

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Friday, October 19, 1979 10:00 a.m.**

[The House met at 10 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS**

Bill 60

**The Natural Gas Pricing
Agreement Amendment Act, 1979**

MR. LEITCH: Mr. Speaker, I request leave to introduce Bill No. 60, The Natural Gas Pricing Agreement Amendment Act, 1979. This being a money Bill, His Honour the Honourable the Lieutenant-Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Mr. Speaker, there are two principal purposes of this Bill. The first is to clarify the Petroleum Marketing Commission's right to determine the cost of service, and the second is to establish the legislative authority for the Petroleum Marketing Commission to put a market development fund in place. This arises from a concept discussed at a recent first ministers' conference whereby additional volumes of Alberta gas would be marketed into those portions of Canada east of Alberta at lower than the current price. This legislation would authorize the Alberta Petroleum Marketing Commission to put such an arrangement in place, if and when it is made.

[Leave granted; Bill 60 read a first time]

Bill 59

**The Petroleum Marketing
Amendment Act, 1979**

MR. LEITCH: Mr. Speaker, I also request leave to introduce a Bill, The Petroleum Marketing Amendment Act, 1979.

The principal purpose of this Bill would be to enable the Alberta Petroleum Marketing Commission to take the next step in our petroleum marketing plan. Specifically, it would enable the commission to enter into contracts with buyers of petroleum and pentanes-plus of the commission's selection or choice.

[Leave granted; Bill 59 read a first time]

Bill 57

**The Oil and Gas
Conservation Amendment Act, 1979**

MR. LEITCH: Mr. Speaker, I also request leave to introduce a Bill, The Oil and Gas Conservation Amendment Act, 1979.

There are two purposes of this Bill. The first is to introduce into The Oil and Gas Conservation Act the concept of public interest which is in the other Acts

administered by the applicable boards, such as The Pipeline Act and The Energy Resources Conservation Act. In addition, it would enable the board to make common carrier, common purchaser, and common processor orders retroactive to the date of the application for those orders.

[Leave granted; Bill 57 read a first time]

Bill 61

The Alberta Order of Excellence Act

MRS. LeMESSURIER: Mr. Speaker, I beg leave to introduce Bill No. 61.

The object of the order is to give recognition to Albertans who have rendered service of the highest distinction and singular excellence for and on behalf of the residents of Alberta. A maximum of five persons could be granted membership in the order in any given year. The Lieutenant-Governor would be the chancellor of the order.

[Leave granted; Bill 61 read a first time]

Bill 65

The Weed Control Act, 1979

MR. TOPOLNISKY: Mr. Speaker, I request leave to introduce Bill No. 65, The Weed Control Act, 1979. This new Act incorporates all amendments suggested by municipalities over the years to meet the changing needs for weed control in the province of Alberta.

[Leave granted; Bill 65 read a first time]

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. YOUNG: Mr. Speaker, today it is my pleasure to introduce to you, and through you to the members of the Assembly, some 30 students from the Evelyn Unger school in my constituency. The Evelyn Unger school is a special school for languages and learning, is supported by and has students from the Edmonton Public School Board and the Edmonton Separate School Board, and is also receiving support from the provincial government.

The students range in age from 10 to 16 years and are accompanied today by their teachers, Mrs. Green, Mrs. Haack, Mrs. Hayes, Mrs. Walden, and Mr. Trudeau. I would ask that they rise and receive the welcome of the Assembly.

MR. CRAWFORD: Mr. Speaker, might I ask leave to revert to Introduction of Bills?

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF BILLS**

(reversion)

MR. CRAWFORD: Mr. Speaker, I'd like to move that Bill No. 65, The Weed Control Act, 1979, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **ORAL QUESTION PERIOD**

Energy Negotiations

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question to the recently returned and supposedly haggard-looking Minister of Energy and Natural Resources. Is the minister in a position to indicate to the Assembly the state of discussions and negotiations between the province of Alberta, the producing provinces, and the federal government?

MR. LEITCH: They are going on, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, having suspected that type of answer, might I ask the minister if they are going on toward some resolution of the matter at hand or, in fact, toward another declaration of what some people in central Canada might consider war?

MR. LEITCH: Mr. Speaker, I don't know how one in the midst of negotiations can predict where and when they are going to end, so I really can't help the hon. Leader of the Opposition.

MR. R. CLARK: Mr. Speaker, to the minister. Can the minister indicate to the Assembly what plans there now are for the continuation of these negotiations?

MR. LEITCH: Mr. Speaker, I think the plans for further negotiations are really part of the negotiations. I can tell the hon. Leader of the Opposition that I don't have any fixed arrangements for a future meeting with the federal Minister of Energy, Mines and Resources.

MR. R. CLARK: Mr. Speaker, can the minister indicate to the Assembly whether the proposal has been made by the Alberta government to the federal government that a meeting of first ministers be held shortly, moving up the date of the proposed meeting in November to deal specifically with this matter?

MR. LEITCH: I made no such suggestion, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, to the minister. Is the minister able to get a commitment from the federal government, then, that there will be no unilateral action by the federal government in setting prices of Alberta resources, at least until the upcoming first ministers' meeting?

MR. LEITCH: Mr. Speaker, that's not an item I discussed with the federal Minister of Energy, Mines and Resources.

MR. R. CLARK: Mr. Speaker, to the minister. Has the Alberta government got that kind of assurance from the federal government, that there will be no unilateral move by the feds in setting a price for Alberta resources, recognizing that unfortunately they have — or at least some people feel they have — constitutional power to do that? Has the Alberta government got a commitment that the feds will not move under that

federal legislation, at least until after the coming first ministers' conference?

MR. LEITCH: Mr. Speaker, I don't want to accept the implication in the question of the hon. Leader of the Opposition that there's some authority in the federal government to establish the price at which Alberta natural resources are sold, because in my judgment the Alberta government plays a very significant and important role in determining the price at which the resources owned by the people of Alberta are sold. As I have said to the House, negotiations and discussions are continuing, and I anticipate they will continue.

MR. R. CLARK: Mr. Speaker, just one further question to the minister. In light of the fact that no commitment has been made by the federal government that they take no unilateral action at least until after the meeting of the first ministers, in November I understand, can you indicate to the Assembly, Mr. Minister, if you had any discussion with the federal government regarding future export of natural gas?

MR. LEITCH: Mr. Speaker, the Leader of the Opposition is very persistent in endeavoring to get answers to what may be involved in discussions with the federal government on the whole range of energy matters. As I've explained on a number of occasions both in and Outside the House, in my judgment any discussions about the content, the proposals, or the details of the negotiations are very much against the best interests of the people of Alberta.

MR. R. CLARK: Mr. Speaker, just one further question to the minister. It just seems to me that these announcements with regard to the negotiations would far better come in the Legislative Assembly of Alberta than from certain federal officials, appearing in Toronto newspapers.

Heritage Savings Trust Fund Act

MR. R. CLARK: A second question, Mr. Speaker, to the Provincial Treasurer. It really has to do with the Heritage Savings Trust Fund. I ask if the government has any intention of introducing amendments to The Heritage Savings Trust Fund [Act], specifically Section 9, at this fall session.

MR. HYNDMAN: There have been no decisions with respect to that at this time, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, I'd like the Provincial Treasurer to indicate to the Assembly what investment rules, included in Section 9 of the Heritage Savings Trust Fund legislation, are presently handicapping investment officials of the Provincial Treasurer's department.

MR. HYNDMAN: Mr. Speaker, that's perhaps a matter which could properly be raised when the Bill which has been introduced in the Assembly can be discussed at committee stage. At the moment I don't think that's the kind of thing which can be properly be answered, or debated at length or intelligently, in the question period.

MR. R. CLARK: Mr. Speaker, to the hon. minister. Is the minister then in a position to indicate to the Assembly that, yes, officials of Treasury feel they're handicapped by Section 9 of the Act, and that they feel they could receive a more effective return on the heritage fund money if changes were made to Section 9?

MR. HYNDMAN: Mr. Speaker, that's the same question. My answer to the previous question applies to this one.

MR. R. CLARK: Well, Mr. Speaker, it isn't the same question. I would put the question to the Provincial Treasurer this way: in light of the comments made yesterday by the Deputy Provincial Treasurer to the symposium at the University of Alberta, that in fact Section 9 of the Heritage Savings Trust Fund legislation was stopping officials of Treasury from getting a more effective return on the Heritage Savings Trust Fund, what plans does the government have to enable officials of Treasury to more effectively invest the Heritage Savings Trust Fund money?

MR. HYNDMAN: Mr. Speaker, I think it's completely obvious now that they're getting into a matter of debate. As I mentioned, I'm quite happy to have a review of this matter when committee study of the Bill I've introduced comes up. I think that's the proper time to do it. I will be happy to do so at that time.

MR. R. CLARK: Mr. Speaker, to the Provincial Treasurer. In light of the call by the Deputy Provincial Treasurer to give to the managers of the Heritage Savings Trust Fund more freedom in running the fund, what plans does the government have either to give those managers more freedom or to direct officials of the department that they have to continue to live within the existing legislation?

MR. HYNDMAN: Again, Mr. Speaker, I'll be happy to illuminate the hon. gentleman's thinking when the Bill comes forward at committee stage.

MR. R. CLARK: Mr. Speaker, then just one last question to the Provincial Treasurer. Was the Provincial Treasurer aware of the attitude and feeling of the Deputy Provincial Treasurer before the comments were made yesterday at the symposium at the University with regard to, one, the handicapping of officials in the minister's department about their investment possibilities; secondly, that the Heritage Savings Trust Fund could be receiving a better return for Albertans if certain changes were made to Section 9 of the Act?

MR. HYNDMAN: Of course, Mr. Speaker.

Heritage Savings Trust Fund Loans

MR. MANDEVILLE: Thank you, Mr. Speaker. My question is also to the hon. Provincial Treasurer. It's with respect to the recently announced large loans to big business out of the heritage trust fund. Could the minister indicate what steps a prospective borrower would have to take to acquire such a loan? For example, would the application be made to the provincial Treasury?

MR. HYNDMAN: Well, Mr. Speaker, the investments in new corporate debt issues, which are somewhat different from the implications suggested by the hon. gentleman's question, are, it's to be remembered, only with respect to heritage fund investments up to and not exceeding 66.6 per cent of any new corporate debt issue. Therefore, in every case there would be one or more private-sector lenders, pension funds and the like, involved in that kind of corporate debt issue. Almost invariably, because the amounts involved would be over \$1 million in any event and probably would be upwards of 15 years in terms of their maturity, they would be placed through an investment dealer. So that is probably the route anyone would follow who wished to follow up on the new policy approach.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the hon. Provincial Treasurer indicate if the qualifications for a borrower to qualify for such a loan are going to be similar to those of the Opportunity Company?

MR. HYNDMAN: Mr. Speaker, all the parameters of the program were placed before the heritage fund committee, some weeks ago I believe. I think the program is considerably different from the suggestions in the question of the hon. member, in the sense that we're not having the heritage fund competing with banks in making loans available. This is investment in new corporate debt issues, so the approaches would be considerably different. I would be happy, though, to follow up with the hon. member on any individual inquiries he might have.

MR. MANDEVILLE: One final supplementary question, Mr. Speaker. Has the Provincial Treasurer received any applications or inquiries on loans to date?

MR. HYNDMAN: I haven't checked lately with respect to the investments in new corporate debt issues, Mr. Speaker. As I indicated to the legislative committee, in the past year there haven't been too many. It's really impossible to predict the record of performance over the next number of months or the next year. We'll see what happens.

Employment of Juveniles

MR. BORSTAD: Mr. Speaker, my question is to the Minister of Labour. With the number of young people in Grande Prairie who have been working in the food industry, and because the shortage of labor in the north is the reason for these people working there, I wonder if the minister could advise what is taking place to alleviate this situation.

MR. YOUNG: Mr. Speaker, I think the hon. Member for Grande Prairie alludes to the recent discontinuance of employment for a large number of young people in the fast-food industry in Grande Prairie as a result of some inquiries made by officials of the Department of Labour. There are very close regulations of the employment of juveniles, and some of those regulations were not being respected by the fast-food industry. The situation as I understand it is that the Board of Industrial Relations will be holding a hearing, or at least a review of the situation in Grande Prairie, next week.

On a more general basis I could perhaps say that it

may be timely that the department review the whole question of the employment of juveniles. It's a very difficult matter, in that we have to guard against exploitation and hazardous employment. At the same time, I have had a number of representations to the effect that it would be beneficial that juveniles have the opportunity in certain types of employment to wear off some of their energy in a positive way, rather than in some of the other manners they have been able to devise.

MRS. FYFE: A supplementary, Mr. Speaker. What age classification would the minister include in the term "juvenile"?

MR. YOUNG: Mr. Speaker, the regulations refer to two groups, really. Fourteen to 16 is the primary point of focus, however. I should perhaps add that, if we do review, I would expect to review the total complex of the employment of anyone under age.

Anniversary Celebrations

MRS. OSTERMAN: Mr. Speaker, I'd like to direct this question to the Minister responsible for Culture, regarding the 75th Anniversary celebrations. Who will review the proposals submitted for these celebrations?

MRS. LeMESSURIER: Mr. Speaker, to date we have approximately 1,300 to 1,500 submissions. Consequently we have established five committees to review the programs being submitted to us. These committees are made up of both government officials and people from the private sector. We have a visual arts committee, a book committee, performing arts, a committee that takes care of projects that don't fit into any of these categories, and one on films.

MRS. OSTERMAN: A supplementary, Mr. Speaker. Could the minister tell us if any portion of the \$75 million has been earmarked yet for some of the programs?

MRS. LeMESSURIER: Mr. Speaker, approximately \$7.5 million has been submitted so far.

MRS. OSTERMAN: A further supplementary, Mr. Speaker. Could the hon. minister tell the Assembly what has been spent on the gold and silver medallions for the celebrations?

MRS. LeMESSURIER: Mr. Speaker, approximately \$1 million has been spent for the medallions. I would like to point out to the Assembly that these funds are going to be used — very worth while. They're for very important citizens in our community, those who are 75 years of age and over. A special medallion is being struck for those born in 1905, whether in Alberta or the Territories.

MR. BATIUK: Mr. Speaker, a supplementary question. I wonder whether the minister could advise whether assistance for the 1980 celebration is going to be appropriated on a per capita basis for organizations or groups?

MRS. LeMESSURIER: Yes, Mr. Speaker. At the moment we have not established a per capita fund, but

once the projects have been reviewed we will be submitting a per capita.

MR. PAHL: A supplementary for the minister, Mr. Speaker. Might she be able to advise the House as to when the applying organizations might expect some indication of the success of their applications?

MRS. LeMESSURIER: Thank you very much, Mr. Speaker. I did mention that we have had submitted to date 1,300 to 1,500 submissions. The committee started work on Wednesday. For the next two weeks they will be reviewing the submissions that we have received. We will be responding after that.

MR. R. CLARK: A supplementary question. Is the minister in a position to indicate how much money has been allocated to TIAALTA for the role they're playing in the 75th Anniversary celebrations?

MRS. LeMESSURIER: Mr. Speaker, we have not established a financial figure for TIAALTA.

MR. R. CLARK: Mr. Speaker, to the minister. Has a commitment been made to TIAALTA that they'll have an important role to play in the celebrations, and will TIAALTA be very quickly advised as to the amount of funding they can expect, to play what I understood to be a rather significant role in the celebrations? If they haven't been advised by this time, it's going to be difficult for them.

MRS. LeMESSURIER: Mr. Speaker, they will be advised along with the other people. We have had a submission from them; we have looked seriously at it, along with proposals from many other organizations. As soon as we have declared the exact amount we will be spending on those projects, they will be told.

MR. R. CLARK: I'd like to pose this supplementary question to the minister. Has any commitment to TIAALTA been made by the minister or the chairman of the 75th Anniversary celebrations, with regard to the anniversary?

MRS. LeMESSURIER: Mr. Speaker, I am not aware of such a statement.

Community Health Services

DR. PAPROSKI: Mr. Speaker, a question to the Minister of Social Services and Community Health, regarding a proposal submitted to the Edmonton Board of Health from the Boyle Street-McCauley area for a community health clinic or a community resource centre. Has the minister had an opportunity to review that proposal, or has he received it? I'd like the minister to comment on that proposal.

MR. BOGLE: Yes, Mr. Speaker, the matter of a storefront medical treatment clinic in the Boyle Street area was received some time ago. It's been reviewed by the Edmonton Board of Health and by our department officials. We're very encouraged by the input we've had from the volunteer and private sector in that regard. The proposal is being developed, and it's hoped that the facility will open by the first of next year.

DR. PAPROSKI: A supplementary, Mr. Speaker. Will the minister expand on the voluntary component of that proposal, and indicate whether that is a very important adjunct in his final decision?

MR. BOGLE: Mr. Speaker, three foundations were involved in providing funds for the renovation of the building: the Muttart, Winspear, and Clifford Lee foundations. In addition, the first year's rent is being provided by the Mission Sisters. That kind of contribution has made the project a viable operation.

DR. PAPROSKI: A final supplementary, Mr. Speaker. Would the minister also indicate to the House whether, from what he's aware of, this proposal follows the pattern or policy of this government to decentralize health delivery to the community, where the needs are best understood?

MR. BOGLE: Mr. Speaker, the needs of the inner city are items which our department, along with many other departments of government, review on an ongoing basis with city officials and community leaders within the inner cities. This is the kind of co-operative effort that I believe is meeting or will meet the needs of the people who live in the Boyle Street area.

Medical Fees

MR. R. CLARK: Mr. Speaker, I would like to direct a question to the Minister of Hospitals and Medical Care. Will the minister table a copy of the Alberta government caucus task force report on balance billing?

MR. RUSSELL: Mr. Speaker, I've said several times that we are following parliamentary tradition, and the hon. Leader of the Opposition knows that caucus reports are not made public. Certainly the recommendations and the directions contained in that report are unfolding and being made public, but it would not be our intention to make public the actual document.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister, with regard to parliamentary tradition. There's no place else in Canada where we have paid task forces such as we have here in Alberta.

SOME HON. MEMBERS: Order.

MR. R. CLARK: So let's stop the bunk about parliamentary tradition.

Has the caucus report been used as a basis for the policy decision the minister has already announced?

MR. RUSSELL: Yes, it has, Mr. Speaker.

ORDERS OF THE DAY

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

Bill 40 **The Partition and Sale Act**

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill No. 40, The Partition and Sale Act.

Although this is entirely new legislation, in the sense that an Act dealing specifically with partition and sale has not been part of the law of Alberta before, the subject matter would not be unfamiliar to hon. members and to those who have need to work in the area of the partition and sale of land, primarily of course those who are interested in the practice of law and in the operation of certain transactions between people when they become joint owners of property and co-owners on the same title.

The law, as it stands in Alberta prior to this time, is based on a number of ancient English statutes which, because of the provisions of the constitution in Canada, do have application in Alberta until the present. The area, being a technical one, was made the subject of some enquiry by the Institute of Law Research and Reform. In due course they produced — I think to everyone's relief and satisfaction — a report outlining ways in which the law in regard to partition and sale of property might be codified for the province of Alberta, and made the subject of an orderly and modern statute.

Therefore the presentation of this Bill is, to a considerable extent, the result of the review of the recommendations of the report made by the Institute of Law Research and Reform.

I might add some bits of clarification of the precise nature of what's being done when land is partitioned. The Act refers, of course, to both partition and sale. Sale is one of the things that may follow upon a partition. It may not necessarily follow upon a partition; the partition may end at the time the new titles are issued. But it is a means of ending co-ownership when the parties are unable to agree or have not agreed in respect of any other way their interests in the land might be divided, if that is what they wish to do at the time. It certainly would apply to any title which is jointly held, and a jointly held title can be made the subject of such an application.

It can relate both to land or to an interest in land. The Act also has provisions which preserve the rights of those who hold encumbrances against property at the time of partition. Therefore, if a mortgage holder or someone who has an interest against an entire parcel is going to be involved in a case where the title to that property is divided between co-owners, the Act provides ways in which the interests of that mortgage holder would be preserved.

It brings the process under the direction of the court. The Act provides that a partition is done in that way, then an application is made to the court. At the time the hearing takes place, the court has the ability to deal with all of the matters at issue between the parties, and to direct that any accountings, contributions, or adjustments be made.

A further provision, which is obviously necessary, is that the orders can be registered at the Land Titles Office. They then govern the relationship between the parties in respect of that property, and effectively dispose of the question brought before the court by the application for partition.

I think, Mr. Speaker, that this is important legislation. From time to time it's entirely appropriate, as we continue to make use of the excellent work being done by the Institute of Law Research and Reform, that even in areas where there is an applicable body of law we take the opportunity to codify it, bring it up to date and present to the people of Alberta effective modern

legislation to govern their rights and responsibilities in such matters.

I should also say that there is a provision in regard to the quieting of titles in a number of existing lawsuits that relate to the fact that when the Act was first ...

MR. R. CLARK: What was that term?

MR. CRAWFORD: Did I not use the term "quieting" titles?

MR. R. CLARK: Quieting?

MR. CRAWFORD: Quieting, yes. I wonder if the hon. Leader of the Opposition asks that because he has some unquiet observations to make in respect of it. But if he makes them, I'll certainly be prepared to respond to them — quietly.

The situation, Mr. Speaker, is known to some hon. members of the Assembly because this matter was before a previous Legislature. One of the results of the passing of The Planning Act amendments a few years ago was that partition was brought into some question, in the sense that planning approval was thereafter to be required. It was the intention of the legislation at the time that partitions should not take place without the intervention of the appropriate planning authority. In some cases partitions were obtained without the necessary approval. However, at that time it was deemed that, considering the law was in a state of some uncertainty and the people involved had done all they could be asked to do, in the sense of going to a judge and getting an order, they should be able to rely upon the fact that an order had been granted.

I think that's an important and rather obvious principle, Mr. Speaker. If legislation creates an area of doubt or uncertainty, and in the period of time during which the doubt and uncertainty persists a person makes an application to a judge and obtains an order — perhaps with no knowledge of the uncertainty because the uncertainty is usually only established as a result of a court case or an appeal in a court case — then that person should be able to rely upon what he has received in the way of his application to the court. Therefore, the brief provisions of this Act would provide that the orders that were given in those few cases were also valid. There is some doubt about how many there are; my officials have indicated to me that there are slightly more than 20 such cases. It may well be there are others that have not come to their attention.

From this Act and from the viewpoint of both the quieting of those titles and settling of the rights of the parties in those cases, it will be clear from this day on that planning approval is required. That results from reading together the provisions of The Planning Act and this legislation.

So such cases would not arise in future. Of course, the reason for dealing with them at this time is to end uncertainties involved in those titles and to alleviate any hardship there might be on the part of persons who acted in good faith in obtaining their partitions in that way.

MR. SPEAKER: Are you ready for the question?

MR. R. CLARK: Mr. Speaker, I would like to make a few comments with regard to Bill 40. I anticipated

someone on the government side might have some concerns on this particular issue. That's why I didn't really take the opportunity as quickly as I might have.

Mr. Speaker, with regard to Bill 40, The Partition and Sale Act, first of all I think it's important that we look at the explanatory notes.

This Bill is based on the recommendations contained in report 23 issued by the Institute of Law Research and Reform and entitled "Partition and Sale".

I'd like the Attorney General to correct me if I'm wrong on this when he concludes debate. As I understand the Act, that is an accurate statement, other than Section 16 of the Act which deals with — the Attorney General uses the term "quieting" of titles. There are other terms I'm sure people would use. But I take the Attorney General's comments to mean that basically this Bill, other than Section 16, follows the recommendations of the institute.

Mr. Speaker, I think that's important for members to recognize. When we look at this piece of legislation, we're led to believe this is the recommendation of the institute. As I read the institute's recommendation, there's no recommendation that we should be trotting before the Assembly this Friday morning a piece of retroactive legislation which has an effect on some cases presently before the court. The minister uses the term "uncertainty" with regard to certain court cases.

So that all members understand the situation, Section 16 of the legislation in essence was introduced in the Legislature last fall, almost a year ago. On second reading, the then Attorney General introduced the matter. We made some comments and, on that occasion, opposed the legislation, basically for two reasons. One was that the Attorney General at that time had been a part of one of these partitioning orders in the Sylvan Lake area. We made the point that we didn't feel legislation should be coming in from an individual who could be affected by it. Obviously, with the former Attorney General having left and the new Attorney General introducing the legislation, that isn't a valid reason to oppose the legislation now.

Mr. Speaker, the second reason we opposed the legislation a year ago and urged the government not to proceed with it was the retroactive features of the Bill. It seems to me we had second reading on a Wednesday or a Thursday, and Friday, when the government called for committee work, they didn't call the Bill. Section 16 of the Bill died on the Order Paper. Members, what we're really doing in second reading is sliding in this piece of legislation, Section 16, which really quiets some titles, in the terms of the Attorney General.

Let's stop for a moment and reflect on the situation as I understand it to have happened. Basically we're talking about a number of pieces of land in the MD of Foothills, just south of Calgary — 10 quarter sections, I understand. They were divided over the past several years by a partitioning order, prior to an amendment coming into the House some years ago, I believe introduced by the present Minister of Environment. These individuals who find themselves possibly in court now went through the regular planning process like anyone else and were turned down by local planning authorities. The local planning authorities said, no, you can't subdivide this way. So these individuals went around the planning legislation at the time and, as the Attorney General says, got a court order

allowing them to subdivide the land, not under the planning legislation or the subdivision regulations of Alberta but as a result of a court order.

Mr. Speaker, when The Planning Act was being presented to the Assembly two or three years ago, a number of people came to the government at that time and asked them to pass legislation that would really say these partition orders granted would be null and void. The government's argument to municipal authorities making that approach at that time was, we don't want to pass retroactive legislation. Today we're passing retroactive legislation, not retroactive legislation asked for by the municipal authorities who have to cope with the problems, but retroactive legislation protecting individuals who went around The Planning Act in the past.

Individuals outside this Assembly and members of the Assembly have said to me, well, so what? Mr. Speaker, it seems to me members have to recognize that, as a result of this kind of partitioning order, no land was set aside for public reserve. In other words, the people who had partitioning done through this court order rather than subdivision saved 10 per cent of their land, because no public reserve was set aside. That really gnaws away at the whole question of public reserve, doesn't it? Why should other people in the province have a portion properly taken away for public reserve when subdividing a quarter section, yet these individuals who used the partition Act — no public reserve at all. Yet we're very nicely passing legislation that is quieting the titles, in the terms of the Attorney General this morning.

Mr. Speaker, I say to hon. members that they had better look seriously at this. This partitioning approach wasn't used only in the MD of Foothills. There were cases around Red Deer and south of Edmonton. A number of rather prominent Albertans were involved in going this particular route. Today there are several court cases. Members should check with the MD of Foothills. There has been court action in that area where, if I might oversimplify the case somewhat, an attempt is being made by local government officials to claim back the 10 per cent public reserve they weren't able to get as a result of going this particular route. Also, as a result of going the partitioning route, the local authorities can't control agricultural land use at all. They have no local control.

Mr. Speaker, I say to hon. members that what we're doing here this morning is passing retroactive legislation. Some years back when The Planning Act was before the House the government refused to pass legislation which would have set aside these partition orders. As I understand it, Mr. Attorney General, the basis of the argument at that time was that the government didn't want to pass retroactive legislation. Then I ask the question: if the government didn't want to pass retroactive legislation when The Planning Act came in, why do we want to pass it today?

The people who used this piece of legislation weren't people who didn't know their way around the legal pastures in this province, because once they were turned down through The Planning Act they used this route which had not been used very often and, secondly, as I've indicated, which later was closed by this government in the amendment brought forward by the Member for Lacombe at that time. So when The Planning Act came in, why did the government say, we don't want to deal with retroactive legislation? Why

are we prepared to deal with retroactive legislation today?

Mr. Speaker, despite the fact that, as the Attorney General says, there may be 20 individuals or parcels finding themselves in difficult situations today, we're saying that the public reserve is being lost on each of those pieces of land. We're really being asked here today to say that's all right, rather than let the thing take the normal procedure through the courts. The Attorney General is aware of the comments made by the judge in what I believe was the Wensel case, if my memory is accurate. The judge, really in an afterword to the judgment, questioned the legality of some of the partition orders.

Mr. Speaker, to the Attorney General: I don't think this is the kind of thing we should be doing in this Assembly. We should leave the thing to the courts. Let it be decided there, rather than retroactive legislation at this time. I don't plan to say anything other than that on principle I can't support this kind of legislation. I'm referring, Mr. Attorney General, primarily to Section 16 of the Act. My colleagues and I don't have any difficulty with the rest of the Act. But in principle, Mr. Attorney General, I would ask you to consider very seriously the withdrawal of that section of the Act.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, I certainly acknowledge that the points raised by the hon. Leader of the Opposition deserve my response, and I would be pleased to do that.

First of all, his remark — which I hadn't recalled coming up before, although perhaps it has — that in all cases where these orders are now outstanding and the legislation would affect them in the sense of quieting the titles, the people in fact had tried to go the planning route and been refused. If that is so, I have no knowledge of that. It was a procedure available to a person who knew it was available, without reference to planning approval at the time. That was one of the things that was sought to be corrected by the amendments to The Planning Act. So just on that perhaps small question of whether or not all these cases were ones in which people had already been turned down, I'm not aware of that if that is so.

The question of public reserves is related to that, of course, and there's no question that The Planning Act has certain provisions in regard to public reserves. But the difficulty I have with singling that out as the basis for a decision is that, rightly or wrongly, the other procedure available to the parties was a way that particular step could be omitted. I recognize that at that stage perhaps it's a fine point. I suppose each individual applicant would perhaps feel and behave differently in respect of any obligations he might have in regard to reserves.

But the procedure was there, a procedure which some people perhaps would call a loophole. After careful consideration we came to the view that it was there because of a conflicting interpretation of the law and the fact that one or more pieces of legislation, an amendment to The Planning Act, the new Planning Act, and then the court cases involved all came to bear about the same time; this against a history and back-

ground of a number of years over which numbers of these applications had been successfully and routinely made. I would suggest that the knowledge in the minds of any person making an application for one of these orders at the time was that numbers of these applications had been successfully made previously. I can assure the hon. member that all members of the legal profession certainly were aware of that fact for the last decade or so and, in appropriate cases, would make an application if so instructed by their client. I say that the applications were made against that background, rather than against a background of necessarily looking for an end run on The Planning Act.

I would also point out that it must be the consistency of the stand in respect of the reference to retroactivity that I dwell upon, rather than the interpretation put on it by the hon. leader. I suggest that if the reason for declining any retroactive effect of a provision that some municipalities perhaps wanted a few years ago was that making it retroactive would affect and disturb existing interest that people had in land, then it is very much consistent and perhaps would be inconsistent at present to do otherwise than to achieve the same effect by this legislation. The effect of this legislation, of course, is to preserve the rights in those cases where they were acquired and placed under a cloud.

I think I should say this about retroactive legislation: the hon. Leader of the Opposition makes a valid point in principle, which I think I've dealt with in the sense of this particular Bill, but as a former member of government the hon. leader would know — and we feel the same way about this — that retroactive effect of anything is given deep consideration and very carefully weighed because of the undesirable features there can often be to anything retroactive. I certainly acknowledge that principle and suggest I've demonstrated that in this case the retroactivity is a way of being consistent in the preservation of rights, rather than anything else.

I myself used the word "loophole". I have a little note here about it, because I think I'd like to share with hon. members the view often expressed by the legal profession in regard to a loophole. Lawyers believe there is no such thing as a loophole. The law either says that or it doesn't. In tax law, for example, people spend a lot of time and energy acquainting themselves with provisions in order to determine exactly what the law says. Once you find exactly what it says and apply it to your advantage, there's always some tax man who says you've found a loophole. But the law in the way it's written and interpreted is being done.

So I don't know whether there ever is such a thing as a loophole. That is the position we're in here. The law that the various applicants proceeded under either allowed it or it didn't. As I've already said, the record of at least a couple of decades of applications — although they were not numerous — was that this was something that could be done.

I should perhaps cover one other point. The hon. leader is certainly correct in saying, in reference to the report of the Institute of Law Research and Reform, that the substantive body of partition law was recommended. As far as I recall, there was not a recommendation in regard to quieting titles. However, I would think an excellent reason for that would be that the issue of quieting was not current at the time the report was finished, and certainly not at the time the major

part of the work was done. So it's clear they would not have made a recommendation in that respect.

Mr. Speaker, I hope I have covered the various points. I won't for a moment claim to believe that they are in any way a satisfactory coverage as far as the hon. Leader of the Opposition is concerned. But, the case does have some difficulty in the sense that a decision really has to be made to determine whether or not the rights of the numbers of people involved should be preserved by an Act of the Legislature or whether lengthy and very expensive litigation should ensue. I'm not saying the decision is easy, but the government took the decision that it should be done in the way proposed in Bill 40.

MR. R. CLARK: Mr. Speaker, I wonder if I might direct a question to the Attorney General. It deals with the early portion of the Attorney General's remarks, and I hope I understood properly. The Attorney General indicated that he wasn't aware that a number of people — if I used the term "all", I shouldn't have, but several or many people — took advantage of The Partition and Sale Act to get around the planning legislation. Would the Attorney General consider having officials of his department check to see how many — I believe the Attorney General used the figure, of 20 cases — in fact went the planning route first, were turned down, and then have gone this route to get around The Planning Act.

MR. CRAWFORD: Mr. Speaker, I don't mind answering that. I regret very much having to say that I don't think it would be a useful exercise to follow the course the hon. Leader of the Opposition outlines. It would be a considerable investigative procedure to try to answer that question. The reason I suggest it wouldn't be productive is that I do not consider that to be relevant to what the House is doing.

The hon. leader is the one who has brought into question the motives of the people involved. My response was merely that if all of them behaved in a way that was perhaps an attempt to find a loophole, I hadn't been aware of that. If all of them had behaved in a way that led them around other procedures that exist in The Planning Act, I wouldn't have known what their expectations or motives or intentions were. I think the issue is one that had to be determined, one way or the other, and the Bill is the government's manner of determining it.

[Mr. Speaker declared the motion carried. Two members rose]

MR. SPEAKER: As hon. members know, the Standing Order requires that three members must stand in order to require a recorded vote. I wouldn't be able to accede to the request of the two hon. members who stood unless there were unanimous consent. That's what it takes to depart from *Standing Orders*.

MR. R. CLARK: Mr. Speaker, speaking to the point raised by Your Honour, I think we can achieve the same purpose simply by making the point, sir, that my colleague the Member for Bow Valley and I stood in our places in an attempt to get a standing vote on second reading of the Bill. No other members of the Assembly who were in their seats at that time would

stand. I think that will serve a useful purpose in *Hansard*.

MR. SPEAKER: That may be a somewhat indirect way of achieving the hon. leader's intent. I won't comment on the regularity of it, but certainly it will appear in *Hansard*, though it may not appear in Votes and Proceedings.

MR. R. CLARK: We'll have that opportunity in committee stage.

[Bill 40 read a second time]

Bill 45

The Mental Health Amendment Act, 1979

MR. BOGLE: Mr. Speaker, I move second reading of Bill No. 45, The Mental Health Amendment Act, 1979.

As I indicated in introduction of the Bill, the purpose is to allow a greater latitude of flexibility in the disclosure of a patient's records. That's not an item which this government has moved upon lightly. It's a very important and sensitive area. We do feel that upon written consent of the patient, the patient should have this right, as long as certain fundamental principles are met, primarily that the information is given freely and the patient has full capacity to understand what he or she is doing.

I might add that the person making judgment on the capability of the patient and whether or not the patient is free from any external pressure would be the physician. Mr. Speaker, at the present time only the physician or the minister responsible for the administration of the Act, by authorizing a ministerial order, may allow the records to be provided.

In addition to that important principle, we're proposing that the Public Guardian be allowed to obtain relevant information under The Dependent Adults Act. Mr. Speaker, the rationale for that is that if the Public Guardian is to facilitate an application for guardianship, he should have access to the records. The appeal by the Public Guardian will only be assented to under that specific condition.

The last reference in the Act, Mr. Speaker, is that we would remove all reference to therapist or the Therapists Registration Board from the legislation. When the legislation was initially introduced, it was felt that this was the proper way to go. However, shortly thereafter the decision was made that indeed some risks were involved. In following the advice of the Provincial Mental Health Advisory Council, the Therapists Registration Board was never really enacted. If it had been, that would have allowed for direct diagnosis and treatment by persons other than physicians. For that reason it was not assented to.

MR. SPEAKER: Before the hon. Leader of the Opposition makes his remarks, would the Assembly agree that the Member for Drayton Valley might revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: INTRODUCTION OF SPECIAL GUESTS (reversion)

MRS. CRIPPS: Mr. Speaker, it is my pleasure to introduce to you, and through you to the Assembly, 45 students from Warburg high school. They are accompanied by their teachers Dale Haggerty and Brian Taylor, and their bus driver. They are seated in the members gallery. I would ask that they rise and receive the welcome of the House.

MRS. EMBURY: Mr. Speaker, I beg leave to introduce a special family from my constituency. I realize that I'm going against the normal procedure in the House in doing this, because we normally introduce school children or very distinguished guests from Canada. However, I haven't had the privilege yet of having anybody from my constituency come to the Assembly, so I beg leave to introduce this family.

HON. MEMBERS: Agreed.

MRS. EMBURY: Thank you very much, Mr. Speaker.

I'm very pleased to introduce to you, and to members of the Assembly, Dr. Rick Hannah, his wife Mrs. Kathy Hannah, and their two children Rich and Sean. Mrs. Hannah is presently engaged in graduate studies at the University of Alberta. They are standing. Would you please accord them welcome.

head: GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 45

The Mental Health Amendment Act, 1979

(continued)

MR. R. CLARK: Mr. Speaker, just two very brief comments with regard to Bill No. 45. It's our intention to support the Bill in principle. My colleague from Little Bow, who is in Lethbridge at the airport opening today, may very well have additional comments to make during committee study of the Bill.

As long as the proper safeguards are in place with regard to making available information on the health of individuals, it's our judgment that that would be a move in the right direction.

Secondly, Mr. Speaker, I would find it very helpful in considering the Bill for committee study if the minister could indicate to us, with more precision than he did, why the Therapists Registration Board was never set up. If my recollection is accurate, when the board was set up there was considerable talk by the then Minister of Social Services and Community Health — or whatever he was called at that time — who's now the Attorney General, that in fact this whole concept of the Therapists Registration Board was going to enable us to make some rather sizable steps forward as far as mental health in rural Alberta was concerned. I also recall that when the mental health legislation came in considerable comment was made about how the Alberta mental health advisory board had been very actively involved in the recommendations to the government, not only on the therapists board but on the whole Act.

Mr. Minister, you said today that the government didn't rush into that area. In fact, as my notes indicate, I don't think the board was ever set up. What advice did

the government receive from the mental health advisory board that persuaded the government that, at the very most, the government should move very slowly and, secondly, that now this section should be taken out of the Act?

Mr. Minister, it's also my understanding that a group at the University of Alberta is working in conjunction with the minister's department, I hope, and others in looking at this whole question of therapists, and that they are involved in the first year of a three-year study. I find it somewhat strange that before that study, which I understand the minister's department is involved in, this particular step is being taken.

Mr. Speaker, in concluding my remarks on second reading, it's our intention to support the Bill in principle. But I would appreciate very much the minister elaborating in some detail on the Therapists Registration Board and what has happened in that area, so members have a chance to reflect on that before we get into committee study.

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

HON. MEMBERS: Agreed.

MR. BOGLE: Mr. Speaker, the hon. Leader of the Opposition made reference to the fact that he would like to receive assurances that proper safeguards are in place. I think I've outlined the safeguards which are in place. It's a deviation from the current practice, the current practice being that the physician may authorize disclosure of the information to another responsible party. That would primarily be with regard to a group home, where someone is leaving an institution or the director and senior staff feel the person is at a point where he or she can leave the institution and go into a group home setting, which is a very desirable factor and one which our government has promoted since coming to office in 1971. Further, I mentioned that through a ministerial order the minister may authorize the transmission of the same information.

We are now recommending that the patient under certain circumstances, as long as the physician is satisfied that certain criteria are met — not one or two points in the criteria but all factors: that the individual is capable of making decisions, knows what he's doing, is doing it voluntarily, and there's freedom of choice We feel this is an important and progressive step forward in assisting that individual to make his or her own choices.

With reference to the Therapists Registration Board, the hon. member mentioned that this was originally a recommendation of the Provincial Mental Health Advisory Council. I have advised the Assembly that it has not been enacted. One key reason is the advice received from the board. If the hon. member is asking me to do a bit of checking of history, I'll be pleased to do that and will be quite happy to address questions which may come up during Committee of the Whole study of the Bill. MR. R. CLARK: Mr. Speaker, I don't want to establish the practice of asking questions after the minister has concluded debate, but could the minister also check on the study that's going on at the University of Alberta with the minister's officials, who I believe are involved, and apprise the House as to where that stands too?

[Motion carried; Bill 45 read a second time]

Bill 44

The Firefighters and Policemen Labour Relations Amendment Act, 1979

MR. YOUNG: Mr. Speaker, in speaking to second reading of Bill No. 44, The Firefighters and Policemen Labour Relations Amendment Act, 1979, I think a number of comments ought to be made. First, the purpose of the Bill in essence is to enable the possibility of having more than one deputy chief outside the bargaining unit. The reason the Bill is before the Assembly is that a court decision, which occurred in March 1979, produced an interpretation of The Firefighters and Policemen Labour Relations Act, in conjunction with The Interpretation Act, which was somewhat different than I believe the anticipation of the Legislature was at the time it passed the original Firefighters and Policemen Labour Relations Act. In any event, it certainly differed from the evolution of the relationship over the period since the adoption of The Firefighters and Policemen Labour Relations Act.

In saying that, Mr. Speaker, I'd like to point out to hon. members that in a number of police and firefighters forces in the province, the policy and procedure of having more than one deputy chief outside the collective bargaining unit has developed. The concern I had when the court decision arrived is that I feel very strongly that our legislation should reflect, inasmuch as it is possible for us to do, the voluntary developments which occur in society, and in the area of labor relations particularly, to respect the arrangements the parties have made among themselves to this time. I believe there are three deputy chiefs in Calgary, two in Lethbridge, more than one in Sherwood Park, and three in the fire department.

Mr. Speaker, there has been some concern, and perhaps I should outline it. It is not a concern which extends to the police departments and the policemen. It is restricted to the one portion of the Bill before us, Section 3, which deals with the exclusion of deputy chiefs from the bargaining unit of the firefighters.

I think it would help to understand the concern if I indicated that the court case which caused the introduction of this Bill was initiated by the Edmonton local of the firefighters. It is useful to reflect that the court decision produced an understanding of the legislation different from that which I think prevailed at the time of the introduction of the original legislation in this Assembly, and the understanding the Assembly then had of that legislation.

In the situation in Edmonton, while there was some difference of view between the parties back in the early '70s, there was in fact permission or agreement that they could have two deputy chiefs. So they had two deputy chiefs. Eventually the relationship became such that an initiative to have a third deputy chief was challenged. At that point a series of events began which culminated in the court decision.

What I want to lay out very clearly is that even in the case of Edmonton, which has a very strong concern about this — that is, the firefighters apparently do — there is an acknowledgement that the Acts, as they read prior to this court case, could have meant more than one. At least, it was reasonable to have a situation which provided for more than one and, in fact, they did have a situation which provided for more than one.

This occurred in a number of the fire departments around the province.

So the challenge before us, Mr. Speaker, is to respect the administrative and organizational arrangements and, in my view, necessities which exist in the police and fire department organizations in the province. On the other hand, it would not be my wish to destroy any good working relationships. The challenge then is that the legislation before us is very special. It is different from that which we find in The Alberta Labour Act, which takes a different approach to resolving this kind of difficulty.

Under The Alberta Labour Act it would be the normal custom to look at an individual position of management and determine whether that position was truly management in the sense of being confidential in terms of relationship to employees, in the sense of being supervisory, being able to influence promotion, demotion, and progress of individual employees, being able to influence the budget process, and the degree of instruction that was a responsibility devolving upon that position. This legislation is different for policemen and for firemen.

So, Mr. Speaker, in view of the concerns which have been expressed by the firefighters, I have indicated that I would take the Bill through second reading and that prior to proceeding to committee study and third reading, I would undertake additional meetings with the interested parties. Those meetings should proceed early next week. I think there is a possibility of arriving at a resolution which will, I hope, satisfy all parties reasonably, having regard to the fact that eventually we must change the existing legislation as interpreted by the courts. Otherwise what we are now doing in a number of situations is illegal and cannot be sustained for a long period of time.

Mr. Speaker, I think I've covered the general situation. I might perhaps relate to the Assembly one other fact which has a bearing on the situation. I have alluded to the fact that the challenge to the existing legislation arose in Edmonton. In discussing the matter with the city of Edmonton and the firefighters, we have made a special commitment in the Department of Labour to make available to both those parties two of our senior labor management advisory staff. With their help, a better understanding of some of their mutual concerns may be achieved for the purpose of getting a good view of the legislation before us, but more importantly to resolve some other difficulties which have developed over time and which I think are tremendously important to have resolved.

Mr. Speaker, with those comments I think I have given the background to the need for the Bill. I would therefore move second reading.

MR. R. CLARK: Mr. Speaker, a few comments with regard to second reading of this Bill. Mr. Minister, several times in the course of the minister's comments, the minister used the or phrase, the challenge before us. Mr. Speaker, to the minister, it seems to me the challenge before us was twofold. One, I concede, was to deal with the court decision that was made. I don't think there's any argument that some steps had to be taken. Mr. Minister, the second challenge before you, sir, was a challenge for you to sit down with the firefighters, or your officials . . .

MR. SPEAKER: Would the hon. leader please revert to the ordinary parliamentary form.

MR. R. CLARK: Yes.

The challenge, Mr. Speaker, was for the minister to sit down with the firefighters prior to the legislation being introduced here in the Assembly. The minister and his officials are now in a mop-up exercise, trying to recoup a situation that should not have developed and, I genuinely hope, would not have developed had that step been taken. The minister and officials of the department should have known very clearly that this was a highly sensitive issue with the firefighters. If my recollection is accurate, about 1969 some changes to the Act were proposed. The legislation was withdrawn at that time, and the Deputy Minister of Labour became very actively involved in dealing with the whole matter.

Mr. Minister, the reason I think we have to recognize this as a very sensitive area is that the firefighters and the police are under the essential services legislation. Any legislative attempt to change the situation — even though it may be viewed as being very small, very necessary, and perhaps not very important from some people's point of view, perhaps in the department or elsewhere — is extremely important to the groups here, recognizing that they work under essential services legislation.

Mr. Minister, I welcome the comment that once this Bill gets second reading the minister is prepared to sit down with the firefighters and the city of Edmonton. I say, as directly as I can, that that should have been done prior to this legislation being introduced. Mr. Speaker, it's the minister who has to assume that responsibility. I must say I'm disappointed, though, that officials in the Department of Labour did not apprise the minister of that, so that that kind of discussion could have taken place before, rather than the minister having to attempt to play catch-up to deal with a situation that should not have developed.

If my recollection is correct, this is the second time in about three years that the firefighters in Edmonton have found themselves in a situation with legislation coming into the Assembly and they had not been consulted previously. I just can't think of any justification for that kind of action, clearly, recognizing that in the past this has been an area where the matter of consultation has been very, very keenly guarded by both groups involved.

Mr. Speaker, to the minister. I'm prepared to see us proceed with second reading of the legislation. But I would not be prepared to support the legislation in committee, Mr. Minister, unless we can be satisfied, sir, that you and your officials have been able to work out an arrangement which is, shall I say, more or less satisfactory to the two groups involved. Subject to further checking, my understanding is that had that approach been taken initially, that could have been done. I just hope it can be done now, in light of the way the thing has been, in my judgment, poorly handled by the department.

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

HON. MEMBERS: Agreed.

MR. YOUNG: Thank you, Mr. Speaker. In light of the comments, I think I should respond to a number of points. First of all, there can be no underscoring the significance of this amendment in terms of importance, and the hon. Leader of the Opposition has recognized the need to respond in the situation of the court decision. It's also pretty important to recognize that I was well aware of the sensitivity of the issue in Edmonton. Mr. Speaker, I'm equally aware of my responsibilities to the balance of the province of Alberta, not just Edmonton.

Let me say that the contacts in the area of the police officials suggested that there was no problem with this legislation. Some contacts with certain groups within the firefighters were, perhaps, more reassuring than subsequent events have shown they should have been. The concern I have, and the concern that is quite evident, is that because there is a difference of view in one department in the province, that should not color and control the legislation and the operations of all departments in the province, where relationships have been of a better quality.

Mr. Speaker, the situation I have alluded to is a difficult one indeed, and it will take time. But through the process of consultation, I hope we are able to clearly divorce this particular problem from a more general one that exists in one unit of firefighters in the province of Alberta. I think it's important we should clearly understand that it is possible for a general issue of this nature to become intertwined with another concern, and to have the two confused to a very great degree. I believe that to be the case, and I look forward to solving, hopefully, both the challenges I see — one of which I'm not sure is really my responsibility. But in the sense that it's a responsibility, we try to work to the best of relationships anywhere we can in the province. That's the undertaking I have made and which has begun.

Thank you, Mr. Speaker.

[Motion carried; Bill 44 read a second time]

Bill 51

The Health Insurance Premiums Amendment Act, 1979

MR. KUSHNER: Mr. Speaker, I move second reading of Bill 51, The Health Insurance Premiums Amendment Act, 1979. As I explained on introduction, the Bill is straightforward. In addition to the number of administrative changes I mentioned upon introduction of Bill 51, I would like to bring one significant principle to the attention of members.

By referring to page 2, Section 5, members will note that 4.1(3) extends the exemption from liability for the payment of premiums under 4.1(1) from the end of the month in which the death occurs to the end of the second month following the month in which the death of the registrant or spouse who is 65 years of age or over occurs. Mr. Speaker, as I'm sure all members will agree, this change in itself is very significant, in that it does assist in softening the trauma suffered by surviving members of the family of the deceased.

[Motion carried; Bill 51 read a second time]

Bill 54

The Provincial Parks Amendment Act, 1979

MR. TRYNCHY: Mr. Speaker, I move second reading of Bill 54, The Provincial Parks Amendment Act, 1979.

Mr. Speaker, I'm always a firm believer that any Bill introduced in the House should have a purpose. I'm of the firm belief that this Bill has a purpose. Early in my role as minister I suggested we should look at the concept of recreation areas in the province. Shortly thereafter we had some articles on mini-parks, a solution, and a number of things. Since then, Mr. Speaker, in my many travels throughout the province touring the provincial parks, of which I have — as I mentioned some time before, when I was involved in this department I related it to buying a 1,000 acre ranch. Until you really know what you have, you have to survey the whole area. At the present, Mr. Speaker, I'm about 850 acres completed.

In my travels throughout the province, I feel now more than ever that the concept of recreation areas is a good thing and that we should move in that respect. I suggest that because I find there has been an increasing demand by Albertans for outdoor recreation and opportunities that with this concept will be recognized and met. Also, in some recreation areas that have been overused and lack proper planning we think we can develop and maintain them better with additional provincial support. Lands not suited for large provincial parks could become recreation areas. In some cases, we could move with recreation areas on lands that could eventually become provincial parks.

I think we'll have to use a number of methods to identify the sites. One I would like to see members support is that we consult with local municipalities, communities, service clubs, or any group representing the general public. Sites could also be identified through the community recreation master plan. Mr. Speaker, I might mention that since this was first proposed in my speech in May, I've had some 67 requests for such areas. Just for the record, they range right across the province. Some notice should be given that the Brazeau dam should be a recreation area. In that area, you might note that the Member for Drayton Valley doesn't have a provincial park in her constituency. I think a concept such as this is worth while.

You can go through the list. I'll only mention a few. There's even room for some in the city of Calgary. I see I have a request here for the WID canal from the hon. Member for Calgary Forest Lawn. They go on and on, Mr. Speaker: Big Lake, which I'm sure you are familiar with, the Snye at Fort McMurray, Medicine Lake, Open Creek at Ponoka, Ridge reservoir, west of Travers dam, Goose Lake, Buck Lake, Cardiff park, Fox Lake, and on and on.

Mr. Speaker, in selecting the criteria we should use I think the greatest thing is need. It's just a suggestion; I put this forward for members and hope we get some response. If the need is there, we should move in that direction. We should look at sites that are significant in recreation and open space. The recreation area concept will not be a large capital expenditure on building but will be minor in capital and more based on land. My concept of the operating costs of such a recreation area would be to negotiate with the local service club, community, town, village, on a fifty-fifty cost-sharing basis. We would provide the capital to develop these areas, then work out agreements with the

community or service club for the operating. Of course we'll have to take roads, site development, and a number of other things into consideration.

My view is that a recreation area could be a site where you could accommodate a small number of vehicles, a site that would probably take 80 to 100 people at one time. We'd have a parking area, toilet facilities, a boat launch where needed, a water-well pump, some picnic tables, stoves, garbage containers, and some landscaping. Mr. Speaker, I propose this would allow a number of service clubs and communities. It would be my firm belief that at the present we should develop these recreation areas on community land or Crown land. A good example is Lac Sante close to Two Hills, where the community has taken over a large parcel of land and done a tremendous amount of work. It's a lovely spot. But they're a little hard-pressed for funds, the same as everybody else. If we could develop this in conjunction with them, I think we could accomplish a lot more for the dollar than we would in any other way.

Mr. Speaker, I think I've outlined quite extensively what this Bill is about and urge all members to support it.

Thank you.

MR. BATIUK: Mr. Speaker, I must stand to support this Bill. A few years ago when Mr. Yurko was Minister of Environment, he brought in plans for the two city parks, Capital City and Fish Creek. At that time I gave my whole-hearted support, because I saw that half the people of the province live in Edmonton and Calgary. Many of these people were unable to drive, so at least they would have places to spend some of their time away from their high-rises and so forth. At the same time, I expected that many of these provincial parks and others would not get over packed, like they are every weekend, and that we in the rural areas would at least have a chance to visit them occasionally. But that was not so. Still, all these provincial parks get filled up Thursday afternoon. When we in our smaller communities want to go out on a Saturday or even Sunday, they're all filled up.

As the hon. minister mentioned, Lac Sante and other fine recreation areas could be perfect for provincial parks. But the provincial park is not necessary. As the minister mentioned, with a little financial support these areas could be just as useful as provincial parks. In particular with Lac Sante, the town of Two Hills and the Lions Club have undertaken about 1,000 acres. They have done a lot of work, all voluntary. But when 500 or 600 people from the city come in on a Friday afternoon, it is virtually impossible for a small community to fund all these costs.

I'm glad the hon. minister was there just a few weeks ago. I hope there will be some action on financial assistance. I must say that I must support this Bill.

MR. APPLEBY: Mr. Speaker, in rising to support this Bill of the hon. minister, I must commend him for bringing it forward. However, I would like to mention at the outset that some of us in this area of the Assembly in particular have some difficulty in making any meaningful contribution to the debate because we had not previously received copies of the Bill. I think it would be useful to check to see that these are available, so we would have a Bill before the discussion took place.

The minister mentioned this morning that they

would anticipate perhaps the maintenance of this particular type of recreation area being shared with local jurisdictions or local governments. I have to wonder if this is going to be a fair distribution. The hon. Member for Vegreville mentioned the project the Lions Club has at Two Hills and the number of people who come from outside the area to make use of that facility. This type of thing is going on, not only in recreation areas but also in the roadside campsites the Department of Transportation is supporting and erecting in various places in the province. I know that as you drive home on a Friday night, the campsites between here and Athabasca, for instance — if you wanted to drive in and make use of the facilities, you'd find them packed from corner to corner with people camping there for the weekend.

The only suggestion I would make is that serious consideration has to be given to who is going to be responsible for the maintenance of these recreation areas after they are developed.

Thank you, Mr. Speaker.

MR. BORSTAD: I would like to rise to support the minister on this Bill and am pleased to hear of the cost-sharing idea in the ongoing costs. In the past we built recreation centres throughout the province and assisted them to get into the business of recreation and to construct the building, and later found out they were having trouble with maintenance costs. I'm very pleased to see ongoing assistance for maintenance costs of those proposed parks. I have to agree with the Member for Athabasca; I think it's very important that we have somebody responsible to look after maintenance after they're completed.

MRS. CHICHAK: Mr. Speaker, I wish to make a few brief remarks with respect to Bill 54, The Provincial Parks Amendment Act, 1979.

In this Legislature a few years ago we moved on a program providing provincial parks within the two major urban centres, Edmonton and Calgary. The program, which commenced in 1973 through a resolution of this Legislature introduced in either 1972 or the spring of 1973, approved development of provincial parks within these highly concentrated urban centres of the province. I think there was great excitement at that time because statistics indicated that all major provincial parks were in outlying areas, far away from the concentration of people. This brought about its own problems, particularly in the use of highways and transportation. Citizens wanting to enjoy the benefits of recreation and simply have a place to go for some relaxation had to travel many miles from the two major centres. This posed a problem of increased carnage on the highways and many other problems. A percentage of the population was deprived of the benefit of enjoying parks because of a lack of, or the cost of, transportation.

I'm pleased the hon. minister has brought forward in this legislation not only the matter of developing provincial parks in urban centres, such as Fish Creek and Capital City parks and provincial parks around the province, but recreation areas. I think this is very important and will help a lot of people in small communities to have a recreation place of a different nature from schoolgrounds and playgrounds.

The point being raised with regard to maintenance of these recreation parks is a valid one. Of course, I feel

quite confident that the hon. minister will have a very close examination of that problem, and that in dialogue with municipalities in the smaller centres where recreation areas or parks are being expanded or new areas are being established, there will be some satisfactory resolution. I hope the cost is not going to be turned around and requested to be borne solely by the public purse. I think communities and constituencies where these facilities are provided have to bear some degree of maintenance responsibility. It's not simply keeping the parks clean but keeping the parks safe, the responsibility of protecting whatever amenities are put into the park, minimizing vandalism and other problems that arise as a result of any development where the public will move freely and participate.

I wish to support second reading of this legislation in principle and in the whole concept, hoping the minister will move reasonably quickly and will have the funds provided he will need for those areas where there is a monetary contribution; that in due course there will be approval in the budget as well. I hope we will impress on the citizens that there is joint responsibility with respect to the maintenance, in the broad sense of the word, of these recreation centres.

Thank you, Mr. Speaker.

MR. ZAOZIRNY: Mr. Speaker, I noted with great interest the comments of some rural members regarding the use of existing park facilities by people journeying from our major cities. I'm very pleased with the minister's comments with respect to the proposal for a mini-park, if I can use that term again, in the Forest Lawn area of the city of Calgary. I think this should in some respects provide alleviation of the strain put on some of these facilities located elsewhere in the province, outside the metropolitan areas. I might say it has the additional advantage of providing some relief from the very substantial degree of housing growth experienced in the city of Calgary. I suppose the WID canal area is the one natural area remaining on the east side of the city. We're in the happy position where the provincial government, through both this minister's portfolio and that of the Minister of Environment, has some responsibility for the maintenance and utilization of that area.

I would like to add my voice to the many already raised in support of the Bill. I'm pleased to see that the final implications of the Bill could be greater park and recreation space for all citizens in this province, in both the rural and urban areas.

MR. R. CLARK: Mr. Speaker, I'm so very pleased to hear members commenting on this piece of legislation. This morning I had the impression that the extent of the dialogue was between the various ministers and me.

I want to say three things to the hon. minister with regard to the Bill. Number one, I think the Bill is a step in the right direction. Number two, I thought the Member for Athabasca made an extremely valid point on the question of the facilities we have adjacent to main highways. Whether it's the responsibility of Transportation, the minister's department, or whoever, with the kind of traffic we're getting on the Trans-Canada, the Yellowhead, and Highway 2, there's a need for some pretty major initiatives in facilities on those and other main arterial highways in the province. Your being the minister responsible for recrea-

tion, I would see that your department would take the responsibility of belling the cat and seeing that that's done. I think the ultimate recreation responsibility, rests with the minister's department.

I make the third point with my MLA for Olds-Didsbury hat on. While the hon. minister is looking at sites, I could add one more to the list and will formally in a letter to the minister. Now that Highway 22 is being built north from Cochrane to Sundre, Rocky and north, there is a dam used for water injection by Canadian Superior Oil adjacent to Highway 922 where it's presently being built. For a number of years there has been some difficulty in getting an arrangement worked out between the petroleum company and local people about who ultimately has the responsibility for legal problems if someone were to meet with a mishap in that location. The end result has been that despite the fact that the dam has been there for a number of years, no one really has got any recreational benefit from it. In fact, it's fenced off and virtually prohibited.

Perhaps something could be worked out there with the good auspices of this legislation and this initiative, Mr. Minister, and with a small amount of support — or perhaps arm-bending even before — financially from the department, along with what I see to be the co-operation of the [not recorded] involved and the local government. It's adjacent to Highway 922. I'll take the opportunity to give the minister far more detail on it in future, but I wouldn't want him to feel that the list will stop there.

MRS. CRIPPS: Mr. Speaker, I'm pleased to support the Bill. But having been on a recreation board for many years, I realize the dilemma many recreation boards would be in, having to use local funds to maintain a recreational area which for the most part is used by campers from other jurisdictions. I have grave reservations about that part of the maintenance.

I think the responsibility for maintenance should also lie with the users. Education of campers may be the key. I think this is an area we really need to do a lot of work in.

Thank you.

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

HON. MEMBERS: Agreed.

MR. TRYNCHY: First of all, Mr. Speaker, I'd like to thank all the members for contributing to this. As a number have mentioned, I don't think the sites should stop at just those I mentioned. I appreciate and welcome any other requests. Of course, I also would appreciate and welcome your support when it comes to the budget, to make sure I indeed have the necessary funds to do the kinds of things we talk about.

In response to the Member for Drayton Valley, I did not wish to see recreation boards become involved in this. In that regard, I thought more of community clubs, villages, and town councils. I do not want to put a burden on any local club or town. But, as mentioned by the Member for Edmonton Norwood, I think people surely will accept and appreciate the responsibility of fifty-fifty sharing. I think that's a route we should start and see what happens. I can appreciate that they charge at Two Hills. I don't think anybody would question a \$2 charge at the gate to use a recreation

area.

Of course, the other matter of education of the camper is very important. I think they should be well aware that clean-up after they leave is their responsibility.

Mr. Speaker, I feel strongly that the local community should have the responsibility. As the owners and operation managers of that recreation area, they appreciate that. I don't think any community would reject that. I think they would appreciate that they're getting an opportunity to control part of their own destiny. As I've said before, I feel quite strongly that we're going to start out on a fifty-fifty basis, and if that doesn't work we'll have to look at something else. But it would be a tremendous cost if our people were to try to administer and control these recreation areas when it's best done by a local person, be it a farmer who can trim the grass, or an older couple who want to It's not that expensive. I've figured out that our operational costs might amount to, say, \$10,000 a year, with \$5,000 from each club.

The other two things I'd like to touch on are highway campsites and forestry campsites. As I've toured the province, the comment I've received on provincial parks is that they're very satisfactory, beautiful spots. But we have some concerns in regard to the highway campsites. Of course, they're controlled by Transportation. I would like to suggest that at some time in the future — I hope the near future — I could enter into discussion with the minister to see if we could work out some type of program where we might consider all highway campsites and forestry campsites in the province coming under one department. That's something we'll have to look at, but I wouldn't want to have the members think we can do this very quickly.

In closing, Mr. Speaker, I appreciate the comments of all the members and, of course, I welcome their support again when we move into the budget of this concept.

[Motion carried; Bill 54 read a second time]

Bill 52

The Chattel Security Statutes Amendment Act, 1979

MR. CRAWFORD: Mr. Speaker, I take pleasure in moving second reading of Bill No. 52, The Chattel Security Statutes Amendment Act, 1979. Hon. members will have noted that the Bill deals with three pieces of legislation, all of which are existing statutes of the province of Alberta dealing with the rights of parties and the registration systems in connection with personal property.

Mr. Speaker, perhaps because of the terrific expansion of credit in recent years, the enormous expansion in agreements for time payments of consumer goods, and the buoyant economy and fast-growing population in the province of Alberta, this is an area in which the government has noted that people want to register many documents having to do with movable personal property in respect of which they are having a transaction. Because of that, the government has under consideration further modernization of legislation with regard to registering chattel securities. This will be brought before the House for its consideration in due course, perhaps not as early as this fall but within a relatively short time frame. Without discussing legis-

lation which isn't here yet, Mr. Speaker, I would only say that it would deal with similar matters and bring a greater degree of co-ordination and efficiency to the system responsible for registration of these documents. Registration, of course, is very important because of the fact that it in part determines the rights of the parties, and almost fully determines the rights of the parties in regard to third parties.

Mr. Speaker, some interim steps are being taken in this Bill to improve the existing systems and to introduce one or two new concepts which we believe are timely. I suggest that the interim steps are important. The principal item being introduced is the idea of a personal property notice that might be registered at the Land Titles Office. That would relate to an interest in a piece of movable property which becomes affixed to real estate. Obviously, there would be no registration in the Land Titles Office of anything that was not affixed to real estate.

The present status of the law is that a document evidencing an interest or claim against a movable item can be registered at the chattel registry. If it is subsequently affixed to real estate, the chattel remains personal property and does not become part of the real estate for the purpose of the rights of the creditor. In other words, you have the situation where a creditor may be able to repossess something which has been affixed to real estate.

That may serve the ends of justice in a case where the original parties are involved and the seizure of something which has already been affixed may be entirely proper between a creditor and debtor, but there are other circumstances where an innocent third party intervenes and buys the real estate. A person buying real estate is inclined to believe that the things attached to it are part of the real estate and that he is acquiring title to that also. There have been some cases in recent years, because of the growth of communities where relocatable homes are used, where what some people would term a trailer — or perhaps it's better called a relocatable home — no longer on wheels is brought onto a piece of property, placed on some form of foundation, yet is subject to a significant amount owing to one of the finance companies or banks with regard to an unpaid balance.

It's in such cases where an actual, apparent house is located on a piece of property that an innocent purchaser could come by, make an offer to buy the property, move in and occupy it, and find out to his dismay some time later that that portion of the purchase he thought he made was subject to a conditional sale agreement or a chattel mortgage owing in respect to the movable part, and that he somehow has to find a way of paying that too. His only recourse is to claim it against the person who sold the property to him in the first place. There are many cases, of course, that show that the type of individual who would sell you a piece of property under those circumstances is not likely to be the type who would willingly meet any obligation he had with respect to the movable property, and probably cannot be found.

So it's in order to try to protect people from situations like that that the proposals are in the Bill with regard to the registration of the personal property notice at the Land Titles Office. It places a slightly larger onus, or responsibility, on the creditors in these cases — the finance companies, banks, or other financial institutions — but I think the principle of the

legislation trades off their inconvenience for the greater security and protection of consumers.

There are a couple of other items in the Bill, Mr. Speaker. The idea of a financial information statement is introduced. The Bill describes the type of information that the regulations may require be declared in a financial information statement. It's a provision meant to help the legislation accord with more modern business practices, and has to do with the fact that the financial information statement may well be a more relevant document to someone searching the register, perhaps, than having an actual copy of the security document itself. Under present practices the security document is also registered. But this could lead to a situation where more abbreviated and concise information on financial standings in relation to the transaction are in fact filed, and may in time lead to its being unnecessary to file total documents when filing notices with respect to them would suffice. A convenience for people who deal regularly with the registry system is, I think, very important and useful. It does not affect people in a broad sense at all.

One of the other proposals in the Bill is a deposit account system, so that law firms and institutions in the financing business who are dealing on a daily basis with the registry can pay their accounts there in the same way they do at the Land Titles Office, by way of a deposit account rather than separate cash transactions for each individual registration or search. It's a system that works extremely well in the Land Titles Office and probably should have been introduced into this registry system a long time ago.

Mr. Speaker, those are the important principles. When I introduced this Bill a few days ago, I indicated that some changes were also being made with regard to the capacity of the Lieutenant Governor in Council to pass regulations. The importance of that is that some of the technical requirements with regard to such matters as indexing and recording of information can now be dealt with by regulation, rather than having it in the statute. That is useful, because it enables the system to adapt more rapidly to changes in business practices.

[Motion carried; Bill 52 read a second time]

Bill 58

The Oil Sands Technology and Research Authority Amendment Act, 1979

MR. WEISS: Mr. Speaker, I move second reading of Bill No. 58, The Oil Sands Technology and Research Authority Amendment Act, 1979.

As pointed out previously, Mr. Speaker, the main principle of the Bill is to broaden the scope and parameters of the Alberta Oil Sands Technology and Research Authority, and allow them, through the use of enhanced recovery methods, to increase recovery of conventional crude oil. It will permit the addition of two members to the board of the Alberta Oil Sands Technology and Research Authority.

Mr. Speaker, I would like to take a few minutes to outline to the Assembly the key changes in the Act and the possible effects of the proposed changes. Changing the Act will provide for launching an enhanced oil recovery program. But prior to any implementation of such programs, the Act will facilitate and permit the necessary research on enhanced programs.

Mr. Speaker, it has been estimated by Energy and Natural Resources that 21 billion barrels of conventional crude oil will remain unrecovered in Alberta unless improved or new enhanced recovery techniques are applied. A conservative estimate of additional recovery which could be obtained by successful implementation of enhanced recovery methods is 2 billion barrels. This is valued at some \$40 billion. However, extensive field testing through new technology will have to be undertaken before it could be widely adopted throughout the industry. This, of course, is one of the key purposes of the change requested in the Act, which will benefit all Albertans and all Canadians.

Mr. Speaker, extensive research and technology methods, such as I have mentioned, are needed to provide the energy resources to maintain Alberta's strong input to the worldwide scene. Alberta has limited skilled manpower to staff the current pilot projects. The Alberta Oil Sands Technology and Research Authority is endeavoring to undertake major initiatives in the training of young Albertans and Canadians in areas of prime importance to the Act.

Mr. Speaker, I urge all members of the Assembly to support Bill No. 58, The Oil Sands Technology and Research Authority Amendment Act, 1979.

MR. McCRAE: Mr. Speaker, Bill No. 58 is an extremely important piece of legislation, and I would like to speak in favor of it. First, I'd like to congratulate the hon. Member for Lac La Biche-McMurray for sponsoring the Bill. I think it's tremendously appropriate that he should, being from what I would categorize as the oil sands capital of Alberta certainly, and probably of the world.

AOSTRA, the Alberta Oil Sands Technology and Research Authority, created by this government some three to four years back, has been a tremendous stimulation to our Alberta/Canadian efforts to improve the technology for recovering the oil so vitally needed, not only in Alberta and Canada but as a contribution to world oil supply.

I guess the single thing most preoccupying politicians, and probably people everywhere these days, is energy and whether or not there will be a supply 10, 15, 20 years down the line. That is why it is so important, Mr. Speaker, that we make every effort here in Alberta, where we do have the resources, to assure a suitable recovery of the resource that is there. To date, AOSTRA has been working with industry on a fifty-fifty basis on experimental projects in the heavy oil or the oil sands area. This will have its pay-off, its return benefit to us, five, 10, or 15 years down the line when the experimentation proves successful, if it does. I have every reason to believe that it will.

We hear about the oil shales in the United States. A few weeks back we heard about President Carter's plan to tax industry \$80 billion, I think it was, and to flow that money back into shale recovery schemes. It's probably experimental down there too. There's no doubt that in the Alberta oil sands we are several steps ahead of them. With the efforts of AOSTRA and the private sector, we should be able to bring that heavy oil sands recovery ahead very quickly, and certainly I would think ahead of the oil shales in the U.S.

The move into secondary recovery, the enhanced recovery area, is an important one. There's no doubt that industry already does an enormous amount of laboratory and field research in the secondary recovery area. I

think there's some misconception, Mr. Speaker, that industry simply goes out and discovers a field, readily and easily takes what it can, and leaves the rest there. That certainly isn't the case at all. In my 15 years in the oil patch I spent a good deal of time working with engineers and management people in putting together tertiary recovery schemes. You did that after years of experimental work in the laboratory and on pilot projects in the field. Those projects were brought on as they were economical.

What we're facing right now is the more difficult area of secondary recovery. The work that has been done to date has not proven successful, so the fields are not producing what we hope they will eventually be capable of. So it is tremendously important to further stimulate industry and encourage them to do further expensive research work which, hopefully, will increase the ultimate reserves of our already discovered, conventional oil fields.

While I'm speaking, Mr. Speaker, I would like to pay my respects to Fred Kidd, the former Member for Banff-Cochrane, for the tremendous work he has put into AOSTRA. We hear a lot of criticism of the extra pay some members receive for their participation on boards, authorities, whatever. In Fred Kidd's example, he worked several days a month. I used to meet him on the airbus, the Monday/Friday sort of thing. In addition to his constituency and other responsibilities, he would be up here several days a week working with the authority. I think his pay for that was something like \$100 a month. Checking the MLA return pay form the other day, I saw that he got something like \$1,300 for all his efforts last year, a minuscule amount in terms of the contribution he made, probably something like \$10 or \$20 a day at most. So I'd like to recognize his contribution.

The other comment I would like to make has to do with contrasting the flexibility and imagination of this type of working-with-industry approach our government has developed with the motion we had on the floor yesterday where we were implored and maligned, to some degree, for not having established a fixed set of regulations by which the oil sands might develop. Frankly, with the ebb and flow of oil politics internationally, the changing prices, the changing scenario, I don't think it's feasible to have any fixed set of rules. The response we see here in coming up with flexible, day to day, year by year, meet the situation as the need arises, is the proper way to go. So again I congratulate the hon. Member for Lac La Biche-McMurray for sponsoring the Bill.

One other comment, Mr. Speaker. I didn't get on my feet to support the Bill of the Minister of Recreation and Parks. I think it is a tremendous one. The connection between the two is that as we pursue our efforts to secure energy self-sufficiency for Canada, there will be an increasing demand on our social services in Alberta, an increasing demand for parks. That is why it is important that we support the parks minister's Bill for recreation areas.

I should also say, Mr. Speaker, that there was some concern — and I'm sure it was good-natured concern — and a willing agreement that urban members should get out with their flex-time approach and enjoy the rural parks, often to the disadvantage of rural members. We welcome all rural members and their constituents to beautiful Fish Creek Park, Kananaskis Park, in and close to Calgary, which our generous

provincial government has provided to us. Mr. Speaker, I intend to support both Bills.

DR. BUCK: The generous taxpayers, Stewart, not the generous government.

MRS. CHICHAK: Mr. Speaker, I would like to make a few remarks on this Bill from a different point of view, not so much from the technical aspect. We refer to the Alberta Oil Sands Technology and Research Authority and the money being put in by the government. I'm not sure, but perhaps the citizens of Alberta are not translating that contribution as meaning that they are contributing to the support and development of research to provide energy needs. The funding Albertans are providing the authority to carry out jointly with industry the kind of research necessary to help meet the needs of all Canadians — I think those needs are not only starting to be met in Canada, but we do have contracts with the United States. And who knows what the future will bring insofar as the demand internationally on our depleting Canadian natural resources.

We're not suggesting that that should take place at this time, but I think it is important to point out that Albertans recognize this is their fund. As politicians we have been facing a great barrage of criticism about the huge amounts of money we have in our Heritage Savings Trust Fund, and that we should use this money for all kinds of whims and requests we receive daily, without recognizing the whole purpose of the trust fund, of the revenues that are being received, or how they should be best utilized in the interests of Albertans; and as Canadians, what we are doing in helping Canada from the point of view of research, in providing and gaining more of the energy needs [from] what is a depleting resource. I want to draw the attention of the citizens of Alberta to the point that this is not something the government is doing, far out and removed, with money that belongs to somebody else. As caretakers, as trustees for Albertans, we are doing this on their behalf, and they should feel proud of the contribution they are making to the Canadian scene out of what is in fact an ownership by the citizens of Alberta of a depleting resource. We are not simply being — let's use a very clear and simple word — stingy about the money we have. We are contributing, paying in many ways, in taking less in the value of the resource we have, but also in providing the research we can give to the rest of Canada.

Mr. Speaker, I just want to say that Albertans do need to feel proud.

[Motion carried; Bill 58 read a second time]

head: GOVERNMENT MOTIONS

15. Moved by Mr. Lougheed:

Be it resolved that this Assembly approve in general the operations of the government since the adjournment of the spring sitting.

[Adjourned debate October 15: Mr. Hyland]

MRS. FYFE: Mr. Speaker, since the spring session, I'm sure it has been a very busy time for all members of this Assembly. Before I go on to discuss some of the activi-

ties I've been involved in, I would like to acknowledge the contribution Dr. Horner made in his years in this Assembly. I would certainly add my congratulations on his new posting, and wish him the very best in resolving the transportation problems the grain industry faces in western Canada.

Secondly, I would like to add my fond farewell to our past Lieutenant-Governor, and welcome our new Lieutenant-Governor, who was sworn in at Government House yesterday in a very moving, remarkable ceremony that the parliamentary tradition affords. I am sure that the gentleman honored, Mr. Lynch-Staunton, will be a representative of the Governor General whom we will be very proud of in Alberta.

Within the St. Albert constituency, the last three months have held a number of events that were of particular mark, one being the Summer Games the Premier made reference to. The Summer Games, which incorporated so many participants and volunteers, were an enormous success. Perhaps the only thing that could have been a bit better was the weather but, as we sometimes find in Alberta, we cannot control everything. Other successful events within the constituency were the yearly rodeos, Frontier Days in Morinville, the *Fete au Village* in Legal, and the Kinsmen rodeo in St. Albert. In addition, the agricultural segment of the constituency had a very successful growing season. The farmers' markets, which are a legacy of Dr. Horner, were certainly a beehive of activity, selling products of remarkable size and quality.

[Mr. Appleby in the Chair]

No doubt the activities in the riding have taken second place to one key issue that has been of great concern, and that is annexation.

MR. COOK: Hear, hear.

MRS. FYFE: A number of important annexations were approved within the St. Albert constituency which will certainly go a long way to supplying residential and industrial land. Nevertheless, when we speak of annexation it is the massive proposal of the city to the south of my constituency that has been overwhelmingly in the minds of the St. Albert constituents. I certainly acknowledge the support from the hon. Member for Edmonton Glengarry behind me.

During the break I was privileged to participate in a number of fact-finding trips relating to regional government. Some members of the Edmonton area caucus visited Ontario, Quebec, and British Columbia to better understand the problems that existed in these provinces before regional government was implemented and the effects of the application of regional government.

I must compliment these provinces for their superb co-operation. The various departments of municipal affairs organized appropriate meetings that gave us as broad an understanding as possible within the time constraints we faced.

I would first like to emphasize that we, as caucus representatives, were not pre-empting the Local Authorities Board process, but in fact were trying to increase our level of understanding of areas with a greater population density than this Edmonton region. Keeping in mind the population and the problems that we face within this region, we were looking

hopefully at some of the problems that other areas faced, compared to what we will be growing into. In this region, where we are over half a million but will probably be looking at doubling that population within a period of time, we as a government would like to ensure that the problems we face head-on are not curative, but that the solutions are of a preventive nature. Therefore, we could ensure that we understand the problems in other areas and that the solutions applied are appropriate.

We received a vast array of advice, anywhere from dividing Edmonton into four cities and having small manageable cities, to dissolving local governments and making them a provincial responsibility. That's a pretty wide range. But all the advice wasn't as far-reaching as those extreme alternatives.

Now, the comments I would like to make on information that we found reflect only my own opinions and not those of the committee as a group. I'd like to emphasize that point, that from my own perspective, representing a constituency directly affected by the Edmonton annexation proposal, I was very appreciative of the opportunity to probe the most complex question of adequate provision of regional services while satisfying the all-important need to preserve community identity.

In my assessment, the regional governments in the three provinces came about primarily because of extreme pressure on property taxes by a number of social and planning services. In most cases there was not a regional planning commission or authority in place before regional government was imposed. There was extreme pressure on the property tax for an infinite variety of social services the municipalities were responsible for. Policing was another problem expressed vocally, particularly in the eastern provinces we visited, where there was proliferation of police departments and concern for overlap, with the core city often having to provide additional services for surrounding communities. Another area of extreme concern, particularly in British Columbia, was provision of hospital services where the municipalities were heavily taxed for health services. So, in general terms, regional government came about in these populated areas due more to a lack of fiscal support from the provincial level and, secondly, to a problem of co-ordination.

With the heavy financial commitment by the Alberta provincial government in the health, social, and policing services, my list of regional concerns that relate to this area are primarily identified as: first, regional planning — we do have a regional planning commission in place, but I think there may be some need to revise or review the terms of reference and the role the planning commission plays, so that a more orderly or more controlled approach may be implemented — second, regional transportation, including roadway development and people transport; third, a very critical factor, the provision of regional water; and fourth, sewer services.

While these four areas are all important, I would say the most immediate area of concern is the provision of water. A regional water supply is certainly critical to the majority of my constituents. The current city of Edmonton policy refuses to extend or enter into new water agreements until their annexation application has been dealt with. This policy has very serious implications for provision of housing in a province that already has the highest housing prices in Canada.

I would like to leave the annexation question and say, as a summary, that I felt the trips I participated in were immensely useful for trying to compare problems we face. Once again, my intention is not to pre-empt the Local Authorities Board process, because I strongly support a public forum where all the affected parties can openly present their technical information and debate the concerns they have for regional government, whether it be a unitary or a regional form. I personally feel a number of services have been identified and need to be provided.

In addition to the annexation question, which has taken a great deal of time and energy, I've been involved in other committee work during the break, one of them being the workers' compensation legislative review committee. We have conducted hearings in the most of the larger urban centres in Alberta: Edmonton, Calgary, Lethbridge, Red Deer, and Grande Prairie. There were a great number of very well thought out and well presented briefs. Personally, I think an added benefit was not only being able to listen to these briefs and become involved in a legislative review committee but also finding out and understanding how difficult it is for a provincial government to apply programs equally and fairly across this province. We have the difficulties of communication and added costs by duplication. Is it feasible to establish government centres in each of our cities to apply services for that region, without added costs that will become horrendous, particularly in the future?

One way of course, that we have tried to deal with the communication problem that the geography of this province makes us face is the RITE system, which is also about to be improved again after the beginning of the year. I'm sure this will be most welcome to communities outside the Edmonton area, which is served directly by many government services.

I've also participated in the Alberta Heritage Savings Trust Fund committee, which is very ably chaired by my colleague from Calgary Fish Creek. Because of the vastness of the funds and the unique philosophy of this fund, I think it is a particularly exciting committee to participate in. The committee has examined its role and is presently working on a number of recommendations that will be coming forward. It is a process that I, personally, have enjoyed.

I would like to report on one other committee, Mr. Speaker, as there has been a change in status, the economics of health care committee, which I chaired. Two committees that were of an advisory nature to the Minister of Hospitals and Medical Care were established under legislation, the policy advisory committee

and a subcommittee, the economics of health care subcommittee. We had our organizational meeting and, after considerable debate and discussion, recommended to the minister that the committee be amalgamated with the policy advisory committee. This decision was based on the concern that policy and economics cannot be separated and that economics would be better dealt with by a subcommittee or in an *ad hoc*, subject matter way, than to have a separate committee. I hope members of the Assembly will recognize that not all government programs are perpetuated and go on forever. We have tried to streamline and improve the system.

As I said before, the past three months have been extremely busy and filled with many new learning situations for me. I looked forward to the second legislative session, which I think I feel a little more comfortable in, in understanding which procedures are appropriate and which legislation will be coming up on which day. I think the first session is definitely a learning-as-you-go situation.

I conclude my remarks saying that I have appreciated the committees I have been able to serve on and the learning experiences they have offered me. I hope this will be of assistance to all the residents of my constituency.

DR. BUCK: Mr. Speaker, I would like to make a few remarks. But in light of the fact that it's almost time to close for the afternoon, I beg leave to adjourn the debate.

MR. DEPUTY SPEAKER: Having heard the motion by the hon. Member for Clover Bar, are you all agreed?

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, before calling it 1 o'clock, I would just indicate that on Monday it's proposed to continue with second readings of the Bills on the Order Paper that have not yet been read a second time, except for those standing over from the spring, which we will not be proceeding with on Monday. They will be taken more or less in the order indicated and will perhaps include the Bills introduced today. If there's time after that, committee study of Bills would be the next order of business.

Mr. Speaker, I move we call it 1 o'clock.

HON. MEMBERS: Agreed.

[At 12:45 p.m., pursuant to Standing Order 5, the House adjourned to Monday at 2:30 p.m.]

