committee, with an amendment.

MR. ADAIR: Mr. Chairman, the amendment is exactly the same as the one we just put through a moment ago for Bill 24, The Department of Economic Development Act. It relates to a clause that will make it consistent and will speed up the process relating to loan guarantees.

[Title and preamble agreed to]

MR. ADAIR: Mr. Chairman, I move that Bill 20, The Department of Tourism and Small Business Act, be reported as amended.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Whole has had under consideration the following Bills and reports the following: nos. 6, 11, 13, 16, 21, 23, 26, 27, 28, and 29.

The committee also reports the following Bills with some amendments: 24, 25, 9, 18, and 20.

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

HON. MEMBERS: Agreed.

head: **MOTIONS OTHER THAN**
GOVERNMENT MOTIONS

207. Moved by Mr. Batiuk:

Be it resolved that this Assembly request the government to consider the appropriation of money from the Alberta Heritage Savings Trust Fund to finance water and sewage purification and distribution systems where present facilities are inadequate.

MR. BATIUK: Mr. Speaker, this very important motion speaks very well for itself. However, I would like to stress several areas, because I believe water is one of the most important things. We cannot get along without it for any length of time. We must have a good supply of palatable water.

When our forefathers came to this country, before they built a home the very first thing they did was to find a well. When I look at the family farm I reside on, this is the third house in the last 77 years, but the well that was dug in 1902 is still there. It's still the same depth and still produces the same amount of water.

As I mentioned, water is something you cannot go without for any length of time. You can probably get by without food for several days, but water is a must. It's true enough, as the old saying goes, that a camel can go for 12 days without water. But I'm sure nobody would care to be a camel.

Mr. Speaker, when we look at other sources, during my time I used wood and coal for burning and heat. Then we used fuel oil and propane. Now we have the opportunity of using natural gas. Water is different. It cannot be substituted by anything. You cannot put coal oil, propane, or fuel oil in the water lines. It has to be water. As I say, it's something we must have and must look forward to.

A commitment of our political party in the early 1970s was that if we formed the government we would provide a trend to reverse the rural to urban shift. I think I mentioned once before that I recall being a school board member back in '65. It was during the 1960s that the towns were getting smaller. Farm homes were being barred and people were leaving. I recall that in 1965 the Premier of that day said: nothing can be done; in 10 years 85 per cent of the population is going to be in the two metropolitan cities, and we have to accept it. However, I recall very well the Premier of today — at that time the Leader of

the Opposition in 1970 — promised the people of Alberta that should his party form the government this trend would be reversed, and it was. When I look at communities throughout my constituency, every town and village has grown enormously. This is good. But along with growth there are problems. Sometimes we may consider them sweet problems. But they are problems of growth, and one is the lack of water.

When I look back 25 or 30 years, in every village and town there were three, four, or five wells in different places where people could go with their buckets and take a bucket or two. And that water would last them. But times have changed. For every glass of water you drink, I'm sure you let several gallons go down the sink to get fresh, clear water. Because of this, there is a necessity for much more water. It's the same in every village and town. When we look at 136 towns and villages that provided water systems over the last eight years, there is no doubt that all these are going to be falling into the problem of water shortages.

I don't want to dwell totally on the Vegreville constituency, because this motion is to provide this system for all Alberta. But in my own constituency most communities have a water problem. Vegreville, one of our biggest communities, which has a population more than all the other towns and villages together, has its ups and downs. I know hon. members remember that only five years ago the Vermilion River flooded its banks and caused millions of dollars' damage in the community of Vegreville. Many people had to be evacuated from the hospital, the nursing home, the auxiliary hospital, and from their homes. The following two years they had a shortage of water because there wasn't much snow. The town of Vegreville had to pump water into the river from sloughs on the farms to be able to get water. I know the Department of Environment provided financial assistance to Vegreville. It just shows that the Vermilion River cannot be relied on.

For those who don't know, the Vermilion River starts flowing 6 miles south of Holden. It was actually the first drainage ditch in the province, back in 1917. This is the water that forms the Vermilion River. People of the Holden area saw they had to do something because their land was flat and it used to flood. This drainage ditch started the Vermilion River. When we look at the present, on numerous occasions the town of Vegreville has suffered a shortage of water. Now with its growth, with the environment centre saying they'll need at least one-third of the water the entire town is using, I can foresee a real problem. Also, a study of the Vermilion River was made several years ago. The study showed that at times the nitrate content in the water was 10 times more than was acceptable for human consumption.

We go next to the town of Mundare, my home town. In the last 20 years I would say they have dug almost 20 wells within a radius of two or three miles of the town. True enough, the well water will suffice for a year or two. Then the well goes dry, and they have to keep doing it. They have put a tremendous amount of money into finding wells.

Go just a little further west. At one time the village of Chipman was a successful village. It had three garages, three implement agencies, a hardware, several grocery stores, and a bank. By 1970 there was only one store operating. There are no implement agencies. There was one garage, but fortunately there are two

now. There still is no bank; there is a Treasury Branch. But the population of Chipman has doubled over the last four and a half years. It has reached 300 from 150. The village is concerned, and has stopped development because they cannot produce water. They have been hauling water all the way from Bruderheim for almost a year. So they are in the worst condition of any.

I must go on to mention the town of Lamont, which is not in my constituency. It's in the constituency of the hon. Member for Clover Bar. They too have a water problem, because the population of Lamont has doubled in the last number of years. Fortunately, Bruderheim has a favorable amount of water at present. The quality is not the best. But in a number of years they too, because of growth, will have to look forward to some water supplement. It's very worthy to note that Chipman and Lamont particularly get their water from Ross Creek, which runs for about two weeks in the spring. If it wasn't for the summer rains, Lamont would be without water. But they catch it through the creek that runs some 20 miles from Ross Creek. Mr. Speaker, the only benefit they have is that when the water reaches Lamont it's 'pasteurized'. It goes through 38 pastures.

Hopefully the hon. Member for Clover Bar will support this motion, even though a few days ago when he was questioning about the water in Cold Lake, I think I supplemented the question: whether he's ever asked about the water in Lamont, the town he represents.

Because of conditions such as this, Mr. Speaker, on a number of occasions I asked the former Minister of Environment to consider the possibility of a pipeline distribution system. I think we were fortunate that he initiated a study which took a considerable amount of time, a good year and a half, but was successful. Its recommendations showed that there is no alternative; within the next number of years, that will be the only source of water.

I was sort of sorry to see the hon. Minister of Environment changed from one portfolio to another. I thought: he initiated a good program, let him have a chance to finish it. However, he was a good Minister of Municipal Affairs; he did a tremendous job. He did a tremendous job as Minister of Environment. His portfolio requires a good man, and I'm sure he will do well there also.

I know time won't permit it, but I would like to mention a number of figures and items from the regional study. It says that even Fort Saskatchewan has experienced water shortages during peak demand. It requires water storage facilities in '79 and an additional water line from Edmonton in 1980. The Edmonton Regional Utilities Study recommended connecting to a regional sewage treatment plant. Further down the line, Redwater receives its water from Edmonton too, but via Fort Saskatchewan. If Fort Saskatchewan has problems at times, Redwater is going to be the first to suffer. It is down the line; it is going to be shut down without any water.

It also mentions some problems. It says that the majority of municipalities do not have adequate local sources of water to accommodate projected growth. This is my biggest concern. As I said, towns and villages throughout the province have been growing, and this is holding back their future growth. As I mentioned, Chipman has stopped development because it cannot provide water. Hauling water is very

expensive.

That study also shows that in Vegreville, Mundare, Chipman, Lamont, and Bruderheim, existing water supply sources will limit growth. If growth is not to be hampered, water supply from Edmonton via Fort Saskatchewan is the Edmonton Regional Utilities Study recommendation. As I mentioned, Mr. Speaker, there are alternatives. Each community can go on its own water system. But if it does there is nothing to guarantee it will have water a year or two or three from today. The cost would be \$10,023,000, but a line from Edmonton would cost \$14,866,000. It would cost \$4 million more, but it would assure these communities a plentiful supply of palatable water.

Mr. Speaker, just a few years ago we initiated a system of distributing natural gas to rural Alberta. I was one of the members of this committee. We were anxious to find out the best way to go about it. We inquired throughout Canada, but there was no such system anywhere in Canada. We went south of the border and, again, there are no rural distribution lines for natural gas in the United States. I can see how successful this program has been. As I mentioned earlier, it's very good to have this clean fuel at moderate cost, but other things could substitute for natural gas. There is nothing to substitute for water, and I just can't see anything better than a distribution line from Edmonton.

The study shows that at present Edmonton has facilities to treat water for an additional 300,000 people. When we look at all the areas around Edmonton where the distribution lines would be initiated, there is a treatment plant ready that could serve these. However, the study also shows that Edmonton will stall because of annexation. If this is so, I feel it is not necessary that Edmonton provide all Alberta with water. Another treatment plant can be put in by the Department of Environment.

I think this motion deserves support. I can see no other choice in the future. We need a water line through many areas. Bon Accord, Thorsby, Calmar, Leduc, Gibbons, Redwater, Thorhild, and Egremont are almost all in the same position. Maybe some can hold on for another few years; some cannot. A couple in my constituency, particularly Chipman, are hauling water. With a commitment such as this, they would know in what direction to go. I just can't see a community with some 300 people spending \$800,000 for a treatment plant and maybe being told in two or three years that a water line must go by. I mentioned earlier that the cost for a water line would be approximately \$14 million, and the study shows it is essential. The communities would spend \$10 million now, and maybe that \$14 million would be \$20 million if we wait five, six, or seven years.

I'm asking all hon. members to support this motion. I think it's very timely.

Thank you, Mr. Speaker.

DR. BUCK: On entering the debate, Mr. Speaker, I support the resolution as such because, as the hon. Member for Vegreville stated, water is essential. It's essential to the development of our communities; it's an essential part of the life process. But I would like to know where this government has been for the last eight years, and I'd like to know where the hon. member has been for the last eight years.

We hear this great furore about all the input the

government backbenchers have in caucus. Well, where has the hon. member been for the last eight years in caucus if we have to have before the Assembly a resolution requesting that the government consider use of the "Alberta Heritage Savings Trust Fund to finance water and sewage purification and distribution systems where present [facilities] are inadequate"? Right now we are going through a budget of \$4.5 billion. I would like to refresh the memories of hon. members and the Member for Vegreville: the pipeline from Edmonton to Bremner to Fort Saskatchewan to Redwater was built by the previous government. It was the first regional pipeline in this province. What has this government done since that time? They have put in one major regional pipeline, as far as I know. So where have we been? Why are we bringing a resolution like this, as important as it is, to this Assembly? This should be government initiative. The government should be doing this.

We hear about the influence the backbenchers have in caucus. The hon. Member for Vegreville tells us about the commitment the government made. Well, if the government made a commitment, why doesn't it do something, hon. Member for Vegreville?

The problems are real and pressing. As the hon. member says, the people in his village of Chipman have been hauling water from Bruderheim. As the hon. member stated, fortunately the village of Bruderhiem struck an underground river, which helped solve their problem.

There is just no way anybody could go against this resolution, because it is a motherhood resolution. Who can be against that? But I want to know where the government has been, what it has been doing and, most importantly, what the Minister of Environment, who is now leaving on this important issue — I think maybe he's going to come back ...

MR. R. SPEAKER: The cat came back.

DR. BUCK: ... has as a long-range plan for regional water pipelines throughout this province. Maybe the hon. Minister of Environment is studying; he's waiting for more reports on the Bow River. Well, Mr. Speaker, really.

It's very interesting to look at the resolutions. The government has been promising these things. I appreciate the fact that the backbenchers want to get a little publicity for the local newspaper back home; to say, look at what I am doing. Then last week they had the audacity to turn down a resolution that had some merit, on bringing a legislative committee together to look at taxation in this province. So now we have this.

For the benefit of members, I would like to indicate how the pipeline from Edmonton to Fort Saskatchewan, through Bremner, and to Redwater came into being. The funding available to us in the province was done under the previous government — and that pipeline, hon. member, was also extended through the Leduc area under the previous government. They didn't have all the answers. They didn't have as much money as this government has now. We have \$8 billion in the Heritage Savings Trust Fund and \$4.5 billion in the present budget. So we have to tap the Heritage Savings Trust Fund. I can buy that.

But the regional water board was set up in the area basically because we can all see the wisdom of water

being processed in the major municipality, taken upstream from where we dump the sewage into the river and purified, and the economies and availability of water that comes off this pipeline. That's what happened, and I'm not going to make a long story out of what's basically a short story. But the fact remains that it was done many years ago, when money was tight. Now, when we have all the funding available under general revenue, we have no indication from the Department of Environment. We have no commitment by this government to the people in the Cold Lake area.

MR. R. SPEAKER: The minister doesn't even care; he's gone.

DR. BUCK: I wouldn't say the minister doesn't care, because I'm sure he cares. But his budget doesn't reflect it.

We want a commitment to the people of this province that we have some type of regional water pipeline policy in place. We have the study; we just commissioned it. We spent many dollars on that study. Let's have some action by this now government. It's too bad we had to put the Minister of Federal and Intergovernmental Affairs into a retirement portfolio, because we could have used his ability in some of the front benches, if he had a major portfolio and something to do.

Mr. Speaker, my plea to the members of the Assembly is that I support the resolution. How can you be against it? You can't be against it; everybody needs water. They need pipelines built. What I am saying is that there's been inaction by this government on this issue.

Mr. Speaker, with those few brief remarks I would say, number one, that the government has not shown the attention it should have been showing to this very pressing problem. Number two, has the government made a political commitment, as the hon. Member for Vegreville says? If so, are they going to live up to that commitment? Thirdly, I support the resolution. But, Mr. Speaker, what we want is not resolutions. The government has the mandate and the money, and we want some action.

MR. PURDY: Mr. Speaker, participating in the debate this afternoon on the regional water concept for the areas around Edmonton and Calgary and other areas of the province, as the hon. Member for Vegreville put it quite well, I don't understand what the Member for Clover Bar is getting at.

In 1969 and '70 the people of rural Alberta were leaving these towns and coming into the city, because there was no outlook for them, so why was there any reason to go out and build water and sewer systems at that time? I remember in 1970 and '71 the Parkland council — the councils of the towns of Stony Plain and Spruce Grove — were attempting to get a water line built from Edmonton to the two respective centres. They were having a difficult time getting the doors open to the Minister of Public Works and to the Treasury Department. It was only after our election in August 1971 that we got those doors open, constructed a line starting in '72, and were able to open the valve and give the people in these two towns some potable water.

I'd also like to point out to the Member for Clover Bar that about 105 new towns and villages in this

province have been on water and sewer since 1971. We didn't have those before.

I would also urge the Member for Clover Bar to read this report under study right now, the Edmonton Regional Utilities Study, which was completed in July 1978. It has some recommendations that the government is starting to move toward. It's a 25-year study, and we'll have some concise information of what is required, especially in the areas outside the city of Edmonton, for regional utilities.

DR. BUCK: Do something.

MR. PURDY: We are doing it, hon. member, and I'm quite pleased with the way we've moved regarding water and sewer assistance in the province.

I look at the situation west of Edmonton. While I support the motion of the hon. Member for Vegreville, I question the aspect of using Alberta Heritage Savings Trust Fund money, when we may be using other methods of financing these lines. I'll share those with the members when I conclude my remarks.

As indicated earlier, the Parkland water line was built and completed in 1972. It supplies water to the county of Parkland, to the businesses along Highway 16, to Westview Village and Parkland Village, and to the towns of Spruce Grove and Stony Plain.

I've discussed the problems with the members of town council. The Edmonton Regional Utilities Study reports that we have to have something done by 1984. If we don't get something done immediately, we're going to have a growth slowdown in the towns of Stony Plain and Spruce Grove. At the present time Stony Plain is sitting at a population of about 4,000; Spruce Grove at 9,000; and both sewage facilities are just about taxed to their limits. So they are now working with the Department of Environment in an attempt to co-ordinate and upgrade this report so that by 1979-80 we can go for a sewage treatment facility to be located in St. Albert, and incorporate both towns into one area. I'm afraid that if we don't go with this report fairly soon, the growth is going to be slowed down or just about stopped in these two major areas in the constituency.

We have another interesting aspect in the town of Stony Plain. At the present time, Daon Development has a permit from the Department of Environment to de-water 1 million gallons of water a day. It goes down Adams Creek into the Sturgeon River and is lost forever. The Department of Environment has recently come back with a report asking the town of Stony Plain, Daon, and other interested people to try to utilize that water for commercial, industrial, residential, or fire-fighting purposes. Daon has been asking for a permanent de-watering licence. Through the Department of Environment, we have said no. As soon as a use is found for this water, they will give them a permanent de-watering licence. But 1 million gallons a day is a substantial amount of water. It can certainly be used to upgrade the water needs of the two towns. That will be an ongoing discussion, and hopefully by the end of this year a final decision will be made on how we should utilize that million gallons a day.

In the Edmonton Regional Utilities Study, I found a lot of practical and useful information. I would just like to dwell this afternoon, with the members of this Assembly, on the organization and management of utilities systems, both water and sewage. Two organi-

zational principles, planning and engineering, are involved:

The planning approach is often used by governments as a means of controlling growth on a regional or sub-regional basis. Although water supply and sewerage services may constitute only a fraction of the total municipal budget, they are an important "leading edge" of development. Such services must normally be in place before any population or industrial development can begin.

I guess the real crux of the planning approach is that it requires a conscientious government policy regarding the manner in which development growth is to proceed. If orderly growth is to take place in that area, we have to have additional water and sewage facilities to make that a fact.

The engineering approach is "relatively neutral with respect to policy implications". In other words, you have to have your policy first, and then go ahead, do your engineering, and get the thing in place.

Previously, water and sewage disposal systems were a responsibility of local government. This was the practice right across Canada, not only in Alberta. Then in the 1950s an evolution happened here in Alberta; things started to grow and related events made it change. Three related events were:

rapid growth in urban population.

An increased awareness of environmental and health issues.

The establishment of metropolitan and regional forms of government.

These three concepts came in and caused some real concerns for outlying municipalities and urban governments, such as we have in Edmonton.

What do you look at? Which way do you go? Do you go to an original type of government where you include all the available services? Then you have the unitary system of utilities, owned and operated by local municipalities. That's probably the most comprehensive control organization:

In the case of a unitary system operated by a city department, all aspects of the system can be directly controlled by the city council,

Two-tiered board systems, such as in Vancouver, ... are technically corporate bodies independent of any of the member municipalities to which they provide a wholesale service, they are closely associated with ... the same commissioner as well as virtually the same ... boards,

the water and sewage boards. The ownership and control of water and sewage systems by regional municipalities is similar to unitary and two-tiered arrangements.

The other question is the relationship of government to the different types of controls you have through these various boards. You have the three levels of government: federal, provincial, and municipal. The federal government has an indirect responsibility for water supply. They have the Canadian drinking water standards, which have been adopted by municipal governments across the country. Then we have provincial governments, where the major part of the funding comes from.

In most cases municipal levels of government are responsible for local supply of potable water and sewage disposal services while the Provincial government regulates the quality of the service. Alberta Environment ... is empowered to set

standards for the construction and operation of water supply and sewage treatment systems.

The municipal government or the city-owned ones appear to be the most independent at the present time. They actually "require a high degree of co-ordination with other branches of city administration". That's the only problem with them.

The department [usually] responsible for water ... and sewage disposal usually carries out ... those functions required for physical operation of the system, such as, design, operations, and maintenance.

I guess the question in the minds of everybody is financing. The financial viability of any water supply or sewage disposal system depends on two distinct, independent factors, capital financing of that particular structure and the rate structure in the end:

Unitary systems require the largest amount of capital financing because of their greater scope of service. All elements except distribution water lines and collector sewers within sub-divisions are financed by the system.

In some cases, the developer may go in, put all the branch lines in, and do that work. In some cases, CMHC provides some money on a federal/provincial co-operation basis. The money allowed through the CMHC program is a capital forgiveness element which, I guess you could say, constitutes a subsidy to the provincial government. We don't have that many in place in this province, but a number of municipalities have gone that route.

The main supply of financing in place for water and sewage systems is the Alberta Municipal Financing Corporation. It's debenture borrowing by the government. We have allowed them 8 per cent borrowing under these programs, and also the programs that I indicated earlier that were put in place to allow about 105 small municipalities and hamlets in this province [to have] water and sewage systems.

The last point, Mr. Speaker, is the rate structure. When you put in a system, do you want that system to pay for itself, to generate sufficient revenue, or do you want it to run in the deficit position? The traditional free-enterprise philosophy in Canada is that anytime you spend a dollar, you should make a dollar in return. This is the way the majority of our systems operate in this province, and I support this principle.

The other thing in question, which the Member for Vegreville alluded to, is the annexation proposal in front of the Local Authorities Board at the present time. Are we as a government going to act on any financing and expansion of water and sewer lines until this annexation proposal has been completed? I think they could do it for the area west of Edmonton, because the larger areas such as Spruce Grove or Stony Plain are not within the annexation area. But for St. Albert, Sherwood Park, and the areas east, I think it would probably put the provincial cabinet and the Minister of Environment in a difficult position to start to fund a system that may be annexed to the city of Edmonton.

I would just like to complete my comments by saying the question is: should we use Alberta Heritage Savings Trust Fund money to finance such an operation, or should we use the conventional sources of money now available through CMHC — which is a small amount — or the Municipal Financing Corporation or private developers in this province? We have used the latter, and they have worked to the satisfaction

of the boards. We know it's going to be a tremendous expenditure to someone — the government or the municipalities.

I would urge the Minister of Environment that we start working on this report now. Let's not wait until 1984 to have expanded services for the area west of Edmonton — I'm talking about my own constituency now — because the lines are highly taxed right now. From the figures I have and the information I have sought, I don't think they are going to be able to proceed with any more development until we get adequate sewage lagoons, or a central sewage treatment plant in St. Albert.

MR. LYSONS: Mr. Speaker, I too would like to get into the debate on this resolution brought forth by the hon. Member for Vegreville. Before I do, though, I'd like to thank those people down at Holden who dug that ditch so that we can have the Vermilion River ... John, pass that on to your people for me, would you?

Mr. Speaker, I think the way this resolution is worded could stand some dressing up. Though I support the resolution, I would like to suggest that the province look at financing out of general revenue or the municipal finance corporation rather than out of the heritage trust fund, other than for the oversize or extra valving and equipment that would be required. We could probably use Heritage Savings Trust Fund money there.

We've heard so much about the water — and there's no use watering that down any more — but I think one of our biggest problems is sewage. All smaller centres and a number of larger centres are finding it more and more difficult to collect and process effluent without infringing on somebody else's territory or bothering someone. If we could take a look at collecting this and using a more efficient method than we're now using, we could gain a lot of friends by moving it in one general area rather than here and there all over the country.

But I like the idea of the water and sewage in a corridor concept; the idea that we have a network of highway systems through Alberta, and if we could use highway ditches and not go into farmers' fields and dig them all up and rattle up a lot of problems, we could probably save ourselves a great deal of time, energy, and money.

In my constituency we have some very unusual situations. We have three river systems, so some of the areas aren't bothered by lack of water. Yet we have other areas not even close to a river, like Minburn, where you can drive a sand point in the ground about 8 or 14 feet and you've got all the water you can use. Sedgewick is the same, yet between those two centres is Viking. As hard as they have tried, they can't get water with wells or conventional ways. Storage is difficult because it's quite alkaline there. They are really in a bind. I understand that other towns up the line are having problems. Surely we can do something to help all these centres.

When we look at water storage, effluent storage, or accessibility — we must look at storage. We probably could use the basis of this resolution, using Heritage Savings Trust Fund moneys, to have emergency water storage built in these centres, if something happened to the pipeline, or you got an unusually hot time, or you had some pollution at the water source or somewhere in the pipeline, or for some other reason you had

to shut it down. Maybe we could use funds from the Heritage Savings Trust Fund to finance these unusually big storage areas.

In my home town we have water wells, and no problem at all getting water. I think the last figure I heard was that, on test, one of our wells would produce water at 2,500 gallons a minute almost indefinitely. That's an awful lot of water, and it didn't drain down any water in the area. So we probably don't have the same types of problems as Vegreville, and certainly not the same problems as Viking, Stony Plain, or other places.

Mr. Speaker, I'd just like to say to the hon. Member for Vegreville that I would very definitely support this, as I'm sure every member in this House would. We will probably have to take the advice of the hon. member from Fort Saskatchewan and push a little harder in caucus to get this as a government Bill.

Thank you.

MR. TOPOLNISKY: Mr. Speaker, I wish to make a few comments in support of Motion 207. Some seven or eight years ago we were certainly concerned about rural Alberta. All these little communities we're struggling for survival. It was a real challenge for the new government in 1971. Gloom and doom and the demise of these little communities were evident everywhere. But times have changed, Mr. Speaker. With the positive policies of decentralization and balanced growth throughout the province, we certainly see a lot of activity, development, and growth in nearly all these little communities.

With some of the utilities — natural gas, electric power, and telephones — there are groups very anxious to proceed with construction and go ahead with the profit motive. But with water and sewer it's different. The local people, the municipalities themselves, are responsible for the construction and operation of these two utilities.

The shortage of water, Mr. Speaker, certainly hampers growth and reduces the number of building permits. I know that all the little communities in the Redwater-Andrew constituency — two towns, seven villages, and five hamlets — together with the rest of rural Alberta, have been struggling for their very existence. But in the last seven or eight years they have experienced some population growth, as much as 50 per cent. That really speaks well for the communities that want to help themselves. Then they come to government for further help. But with the short supply and poor quality of water, I would like to outline at least one typical situation.

The present water supply is from several wells. These wells are of low capacity, and the water contains an excessive amount of iron. Water is gathered at a treatment plant and directed to storage tanks of up to 100,000 gallons. It is then pumped through the distribution system, and hopefully the pressure is maintained. Often this system is unable to meet the water demand at times of peak consumption. Two of these communities have swimming pools, and they certainly experience water problems.

Just to give some idea of the cost to improve the supply and quality of water for a community of, say, 500 people who want to design a system for a population of 1,000, we find that if surface water supply or shallow wells are used, the estimated costs are — and I want to throw these figures out, Mr. Speaker, to show

how massive they are and what these little communities have to face — the pump house, \$32,000; storage, \$295,000; treatment plant, \$412,000; a 12-inch water supply pipeline, \$175,000; engineering, \$80,000. This brings the total figure to \$994,000. Nearly \$1 million. In this case the annual operation and maintenance would be: power, \$3,000; chemicals, \$3,300; heating, \$1,000; repairs, \$2,000; labor, \$5,000. This brings the annual total to \$14,300.

Surface water is certainly not reliable, Mr. Speaker, and not the answer in the northeast part of the province. It seems much more reasonable to get a water supply from the Northeast Water Board line, now at Redwater, to be extended northward to the hamlet of Egremont, to the village of Thorhild, then to Radway and Waskatenau. In 1977 the cost would have been about \$2.5 million. This is where all these communities need financial assistance to secure an adequate water supply of much improved quality.

Mr. Speaker, headlines such as No Water for Northeast Board are certainly not encouraging, to say the least. Therefore it seems much more reasonable for these communities to participate in the construction of the extended northeast water line, the only long-term assured and economical source of water for the municipalities of that entire region.

Other villages and hamlets need water and sewer improvements, and that is where financial assistance is required. They include Clyde, Warspite, Andrew, Wilingdon, and certainly the hamlets of St. Michael and Bellis.

In view of all the assistance that's required, Mr. Speaker, I support this motion.

MRS. FYFE: Mr. Speaker, I would also like to offer a few comments on this resolution. Though the motion refers generally to a policy that will affect the entire province, I am going to have to restrict most of my comments to the constituency of St. Albert.

Edmonton Regional Planning Commission growth studies project a doubling of the present population in the Edmonton area within the next 25 years. I think the greatest challenge we face is to manage that growth in an orderly fashion, at the same time having regard to environmental concerns.

Growth, like water, tends to follow the path of least resistance. It relates to land costs, accessible transportation routes, utility servicing, community life style, and amenities, to identify only some of the factors. For communities accommodating the growth we anticipate, and have been experiencing over the last years, there is a great concern that existing residents do not subsidize new residents coming into the communities. If a community now has an adequate system, can they be expected to pay for increased costs for new water lines, new sewer lines, or new treatment facilities? In other words, our grant programs should support a user-pay policy.

Another great concern in a regional utility is: if capacity is used up, do we direct our programs to consider compensation so that existing residents are not paying for tomorrow's replacement costs of a capacity they presently have?

Some growth areas are facing large increases under the new water and sewer treatment program. This applies directly to communities such as the town of Gibbons in the St. Albert constituency. They're playing a bit of a chicken-and-egg game: new growth

requires new facilities; new facilities cost money. To accommodate growth, monthly utility charges will rise in some cases up to 300 per cent in two years. This is a problem the local government people are trying to face. Is this fair for the existing residents?

The building of utility lines has not been an obstacle in the provision of water services, as the hon. Member for Clover Bar has stated. I think the basic problem has been a refusal on the part of the supplier to service any additional communities. I think there is a very distinct difference. When I make this comment, I speak only of the Edmonton area.

I think this government has certainly provided leadership in the Edmonton Regional Utilities Study. Although the application of recommendations will require extensive co-operation and, I'm sure, extensive negotiation, it is now time for action. Like Stony Plain and Spruce Grove, communities such as Morinville and Legal will come to a complete halt in growth. This of course will have the added complication of forcing up land costs, because of a very limited amount of serviced land within the area.

There's no doubt that we have very large question to resolve in the near future. I believe that one of the greatest problems we face is the application of the recommendations in the report. But I think it's a challenge we'll face, and we'll face it soon.

Mr. Speaker, I would ask to adjourn this debate.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

MR. HORSMAN: Mr. Speaker, before we adjourn, I move that we reassemble in committee at 8 o'clock this evening, initially for study of Bill 22.

MR. SPEAKER: Does the Assembly agree with the proposal by the hon. Government House Leader?

HON. MEMBERS: Agreed.

[The House recessed at 5:27 p.m.]

[The Committee of the Whole met at 8 p.m.]

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

[Mr. Appleby in the Chair]

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

Bill 22
The Legislative Assembly
Amendment Act, 1979

MR. CHAIRMAN: Are there any questions, comments, or amendments with respect to Bill 22?

MR. R. CLARK: Mr. Chairman, I'm not going to repeat the points I made last Monday night with regard to Bill 22. Suffice it to say that I think it's

wrong to mix administrative and legislative responsibilities.

In addition, last Monday evening I raised the question of the delegation by ministers of their power to officials in the department, and those officials then being able to establish committees which MLAs would be appointed to.

With that view in mind, Mr. Chairman, I propose an amendment after Section 2.1:

The following is added after section 10(4):

- (5) Notwithstanding any other Act, section 10(4) (e) does not apply to a board, commission or [any] other body created by or to a member appointed by a person who has exercised the power of creation or appointment pursuant to a delegation of power by a minister of the Crown.

In effect this legislates that only a minister may appoint an MLA to a board or agency, and that no board or agency which has been established by delegation of power from the minister can on its own put an MLA on a commission, board, or agency.

I want to remake the point that I think what we're doing in this piece of legislation is wrong in principle, but at least this says that MLAs can only be appointed to boards and agencies by the Executive Council or by a minister. In the Department of Agriculture, for example, with this legislation in place the Alberta Grain Commission itself could place an MLA on the commission without reference to anyone. If that's to be done, this legislation would say it would have to be done by the minister or by Executive Council.

Mr. Chairman, I ask that the government seriously consider this amendment, because at least it restricts the practice of placing MLAs on boards, commissions, and agencies to those appointments made by ministers or Executive Council. It would stop the power of delegation there.

MR. CRAWFORD: Mr. Chairman, I don't know if other hon. members want to speak on the proposed amendment, but I think the hon. Leader of the Opposition either incorrectly perceives what the proposed Bill actually says, or has found a near-exotic legal route through its language in order to imagine that an appointment would be made without the concurrence of either the Lieutenant Governor in Council or a minister. If one reaches far enough, by noting that the language in 10(4) as proposed to be amended by 2(a) of Bill 22 does appear to open up the possibility that an appointment could be made as the result of a regulation. Prior to that it says, only by the Lieutenant Governor in Council or a minister of the Crown. The only reason for that is that some agencies exist because of regulation rather than by statute. All that is proposed in the Bill itself, without reference to the hon. leader's amendment, is that the naming of a person, whether by this occasional and, I think, rare route where the agency exists because of regulation rather than statute, can still be done. If in the view of the Lieutenant Governor in Council it's an appropriate agency for a member of the Assembly to be on, that is then done by nomination by the Lieutenant Governor in Council or by the minister in question.

The effective way of getting the MLA onto the agency may indeed be the result of a regulation. But to suggest this involves a delegation of authority to

anyone else at all — I don't think that could occur under the existing language of the Bill. The last thing the government would intend is that with the not large number of appointments that could be made or would likely be made under Bill 22, the idea that anyone other than the Lieutenant Governor in Council or a minister, if that's the concurrence of the Lieutenant Governor in Council in that particular case and if in that particular case the legal route happens to be ministerial appointment — that is the only way this would take place.

I'm suggesting to the hon. Leader of the Opposition that the proposed amendment doesn't do anything not already intended. If it seeks to seal off a remote route that might be used, my view is that that couldn't be done in any event, and certainly would never be done.

MR. R. CLARK: Mr. Chairman, in responding to the comments made by the Government House Leader, might I say that it's one thing to accept the minister's word that this would never be done. The submission I make — and this is on the advice of the Law Clerk, in discussions with him — is that this route could in fact be used, Mr. Minister. It's one thing to have the assurance of the Government House Leader in the Assembly that that route would not be used. If it is not the intention of the government to use that route, Mr. Chairman, I suggest to the Government House Leader that we just hold the Bill where it is now, ask the Government House Leader if the government's stated intention is not to use that route, ask the Legislative Counsel for the government to look at the proposition we've put forward, and then deal with the amendment.

I'm trying to make the point that if it's not the government's intention, let's not even have that avenue open. At least from the advice we've received, the avenue is open as the Bill now is presented to the Assembly.

MR. KOZIAK: Mr. Chairman, one of the interesting procedures that I share with my colleagues in cabinet, serving on the cabinet legislative review committee, is the representations made from time to time by those who would seek amendments to legislation to incorporate their views in their language as to what the language of the Bill should say. Quite often a great deal of time is used to explain to the proponent of the position that the words are unnecessary, because the legislation already accomplishes what that individual wishes accomplished.

We find ourselves in exactly that same position this evening, speaking to the amendment to Bill 22. What the hon. Leader of the Opposition is proposing is already in effect in Bill 22, because as we're well aware, in the amendment the individual who would serve in the capacity would do so at the nomination of the Lieutenant Governor in Council or a minister of the Crown. The concern of the hon. Leader of the Opposition is that the appointment would come from someone other than the Lieutenant Governor in Council or a minister of the Crown. Yet the legislation specifically indicates that that individual we're talking about would hold that office as a result of the nomination of the Lieutenant Governor in Council or a minister of the Crown. Having regard to the old latin phrase *delegatus non potest delegare*, I think we can see the position that the hon. Leader of the Opposition puts

forward is already in the Bill without the amendment and is unnecessary verbiage.

MR. R. CLARK: Mr. Chairman, to the Minister of Consumer and Corporate Affairs, the solicitor who just gave us this legal opinion. With the greatest respect, I would simply say that the legal advice we've received isn't the same legal advice we just received in the Assembly from the hon. minister. Very straightforwardly, my point is this: this legislation should absolutely and totally prevent anyone other than a minister or the Executive Council from making those appointments. Now the Government House Leader said — and if I paraphrase his comments incorrectly I'm sure he'll be the first to straighten the record — that it was not the government's intention to move in that direction. The suggestion I'm putting forward is that from the advice we've received that is possible. Let's hold the Bill and check with the Legislative Counsel. If the Legislative Counsel comes back and says it would have the same interpretation as the Minister of Consumer and Corporate Affairs, fair ball.

The submission I make to the committee, through you, Mr. Chairman, is that that isn't the advice we've received. Where it may not be this government's intention to make appointments by that route if it were possible, if it is possible — and we are advised that it is — the present Government House Leader isn't going to be the Government House Leader forever. Other governments will come along and will be able to use that avenue. We shouldn't be providing that avenue, despite the assurance tonight from the Government House Leader that the government doesn't propose to move in that direction.

MR. R. SPEAKER: Governments do change, guys.

MR. CRAWFORD: Mr. Chairman, I think the hon. leader is trying to be very persuasive by staying on one point. He holds that point by virtue of a sort of very long hold on a very small legal point.

I think he's extended himself as far as he physically can to retain the argument. I think the record would show that I didn't state the matter in exactly the way the hon. leader suggested when he said that my position was that the government would not act in this way. I said more than that. I said that my view of the legislation was that the proposal made by the hon. member was meant to cover a remote and exotic legal argument, and that it was my view that the Bill did not encompass what the hon. leader is raising by way of the opinion he referred to, and further, that in any event clearly no one would delegate such a power.

My hon. colleague the Minister of Consumer and Corporate Affairs has made the further point that the nomination would seem to be a necessary prerequisite to any appointment and that if there is any merit to the hon. leader's suggestion, the only person who could be appointed in any event is the person nominated by a minister or by the Lieutenant Governor in Council. It seems to me rather hard to appoint someone who has never been nominated. For that reason it seems to me that the door the hon. leader wishes to hold open at the end of this long tunnel is in fact not open.

I did want to add that the delegation of power by a minister is in fact only referred to in one place: in the hon. leader's amendment. I realize that he is probably referring to the provisions of another public statute,

which is administrative in nature and allows delegation by the minister of a number of duties to a deputy. But I suggest the objective and the literal intent, as put forward in the language of Bill 22, are other than that either described by the hon. Leader of the Opposition or anticipated in the amendment, which is the only place where the whole question of delegation is even raised.

MR. CHAIRMAN: Are you ready for the question on the amendment? I believe you have copies of the amendment to Bill 22, The Legislative Assembly Amendment Act, 1979, proposed by the hon. Leader of the Opposition, Mr. R. Clark.

[Motion lost]

MR. CHAIRMAN: Are there any more comments, questions, or amendments on Bill No. 22 as presented?

Bill No. 22, The Legislative Assembly Amendment Act, 1979, are you agreed?

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: Title and preamble, are you agreed?

SOME HON. MEMBERS: Agreed.

MR. NOTLEY: Just a second.

MR. R. CLARK: Wait a minute. What about asking for those who are opposed?

MR. CHAIRMAN: I'm amiss in that. We'll vote again on Bill 22, The Legislative Assembly Amendment Act, 1979. All those in favor please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Those opposed please say no.

SOME HON. MEMBERS: No.

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

[Three minutes having elapsed, the House divided]

For the motion.

Adair	Johnston	Pahl
Bogle	King	Paproski
Chambers	Knaak	Payne
Clark, L	Koziak	Pengelly
Cook	Kroeger	Planche
Cookson	Leitch	Russell
Crawford	LeMessurier	Schmid
Cripps	Lougheed	Schmidt
Diachuk	Magee	Stevens
Embury	McCrae	Stewart
Harle	McCrimmon	Thompson
Horner	Miller	Topolnisky
Horsman	Moore	Trynchy
Hyland	Oman	Webber
Hyndman	Osterman	Young

Against the motion:

Clark, R. Notley Speaker, R.

Totals: Ayes - 45 Noes - 3

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill No. 22 be reported.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Whole Assembly has had Bill No. 22 under consideration and begs to report the same.

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

HON. MEMBERS: Agreed.

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

[Mr. Appleby in the Chair]

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

Department of Social Services and Community Health

MR. CHAIRMAN: Mr. Minister, do you have any opening remarks?

MR. BOGLE: In subcommittee, several members asked for a general overview. I will attempt to do that through the votes. Eleven votes will be dealt with, 10 of which relate directly to the department. The eleventh is for the Alberta Alcoholism and Drug Abuse Commission. If I may, Mr. Chairman, I'll go through the votes very briefly.

The first vote, Departmental Support Services, deals with the central office and the 43 regional offices of the department, which are scattered throughout the province.

Vote 2, Social Allowance, provides for direct financial support to Alberta residents who do not have sufficient resources to maintain a reasonable standard of living. Funds previously allocated for the handicapped have been transferred to the assured income for the severely handicapped program, which is part of Vote 5.

Under Vote 3, Child Welfare Services, the programs are designed to provide a suitable environment for children who are the responsibility of the Crown.

Vote 4, Specialized Social Services, looks at the accommodation and care for special adult groups, single men and women, and transient. In this vote we're looking at our hostels in Edmonton and Calgary and our facilities at Gunn and Youngstown, as well as the

Metis settlements.

Vote 5, Benefits and Income Support, is primarily designed to assist senior citizens to maintain independence and dignity. The two main programs are the Alberta assured income plan and the extended health benefits. The second significant element will be the Alberta assured income for the severely handicapped plan.

Vote 6, Vocational Rehabilitation Services, is designed to aid handicapped, disabled, and vocationally disadvantaged individuals to attain a level of independence.

Vote 7, Services for the Handicapped, as differentiated from vocational services, has programs to provide for care and rehabilitation of the handicapped, with greater emphasis towards the use of community agencies, permitting the handicapped to reside in their own community, to receive specialized care.

Vote 8 is treatment of the mentally ill and the various programs with regard to Alberta hospitals at both Ponoka and Oliver, as well as the community agencies involved.

Vote 9, General Health Services, is primarily interested in the control of communicable diseases.

In Vote 10, Financial Assistance for Community Preventive Services, Mr. Chairman, we're primarily looking at the health units and PSS.

As I've indicated, the allocation of funds for the Alberta Alcoholism and Drug Abuse Commission falls under the eleventh vote, Alcoholism and Drug Abuse — Treatment and Education. The program covers a broad range of services from treatment, education, information, rehabilitation, to assistance to private community-based treatment. Four new area offices have been opened in Barrhead, Grande Cache, Camrose, and Lac La Biche.

MR. NOTLEY: Mr. Chairman, I suppose when we discuss the general issues, now would be as good a time as any to get into a fairly thorough discussion of the visits ...

MR. CHAIRMAN: I wonder if the hon. member could just hold for a minute. I see we have the chairman of Subcommittee B with us now. I wonder if she would like to present her report.

MRS. FYFE: Thank you, Mr. Chairman.

Subcommittee B of the Committee of Supply has had under consideration the estimates of expenditure for the fiscal year ending March 31, 1980, for the Department of Social Services and Community Health. The subcommittee recommends to the Committee of Supply the estimates of expenditure of \$539,445,698.

MR. CHAIRMAN: Having heard the report from the chairman of Subcommittee B, are you agreed?

HON. MEMBERS: Agreed.

MR. NOTLEY: Mr. Chairman, I think this is the appropriate time to take a few minutes to review the government's action of last week. Perhaps the place to begin is to cast our minds back to April 14, 1960, Alberta Regulation 112/60, O.C. 466/60. This is the regulation presently in dispute. In my judgment anyway, it very clearly sets aside moneys from the sale or lease of any other of the natural resources of the said

areas.

Mr. Chairman, I suppose we can get into a long argument over whether or not this court case should be proceeding. Let me just say that after visiting, I believe, five of the Metis settlements in this province, it's a fair comment that the view of the people in these settlements is that this regulation was fine as long as no oil and gas were discovered. But as soon as we discovered oil and gas and we had some money, all of a sudden we found the government taking a different stand.

Well, Mr. Chairman, at the appropriate time we're going to see whether or not that stand will be upheld in a court of law. But I raise that because among many people in the Metis settlements in this province there is a good deal of bitterness, bitterness that stems at least in part from frustration at having to take legal action to recover moneys which people in the settlements feel is justly due them as a result of this order in council passed in 1960.

Mr. Chairman, as I introduce my comments on the subject, I suppose the place really to begin is the Premier's letter of September 9, 1977. I don't see how there can be any mistake as to the intention of the Premier's letter:

... instructions have been forwarded from the Attorney General to Mr. J. Cote, the Solicitor handling the action for the Province, indicating among other things that Mr. Cote contact your Solicitor, Mr. Macdonald, and inform him that the central source for channelling all major requests, negotiations, projects, etc., be Mr. Cote, who in turn would forward these matters to the appropriate officials in each department involved.

Mr. Chairman, it seems to me there is absolutely no mistaking the intention of this letter to Mr. L'Hirondelle, president of the Federation of Metis Settlements in this province. That gentleman could take the intent of the letter in no way other than that the settlements federation and the lawyer acting on behalf of the settlements would have to channel all their proposals directly through Mr. Cote. Mr. Chairman, it's my understanding that subsequently, shortly before the visitation took place, the solicitor for the federation had advanced to the lawyer for the government of Alberta a suggestion that there be joint review of the files. Had this information been passed on to the government, it would not have been necessary to authorize the kind of seizures that took place on Monday of last week.

Mr. Chairman, if we're talking about a solicitor/client relationship, I find it mystifying that the solicitor in this case apparently didn't contact the client. And the client is the government of Alberta. The Minister of Social Services and Community Health says he's not sure this was passed on. The Minister responsible for Native Affairs says he's not sure it was passed on. This morning the Attorney General said he's going to have to assess it. The Premier says he doesn't know anything about it. Who is the client in this mysterious solicitor/client relationship? One would think that a proposal as significant as the one made by Mr. Macdonald on behalf of the federation of settlements would immediately be communicated to the appropriate minister. But for some inexplicable reason that information was not communicated, and we had the results of last week. I say to members of this committee: I still find it really hard to understand how that failure to communicate could occur in any kind of reasonable solicitor/

client relationship.

Mr. Chairman, I want to review some of the arguments that were presented last week. They were essentially as follows: the government was simply retrieving documents from government offices where government employees were employed by the government of Alberta. In subcommittee we find out that the government employees are actually stenographers, that over the last number of years the stenographers have in fact been working largely with the settlement organizations, and that as far as the settlement councils are concerned they have been there to assist the settlements. Many members who have visited the settlements know we're not dealing with highly sophisticated office procedures, or big offices. Usually we're dealing with one-room or, at most, two-room offices. So frankly the idea that we're going to have files all separated according to government files and settlement files is a little optimistic.

But we have the argument that these are all government buildings. Well, in the case of at least one of the settlements, Gift Lake, rent had been paid. Yes, it had been paid by the government of Alberta, but all sorts of rent has been paid to all sorts of organizations in this province. Does that give the government of Alberta the right to enter the premises of those organizations and recover documents? Quite frankly, Mr. Chairman, I would say it doesn't.

I want to move from there to explore for a minute this whole question of a without-prejudice agreement. For the life of me, I find it hard to understand why it wasn't possible for this government to arrive at some form of without-prejudice agreement. Last week we found the Premier saying that he's going to take the initiative. But the Premier has been around for eight years, and this problem has been around for a long time. It's been a matter of some controversy for five or six years now. Why is it that it is only after this matter becomes a public controversy that we find the Premier saying he's going to take the initiative to work out a without-prejudice agreement?

As I said last night in discussing the estimates of the Minister responsible for Native Affairs, as far as I'm concerned the last people who should be arguing against a without-prejudice agreement would be members of the government of Alberta. The historical precedent is very clear. In 1905 when Alberta and Saskatchewan were created as provinces, the federal government chose not to grant natural resources to either province. The transfer of natural resources didn't take place until 1930. In fact what we had in the creation of our two respective provinces was a form of without-prejudice agreement. We had the creation of the provinces, but the control of natural resources was not turned over until 25 years later.

Why can't the same sort of spirit apply to granting the kind of recognition the settlements need to carry on their local self-government, to carry on the responsibilities which people in the settlements choose, while the courts are settling this legal dispute over who owns the mineral rights in question?

Mr. Chairman, I just want to add one or two other points in my initial comments. I'll no doubt have other comments. In discussing this matter with a number of the settlements since the seizure of last July, I find we have had at least two other seizures. I mentioned one in question period the other day concerning the Isolated Communities Advisory Board. Yes, there was an effort.

The government had terminated the funding for the Isolated Communities Advisory Board, but the board itself was still in operation, Mr. Chairman. To my knowledge, when the seizure of the board's assets took place on May 15, it was done without the board's consent. In fact, some of the material seized has still not been returned.

I would also point out to members, Mr. Chairman, that near the end of July 1977, there was an additional seizure of building materials on the Paddle Prairie settlement. The people in the Paddle Prairie colony were not able to give me the exact date. The reason given was that the Metis development branch was short \$250,000, and officials did not want to be accused of mismanagement. As a consequence, all sorts of material was seized. As I understand it, in talking to Mr. Martineau from the settlement, among the material seized was material that had been purchased out of the trust funds. That included electrical supplies, windows, doors, chimneys, insulation, nails, shingles, tar paper, and polyethylene. As a matter of fact, they carted the material out in a 5-ton tandem truck.

Now, Mr. Chairman, I just ask the members — and I know with the racket that's taking place, it may be difficult for them to hear what I'm saying. I ask the members ...

MR. CHAIRMAN: If I may interrupt, there seems to be a considerable amount of dialogue going on between members. If you have something serious to discuss, I suggest it would be more appropriate if you would retire to the member's lounge to have your conversation.

MR. NOTLEY: Mr. Chairman, I just say to members that we had an example last week of actions on the part of the development branch which at best can be called injudicious. We had actions a year ago which at best could be called injudicious. We had this action of two years ago, which quite frankly I find equally injudicious. Sooner or later, members of this House have to come to grips with the general approach of the Metis development branch. Are we in fact getting leadership from that branch that is consistent with the Bill of Rights and with the spirit of the development Act passed, I think, 40 years ago now?

I would just conclude my initial comments, Mr. Chairman, by saying that we're asking for trouble if we don't deal fairly on this issue.

Just after Christmas I had occasion to visit the Peavine colony, just north of High Prairie. The thing that struck me about the people on the colony is that, first of all, here was a group of young people who had a lot of ideas about the development of their colony, their settlement. Some of the things they were doing on that settlement were really very impressive. You know, at one time the idea was just to sit back and let Alberta Housing build houses. On Peavine they decided not to do that. Instead of having Alberta Housing do it, they got into the housing construction business themselves. Not with the blessing of the Metis development branch — fighting the development branch tooth and nail. At least this is what they told me.

The also had a problem — they finally got it from the branch, but they bought a cat. So all the development work, brushing for oil companies on the Peavine colony is now done by a cat which is owned by the

colony. They have a couple of people working around the clock on that cat. They have a little lake on the settlement, and they're now developing that as a resort. But the point the chairman of the settlement brought to my attention is that instead of getting the co-operation of the development branch, they had to fight almost tooth and nail to achieve some of these things.

As I say, Mr. Minister and members of the House, we're dealing with able young people. Let us not underestimate their determination to improve their lot. That being the case, we'd better make sure we conduct ourselves through our government agencies in such a fashion that can win their respect and support. If we don't, we're going to see a far more militant group of people than we've seen for many a day.

I simply say to this government, look back over the last several weeks and really ask yourself whether the actions can be justified, not only from the viewpoint of the spirit of The Alberta Bill of Rights but from the standpoint of a pragmatic policy designed to achieve the goal the minister in charge of native development talked about the other day. I suggest, Mr. Chairman, that the actions last week are not consistent with those goals.

MRS. FYFE: Thank you, Mr. Chairman. I'd just like to ask a couple of questions of the hon. Minister of Social Services and Community Health.

I personally feel that preventive programs are extremely important throughout the province. The more emphasis we put on preventive programs, I think in the long run we will reap the benefits, not in one year's budget but in a long-term budgetary consideration. I wonder if you could comment on what services are available to the Metis people in Alberta through preventive social services and the preventive health programs in this province. I would ask that the comments probably be of a general nature. But I wonder if there are any agreements with any of the Metis settlements for preventive social services or if the services cover them, and secondly, what preventive health programs apply to the Metis colonies.

MR. BOGLE: Mr. Chairman, before we proceed, it would be my intention to respond in a general way to the overall thrusts of the department at this time, and to respond specifically to the matters raised by the hon. Member for Spirit River-Fairview and the hon. Member for St. Albert when we get to the appropriate vote.

MR. CAMPBELL: I'd like to direct a question to the hon. Minister of Social Services and Community Health and ask what programs there are for autistic children.

MR. PENGELLY: Mr. Chairman, I wonder if there are any programs of assistance to help cerebral palsy victims become employed on a part-time or a full-time basis.

MR. LITTLE: Mr. Chairman, page 14 of the budget speech has this reference:

Under the New Aids to Daily Living Program, Albertans with chronic or long-term health disorders will be provided with such aids as wheelchairs, respiratory equipment, and ostomy supplies.

I believe this comes under Vote 5.

I would like to suggest to the minister that possibly we could consider blind persons with seeing-eye dogs. The reference I have is that the dogs cost in the nature of \$150. In most cases if the person requiring the dog isn't able to afford it, a well-known international service club usually picks up the cost. However, once the person has the dog he runs into the expense of feeding and maintaining it, which amounts to some \$50 to \$55 a month. It would appear to me that it could be included in this particular section.

I would also like to inform the minister that there aren't that many in the province. At the time the Bill was passed there were 14. I understand the number hasn't increased significantly in the meantime. A training period is also required; I can't inform him of its costs.

MR. CHAIRMAN: Since this department was in subcommittee, we'll vote on the total amount for each vote and, in doing so, approve the sub-items under that vote. Has anybody any further comment or question regarding Vote 1?

MR. R. SPEAKER: Mr. Chairman, the minister outlined the details of each vote this evening. One of the comments he has made in the Legislature is: I'm a policy-maker, and there are administrators in my department to do certain things. If the minister is a policy-maker, I'd be very interested to know what priorities he has established for change in the Department of Social Services and Community Health. Are there specific types of priorities or goals the minister wishes to complete in the next four years? Are there specific types of programs he intends to initiate? If so, I think we should know about them at this time, so that in two years we can assess whether the minister has accomplished those goals.

MR. BOGLE: Mr. Chairman, let me first elaborate very briefly on my comments regarding policy decisions and administrative matters. I think that's an important aspect of government. We as elected officials are policy-makers — all of us in this Assembly. There are people who are public servants, who work for all Albertans and administer the programs we approve. It's clearly understood, and I've indicated on many occasions, that the minister of whatever department is ultimately responsible for the decisions made by officials within his or her department. But there must be a distinction between policy and administrative matters.

I think the question asked by the hon. Member for Little Bow is very important. It's one which all ministers and all elected officials must ask themselves: what are their objectives over the next four-year period? First of all, I'm bringing to this department no preconceived notions that I have a magic solution to solve some problem that is before Alberta society. Therefore I'm coming to it ready to learn, ready to listen, and ready to have input.

I have some specific thoughts about where we can do a better job than we've done. One was alluded to very briefly by the hon. Member for St. Albert — the area of prevention. I had the opportunity to visit Rosecrest — it's possible the hon. member who raised the concern visited it while he was the minister of health and social development — a most tragic setting, where young children are not there because of anything they've done. They're there because their mothers had an over-

dose of alcohol or drugs. There may have been an abuse, or some other factor may have caused it. Mr. Chairman, the key thing is that the youngsters are not there of their own volition. Through a preventive program, if we can better educate prospective mothers and fathers as to the kinds of dangers there are for the unborn child and prevent just one child from entering institutions like Rosecrest, then that's got to be a success.

I feel very strongly about the whole preventive dental program. I think we're doing a good job now through our health units. We can do a better job. There's always room for improvement in our programs. So if there's any area where I see an overall priority it would be prevention.

DR. PAPROSKI: Just for the record, Mr. Chairman, I'm pleased to indicate to the House that during subcommittee the minister acknowledged that his department was planning toward community care, whether vocational rehabilitation services, services for the handicapped, day care, or the treatment of mental illnesses, alcoholism, drug abuse, and so forth. Mr. Chairman, I think it's so important that the department has adopted that particular direction in planning. Because I think it's so vital, I'd like to hear the minister again acknowledge, maybe expand slightly regarding that particular item, that it's a major factor in that department's planning.

Over the past few days a number of times we've discussed with the Minister of Hospitals and Medical Care the importance of prevention, the difficulty with financing, and so forth. Mr. Chairman, I think it surely must be acknowledged by all members of the House that community care, outside of the hospital or institution, is a key link in the delivery of total health care, whether it be physical, mental, or social well being, as this department covers.

If we're moving in that direction — and I was pleased to hear from the minister during subcommittee that he is — surely we'll optimize the total health of our community. We'll not only get the best dollar value which, as we've heard a number of times over the past week or two, is important in itself, but, more importantly, we'll get prevention where it really counts. We'll not only get prevention but early diagnosis, early treatment, rehabilitation and, above that and as important, education.

I hope the communities will be allowed to participate. We discussed with the Minister of Hospitals and Medical Care the possibility of having elected boards. I think that is a proper and good direction to follow. I hope the minister will comment on having elected boards at the community level dispensing our various programs. I hope those various programs are co-ordinated in a well organized way so that community members will understand and be able to find them. I know the citizens of Alberta are very, very pleased with the many and varied programs. But whether they be senior citizens or handicapped, it's always a difficult problem when you're out there trying to find them.

So if we increase that co-ordination and still have the community participating in the development of those programs, whether by way of voluntary groups or by elected members helping to formulate the general program, I'm sure we'll all be better off. We'll get a better result when the community participates, since surely they must understand more about their prob-

lems, needs, frustrations, and so forth, on a physical, mental, and social basis than any of us here, unless we live in that community.

Mr. Chairman, I was certainly pleased to have heard the minister make those comments in subcommittee. I hope he can expand slightly in that area and maybe comment regarding the number of dollars spent on advertising in the media regarding the various health problems we face, whether physical, mental, or social, particularly in the area of venereal disease, which I understand is a major problem in our community, as it is across Canada.

MR. BOGLE: Mr. Chairman, in Vote 10 I'll deal specifically with the question of the possibility of elected boards, because I think the best example at the moment might be health units. We'll look at the pros and cons of that particular aspect.

The funds we currently use for our communication with the public is in this first vote, under public communications.

MRS. OSTERMAN: Mr. Chairman, I would like to ask the minister if his department has had any representations by volunteer groups which might try to involve senior citizens in our province in much the same nature as Uncles at Large are involved with young people.

MR. CHAIRMAN: Are there any further questions or comments before we ask for approval of Vote 1?

MR. R. CLARK: Mr. Chairman, I find myself in somewhat of a dilemma. We're being asked to vote on Vote 1, which includes the minister's office. I, for one, am not prepared to vote in favor of Vote 1 until we hear a rather detailed explanation and perhaps some exchanges with regard to some of the points raised by the Member for Spirit River-Fairview and some other items we want to raise in a related area.

Mr. Chairman, I put the proposition to you, sir: would it be more convenient for the committee to do the other votes and then come back and do Vote 1 at the end, or would the committee want to have all the discussion before we call Vote 1? Just so all members clearly understand the situation: we're being asked to approve Vote 1, which includes the minister's salary. Frankly we have to assess whether we're prepared to vote for the minister's salary, in light of what has happened in the last while. In fairness, I think before we vote on that we should hear the discussion.

I'm very open, Mr. Chairman. If they want to do Vote 2 to Vote 10 and then come back to 1, and do that last, that's quite agreeable. But I hope, Mr. Chairman, you can see the situation it puts us in.

MR. NOTLEY: Mr. Chairman, would it be possible to do all the votes except 1 and 4? The settlements come under Vote 4.

MR. CHAIRMAN: I believe we will proceed with Vote 1. If any members have any comments or representations they want to make at this time, I think it would be appropriate to do so.

MR. R. CLARK: Mr. Chairman, then I have to ask the minister very directly if he will respond to the comments made by the Member for Spirit River-Fairview. I hadn't planned to ask these questions until we got to

the vote dealing with the Metis betterment branch. But because this is where the minister's office is and because, in the minister's own words this evening, he is responsible for the actions, whether policy or administration, of the department, we simply have to have those answers from the minister before we can be expected to vote on the vote that includes the minister's salary. So, Mr. Minister, if you'd care to respond, we could become involved in that discussion.

MR. BOGLE: Mr. Chairman, it's normal practice to go through the votes of a department in the ordinary way. I have stated that rather than dealing with a shotgun approach, trying to answer questions ranging from votes 1 through 11, questions or concerns raised by any hon. members relating to any vote might more properly be dealt with when we get to that vote. That's what I have stated I am prepared to do.

MR. NOTLEY: With great respect to the minister, the normal procedure in dealing with the estimates — almost forever, as long as we've had our parliamentary system — is that if members of the committee are not satisfied with the way the minister is doing a job, we reduce the minister's salary to \$1. The minister looks rather aggrieved at that. There have been other occasions in the last few years when motions to that effect have been put in the Assembly. As a matter of fact in the last Legislature and the Legislature before that, I believe, we spent some time with the then Attorney General on quite a long debate. Whether or not we should reduce that hon. gentleman's salary to \$1 took us until 3 o'clock in the morning.

MR. R. CLARK: And the minister of hospitals last year.

MR. NOTLEY: Yes, last year we had the minister of hospitals going through that sort of agonizing procedure.

But I would just put to the committee, Mr. Chairman, that whether or not a motion of that kind is moved, the only place it could appropriately be moved is under Vote 1. The only way we could responsibly assess whether we should move it depends on the kind of debate that occurs over the issue I raised in my comments. That's the reason I suggested that if the minister wanted to deal with the questions which are included in all the votes except Vote 4, and we would hold Vote 4 and Vote 1, then that's fair enough. We could then clear the decks as far as the other issues are concerned and come back. If we're not going to do that, it seems to me the minister should be prepared to answer under this vote.

MR. CHAIRMAN: I will call for the vote on Vote 1.

MR. R. CLARK: Mr. Chairman, can I ask for a ruling from you, sir? As chairman of the committee, will you be prepared to accept a motion at the end of Vote 11, the last vote, that the minister's salary be cut to \$1 if, in the opinion of hon. members, that motion has to be accepted? Can you give some guidance to the committee as to whether you'd accept that motion if the committee hasn't already approved Vote 1?

MR. CHAIRMAN: With all due respect to the Leader of the Opposition, Vote 1 deals with the minister's office. If you have some motion to bring forth with regard to that item, I think it should be done here.

MR. R. CLARK: Mr. Chairman, to the minister. Mr. Minister, having had an opportunity to reflect upon what happened a week ago Monday and the series of revelations since then, I think one of the most disappointing aspects of this whole discussion, in addition to what happened, is that no minister in this government has been prepared to express publicly an apology or any remorse at all for what took place last Monday. Whether what happened is legally right or wrong, certainly the people on those settlements deserve some assurance that, one, this kind of thing will not happen again; and secondly, it was something the minister himself did not authorize — that's what the minister has told the House — some indication to those people that this Bill of Rights on the wall behind all of us means something to them too. Neither the present minister nor any of his colleagues have indicated at any time in the course of the discussion that kind of sincere regret that this took place.

I don't stand in my place this evening and think the hon. minister organized what took place, but I do know the whole system in this House breaks down if the minister isn't responsible. Neither has there been any indication from the minister of any action being taken with those public servants responsible for what was done.

The hon. minister may feel it's only my colleagues and I, the five in opposition, who feel what took place was improper. I know the minister's office is well organized enough to do some canvassing of the public reaction to events such as this. It isn't a view held just by the four of us in the official opposition and the Member for Spirit River-Fairview that what was done was basically wrong, not in keeping with The Alberta Bill of Rights, the first piece of legislation this government brought in in 1972.

I'd remind the hon. minister that since last Monday, the Premier has told the Assembly he wants to speed up the process. Mr. Minister, I must remind you that in December 1972 the same Premier who sits in the middle chair in this Assembly told the people from the settlements that the government would get back to them within six weeks with some resolution of this question of resource revenue.

Mr. Minister, today in the question period — still some eight days after this took place, no cabinet minister has sat down with the solicitor who is advising the government on this issue. On page 6 of the verbatim report of the subcommittee, the minister says: "But in the request submitted to us by the legal counsel ..." I believe the minister is referring to Mr. Cote — there is a request that this information be acquired. Certainly some minister in this government should be concerned enough about what's happened that he would have checked with the legal counsel and that by now there would have been some sort of assurance to the Metis people that this would never happen again, that it was unnecessary, and that they could have gone another route. Mr. Minister, in the two settlements where the local folks didn't let the visitors come in, according to the Attorney General the government is now going the usual route to acquire that information.

In addition to some sort of statement of remorse,

regret, or something, some kind of assurance, Mr. Minister, before I can vote on your office and your salary I need to know why the route the government is going with the two colonies wasn't proceeded with in all the colonies.

MR. NOTLEY: Agreed.

MR. R. CLARK: In all the questions we've asked, we've never heard why that approach wasn't followed.

So, Mr. Minister, if you could at this time express some sort of regret or assurance that this kind of treatment would not happen again as long as the present minister is minister. What kind of action is being taken on those people responsible for this happening, and why wasn't the usual route followed in acquiring documents? That would go some distance in enabling us to deal with the question of money appropriated for the minister's office.

MR. BOGLE: Mr. Chairman, as we are dealing with the vote which relates to departmental support service, and more specifically my office, I'll speak to those things which are a part of my responsibility in an overall way. But I repeat, the specifics may better be dealt with by another vote, and I'll hold my responses until we get to that vote.

But with regard to my overall concerns, the hon. Member for Little Bow put a very appropriate question on overall goals and objectives I might have. I tried to outline them. Possibly it would have been helpful if I had indicated the feeling I have towards this department and the kind of department it is. Surely it's the greatest people department in the government. I say that in full light of the kinds of services and programs we offer to people, needy Albertans, not only the mentally and physically handicapped but other very needy Albertans who require assistance and help. From my point of view, that takes a great deal of understanding and concern, yet a deep and committed regard for the work ethic and for the philosophy of helping people to help themselves. I'm ever mindful of The Alberta Bill of Rights and The Individual's Rights Protection Act, and what those two statutes mean to this province, the people of Alberta, and indeed this government.

Those are overall concerns which I'm sure my colleagues share, regardless of which side of the House they sit on. They're concerns we have for Alberta, this place we call home.

Again, when I look at some of delegations I have met to date and will soon be meeting throughout this province, and the kinds of concerns that people are bringing to my attention — as I said, it's a people department. It's oriented in that way, to try to balance the needs with the wants, and to try to ensure that we as a government are responding adequately to the needs of our citizens, without breaking or undermining the work ethic and the volunteer approach which have been so important to the development of this province.

MR. NOTLEY: Mr. Chairman, first of all, I jotted down some points the minister made: a people department, understanding and concern, helping people to help themselves, the work ethic. I don't really see how the minister can make those kinds of overall comments — they're all appropriate comments about the department you have to administer, sir — and not answer on

this first vote some of these issues which in my view are not just isolated problems that relate to one branch of your department, but which really strike at your operation of the entire Department of Social Services and Community Health.

We're looking at very crucial issues. We're looking at issues that relate to understanding and concern, issues that relate to the human rights Act, issues that relate to people on the settlements. My heavens, when one sees the effort some of these people are undertaking, it's a better testimony to the work ethic than you can find in many a region in this province. Mr. Minister, my assessment of the various settlements in this province is that they are excellent examples of people helping themselves.

The point that the Leader of the Opposition made and the questions I raised — what is really at stake here is this government's total approach to people. I can't think of a more appropriate place to discuss it than under Vote No. 1. We can get into some of the details. Yes, perhaps some of the questions I raised could be answered when we get to the Metis development fund. But the basic question of whether or not these seizures should have taken place last week, when a proposal had been made to the government's legal counsel, when it wasn't necessary to make the seizures when there was a proposal for joint review of the files — Mr. Chairman and Mr. Minister, they just relate so closely to whether that Bill has any meaning. I don't see how we can be expected to vote for Vote 1 unless we have at least your position on what occurred last Monday.

MR. R. SPEAKER: Mr. Chairman, I'm concerned as well that the minister takes the position that he is unable to answer the questions with regard to the Metis settlements under Vote 1.1. The question we're raising at this point is the minister's capability in (a) making policy, (b) administering the department, and (c) the integrity involved in taking on the responsibilities of the Department of Social Services and Community Health. That's what we're discussing at the present.

I feel very strongly and am very concerned that the people on the Metis settlements have not been treated fairly. I'm very concerned about that at this point. My colleague has raised the point that in the early stages of this discussion every minister — the Attorney General, the Premier, the Minister of Social Services and Community Health — washed his hands of the whole situation and said, it happened out in the administration and we're not responsible for it. The minister has stood up in this House and said that private files have been returned to the Metis settlements, private information of these people that had been taken by government, brought to Edmonton, and reviewed — we don't even know by whom.

The people who owned the files were not allowed even to look at them while they were in confiscation here in the city of Edmonton, in the Department of Social Services and Community Health. We as members of the Legislature were not asked even to come and observe, and could not observe. By the time we were in a situation where it was possible to have some involvement, it had been reviewed and, the minister said, we have sent them by bus back to the settlements.

Mr. Chairman, to me that is an outright violation of the Bill of Rights that says a person in this province has a right to his private property and cannot be

interfered with, unless by the due process of law. No process of law allowed for that private property to be taken and inspected by a government official who is in turn responsible to the minister.

The government of Alberta, and the minister represents this Conservative government in this portfolio, has not taken any actions — and the question has been raised in this House — to inquire as to whether the Bill of Rights was violated and to say to employees: if it is, you are going to be disciplined in some fashion. Not even concern was shown in this Assembly. The only concern shown in this Assembly was to protect the office of the minister, to try to protect this government and say, we didn't do anything wrong, without really trying to say openly, maybe we did, and if we're wrong, we're going to do something about it. Nothing was said. Now that's a lot of callousness.

I know many of the people out on the Metis settlements. I've visited their homes; I've had dinners, and breakfasts, and lunches; I've had many programs; we've talked in meetings. They're excellent people, people of integrity and honesty, and very close to nature and to the environment of this province. They understand a lot more about the land of Alberta than many of us who get insulated by an urban environment.

I think, Mr. Chairman, we are not respecting the viewpoints and the position of those people in the province of Alberta. When we look back at the history of the Metis settlements, in a sense they were squatters on the land. Then they moved to a point where they had some assurance that they had a place in this province that wouldn't be taken away from them. They have now moved to a place of maturity, where they can be independent and look after their own affairs. But at this point in time, there is no indication in the approach of the government and of the minister that the government is putting itself on the side of those people and being their champion.

Never in their history did the Metis settlements and the Metis people ever need a champion for their property rights and opportunities for jobs. Never before in their history. The economy of this province, the social opportunity in this province, is ripe for those people to be independent as never before. This is where I question the integrity of the minister and the altitude of this government. What is happening? We are suppressing those people, suppressing their attitudes by saying, we're going to challenge and confront you in court; your property rights will be looked at later on down the road. We're losing the opportunity to give those people independence in the province of Alberta as never before.

Mr. Chairman, I think that's the most shameful thing occurring at the present time. Totally unacceptable, as far as I'm concerned. My advice to the minister in his role at this time is that if he wants to go down as a minister who has brought about change and been a champion of people — and in his words, his department is a department of people who look after people's rights. I agree with that. The mentally and physically handicapped and the Metis we're talking about now need a champion in the province of Alberta. In his new responsibilities the minister can be that champion.

I think it's time to confront some other ministers in their offhanded attitude towards these people. I think it's time to stand up and say in cabinet or in cabinet committees, I fight for the property rights of those

people; I fight for the mentally and physically handicapped. You're on their side. You're not on the side of a political party. From my experience of sitting in this House for just about 17 years, I know that the results of what you do are counted not by what you've done to hold yourself in a position with a group of cabinet ministers and other MLAs, but how you represented a group of people and protected their rights, whether they're mentally or physically handicapped or Metis, who are somewhat subservient and beholden to the government because it is their source of funds, employment opportunity, and their means to support their families.

Mr. Chairman, if the minister can't show us that he's ready to put his job on the line and be the champion of people, there's no way I can stand in my place and say that we approve his vote at this time. I'm certainly going to support moving that his vote be moved to \$1, because I think it's time we set guidelines for this minister. We're not doing it for political reasons. The issue is serious. [interjections] That's the attitude this government generally takes towards people who need help. A big laugh and chuckle: oh, they're okay. But, Mr. Chairman, they're not okay, and it's time to see some leadership. [interjections]

MR. BOGLE: Mr. Chairman, although the hon. member raised some salient points, they are difficult to glean from the chaff. Although comments invite debate, as I've stated previously I'll respond to those concerns appropriately when we get to the vote in question.

MR. COOK: Mr. Chairman . . .

MR. R. SPEAKER: I just can't accept that. The vote in question is whether programs [interjections]. We're talking about the question of the integrity and the leadership of the minister, and he's not listening to the issue at debate.

SOME HON. MEMBERS: Order, order.

MR. CHAIRMAN: The hon. Member for Edmonton Glengarry.

MR. COOK: Mr. Chairman, frankly I'm a little disgusted and appalled at the antics of the opposition. I come here as a freshman member, having perhaps a naive or certainly a higher set of standards in view in terms of the opposition's performance. I'm a little appalled because of their grandstanding. Taken in the broader perspective of other questions before the people of the province, their performance on this question over the last couple of weeks is amazing. I'm amazed that this one question, which basically involves the collection of government files in a government office by government staff, and does not involve questions of private property or the sanctity of that property, would occupy those hon. members for such a long period of time when there are any many more pressing questions before the people of the province.

Frankly I'm amazed when I think in terms of what this minister has brought before the House. I think he's performed very ably in bringing before us the Alberta assured income program for the handicapped, the aids to daily living program, and the health care program improvements. The list goes on, Mr. Chair-

man. Taken in the broader view of what this minister has brought before the House and accomplished to date, I think it's fair to say that the true test of character of this minister is his ability to weather the storm and get on with the serious work he has tackled and undertaken.

Again, perhaps I'm being naive, and as a rookie I might wear my heart on my sleeve a little, but when I walk down the streets through my district and meet senior citizens who frankly are very, very excited and pleased to come to this province . . . Mr. Chairman, they come from outside the province to enjoy the benefits of our community largely because of the actions this minister and previous ministers have undertaken. I really think the hon. members of the opposition are doing a disservice to the rest of the people of the province.

I'd like to speak more directly to the question members of the opposition are raising with regard to the procurement of those files. I think the opposition is putting obstacles in the way of reaching an understanding or working together with the Metis people to try to help them help themselves and enjoy the benefits of the expansion of the province. I make this point, Mr. Chairman: often people take a fantasy or a perceived state of conditions and become so enamoured with their position, so wrapped up, that they believe it to be fact. I think this is a case in point. The opposition members have worked themselves into such a state that they self-righteously believe they are correct; they self-righteously believe that everybody who disagrees with them is wrong and has no moral fibre or principle, no virtue at all. These members claim to embody all those virtues, and the other members of the Assembly have none. Frankly, when I see the record of the government and of this minister, and see what his objectives and goals are in leading this province into the '80s in social services, I think these hon. gentlemen do themselves, the province, and the people of the province a great disservice.

Again, I'm just amazed that they would concern themselves with this one question, which relates directly to the procurement of government files in a government office by government officials, and try to blow this up into a much larger question concerning the Alberta Bill of Rights. It's just patently not true. By trying to whip up emotions and trying to put obstacles in the way of building bridges of understanding, they in fact accomplish the very things they suggest the government has been doing. And it's just not true.

I think it's too bad that it's not possible to reduce the salary of the Leader of the Opposition to \$1.

MR. R. CLARK: Mr. Chairman, I want to make three comments. First of all, with great respect to the Member for Edmonton Glengarry, I should remind him and other hon. members of the House that it isn't a concern only of members of the official opposition. The Metis people themselves have gone to the Ombudsman of this province, and he is investigating the matter. I would perhaps also remind the hon. Member for Edmonton Glengarry that a variety of people outside this Legislative Assembly have made comments and shared the same concerns we've raised in this Assembly. I would also remind the hon. Member for Edmonton Glengarry that for at least the last two years the Alberta Human Rights Commission in this prov-

ince has said to this government that there are very serious problems on the horizon as far as our native people are concerned, unless we deal with their problems in an understanding and reasonable way.

With regard to the Member for Edmonton Glengarry, I wouldn't vote to reduce his salary, because he at least sincerely expressed to us tonight some genuine concern about the issues at hand, even though he didn't agree with the point we're putting forward. I'm hopeful that in a year or two he would understand the issue. [interjections]

MR. CHAIRMAN: Order.

MR. R. CLARK: Mr. Chairman, a few minutes ago I asked if the minister couldn't find himself in a position to express some remorse, regret, or some kind of apology to the Metis people for what happened last Monday. The minister then got up and talked about the priorities of his department. I listened quite carefully, and the only priority the minister had was in the area of prevention. Not once in the course of the minister's response did he even acknowledge the native or Metis people or the Metis betterment branch.

I pose the question again: as minister of a department that's been through what the department has been through in the last 10 days, and what you, Mr. Minister, must have been through, can't you find it in yourself here this evening to get up in your place and say: I regret very much what happened; in hindsight, I wish we had gone the legal route, the route we've gone with the other colonies. Mr. Minister, if you could just find it in yourself to do that much here this evening, I think that would be a very, very positive step forward. There isn't a person who has been a cabinet minister in this province or anyplace else who hasn't made serious mistakes. As present and former ministers, we all get so excited about going and snipping ribbons in places, opening things, and taking a pat on the back for that, that very often we forget that when things go wrong, as has happened in this case, we have to take the responsibility.

I recall one or two occasions when the minister's colleagues admitted a mistake was made. I think they've been seen as better people for making that admission. Mr. Minister, I ask you as genuinely and as straightforwardly as I possibly can: can't you at least give that kind of statement here this evening? I suppose the minister may see it as making a concession to the opposition. Preface the remarks by saying, with no credit to the opposition at all, but speaking to the Metis people of this province. That is the least they deserve.

MR. BOGLE: Mr. Chairman, in my brief four years-plus in government, I have yet to hear any member of this Assembly, let alone a cabinet minister, indicate that he or she has never made a mistake. Surely that is not the question. I don't know anyone who takes that position. We're not infallible; we're human beings. I indicated earlier that ministers are responsible for policy and they have public servants who carry out administrative details, but that ultimately the minister is responsible for the actions in his or her department. Surely that's a general overview.

Surely, Mr. Chairman, hon. members are inviting debate when they want to go directly into the aspects

which may appropriately be covered in Vote 4. We're not on Vote 4; we're on Vote 1.

MRS. CRIPPS: Mr. Chairman, the total approach of this government has been to help people help themselves — not just native people. Native people are only one group of underprivileged people. Many, many groups of people need assistance: the handicapped, the mentally retarded, senior citizens. This government has given it: aids to daily living, the home care program, preventive social services.

For the past eight days we have heard the same rhetoric day after day. I was probably sympathetic to the proposition when it was first brought into this House, but you get tired of the same horse being flogged to death day after day. Thank heavens the filly who started this set a different pace.

I'd like to know if the method suggested with regard to the minister's salary is open to us when we study Legislation in Vote 1.0.5, Opposition Members' Services. For the life of me, I can't see how they can spend over \$348,000 and not come up with some better questions and a variation of questions.

MR. R. CLARK: If you're just here, you'll find out that you can.

MR. NOTLEY: Mr. Chairman, we've had several comments by the hon. Member for Drayton Valley and the hon. Member for Edmonton Glengarry. Basically, I guess the suggestion of both hon. members is: isn't it an awful thing that the opposition members are so terribly self-righteous, and that only we appear to be saying this and everybody else in the province is saying something else, and just these five members in the House are making these statements. Before we go too much further, I want to follow up some of the comments the Leader of the Opposition made. It's not just the five members in the opposition who have expressed concern.

I noticed that most of the Conservative candidates in the last election smiled and were very happy when editorials in one newspaper after another said, we recommend the re-election of the Lougheed Conservatives. You know, it's a funny thing, Mr. Chairman, because the Member for Edmonton Glengarry says it's only we who are concerned. But so far we've had very strong editorials in the *Edmonton Journal*, which supported the Conservatives in the last election; *The Edmonton Sun*, which supported the Conservatives; the *Calgary Albertan*, which supported the Conservatives; *The Calgary Herald*, which supported the Conservatives.

What you have, Mr. Chairman, is a large number of people, who supported the Conservatives on March 14, who frankly have parted company with the government on this issue. For a member of this Legislature to say it is just the opposition who are concerned is absolute nonsense. Large numbers of Albertans are concerned.

The minister knows the view of the Federation of Metis Settlements in this province perfectly well. We know the view of the Alberta human rights association. We know the view of many other groups — the Alberta Metis Association. To argue that just five members in the opposition are creating a storm is just completely misleading.

No, Mr. Chairman. The fact of the matter is that

there are some very serious questions. The Member for Edmonton Glengarry said it was just a case of the government retrieving government documents from government buildings. If that were the only issue, certainly nobody on this side of the House would be raising it. But we aren't talking about only government documents from government buildings. If the Member for Edmonton Glengarry or any other members listened, the minister himself admitted in the House that some of the documents obtained last Monday didn't belong to the government of Alberta.

And who decided which documents would be returned and which would be kept? It was the officials of the development branch who were responsible for authorizing the seizure in the first place. To suggest that the fact that we have obtained documents that belong to other people, because we didn't go the route through whatever reason . . . I repeat what I said before. I find it strange that the legal counsel for the government didn't communicate to the government the proposal of the settlements themselves. We could have had joint review of the files, and all the information the government needed for the examination for discovery in July could have been obtained without these raids. Yet, Mr. Chairman, that wasn't done. Beyond any doubt, we have the fact that other people's property was obtained on Monday of last week.

One can argue how much, but the minister has admitted that certain files — and the argument is not just 2 per cent. The issue of just 2 per cent of somebody else's property doesn't make it right. It is the fact that we obtained files we did not have a right to obtain that makes this an important issue.

The Member for Drayton Valley gets very concerned because the issue has been raised over and over again. I'm sorry that she gets concerned, but it's going to be raised over and over again until we get some answers. We have an obligation to try to get some answers, not only for the five of us who happen to be on the opposition benches in this House, but for many other Albertans who are equally concerned.

In concluding my remarks, Mr. Chairman and members of the committee, I would say that the minister should take this opportunity to say, we made a mistake. I think the minister should get together with some of the officials of his department. Certainly the three ministers directly involved and the Premier should get together with the legal counsel for the government of Alberta, because that failure to communicate the offer of the settlements has landed the government in an invidious position that they wouldn't have got into if that information had been transmitted.

But that doesn't really alter the question of the relationship this government has with the Metis people of Alberta, Mr. Chairman. We can talk about the editorials in the newspapers, or about the arguments of the opposition. But the bottom line is that this government has lost — not because of what the members of the opposition have said, but because of the action on Monday of last week — a lot of good will among the people who are leading the settlements, whose good will we need if we're going to achieve the goals of developing opportunities for Metis people in Alberta.

MR. COOK: Mr. Chairman, I'd like to suggest that the government's record on social services is almost without peer in this country. I might also preface my

remarks by saying that I, too, share a great concern with civil liberties. I'm a member of the civil liberties association in Canada. If there were any foundation in fact that the government's actions violated the civil rights of an individual or a class of individuals, I'd be the first to criticize. That's patently not the case in this instance. I go back to the point I made originally, that by constantly harping on this topic the opposition has created a perceived reality which may not exist in fact. They've whipped up a state of emotion, and they're putting obstacles between the Metis people and the government of Alberta as we work together to try to help them help themselves.

Frankly, I'd like to change the topic, Mr. Chairman, and ask the minister . . . Before I do that, I'd like to challenge the opposition in one sense. I'd like them to come back here and suggest how the government might improve its services to the Metis people, come back with realistic suggestions, not just pie-in-the-sky pouting from the hon. Member for Spirit River-Fairview. I enjoy the way he fixes his jaw, puts his hand on his hip, gets in this legalistic stance, and goes off flying away. But I would really like to challenge him to come back with some substance and suggest a program where we might help the Metis people.

But I'd like the minister to comment on how many people are going to be affected by the aids to daily living program here in the province, what kind of reaction he's had from the handicapped community in the province, and how he proposes to implement that program in the coming fiscal year.

MR. NOTLEY: That's Vote 7, Rollie.

MR. COOK: If the hon. Member for Spirit River-Fairview . . .

MR. CHAIRMAN: Order please. Those questions might very well be dealt with in the appropriate votes. We'll call for the vote on Vote 1.

MR. R. SPEAKER: Mr. Chairman, I feel our questions are certainly to be focused around Vote 1.1.1. Because the minister feels it's difficult to answer questions with regard to the topics we raise, looking at Vote 4 and reading the manual and the established objectives:

Financial assistance for community development including area maintenance and development, rural electrification, house construction and repairs, student assistance, full funding of School Lunch programmes, including development and operation counselling, and administration of the operation of eight Metis colonies, which includes management, developmental support and consultation.

Then there are a couple of other comments with regard to support of the Metis colonies.

I'd like to move that we vote on Vote 4 at this point in time, and that following the approval of Vote 4 we move back to Vote 1 and discuss the questions at hand. I hate to see Vote 4 impede the opportunity for the minister to answer some questions we have raised. Our argument is very clear. We agree with Vote 4. We want it to indicate there that more autonomy should be given to the Metis settlements and more respect for the type of work they do; however, we agree with and will support the components of the expenditure.

I'd like to move that Vote 4 be voted on and approved at this time, and that following that we move back to Vote 1 and discuss the real issue at hand.

MR. NOTLEY: Agreed.

MR. CRAWFORD: Mr. Chairman, the hon. Member for Little Bow has chosen to raise, and indeed make a motion, on what is effectively a procedural matter. I think I should respond to it. I don't think hon. members want to handle the appropriation in the way the hon. member suggests. That has not been done with other appropriations. In order to ensure that the matter proceeds in the way the presentation of the estimates has assumed it would through the estimates of any given department, without any particular reference to this one, it shouldn't be done.

I hesitate to react too strongly to the suggestion, Mr. Chairman, and perhaps should leave it at that. I would just add that without trying to divine the intentions of the hon. member, it has the earmarks of a recently conceived tactic to try to cause one part of the estimate to be looked at on more than one occasion. It should be looked at when it's called; that is, under Vote 1.

SOME HON. MEMBERS: Agreed.

MR. R. SPEAKER: In responding to the Government House Leader, our intention . . .

MR. HORSMAN: Mr. Chairman, is the hon. member concluding the debate on this motion? [interjections]

MR. CHAIRMAN: Are you agreed that the hon. member should close debate?

MR. HORSMAN: Mr. Chairman, I'm not disposed to allow the hon. member to conclude debate on his motion, which is before the committee at the present time. From having sat here some time now and heard the puffery from the other side of the House, it seems to me that under Vote 1 we are debating logically the entire concept of the operation of the department. It is entirely appropriate for hon. members of this Assembly to debate the whole operation of the department under Vote 1. That's traditional in our Assembly, and they're quite right in doing so if it is their desire.

But on the other hand, it's quite improper to move votes around within the department. Mr. Chairman, I would suggest that the motion clearly cannot be supported. After all, when we come to Vote 4 the hon. members of the opposition will have adequate opportunity to raise all these questions again and, by doing so, have the opportunity to make their points on this subject, such as they are, for the benefit of whoever wants to listen. But I would suggest to members of this Assembly that it is improper and entirely inappropriate to support the motion of the hon. Member for Little Bow.

MR. R. SPEAKER: Mr. Chairman . . .

MR. CHAIRMAN: Are you agreed that the hon. Member for Little Bow should close the debate on the motion?

SOME HON. MEMBERS: Agreed.

MR. NOTLEY: Very briefly, Mr. Chairman, it seems to me that the basic argument the Member for Little Bow has advanced is one which will allow the members of this committee to explore fully the relevant questions with respect to the government's total handling of this affair. The minister has indicated that he plans to answer specific questions when we get to Vote 4. On the basis of the answers, members will be in a better position to determine whether or not to support the minister's salary under Vote 1. I would just remind members of this committee that it is a long-standing tradition that if members of the Committee of Supply choose to show their displeasure with a member of the Crown, the traditional manner of doing so — and the Member for Medicine Hat should be well acquainted with it — is to move that the salary be reduced to \$1.

SOME HON. MEMBERS: Then do it.

MR. NOTLEY: Mr. Chairman, the question is very relevant. We want to have questions dealing with the government's handling of this affair posed and answered by the minister. With great respect to the minister, we have not had anything other than simple summaries of the overall situation, without any relation to the events that took place last week. Mr. Chairman, I just find it incredible that we haven't got that commitment.

So it seems to me that the procedural motion moved by the Member for Little Bow allows us to ask those questions and then, after the questions have been duly answered and discussed, to decide whether or not we wish to vote supply in terms of the minister's salary.

MR. CHAIRMAN: Are you now agreed that the hon. Member for Little Bow should close debate?

HON. MEMBERS: Agreed.

MR. R. SPEAKER: Mr. Chairman, in closing the debate, I certainly agree with the hon. Member for Medicine Hat — and it was very well expressed by the hon. minister — that under Vote 1.1 it is the responsibility of the minister to answer general questions, whatever they be, about his department. We can ask what he has done in certain areas, what he intends to do, and how he's going to handle various things in his responsibility. It's an open area for any type of question. But the problem we're facing, Mr. Chairman, is that the minister has refused to answer questions we've asked specifically with regard to the Metis settlements.

The point I want to make is that we are not questioning the types of programs delivered to the Metis settlements, or the operating funds being made available to the Metis settlements' executive committees. We're not questioning that kind of thing. The question we're raising is one of policy: how the department is administered and the administrative actions that took place approximately two weeks ago. That's what we're talking about. We find the minister saying, I won't answer those questions under Vote 1.1 because you can ask them under Vote 4. I don't agree with that type of reasoning. So by this motion I'm attempting to say we'll vote on Vote 4. We agree with the programs; we're not arguing. We want to argue and discuss how

you administer the department, and that's under Vote 1.1. We want to clear up Vote 4 so you can answer every and any question under Vote 1.1. That's all we ask. If the minister is prepared to answer any questions we raise with him, at this point in time you can defeat the motion I have before the House. But if he's not prepared to answer our questions, I certainly would ask the Assembly to support my recommended motion.

MR. MOORE: Mr. Chairman, the exact wording of the motion we're voting on is not clear to me. Are we voting to approve Vote 4, or on a procedural matter? Could we have the motion restated?

MR. R. SPEAKER: Mr. Chairman, I've moved that we proceed to Vote 4, take the vote, and give it approval at this point in time. Following the approval of Vote 4, we return to Vote 1.1 and continue questioning the minister.

MR. CHAIRMAN: Is that clear to all hon. members?

[Motion lost]

MR. NOTLEY: Mr. Chairman, I move that Vote 1.1.1 be reduced by \$30,709.

MR. R. SPEAKER: Mr. Chairman, in speaking to the motion I'd like to add only this comment. We have raised in this House the opportunity for the minister to answer questions. The minister has refused to answer questions on the subject we raised because he wants to delay it until later. By voting as they did a few moments ago, the minister and the government have given us no alternative other than to support that particular motion.

MR. R. CLARK: Mr. Chairman, two rather brief comments on the motion. This evening we've tried to provide the minister — a new minister in what is the largest portfolio in the government — with an opportunity to explain to the committee, prior to our voting on the minister's appropriation, what happened a week ago Monday. The minister has consistently refused to account for his or his department's actions last Monday. The real nub of what this process here is all about is accountability.

The minister sits in his place and refuses to account for what took place, yet still wants us to vote a supply to him. Mr. Chairman, I want to repeat that on at least two occasions this evening I've asked, I've almost pleaded with the minister to make some kind of apology or statement of regret or remorse about what happened last Monday. He avoids the whole thing.

AN HON. MEMBER: He has nothing to regret.

MR. R. CLARK: One of the hon. members from behind says the minister has nothing to regret. I felt the minister felt that way last Monday. I'd hoped, though, that in the intervening time the minister would have had a chance to become more familiar with what went on, and that he'd be prepared not to give an apology in the Legislature to the opposition but to go over the heads of the opposition and speak to the Metis people in this province, to give them some guarantee this kind of thing won't happen again.

The minister has refused to do that. He's refused to

account to the committee for his administration. We just simply have no choice, despite the fact that the minister is new in his office, despite the fact that the budget was done primarily by another minister. This budget doesn't really reflect the minister's priorities. Yet, Mr. Chairman, the minister just will not take the opportunity to express that feeling. So we simply have no choice but to move in that direction.

MR. L. CLARK: Mr. Chairman, I didn't intend to speak on this tonight, but I've been sitting here listening to this for quite a while. It seems to me that the hon. members of the opposition are only giving one side of the story. They talk about the responsibilities of the minister and his office. But they forget that his office was just obtaining its own records, government records, which are the records of the people of Alberta.

I suggest to the Assembly that he has a responsibility not only to the native people and the Metis people but also to the rest of Albertans. He was taking Alberta's records back to the office for use in what might be a litigation. I think it's only right that you hear both sides of this story, not just that he has responsibility to the native people. He also has responsibilities for the rest of Albertans.

Thank you, Mr. Chairman.

MR. WOLSTENHOLME: Mr. Chairman, I'm not a silver-tongued orator, and I don't know exactly how to go about this. But I'm a little concerned about the way things are going here tonight.

The innuendo that the minister has no regard for the Bill of Rights or for the Metis people — I must tell this Assembly that I accompanied the minister, along with some other MLAs, on a visit to some of those northern outposts. Anyone who was there, who sat down with the minister, listened, and talked to those Indian and Metis people, can't come up with the suggestion that he doesn't care for those people or has no regard for them. I sat there and listened to him listen to their problems, and so on. I'm convinced that he has a real regard for them.

On the question of why he won't get on his feet and say, I'm sorry, a man has to have some principles and integrity. If his principle is that he hasn't made a mistake, how in the world is he going to stand up just because the Leader of the Opposition and the Member for Spirit River-Fairview say: make an apology or a remorseful statement, and we won't cut your salary. To me, that is absolutely . . .

MR. COOKSON: Nonsense.

MR. WOLSTENHOLME: I don't understand it.

Because the records weren't picked up in a manner that the hon. Member for Spirit River-Fairview would approve, doesn't mean it was wrong. He would have us do it some other way; I don't know why. He's entitled to his opinion. But I don't think it's correct to try to force it on this Assembly.

For instance, if the hon. member were to pick up his car after some repair work had been done, it had been in the garage and some tools were left in it, and he went home with those tools, I would expect that he should go back and apologize for taking home the other fellow's tools. It was his fault. I just don't follow some of the arguments.

I heard tonight that there were some serious ques-

tions. I haven't heard very many of them yet. But the thing is that the hon. minister — at the risk of appearing to repeat myself, which I guess I'm doing, I saw him in consultation with those people. We discussed the trip; it was a day-long trip. We discussed their problems all day, and I'm convinced he has a real regard. As far as the Bill of Rights is concerned, he is concerned about the Bill of Rights with the Metis people and the Indian people.

Thank you.

MR. CHAIRMAN: May the hon. Member for Spirit River-Fairview close debate on the motion?

MR. BRADLEY: Many of us in this Assembly are very concerned with the way this discussion has flowed this evening. The hon. Leader of the Opposition has brought to our attention the fact that the Metis people have referred this matter to the office of the Ombudsman for his investigation. I would suggest that it is not useful for us to continue our discussions on this matter until the Ombudsman has had an opportunity to investigate the concerns of the Metis people, and to determine whether in fact any grievance has been purported against the Metis people, whether the administration has acted in a manner which is not correct. I don't think we serve any useful purpose to debate this matter further until we have received the report of the Ombudsman.

DR. PAPROSKI: Mr. Chairman, I'd like to make a few comments, too, on this issue. I didn't intend to get up again, but hearing the comments from the opposition members moves me to make a few.

First, Mr. Chairman, as has already been stated by some members, I'm amazed that the hon. opposition members would talk about this issue alone and not one word on the many, many programs the minister is responsible for. I think the people of Alberta deserve to know that this motion will remove the salary of the minister and therefore displace him from carrying out these many, many programs.

Mr. Chairman, I just can't buy that the hon. Member for Spirit River-Fairview really means that and really wants that to happen. He doesn't want to talk about the home care programs to help the many people, whether they're at home, out of the hospital, or get discharged from the hospital earlier. He doesn't want to talk about the many senior citizens' support programs, whether it's the assured income support, no medical premiums for senior citizens, or free glasses and hearing aids. He doesn't want to talk about that.

He chooses to focus on one thing as if it were the whole aspect of this department. He doesn't want to talk about the broad community support for mental illness that this minister and the department is providing for all citizens in the province of Alberta. He doesn't want to talk about the day care programs that go with the child from day care to day care with support for children of working parents, whether they be single or married. He doesn't want to talk about the support for those on social assistance, requiring need in the truest sense of the word, and increases when inflationary changes occur. He doesn't want to talk about aids to living.

Mr. Chairman, these are just some of the aspects. As we go through these votes, we will discuss them in more detail. But the ridiculous aspect of this whole

issue is that the opposition is saying that no one is concerned. Surely nobody in this House and the people out there don't believe they're the only ones concerned about this specific issue. The hon. opposition members are, the Metis people are, and I'm sure we are.

For that purpose, what has happened over the past week or two? The minister has responded repeatedly in the question period as best he could, on a day to day basis, over and over again, on a very specific detailed basis. He even indicated in the question period that he indeed was concerned and is evaluating the situation and that he will report further to the House as information comes forward. He has indicated clearly and hon. members who spoke earlier have indicated that this is government information, government files, government employees. They obtained these files. True, information was obtained that was not all government information, and it was returned. What else do the hon. opposition members want from the minister at this juncture? He has indicated he's concerned; he's prepared to evaluate the situation and report to the House.

Also over the past week or so, the hon. opposition members have repeatedly questioned the Attorney General. He has responded in the best way he can, and properly so. Surely, if the hon. minister has indicated to the House repeatedly that he's concerned and prepared to evaluate and bring back information as it comes forward, that should be more than satisfactory. I suggest we defeat this motion.

MR. HYLAND: Mr. Chairman, we've sat here for a long while tonight, listening to the discussion as it originated from question period today, following much the same route. It's ironic that according to some opposition members, these problems just started recently. I'm sure that when some of those members were ministers of social services, they might have had responsibility for the same Act. To say that the problems are all the fault of the new minister is just a little absurd, I would think. We've heard other members say that the minister indeed has responsibility to all people of Alberta, not just one or two specific groups.

It is ironic that we're discussing the removal of files from the Metis settlements. I can easily understand why this problem didn't occur before, because everything was run out of Edmonton. There was no decentralization. You didn't have to go to the country to get any files you may have there, because everything was kept nice and tidy and neat in the city. Up to a few years ago, the rural part of this province was starting to go backward in numbers of people. This has changed, due in part to decentralization. The files were out in the areas because the government was working with the people in their own areas, not working from Edmonton.

Like the Member for Highwood, I have accompanied the minister on a visit with some native people in the northern part of this province, also the former Minister of Social Services and Community Health. To say he has no feeling, that he doesn't care for the welfare of these people, Mr. Chairman, is just absurd. I think members realize it in their hearts. They are indeed — they said they weren't — just grandstanding.

Thank you.

MR. CHAIRMAN: May the hon. member close debate?

HON. MEMBERS: Agreed.

MR. NOTLEY: I'd like to comment briefly on some of the contributions to this debate by members of the government, and then make one or two points in concluding the debate.

Several members referred over and over again to this business of recovering government files from government buildings. Mr. Chairman, the point has to be made very clearly: the minister admitted in the Legislative Assembly that certain information recovered in the seizures on Monday of last week was not government property. It was the property of people in the settlements. Those documents have been sent back, but after the officials of the Metis development branch, the people who authorized the seizures in the first place — not the minister — had an opportunity to review the files. So the people who in fact do the seizing then turn around and decide what files are going to be kept and what files are going to be returned.

The Member for Highwood made the analogy of what would you do if you happened to drive your car home and somebody else's tool box was in the car. I assume that you would return the tool box. But I would also assume that you would apologize for the inconvenience and the problems caused. [interjections] That's really what is being raised here, Mr. Chairman.

You have a situation where it wasn't necessary to make the seizures, because we had a proposal from the legal counsel for the Federation of Metis Settlements which would have allowed joint review of all the files. So we didn't need to get into this box; we didn't need to get into this situation. We got into it because that information wasn't transmitted. So we find that unnecessary seizures were made, when we could have worked with the people rather than in opposition to them.

Hon. members of this House can scream all they like. The fact of the matter is that the people on the settlements are aggrieved and are making their concern known, not just to members of the opposition but to members of the media, to people throughout the province. They are expressing their concern. I don't know how many members who have spoken tonight have actually taken the trouble in the last week or so to talk to council members on the settlements. If they have, they'll very quickly find out that the members who've borne responsibility for much of the work in the settlements are not happy with the way in which this government handled the case. Hon. members should know that.

Now, Mr. Chairman, I think one other reasonably important point was made by the hon. Member for Pincher Creek: that the case is before the Ombudsman and, that being the case, we really shouldn't get into a discussion of the details. Again, Mr. Chairman, I would say that the Ombudsman is a servant of this Legislature. At the present time the issue at stake as to whether we should vote supply, in my view at least, is how the department handled this affair. We have a right and indeed a duty to pose questions and to get answers. We haven't had an opportunity, Mr. Chairman, to pose those questions. The minister prefers instead to have the whole issue segmented and deferred until we get to Vote 4.

That being the case, despite our efforts to have the questions aired first there is really little choice. The only process members seriously concerned about the handling of a department have in our system of

government in the whole question of vote and supply is the method we have to take now. The Member for Edmonton Kingsway says, oh, what about all these other programs, that we don't care about the other programs. I just refer the Member for Edmonton Kingsway to the subcommittee report. He'll certainly find that opposition members took quite an active part in the discussion of other programs.

But it is a long-standing tradition in our parliamentary system that the way in which you ensure accountability when you are considering supply . . .

MR. COOK: Mr. Chairman, on a point of order, there was an inaccuracy in the comment of the hon. member that opposition members took an active role in that subcommittee. On the first evening in the estimates of this department, not one opposition member was present.

MR. CHAIRMAN: I believe the hon. member is out of order in debating the question further right now.

MR. R. CLARK: He's inaccurate again.

MR. NOTLEY: If the hon. member would like to refer to one of the evenings of the subcommittees when we were discussing this matter, I'm sure the record will bear out all too well that not only in this particular case, but I might add . . .

MR. CHAIRMAN: I think the hon. Member for Spirit River-Fairview is also out of order to debate further after closing debate.

MR. R. CLARK: He hasn't finished. He was interrupted.

MR. NOTLEY: Mr. Chairman, there was an interruption on a point of order which really wasn't a point of order. So I won't bother responding to it other than to say that we had a comment from the hon. Member for Edmonton Kingsway, and I want to answer that statement. It is a long-standing tradition of our system that if you don't like the way the minister is handling a department you cut the vote to \$1. That's in the whole British parliamentary system. That's what we're doing today. We have attempted to get answers from this minister; we haven't got them. We have a situation where there is probably more concern on the part of Metis people than ever before as to how they're going to be treated in Alberta. In my view, Mr. Chairman, in the absence of answers there is no alternative but this motion to reduce the minister's salary to \$1.

MR. CHAIRMAN: Very well. The motion we have before us reads as follows: I move that Vote 1.1.1 be reduced by \$30,709.

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

[Three minutes having elapsed, the House divided]

MR. CHAIRMAN: To assist the taking of the vote, I would ask all hon. members to be at their own seats.

For the motion:			Agreed to:
Clark, R.	Notley	Speaker, R.	Total Vote 1 — Departmental Support Services \$35,508,060
Against the motion:			
Adair	Hyland	Pahl	MR. CRAWFORD: Mr. Chairman, I move the com-
Batiuk	Johnston	Paproski	mute rise, report progress, and beg leave to sit again.
Bogle	King	Pengelly	
Borstad	Knaak	Planche	
Bradley	Koziak	Purdy	[Motion carried]
Campbell	Leitch	Reid	
Clark, L.	LeMessurier	Schmid	
Cook	Little	Schmidt	[Mr. Speaker in the Chair]
Cookson	Lysons	Stewart	
Crawford	Magee	Thompson	MR. APPLEBY: Mr. Speaker, the Committee of Supply
Cripps	McCrae	Topolnisky	has had under consideration certain resolutions, reports
Diachuk	McCrimmon	Trynchy	progress thereon, and requests leave to sit again.
Embury	Miller	Webber	
Fjordbotten	Moore	Weiss	MR. SPEAKER: Having heard the report and the
Fyfe	Musgreave	Wolstenholme	request for leave to sit again, do you all agree?
Gogo	Oman	Woo	
Harle	Osterman	Young	HON. MEMBERS: Agreed.
Horsman			
Totals:	Ayes - 3	Noes - 52	[At 10:36 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]