

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Thursday, April 3, 1980 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: NOTICES OF MOTIONS

MR. R. CLARK: Mr. Speaker, in view of the upcoming holiday period, I request the unanimous consent of the House to waive the provisions of Temporary Standing Order No. 8(3) in order that Motion No. 214, presently on notice, may be the designated motion for Thursday, April 10.

MR. SPEAKER: May the hon. Leader of the Opposition have the requested unanimous consent?

HON. MEMBERS: Agreed.

head: INTRODUCTION OF BILLS

Bill 11

The Alberta Municipal Financing Corporation Amendment Act, 1980

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill No. 11, The Alberta Municipal Financing Corporation Amendment Act, 1980. 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, this Bill has two main features. First, it raises the borrowing limit for the corporation from \$2.8 billion to \$3.2 billion. Secondly, it creates a new class of shares to allow for the first-time school districts to become shareholders.

[Leave granted; Bill 11 read a first time]

Bill 30

The Hospital Debt Retirement Act

MR. RUSSELL: Mr. Speaker, I request leave to introduce Bill No. 30, The Hospital Debt Retirement Act. 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, the purpose of this Bill is to provide the necessary legislative authority for the cancellation of roughly \$340 million worth of outstanding capital debentures debt owing by hospitals and nursing home districts throughout the province of Alberta.

[Leave granted; Bill 30 read a first time]

Bill 20

The Libraries Amendment Act, 1980

MRS. LeMESSURIER: Mr. Speaker, I request leave to introduce a Bill, being The Libraries Amendment Act, 1980.

The purpose of this Bill is to permit improvement districts and special areas to participate in the co-operative library systems in the same way as all other municipalities. Amendments will permit municipal libraries to have their accounts audited by accountants other than those auditing the municipality accounts.

[Leave granted; Bill 20 read a first time]

Bill 32

The Livestock and Livestock Products Amendment Act, 1980

MR. STEWART: Mr. Speaker, I request leave to introduce Bill No. 32, The Livestock and Livestock Products Amendment Act, 1980. These amendments to The Livestock and Livestock Products Act will more clearly define the interpretation of the practice of livestock dealing. We will be more specific in the time period allowed for the payment of livestock, and define and interpret better the transaction of livestock dealing in the province.

[Leave granted; Bill 32 read a first time]

Bill 34

The Surface Rights Amendment Act, 1980

MR. HYLAND: Mr. Speaker, I request leave to introduce a Bill, being The Surface Rights Amendment Act, 1980. Changes in this Act will attempt to improve the time it takes to make settlements on surface rights claims and will insert a new position, that of a mediator.

[Leave granted; Bill 34 read a first time]

MR. CRAWFORD: Mr. Speaker, I move that Bill No. 32, The Livestock and Livestock Products Amendment Act, 1980, and Bill No. 34, The Surface Rights Amendment Act, 1980, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: TABLING RETURNS AND REPORTS

MR. BOGLE: Mr. Speaker, I wish to table with the Legislature Sessional Paper No. 75, required under The Blind Persons Act, and Sessional Paper No. 76, required under The Disabled Persons Act. In addition, I wish to table the annual report of the Alberta Alcoholism and Drug Abuse Commission for the period April 1, 1978, to March 31, 1979.

MR. SCHMIDT: Mr. Speaker, I beg leave to table the 11th annual report of the Alberta Hail and Crop Insurance Corporation.

MR. JOHNSTON: Mr. Speaker, I'm very pleased to be able to table today the sixth annual report of the Department of Federal and Intergovernmental Affairs for the year ended March 31, 1979.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. LOUGHEED: Mr. Speaker, I'd like to introduce to you, and through you to Members of the Legislative Assembly, over 90 grade 6 students in both galleries today from the Westgate bilingual and community school. Of these 90 students, 60 are within the bilingual program and 30 in the straight English curriculum. Over the lunch hour they performed a variety of French-Canadian dances and were attired in both French-Canadian dress and the traditional Calgary attire — that's western. In addition, they performed a very effective handbell presentation.

Accompanying the students today are the group leader and grade 6 bilingual teacher Ms. Dodds-Belanger, Mrs. Anderson, and the music teacher Mrs. Sneeberger. As well, the group is accompanied by parents Mrs. Hollifield and Mrs. Fox, together with Brenda Fox. I would ask the students and accompanying teachers and parents if they would rise and be welcomed by the Legislative Assembly.

MRS. LeMESSURIER: Mr. Speaker, I wish to introduce to you and to members of the Assembly 20 students from the Alberta Vocational Centre in my constituency. These students are new Canadians and are studying English as their second language. They are seated in the members gallery and are accompanied by their teacher Ms. Marg Belyea. I would ask them to rise and receive the warm welcome of members of the Assembly.

MR. ZAOZIRNY: Mr. Speaker, it's my distinct pleasure this afternoon to introduce to you, and through you to members of the Legislative Assembly, a very special group of guests, 28 grade 7 students from the Colonel Walker school, accompanied by teachers Mr. Thomas and Mr. Gathercole, and parents Mrs. Wilson and Mrs. Hanke. The Colonel Walker school is located in the Inglewood community in the constituency of Calgary Forest Lawn. As members are probably aware, the Inglewood community has a very special place in the history of Calgary, being adjacent to the confluence of the Bow and Elbow rivers, which is of course the site of the original Fort Calgary.

I invite all these very special guests in the public gallery to please rise and receive the cordial welcome of the Assembly.

MR. R. CLARK: Mr. Speaker, I'd like to introduce to you, and through you to members of the Assembly, a group of seven visitors from the village of Crossfield in the constituency of Olds-Didsbury. They are seated in the Speaker's gallery.

I'd like to introduce the group to you: His Worship Mayor Don Gatto, the secretary-manager of the town Mr. Clarence Crockett; Mr. Stubb Stafford and Mr. Roy Sackett from the chamber of commerce. I'd be somewhat remiss if I didn't introduce the two children of the mayor and his wife, and the first lady of the village of Crossfield Mrs. Gatto.

Would they please stand in the gallery and be recognized by the members.

head: **MINISTERIAL STATEMENTS**

Agriculture

MR. SCHMIDT: Mr. Speaker, yesterday afternoon the

Marketing Council met to assess the marketing activities as they relate to the hog industry in the province of Alberta and to review the intent of Regulation 99/80.

Alberta Regulation 99/80 was passed by the Marketing Council to safeguard producers of an orderly marketing system during a period of review.

It has been publicly stated that the regulation should reflect that intent and be acceptable to both packer and producer. Council has not been successful in reviewing that document with the hog marketing board.

Mr. Speaker, meetings throughout the province of hog producers have indicated to both council and to many members of this Legislature their interest in maintaining the present board system of marketing during that period of review and the subsequent recommendations.

Respecting the producer's interests, the Marketing Council passed the following resolution:

- That the implementation of Alberta Regulation 99/80 and council's directions to the Alberta Pork Producers' Marketing Board of March 14, 1980 be held in abeyance until October 1, 1980 and further, they be reviewed as to the intent and the clarification in full consultation with the Alberta Pork Producers' Marketing Board and the meat packing industry.

Culture

MRS. LeMESSURIER: Mr. Speaker, it is my pleasure today to provide the members of this Assembly with details of major improvements in programs of assistance to Alberta's public libraries, improvements which will raise the average contribution of the government of Alberta to library service from the present level of \$1.41 per capita grants to \$3 per capita ...

DR. BUCK: It's about time, Mary.

MRS. LeMESSURIER: ... and when coupled with other programs of assistance will raise our total support of public library development to almost \$4 per capita.

In terms of financial assistance to public libraries, this increase in support represents both a real dollar increase and a shift in terms of the relationship between provincial government assistance and the contribution of local municipalities. The maximum grant to municipal libraries will be raised from \$1.62 to \$3 per capita and, for the first time, municipal library boards within our regional library systems will be eligible for this direct assistance. Subject to the maximum, the government of Alberta will contribute up to 60 per cent of the cost of providing library service through municipal libraries. Similarly, Mr. Speaker, grants to community libraries will be raised to a maximum of \$3 per capita on the same matching basis as before. Finally, minimum grants to all libraries will be increased by 9.3 per cent to take note of the effects of inflation over the past year.

Mr. Speaker, this action reflects the commitment of this government to the preservation of the integrity of local library boards, and recognizes their importance in providing library service responsive to the needs of their community. It is our belief that co-operation between libraries of all types is the only answer to the problems of providing library and information service in the future. For many years it has been assumed that disparities in levels of service could be overcome by voluntary co-

operation. There is a growing realization that no library, not even the greatest, can be self-sufficient. In recent years, Mr. Speaker, the major organizations concerned with provision of library and information service, not just in Alberta but around the world, have recognized the need to create more effective machinery to guide and co-ordinate the development of library service. The government of Alberta is prepared to substantially increase financial assistance and advisory help to co-operative endeavors.

Mr. Speaker, in addition to the \$3 per capita grant to municipal libraries, the government will provide \$2 per capita to regional library boards provided local authorities contribute at least \$1 per capita. Thus, the total provincial government financial assistance available to co-operative library systems will be \$5 per capita, compared to the current level of \$1.62. Additionally, the establishment grant paid to such systems will be raised to \$8 per capita, and this will apply to any areas now joining our two existing regional libraries. This belief in the importance of co-operative library systems will be further demonstrated, Mr. Speaker, by the provision of financial assistance to local committees engaged in promoting such co-operation, and by substantially strengthening the consultative services of Alberta Culture, library services branch.

Co-operative library systems are the most effective ways of delivering library service to our citizens. But the links between all libraries need to be strengthened to ensure that the rich information resources of our province are shared. Mr. Speaker, the government of Alberta intends to encourage this resource sharing by providing additional assistance to our major public libraries, so that the costs of this sharing are not borne by the local taxpayers. The Alberta interlibrary loan system will be improved and strengthened, and the Zenith telephone information service will be continued. In this way Albertans can obtain instant access through their professional expertise available in our largest public libraries. Support will also be provided to other libraries participating in this sharing, such as the Extension Library at the University of Alberta, which for many years has played such an important role in serving rural areas of the province.

Our links with library systems in other parts of Canada and the Pacific northwest states will continue to be strengthened through their mutual sharing of resources. The libraries of Alberta, Mr. Speaker, are rich in resources, and these arrangements with other provinces and states are a true two-way sharing of information. For example, in the last year Alberta libraries answered as many requests from the five Pacific northwest states as our American colleagues answered from Albertans. Finally, the government of Alberta is commissioning a major research study into the present and future components of an Alberta library network, with particular reference to the effects of automation.

Mr. Speaker, all the foregoing improvements are designed to ensure equitable access to information, no matter where a person may live. In addition, the government of Alberta is committed to improving access to library resources for those persons who have either a physical disability or a language barrier. To this end, Alberta library services to the handicapped and the Alberta multilingual biblioservice will be directly administered by Alberta Culture at an increased funding level. These services were established in 1977 under contractual arrangements with Calgary and Edmonton public school boards. At this time I would like to pay tribute to the way

in which these boards established and promoted the services in their early years. At the present time, over 1,000 handicapped Albertans are receiving talking books, and the patrons of 109 public libraries are able to read materials in 29 languages.

The upsurge of interest in the need to guide and co-ordinate the development of library and information services is no accident of fashion, Mr. Speaker. Information is an essential part of a nation's resources, and access to it is one of the most basic human rights. It is not only a national resource vital for scientific and economic progress, but also the medium of social communication. The personal, vocational, and social development of the individual depends on the amount, quality, and accessibility of information to such a user. The ultimate aim of our library policy must, therefore, be an informed society.

Mr. Speaker, the declared intent of our policy for library development is to assure all Albertans of reasonable access to the total library resources of the province and beyond. The overall aim of this new policy is to preserve the richness of our history, to enrich our present culturally, educationally and recreationally, and enhance Alberta's tomorrow.

MR. R. CLARK: Mr. Speaker, in responding to the announcement made by the hon. minister, in a fashion somewhat unaccustomed to me I congratulate her on the announcement made today.

I recall last year when the hon. minister's department estimates were going through subcommittee. On that occasion I asked the minister what the priorities were for this year. In fairness, the minister indicated that one of the areas was libraries and, to be very frank about it, I see on this day just before Easter 1980 that the minister has delivered on that commitment. I commend the minister, and I'm sure I speak on behalf of members on this side of the House and all those people across the province involved in the Alberta library associations. A sincere thanks to the minister for what appears to be a very positive step.

Advanced Education and Manpower

MR. HORSMAN: Mr. Speaker, as members of the House are aware, this government has been providing substantial capital support to the postsecondary education system of the province.

Government funding during the 1980-81 fiscal period will amount to \$104 million for the completion of projects, new construction, and planning for additional facilities, plus the maintenance of existing facilities and equipment.

I will be recommending that three projects begin in northern Alberta.

- Firstly, \$2.2 million for the construction of a student housing complex at Grande Prairie Regional College. I visited the college last year to meet with the students, faculty, and the board, and heard their concerns about the shortage of accommodation. Subsequent board representations resulted in the residence being a priority throughout the budget process. Expected to open in two years at a total cost of \$3.4 million, it will house 150 students.
- Secondly, \$1.7 million for construction of an additional trades training facility at the heavy industri-

al campus at Keyano College in Fort McMurray.

- Thirdly, I recommend that planning begin, in co-operation with Alberta Housing and Public Works, of a permanent campus to replace the temporary facilities at the Alberta Vocational Centre at Lac La Biche.

Mr. Speaker, I am pleased to inform hon. members that a committee will be established to develop plans for a major, new, technology/trades institute in the Edmonton region. Apprenticeship in Alberta increased by 25 per cent in 1979, to 22,500. Such a facility will relieve pressure at all our institutions, particularly at the Northern Alberta Institute of Technology. It is expected that the institute will be ready for occupancy in 1984, at a cost in excess of \$30 million.

As well, Alberta Housing and Public Works will be responsible for planning a replacement of the Aero Building at the Southern Alberta Institute of Technology in Calgary. That building has served the province well as a facility for training personnel for the air industry, but it is now inadequate for the expanded demand.

Mr. Speaker, our public board-governed universities and colleges again are scheduled to receive the majority of our capital budget. Most of the following new or expanded facilities are expected to open this fall:

- the Agriculture/Forestry Centre, a 16,476 square metre consolidated facility, at the University of Alberta: \$7.8 million;
- phase two, a 21,791 square metre expansion at the University of Lethbridge: \$9.2 million;
- the major addition to the civil engineering facility at the University of Calgary: \$3.7 million; and
- the new 19,100 square metre Jasper Place campus at Grant MacEwan Community College in Edmonton: \$4.7 million.

Alberta Housing and Public Works will be responsible for completing the following projects:

- increased instructional space at NAIT in Edmonton: \$5.5 million. This facility is scheduled for occupancy in October, and will provide an additional 22,862 square metres of space;
- the Campus Centre at the Southern Alberta Institute of Technology in Calgary, scheduled for completion in December: \$4.9 million; and
- the joint-use theatre and new downtown campus at Keyano College in Fort McMurray, expected to be completed this summer and in the spring of 1982 respectively: \$5.4 million.

Moreover, \$429,000 is intended for completion of the Max Bell Building at the Banff Centre for Continuing Education. This instructional facility for the fine and performing arts costs a total of \$2.2 million, of which \$950,000 was donated from the Bell Foundation. More student residences are under construction with an addition to Lloyd Hall, for which the government is providing \$1.5 million.

As in the past, Advanced Education and Manpower, and Housing and Public Works provide additional funds throughout the system for furnishings and equipment, renovations, planning, and site development.

Mr. Speaker, I would like to advise hon. members that a close watch is being kept on the rapidly emerging and expanding needs for trained personnel within the province. This government is prepared to meet the challenges of these demands. I intend to make a major announcement regarding further decentralization of technology and trades training and other postsecondary programs. The proposed concept is exciting and innovative, and in

the best interests of our institutions and the citizens of Alberta. We intend to maintain a firm position of leadership in postsecondary education in Canada.

In conclusion, Mr. Speaker, I will recommend the approval of these funds as a reflection of our strong commitment, continuing support, and confidence in our system and the people it serves.

Thank you.

head: ORAL QUESTION PERIOD

Hog Marketing

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question today to the Minister of Agriculture. It flows from the announcement the minister made. I'd like to ask the minister if he would outline to the Assembly the process which the agricultural Marketing Council will use between now and October, when a decision will be made as to whether Regulation 99/80 will in fact be implemented.

MR. SCHMIDT: Mr. Speaker, the withdrawing of Alberta Regulation 99/80 until the October 1 places the hog marketing board in the same position it's always been operating in, and there should be no change. The interim period will give us that opportunity for individual producers and packers to make representation to the independent review committee. Hopefully, whatever recommendations come from that total review, the direction for a system of marketing which would be acceptable by all sides — producers, packers, and all those involved — would perhaps be formulated before October 1.

MR. R. CLARK: Mr. Speaker, to the minister. Is the minister indicating to the Assembly that if there's no agreement between the processors and the hog marketing board by October, Regulation 99/80 will in fact be implemented once again?

MR. SCHMIDT: Not particularly. Mr. Speaker, if you were to look at the announcement, it states, with further review of the appendix as tied in Alberta Regulation 99/80 to further substantiate that the original intent is involved. So it would be a review of what already does exist if it were necessary to implement in the period to October 1.

MR. R. CLARK: Mr. Speaker, I'd like to pose a further supplementary question to the minister. I welcome the announcement the minister made today as far as taking this initial step is concerned. But my concern is that the regulation has not been withdrawn; it has in fact been suspended until October. I'd like to ask the minister if he's prepared to consider withdrawing Regulation 99/80 completely, so there's no implied threat over the heads of anyone that an agreement must be reached before October.

MR. SCHMIDT: Mr. Speaker, I fail to see any threat over the hog marketing board with the regulation as it exists at the present time. The regulation, even though at present there is some doubt as to the interpretation of the intent, all it does is alter a system of marketing to an interim system. So I see no threat to the hog marketing board itself. We must also remember that the obligation of the marketing council, of course, is still to the produc-

er, to see that an ongoing, orderly system of marketing continues. I suggest to hon. members that with the regulation there, with the opportunity, if marketing should break down completely between now and October, we have in place an interim measure that would guarantee producers the opportunity to continue to market their products.

MR. R. CLARK: Mr. Speaker, I'd put the supplementary question to the minister this way: it's interpreted by a number of producers that unless an agreement is worked out between producers and processors by October, that leaving this regulation on the books in effect says to the producers, either you get an agreement by that time or this regulation automatically comes in force once again. That's the threat I'm speaking about, Mr. Minister.

MR. SCHMIDT: Mr. Speaker, the automatic regulation for October 1 — I don't see that automated system involved. With the interim review and the opportunity that lies before us during the early part of this summer, certainly producers, packers, and all those interested would have the opportunity to provide us with sufficient input that would guarantee a system acceptable to both sides. Stated also in the announcement is that on a total review of intent, it must be acceptable to both the producer and the packer. So I think the board has that assurance, that before any change or regulation were placed before them that would remove from them powers they already have, they would have the opportunity to sit down and agree, in principle, with the change in their direction.

MR. R. CLARK: Might I put the supplementary question to the minister this way: Mr. Minister, then to get to the real meat of the matter, is it the intention of the government that if no agreement is reached by October of this year, order 99/80 will then be used?

MR. SCHMIDT: Mr. Speaker, there's a lot of distance between now and October 1. The Marketing Council at that time would have to reinstitute and present the Alberta order and the regulation as of October 1. If it did not deal directly with the situation at hand at the time, we would certainly have that opportunity then to sit down and change it. Also at that same time, the opportunity by October 1 gives not only the producer but packers tied with the council itself the opportunity, over that period of time, to sit down and review the intent that was meant in schedule A, which is mentioned in the report itself.

MR. R. CLARK: Mr. Speaker, one last supplementary question to the hon. minister. If it isn't the intention of the government or the agricultural products marketing board to hoist Regulation 99/80 on the hog board in October, why didn't the council and you, sir, as minister withdraw the regulation completely? If you have no intention of using it, why not take it off completely?

MR. SCHMIDT: Mr. Speaker, I say again to the hon. member: the Marketing Council has a responsibility to the producer in this province. The regulation itself is waived until October 1. It gives the hog marketing board the opportunity to continue the same method of marketing that has been going on in the past. If for any reason the terms of reference and the system of marketing are changed drastically, which the Marketing Council feels that the producer does not have that freedom to market

his product, then that regulation could be brought back in on a temporary basis until an orderly marketing flow could be established.

MR. R. CLARK: Mr. Speaker, to the hon. minister.

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

MR. R. CLARK: Is the minister in a position to indicate where in the budget that came down last night we could find provision for a stop-loss program, or any type of subsidization for hog producers in the province?

MR. SPEAKER: With great respect to the hon. leader, it would be a somewhat novel departure from practice in the question period to ask ministers to go through public documents and find items in them for members of the House.

MR. R. CLARK: Mr. Speaker, perhaps I might put the question to the minister this way then: in light of the fact that no place in the Department of Agriculture budget can I see money set aside for that kind of program, will the minister indicate to the Assembly how much money the department is going to have this year for a stop-loss or subsidization program for pork producers in the province?

MR. SCHMIDT: Mr. Speaker, I suggest to the hon. member that during the estimates the Department of Agriculture will be able to justify the funds that appear in those estimates and how the funding is to be spent.

Alberta Energy Company

MR. R. CLARK: Mr. Speaker, if I might just ask a second question of the Minister of Energy and Natural Resources, dealing with the annual meeting of the Alberta Energy Company next Wednesday, the day the House starts to sit again. Will the share proxy be signed over to the president of the Alberta Energy Company Mr. Mitchell, or will the minister himself represent at the annual meeting the 50 per cent share the government of Alberta holds in the Energy Company?

MR. LEITCH: Mr. Speaker, the share proxy has already been signed and forwarded to Mr. Mitchell.

MR. R. CLARK: Mr. Speaker, to the minister. Before the share proxy was signed over to Mr. Mitchell, the president, did the minister have an opportunity to discuss with Mr. Mitchell the problems with Willowglen electronics, the company's going broke and the loss of close to \$1 million of Alberta Energy Company?

MR. LEITCH: Mr. Speaker, I don't want to imply in my answer acceptance of the hon. leader's suppositions as to losses and so on. I simply want to answer his question by saying no, we didn't have any detailed discussion about that. That was, of course, a management decision on the matter of whether to invest in that particular company. The method of operating that company after the investment was made was a management decision. The decision as to what to do with it at the present time was also a management decision. I may just simply say, Mr. Speaker, that that's in keeping with our policy that when we set up the Alberta Energy Company the government, al-

though a 50 per cent shareholder, would not be part of management. I think that policy is the reason for the great success of the company.

MR. R. CLARK: Mr. Speaker, perhaps I might pose an additional supplementary question to the Minister of Energy and Natural Resources and ask if it's the position of the Alberta government that despite the fact that the Alberta Opportunity Company approached the Energy Company to take over a loan that was in bad shape, and that Willowglen is now in the process of winding down its business and having lost a sizable amount of money, the minister and the government feel no obligation to discuss that loss with the president of the Alberta Energy Company, to whom they gave the proxy? This government is responsible for looking after the public's interest in the Alberta Energy Company. Were there no such discussions? None planned?

MR. LEITCH: Mr. Speaker, as I heard the hon. Leader of the Opposition, there's an assumption that the Alberta Opportunity Company had approached the Alberta Energy Company to take over Willowglen. I have no knowledge of any such approach at all, Mr. Speaker.

On the matter of losses in any particular business venture by the Alberta Energy Company, I simply want to say that if the hon. Leader of the Opposition would review the annual report of the company, he will see that it is in a wide variety of business ventures. I don't know any investor, Mr. Speaker, in a company having such a wide variety of business activity that doesn't expect to have the occasional one that doesn't return a profit.

MR. R. CLARK: Mr. Speaker, to the hon. minister. Has the hon. minister had an opportunity to examine the discovery for evidence, the transcripts at the Calgary courthouse, where in fact officials of the Alberta Energy Company have indicated in the information given there that the Alberta Energy Company was approached by the Alberta Opportunity Company to take over the Willowglen loan? Is the minister aware of that?

MR. LEITCH: Mr. Speaker, I would have thought that was answered in my earlier question when I said I had no information or knowledge of any such approach. Certainly I haven't read the examination for discovery.

MR. R. CLARK: Mr. Speaker, we'll certainly provide the information to the minister.

75th Anniversary — Lapel Pins

MR. PAYNE: Mr. Speaker, my question today is directed to the hon. Minister of Government Services in his capacity as a member of the 75th Anniversary cabinet committee. It's been reported to me that only 25,000 plastic 75th Anniversary lapel pins have been produced. In view of the increasingly widespread interest in wearing these pins, could the minister advise the Assembly as to whether a more realistic quantity of such pins will in fact be produced?

MR. McCRAE: Mr. Speaker, the report the member refers to, that there are only 25,000 pins, is in error. There are in fact 400,000 already distributed, and we have another 1.6 million on order. They will be coming through very shortly.

MR. PAYNE: A supplementary, Mr. Speaker. My information would also indicate that technical or manufacturing problems have been experienced. This has been a factor in retarding or undermining production. Could the minister advise the Assembly as to the time that will be required to rectify these technical problems?

DR. BUCK: Eight months.

MR. McCRAE: Mr. Speaker, there was a problem with the pins. I just happen to be wearing one right now, if I could just take a moment to show it to the Assembly. I think most members have already had a number of pins from the 400,000. This is a very special plastic pin. It's made by a color dye injection process. Somehow the machinery broke down. It has been repaired, and the additional 1.6 million pins will be forthcoming and will be mailed out to all the organizations and individuals who are asking for them. I really encourage the members opposite to get into the spirit of the 75th, apply for some of these pins, and start distributing them.

DR. BUCK: A supplementary question to the hon. minister. In light of the fact that some of the pins say 1980 and some 1981, do the 1981 pins mean that's when we'll be ready for the celebration, Mr. Speaker?

AN HON. MEMBER: That's a collector's item.

Highway 16

MR. PURDY: Mr. Speaker, I'd like to address a question to the Solicitor General. It's a follow-up to questions the hon. Member for Edson and I posed in the House last fall regarding Highway 16 west of Edmonton to the B.C. boundary. I was wondering if the minister has any statistics regarding the number of impaired driver convictions since December 1, 1971, or a comparable base, for the same period of last year, since highway Operation 16 began?

MR. HARLE: I certainly have received some information, but I do not have a breakdown of type of charges at the present time.

MR. PURDY: A supplementary. I wonder if the minister would have any information on how well the highway program has gone. Has it actually cut down on the number of convictions and motor vehicle fatalities since December 1?

MR. HARLE: I have no information yet, although I can certainly ask the assistant commissioner, K Division, for some comparative statistics. But I don't have any along the lines suggested by the hon. member.

MR. PURDY: A further supplementary, Mr. Speaker. Has the minister any information as to how long the RCMP will be carrying out Operation 16? What's the duration of the program?

MR. HARLE: Mr. Speaker, I believe, it was to run all year.

Meat Sanitation

DR. PAPROSKI: Thank you, Mr. Speaker. A question to the Minister of Social Services and Community Health

regarding a public health issue. I wonder if the minister would inform the House what the department's position is regarding barbecued meat exposed for public sale, as has been done by many, including the so-called Chinese barbecued meat, which many members will know is very delicious and has been carried out for centuries.

MR. BOGLE: Mr. Speaker, in the fall of 1979 I was approached by some business individuals from Calgary and Edmonton on the question of Chinese barbecued meats. At that meeting, certain evidence was presented to suggest that the city of Edmonton public board of health follows a different set of standards from those used by the city of Calgary public board of health. I asked a senior official in the department to either verify that particular charge or put the matter to rest during an inspection in Calgary on November 28 of the same year. Evidence was gathered to suggest that the city of Calgary public board of health was not following the regulations, in that certain stores allowed barbecued meat to remain in the unacceptable temperature range between 5 degrees Celsius and 60 degrees Celsius. On the other hand, the same samples of meat were deemed to be satisfactory from a microbiological test.

As there seemed to be some confusion with that, Mr. Speaker, in that in Edmonton where regulations were being very strictly enforced the bacteria counts were high, in Calgary where the same standards were not being as strictly enforced the bacteria count was much lower. Therefore I felt it important that we as a department gain more information as to why, whether the educational process used in Calgary is more effective, using the carrot rather than the stick. That process is under way at the present time, Mr. Speaker. I hope to be in a position in the near future to make a recommendation to my colleagues in government caucus, either to insist that the regulations be enforced in Calgary or relax the regulations.

DR. PAPROSKI: Supplementary, Mr. Speaker. I wonder if the minister would advise the House whether Dr. Ken Penniford who is with the Edmonton board of health is also an employee of the Alberta Department of Social Services and Community Health?

DR. BUCK: Otherwise he'd fire him.

MR. BOGLE: No, Mr. Speaker, the gentleman is not an employee of the department. He works for the city of Edmonton public board of health.

DR. PAPROSKI: A final supplementary, Mr. Speaker. I wonder if the minister would indicate whether the stay of prosecution in Edmonton regarding the allegations of inappropriate exposure of the barbecued meat was carried out because a review is now being carried out by the department.

MR. BOGLE: Mr. Speaker, I did request of the Attorney General that charges against several businessmen in the city of Edmonton be stayed pending the results of the review currently under way and a final decision as to whether the regulations will be modified or reinforced.

DR. BUCK: Mr. Speaker, a supplementary question to the hon. minister. Can the minister indicate what other jurisdictions in other provinces and countries he or his

department has contacted as to the use of these barbecued ducks?

MR. BOGLE: Mr. Speaker, the results have not yet been completely gathered. I have not seen them, and I'm not in a position at this time to comment further on the investigation until it has been completed.

Highway Construction

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Transportation. With the ever-increasing traffic congestion on the Trans-Canada Highway, does the minister have a construction timetable as to when they'll complete the twinning of Highway No. 1 across Alberta?

MR. KROEGER: No, Mr. Speaker, we don't have that kind of timetable. We're moving in the direction of giving serious consideration to expanding the program. The budget has just come down. All the allocations to various highways haven't been done yet; I think we've moved through about 40 per cent of it to date. We're certainly watching all areas.

MR. MANDEVILLE: Supplementary question, Mr. Speaker. In light of a decrease in the budget for primary highways, and in light of the fact that it hasn't been twinned since 1971 when it was 4 miles west of Strathmore, would the minister consider using money from the Heritage Savings Trust Fund to complete the twinning of the Trans-Canada Highway across Alberta?

MR. KROEGER: Mr. Speaker, first of all, it wouldn't be my choice to make that kind of decision. I have to work within the limits of the appropriations we have. Secondly, we will be getting into the estimates and see what the breakdown actually is. While there's an indication of a reduction in the primary, if you put the whole package together it works out a little better than that.

MR. MANDEVILLE: Supplementary question, Mr. Speaker. Last year there was a shortage of asphalt for completion of highway construction in the province. Is the minister aware if there is going to be a shortage of asphalt for the completion of highway construction for this coming season?

MR. KROEGER: Well, Mr. Speaker, we have been discussing the matter of supply with both cement and asphalt producers, and we have assurance they will be able to keep us supplied this year.

Manpower Training

MR. MANDEVILLE: Supplementary question to the hon. Minister of Advanced Education and Manpower. In the program he announced today he said there would be more money for training programs. Last year there was some concern, and I know the minister had some concern, with insufficient trained personnel in the construction business and in the trucking business. Will this be expanded? Will there be any programs like this in the programs he announced?

MR. HORSMAN: Mr. Speaker, I was dealing today with capital allocations and not with operating matters. I think

the question might properly be dealt with during the course of the estimates of the department.

Highway Construction (continued)

DR. BUCK: Mr. Speaker, a supplementary question to the Minister of Transportation. Can the minister indicate what discussions have been going on with his federal counterpart as to the upgrading of the Yellowhead route from Saskatchewan through Alberta to the west coast?

MR. KROEGER: Mr. Speaker, at a meeting last September in Regina with my counterparts from other provinces in Canada, we developed an approach to the federal minister. That discussion was interrupted with the advent of the February 18 election, and we are now preparing to get back to that kind of discussion.

DR. BUCK: Mr. Speaker, did the hon. minister have any discussion with his federal counterpart when the federal minister was here several weeks ago as to the upgrading of the Yellowhead route?

MR. KROEGER: I did have discussions with the federal minister, but we did not get into the specifics of that.

Athabasca University

DR. BUCK: Mr. Speaker, my question is to the hon. Minister of Advanced Education and Manpower and has to do with the relocation of Athabasca University. Is the minister in a position to indicate how many meetings he had with the governing council of Athabasca University before the decision was made to move the university?

MR. HORSMAN: Mr. Speaker, my recollection is that I had a meeting with the full council, followed by a meeting with a large number of the council, followed by several meetings with the chairman of the governing council, at which time the subject was discussed.

DR. BUCK: Mr. Speaker, is the minister in a position to indicate if he informed the council of Athabasca University before the announcement that the university was going to be moved?

MR. HORSMAN: Mr. Speaker, I made the information available to the chairman of the governing council and the president of the university on the morning the decision was announced.

DR. BUCK: Mr. Speaker, can the minister indicate what recommendations the governing council of Athabasca University made regarding the site of the new university?

MR. HORSMAN: Mr. Speaker, the decision was based upon a number of factors. Amongst those was a set of criteria prepared for consideration by the governing council. They were extensive in nature, and had many factors involved. I think it's fair to say there was an inclination on the part of the governing council that the institution should either stay in the city of Edmonton or within commuting distance.

DR. BUCK: Mr. Speaker, on a point of clarification. Did the minister say that the criteria established by the gov-

erning council were that the university stay in the vicinity of the city of Edmonton?

MR. HORSMAN: I can't recall without checking, and I'd better take the question as notice. In the criteria prepared by the governing council and submitted to the government, there were a number of factors, and I couldn't give a direct answer whether that was specifically included in that particular document. But from other conversations I have had and in my meetings with the governing council, I do know that there was a clear indication on those occasions that the governing council would have preferred that the institution remain within commuting distance of the city of Edmonton.

DR. BUCK: Mr. Speaker, to the minister. In the applications made by other communities, were other communities close to fitting the criteria that had been established, or was the site at the town of Athabasca head and shoulders above the others?

MR. HORSMAN: I think it's fair to say that the government's assessment of the various applications and representations was quite clear that the town of Athabasca had the best qualifications.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the minister in a position to inform the Assembly what studies were conducted by the department to assess the adequacy of the Athabasca site for the role of a centre for distance learning? Were any specific studies required or asked for by the department, or was it essentially a request to the board for its view?

MR. HORSMAN: Mr. Speaker, many recommendations were made to the government during the course of making the decision to provide Athabasca with a permanent location. Those representations came from, I think, 23 communities. The department reviewed them. Members of government reviewed the recommendations. A number of recommendations were made as well by component parts of the Athabasca University: the faculty association, staff association, and so on. All those matters were reviewed in arriving at the decision.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Was any specific study commissioned to examine the adequacy of Athabasca as a site for a distance learning process, which is basic to Athabasca University? Was there a specific commission requested by the department, or was it essentially a question of a number of different people making representations? Was there any study?

MR. HORSMAN: Mr. Speaker, as minister I did not commission any specific study as such, but I will take the question as notice.

DR. PAPROSKI: A supplementary, Mr. Speaker. I wonder if the minister would indicate to the House whether offices will remain in Edmonton and Calgary, and maybe in other centres in Alberta, to assist students regarding contact with Athabasca University.

MR. HORSMAN: Yes, Mr. Speaker. As I indicated during my news release, in all likelihood a centre will be retained in the city of Edmonton, or about the city, similar to the new office opened by the university in

Calgary. Of course the possibility exists of further offices being extended throughout the province.

MR. KNAAK: A supplementary to the minister. Can the minister advise whether the members of the governing council and the staff of the university were made aware prior to their taking the job that the present location in Edmonton was temporary and a relocation was under consideration?

MR. HORSMAN: Mr. Speaker, the matter of Athabasca University's permanent home had been discussed with the council by my predecessor, I believe, and certainly by me in our first meeting with the council around a year ago, I believe — perhaps not quite a year ago. At that time I assured the governing council that it was my intention to move as quickly as possible to make a decision on the subject of the permanent site of Athabasca University. It was clearly understood that while Athabasca University had received a permanent mandate as a distance learning institution, no permanent site had been determined by the government.

DR. BUCK: Mr. Speaker, to the hon. Minister of Advanced Education and Manpower. In light of the minister's statement in *Hansard*, June 18, 1979, that autonomy would be protected at all costs, or words to that effect, and in light of the statement that the minister made in this Assembly that he made the decision without the expressed consent of the council, can the minister indicate if the decision to move the university was made without the expressed consent of the council of Athabasca University?

MR. HORSMAN: Mr. Speaker, I think I covered that matter in previous question periods. It is quite clear that the decision to establish the permanent site of Athabasca University in the town of Athabasca was made by the government. It is also quite clear that some members of the governing council were not very happy with the decision. I think that's fair to say. As I indicated at the news conference and in my news release, there are times when certain policies of the government — and in this particular case decentralization policies of this government overrode the concerns that had been expressed with regard to the relocation. There's no question about that, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, I'd like to direct a very short supplementary question to the minister and ask when the final decision to relocate the university at Athabasca was made. Was it a matter of making it very close to the day the news conference was held, or had it been made some months before?

MR. HORSMAN: Mr. Speaker, I can't recall the exact date. I'm sorry. But the final decision was made very shortly, within a matter of days, before the news announcement was made.

DR. PAPROSKI: Mr. Speaker, I wonder if the minister would indicate to the House whether there was any loss of dollars as a result of relinquishing the Edmonton site and going to the site at Athabasca.

MR. HORSMAN: Mr. Speaker, the site in Edmonton is leased by the university and will not be vacated until such

time as the new facility is constructed in the town of Athabasca.

Stay of Court Proceedings

MR. NOTLEY: Thank you, Mr. Speaker. I'd like to direct this question to the hon. Attorney General. It's a follow-up to a question I asked several days ago with respect to the Chief Moon case. If I recall, at that time the minister indicated that the matter was now subject to a review by solicitors of the department and that the review would be complete before the expiration period. Since that expiration period is Saturday, I believe, is the minister in a position to advise the Assembly where things stand?

MR. CRAWFORD: Yes, Mr. Speaker. I can advise the House that the review undertaken in the recent week or so has been completed. The conclusion is that the original judgment made by Crown counsel on the merits of the three legal proceedings involving the criminal law as distinct from the case between the parties involving a civil suit — that that decision with respect to the criminal charges should remain as it was and that the stay of proceedings should continue in effect. If I might, Mr. Speaker, I should say a number of things with respect to that, because I think it deserves some elaboration.

First of all, I should mention that anything I would indicate about the circumstances of the case is not meant in any way to suggest for the purposes of the civil proceedings, which are still in progress between the parties, what any findings of fact should be. Of course what we did was look at the available evidence, being the statements of interested parties and those having any personal knowledge of the situation, and from that evidence make the determination with regard to what, if anything, should be done with respect to the criminal law.

Mr. Speaker, the circumstances include that on October 4, 1979, a businessman or farmer by the name of Leavitt in the area of the Cardston detachment of the RCMP got in touch with the detachment and indicated that he intended to take a crop off some land leased from the Blood Indian Reserve. He said he had experienced some difficulty in the past and wished the assistance of the members of the RCMP to prevent a breach of the peace. Leavitt advised the RCMP that the lands were owned by Dennis Chief Moon and also advised that he had a court order to enter upon the lands and harvest the crops. The officers were directed to the lands of John Chief Moon, whose lands adjoin those of Dennis Chief Moon. According to my understanding, they were directed there by their superiors. The officers were under the mistaken belief that the court order to be produced by Leavitt related to the lands of John Chief Moon. At that point, Mr. Speaker, it would be fair to say that there is no indication of anything other than that an honest mistake had occurred with respect to the land the two officers attended.

Mr. Speaker, then a misunderstanding clearly did arise. The circumstances of it vary as to the details, according to the witnesses who were present, including the three parties involved. But it is very likely that the first contact between the parties arose as a result of Mr. Chief Moon's agitation at the fact that a mistake had been made. At this point the officers were still unaware of their mistake. In those circumstances a scuffle did occur. The review of the circumstances involving all of that situation has been that it would be very difficult to attribute the blame for

the incident to any one of the three individuals involved.

Therefore, although the RCMP officers saw to laying of charges against Mr. Chief Moon, those charges were directed to be stayed. Mr. Chief Moon saw to the laying of charges against the police, and they were treated in the same way.

It may be of interest to note that Mr. Chief Moon did not lay his charges for some weeks after the incident. That may not be of overwhelming importance in the case, but I think it is of some importance in that the sense of having been aggrieved was perhaps not as great as has since appeared in some areas. As I recall the timing of the two events, Mr. Chief Moon had commenced by then his civil proceedings. It's a matter that in these circumstances no one would question the right of a person to the day in court, and that is what will happen in the civil proceedings. If the burden of proof in the civil sense is adequate to establish some liability on the one side or the other, then that's the way the court will deal with it. But as to criminal charges, it was felt that in this case it would not be appropriate.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. After reviewing the file, is the minister in a position to advise the Assembly whether the recommendation from the lawyers who weren't originally connected with the case was in fact a unanimous recommendation, and whether the government will or has taken the opportunity to discuss the findings with Mr. Chief Moon?

MR. CRAWFORD: Mr. Speaker, I don't know if the findings have yet been communicated to Mr. Chief Moon. I reviewed the matter with the deputy only after noon today and therefore haven't had any opportunity through my own office to indicate the result of these deliberations. I will see to it that the decision in that respect is "conveyed to Mr. Chief Moon right away, if it hasn't been already, through the deputy's office, because that would be a proper courtesy in this case, considering the interest generally and Mr. Chief Moon's personal interest in it.

On the other matter, the three legal counsel who reviewed the matter further on my request in a recent week or so were unanimous in their conclusion. I might add, Mr. Speaker, that they did not do a joint review. They did separate reviews of the matter and provided their views independently.

WATS Line

MR. CHAMBERS: Mr. Speaker, I wonder if I might supplement an answer to a question asked of me by the Leader of the Opposition. The hon. leader enquired with regard to the WATS system. I think I indicated that the final piece of equipment should be operational about now. On checking, it was actually operational on March 1. The total cost of the equipment was \$82,500. This equipment now gives, in a printout form, the originating number, the terminating number, the date, the time of the call, and the length of each call and should, I believe, adequately answer the concerns expressed by the Auditor General.

MR. SPEAKER: I believe the hon. Leader of the Opposition would like to refer further to something which was referred to in a question.

Alberta Energy Company (continued)

MR. R. CLARK: Mr. Speaker, I'd like to have it appear accurately in *Hansard* that in the question I asked of the Minister of Energy and Natural Resources this afternoon with regard to the approach made by the Alberta Opportunity Company to the Alberta Energy Company about acquiring Willowglen electronics, that approach did not come from the Alberta Opportunity Company but from the parent department, the Department of Business Development and Tourism.

ORDERS OF THE DAY

MR. HORSMAN: Mr. Speaker, I'd like to move that questions 104, 105, and 106, and motions for returns 102, 107, 108, 109, and 110, stand and retain their place on the Order Paper.

[Motion carried]

MR. SPEAKER: While I am on my feet I wonder if the Assembly would agree to revert to tabling returns and reports.

HON. MEMBERS: Agreed.

head: **TABLING RETURNS AND REPORTS** (reversion)

MR. SPEAKER: I have the *Hansard* report, which was lost sight of in shuffling the desk here recently. I therefore table the report of *Alberta Hansard* for 1979.

DR. BUCK: Mr. Speaker, on a point of order to the hon. Acting Government House Leader, the hon. Mr. Horsman. Can the minister indicate why the motions for returns are being held? Can the minister indicate why they are not being acted upon?

MR. NOTLEY: They need more time, like last fall.

MR. HORSMAN: Mr. Speaker, this is rather unusual since the motion has been passed.

MR. SPEAKER: It is rather unusual. But with the agreement of the Assembly, we could perhaps deal with the matter further. However, it's been voted on and ... [interjections]

head: **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

212 Moved by Dr. Buck

Be it resolved that this Assembly support in principle the movement away from mandatory retirement and urge the government to abolish mandatory retirement for public employees and consult with industry to develop alternatives for extended employment in the private sector.

DR. BUCK: Mr. Speaker, in speaking to Motion 212, there are basically two principles that I feel are very, very important. First of all, the motion rejects mandatory re-

tirement, which imposes burdens on both the individual and the economy. Secondly, the motion supports a flexible retirement age, where the decision of any employee to retire or to continue working depends solely on his or her health, competence, and desires, not just on an arbitrary age. I know we will have many arguments for and against. I guess that's basically the purposes of a resolution, so we can get discussion on both sides of the argument and hopefully draw some conclusions.

Mr. Speaker, I feel there are four major arguments against mandatory retirement. First of all, the cost to society and the economic waste. Mandatory retirement wastes our human resources by depriving society of the productive contribution of many of its most experienced, conscientious, and reliable workers, who are either forced to retire or are underemployed in jobs which take no advantage of the expertise they have acquired over the many years they have been working at their job. According to a 1977 study done by Lamb and Duffy:

Every reliable survey has shown that older employees are more dedicated, more dependable, more conscientious, and have less absenteeism than younger employees. They require less supervision, take their jobs more seriously, and have a greater sense of responsibility and loyalty to their employers. Their experience, more acute judgment and maturity make them more efficient. They get along better with fellow workers. They are capable of greater concentration because they are distracted by fewer outside matters such as domestic and personal problems.

Mr. Speaker, I feel that these people are very, very valued employees, and that we really miss a lot as a society and as an economy when we arbitrarily make these people retire. Particularly here in Alberta, where we have a shortage of skilled workers, we cannot afford the economic waste involved in mandatory retirement.

Secondly, Mr. Speaker, age is an irrelevant and arbitrary reason for retirement. Mandatory retirement is prejudicial and discriminatory in the worst sense. It labels all older workers as incompetent, without actually examining the competence of each worker as an individual. We are just painting them all with the same brush. Mandatory retirement denies the competent older worker the right of free choice: if he should continue working or retire. Medical experts state there is no clear relationship between biological age and chronological age. The choice of any age for retirement is strictly arbitrary. People don't suddenly change mentally, physically, or psychologically because they have reached a certain chronological age. Some very old people have unimpaired mental and physical facilities, while others show signs of age comparatively early.

[Mr. Appleby in the Chair]

So, Mr. Speaker, it's just not that simple to say that once you reach the magic age you must go out to pasture. This is not to say there is no loss of ability with increasing age. Physical strength diminishes to some extent. Hearing becomes less acute. Tastebuds deteriorate and, I guess, as some of us know, a few other things. [interjections] I meant hair follicles, of course.

I do not deny there are jobs which require greater strength and endurance that elderly people do not have. For instance, many jobs in forestry and mining might be beyond the abilities of older workers, just as they are beyond the abilities, in some cases, of younger workers. However, the sensible reaction to differing abilities is to

match all workers to suitable jobs, rather than arbitrarily saying that when you hit a certain age, you must retire. Mr. Speaker, it is totally unrealistic to suggest that changes in ability occur on a person's 65th, 70th, or 60th birthday, or that there is any other predetermined age at which a person must be relieved of his normal activities. Linking deterioration to chronological age is just not rational.

Thirdly, Mr. Speaker, the adverse psychological effects. I'd like to tell a true story of a very good friend of mine who had about three years to go before retirement — two or three years, in that vicinity — who'd had a drinking problem for many, many years. By many years, I mean decades. This man's health had deteriorated to the point where he had to make a decision: that he was either going to quit drinking or keep on drinking and lose his life. He made the decision to quit his alcoholic problem cold turkey.

I admired that man very, very much. His family found a new father. His wife found a new husband after nearly 30 years of alcoholism. This man was completely on the wagon for seven to eight years. All of a sudden, he went back on the bottle. I asked his daughter if she was aware that her father had gone back on the bottle, and she said yes. I said to that young lady, I feel so badly because I have known your father many, many years. I've known him as a friend and as a community worker, and it really bothers me that after seven or eight years of sobriety he would go back on the booze. She said, you won't believe it, Walt; he's a year and a half from retirement and he's worried about what he's going to do when he retires.

And that's . . . Mr. Speaker, I'm sure the hon. Member for Vegreville couldn't understand, but I'm sure other learned members can understand [interjection] the psychological impact on people who are going off the work force. They suddenly feel there's nothing left in life for them.

This man continued with his drinking. One afternoon his wife came home; he had taken not only alcohol but some drugs and was found dead. That's just how drastic a psychological impact it had on this very, very valued employee. He didn't know what he was going to do when he hit the magic age of 65 and was forced to retire. So reactions to retirement vary considerably among workers.

In the plant at Fort Saskatchewan, Sherritt Gordon Mines recognize the psychological impact, and have recognized it for many years. On their own, through the leadership of the company and in conjunction with the Department of Advanced Education and Manpower, they have done studies in preparing people to retire, preparing them psychologically, physically, and mentally to cope with retirement at the mandatory age of 65. I would like to say to the hon. Minister of Advanced Education and Manpower that that study is in the department, and I feel it's well worth the minister making himself conversant with the facts in that report. I'm sure the minister is as concerned as we all are about the psychological impact of retirement.

Many people look forward to retirement, but for others it is a very, very crushing thing. Some people look forward to the leisure time and flourish under it. By contrast, others may feel considerable stress at the loss of productive employment, resulting in nervousness, irritability, apathy, headaches, and other physical facts. The reaction depends largely on the outside interests and social life of individual workers. As I say, more and more industries are moving into the area of preparing their employees for retirement. Forcing a worker whose in-

terests and friendships are all bound up in his work to retire can erode that individual's self-esteem and accelerate his or her psychological aging, especially when alternative activities may not be available and inactivity is not considered an acceptable pastime.

In another area, Mr. Speaker, I think we, as people who basically came from the soil in this province — most of us came from rural backgrounds at one time — have seen the psychological devastation of farmers who have worked very, very hard physically all their lives. Then they make the drastic mistake of suddenly retiring and moving into a town, village, or city. So many of them are gone within two years. They are dead within two years, because they feel there is really nothing left to live for. It seems that the female of the species is able to adapt better than the male. It almost seems to be a farmer's disease. I see the hon. Minister of Transportation knows of what I speak, because I'm sure he has seen this happen with many of his farm friends: they retire and within a very short time seem to be gone.

Volunteer work, of course, is one area that some of these people become involved in. But other people feel volunteer work is really just going through the motions. As well, some people who retire on inadequate pensions need employment for the economic benefits they derive from it.

Mr. Speaker, we must not make these people feel they are social discards with no useful purpose in life. When a person derives his sense of personal satisfaction and self-respect from his job, it is very, very debilitating and crushing to force this person to retire.

In the area of financial hardship, mandatory retirement causes financial hardship, even poverty, to some who are forced to retire before they have an adequate income. Some people must, or would like to, keep on working because their income or pension is not sufficient to keep them even in a standard of living just above the poverty line. Although social security payments provide limited protection, alone they do not provide adequate income in many instances. Even workers who have a private pension may find their incomes too small to prevent a disastrous drop in income. All people on fixed incomes are prey to the problems we have with skyrocketing inflation and rents, and just the increased cost of living, especially as it applies to the senior citizen who is alone. Surely it is unreasonable to repay a worker's contribution to society with a later life spent in poverty and privation, by forcing him to retire when he could continue to contribute and, most importantly, wants to continue.

Mr. Speaker, there are some myths I would like to address. The five arguments I would like to present are used to advocate why we should have mandatory retirement. As I see them, these arguments have some very, very serious flaws. The first is that mandatory retirement lessens unemployment. It is sometimes argued that older workers should be forced to retire to make jobs available to younger workers who are unemployed. But quantitatively, forced retirement cannot address the problem of unemployment. There simply aren't sufficient numbers of retiring people to improve or worsen the situation significantly. As well, it is illogical to maintain a policy of mandatory retirement regardless of whether there's a labor shortage or a labor surplus, especially here in Alberta. We have a shortage, especially of skilled, experienced workers, which will continue into the foreseeable future. Surely it makes no sense to force the employees we need most to retire, simply because they have reached the magic age of 65.

Another myth is that mandatory retirement increases promotions. It's argued that without a policy of mandatory retirement, fewer senior positions are available to younger workers waiting for promotion and, consequently, a higher turnover rate. However, the evidence of morbidity tables, life tables, and the experience of employers, indicate that few workers would elect to continue working past 65. In general, those few who do continue working will leave their employment prior to the age of 70, and on average will probably work for approximately 3 years beyond the age of 65. So if the statutory retirement age were removed, many people would retire within one to three years after the age of 65.

Therefore, Mr. Speaker, we can conclude that if the promotion of a younger person to a senior position were delayed at all, it would only be delayed about three years, on average. Abolishing mandatory retirement would not, of course, cause a decrease in the number of promotional opportunities, since all employers would be equally prohibited from practising mandatory retirement. For the same reason, turnover of employees should not be affected. There would be no advantage for an employee with high potential to change employers. The only effect of allowing optional continued employment would be a slight increase in the average age of the promotion, just a slight increase.

Thirdly, mandatory retirement makes it easier for older people to find work. Another fallacy used in support of mandatory retirement is that an employer would be more reluctant to hire a worker approaching the age of 65, since he might have difficulty getting rid of an employee who doesn't work out. We have often heard that argument. It's certainly true that there is a bias against hiring older workers, because of the higher pension costs involved and the uncertainty about whether he will be around long enough to justify the expense of training him.

On this point, Mr. Speaker, many people come to me, who are in their early 50s, who find it very, very difficult to get employment with our own provincial government — our own provincial government. The discrimination is not there in statute. It just seems to be human resistance on the part of employers to look at this man and say, well, gosh, he's 51, 52; by the time we train him he's 54, 55, and it takes a year or two of experience; by that time he's almost reached statutory, mandatory retirement age. I know and have been told that this subtle discrimination does occur. It's not that we intend to do it, but that's just the way it seems to work out. So this bias about employing the older worker is unfair. Older workers, once trained, make better employees. I think we have to weigh that with some of the disadvantages, where we worry about how many productive years the person will have. People in that age group are very, very faithful to their jobs. Their absentee rate is much lower than the younger age group.

Likewise, if pension costs were actuarially adjusted for workers past age 65, there would be no change in the cost of the pension to the employer. If the pension were not actuarially adjusted, the employer would save money on the pension of an older worker who works beyond the age of 65. In any case, Mr. Speaker, the abolition of mandatory retirement could not significantly affect managerial decisions on hiring workers. I just don't think that would happen.

Fourthly, mandatory retirement makes it easier to get rid of incompetent workers. We so often hear this argument. The only argument with any strength in favor of

mandatory retirement is that it makes it easier to get rid of an incompetent worker who is 65 and wants to continue working. It's argued that there might be an increase in litigation initiated by employees retired against their wills. I agree that it's easier to say to an employee that he's being retired because he's 65 than to tell him he's fired for incompetence. Being employers, I guess we feel it's the easy way out. But many of us who have been employers find that the best and most honest way is still to look the man in the eye and say, look, Jack, you haven't been cutting the mustard; you're getting fired because you haven't been doing the job, not because you're 65. People who have been in the work force all these years can understand the eyeball-to-eyeball approach. Employers face this problem with all employees whose performance is inadequate. You have that problem, and you have to make these decisions.

Part of being an effective manager is learning how to ensure that every employee is capable of doing his job well. Really, the employer should be able to motivate these people to do a good job. In the interest of economic efficiency, an employer needs an adequate appraisal system for assessing all his employees, rather than taking the path of least resistance and saying, we'll just wait until he hits 65 and he'll be gone.

Fifthly, employers are more likely to be charitable with mandatory retirement. It's also argued that if mandatory retirement were abolished, employers would stop the practice of keeping older workers, whose performance is inadequate, until they retire. Employers would no longer protect their older employees from the embarrassment of being dismissed for cause after 30 or 40 years of work. To me, this underlines the utter injustice and insensitivity of our attitude towards older people. If anyone deserves to be respected as an adult, as an autonomous human being, it is someone who has worked a lifetime supporting himself or herself, and at the same time raised a family. Surely, Mr. Speaker, we owe it to older workers to treat them like adults who have come to terms with their own strengths and weaknesses. It strikes me that a far better alternative is to redefine an older person's job, or transfer him to a new position more suited to his talents, rather than treat him as a second-class citizen who must be shielded from reality.

Mr. Speaker, I feel that the ideal approach to retirement — as I mentioned before, most workers won't take advantage of the option of working past 65. I don't think anyone would go much past one to three years past this age, as statistics have indicated. So why abolish mandatory retirement? The answer is that it works to the mutual advantage of employers and employees to have the maximum possible flexibility of retirement age. This is really what we're striving for. In the best of all possible worlds, there would be a zone of retirement. Early retirement, with appropriate actuarial changes to pensions, would be possible for workers who want to pursue other interests or life styles, or who work in hazardous or arduous occupations, or who find their work very repetitive, boring, or distasteful. We have seen the illustration of the union's desire that people who work on assembly lines, after so many years of repetitive, dull, monotonous jobs, should be allowed to retire on a full pension at an earlier age. On the other hand, workers who are capable of working effectively, or who face financial hardship if forced to retire, or whose lives are so completely bound up in their work, should have the option of continuing to work for as long as they can and as long as they want to.

I have proposed Motion 212 because I feel this Assem-

bly should urge the government of Alberta to become a leader in the movement away from mandatory retirement. The government could begin by abolishing mandatory retirement for public employees, basing its retirement policy solely on the health, competence, and desires of the individual worker. Then, as I have suggested in Motion 212, the government could consult with industry to develop alternatives for extended employment in the private sector. Such alternatives might include gradual retirement, longer vacations, sabbatical leaves, shorter work weeks, or part-time employment for older workers. The Minister responsible for Personnel Administration might appoint a special task force to develop methods to allow older employees to retain their positions, or move to positions more appropriate to their particular strengths, weaknesses, and experience. With so many options open to it, I think the government of Alberta is in an ideal position to promote the benefit of both individuals and employers by promoting flexible retirement policies.

In closing, Mr. Speaker, I urge all hon. members to support Motion 212. Based on an average life expectancy, many workers will live 15 to 20 years after retirement — about one-third of their adult life. Abolishing mandatory retirement will help ensure that these years are spent productively and enjoyably by workers exercising the right to decide whether they want to work. Just treatment of older workers can be achieved only when inflexible and arbitrary policies on retirement are abolished.

Mr. Speaker, I would just like to say to hon. members in the Assembly this afternoon that I feel there is a move in this direction in our country and in that of our neighbors to the south. I welcome debate, and I welcome the support of the members of this Assembly.

Thank you, Mr. Speaker.

MR. STEVENS: Mr. Speaker, I consider it a privilege to enter the debate on private member's Motion 212. I read recently that we are young only once — that's all society can really stand. But I would like to share with this Assembly a number of factors and observations regarding the issue of mandatory versus non-compulsory retirement at age 65 for public employees. I'm not sure if, in referring to a loss of follicles, the Member for Clover Bar was suggesting this might lead to early retirement, as I'm reaching that point too.

AN HON. MEMBER: He's well ahead of you.

MR. STEVENS: He's well ahead of me. [interjections]

We can all recall, though, that in the first sitting of this Legislature in June 1979, the Member for Calgary Fish Creek proposed that The Individual's Rights Protection Act be amended to extend the grounds past the age of 65 and, as an argument, that individuals might continue to work for personal or financial reasons. The Minister of Labour, in his special responsibility for the Alberta Human Rights Commission, has indicated to this Assembly that he is reviewing a number of proposals and concerns brought to the attention of the commission and to this government.

There is no doubt that in the past, when people turned 65 or such other age when retirement appeared mandatory or compulsory, our society has turned its back on our retired citizens. I refer to a January 1980 clipping from the *Toronto Globe and Mail*, which indicates there is no law in Canada that says employees must retire at age 65 or 70. It is, as the member has mentioned, a traditional one, an acknowledgement of the physical and

economic reality that after a certain age most employees grow tired and slow down. Many workers feel angered by their release at the pensionable age. They feel frustrated by this cutoff point which does not take notice of their individual capacities.

But the rights of older workers must be balanced with the rights of the employer and younger workers. Under our existing systems, valued employees in both the private and public sectors can, and are, rehired on a part-time basis or under contract.

Loneliness is a common fear. People become vulnerable to 'ageism'. They face trauma in the change in their work habits, their incomes, and especially their friends and associates. I'm aware that about 25 per cent of Canadian suicides are over the age of 65. About 10 per cent of our major drug abusers are over the age of 65. Obesity becomes a very common problem for many women over 65. Their diets become deficient in essential ingredients. In a recent article in *Maclean's*, James Paupst, a Toronto physician, writes:

In one abrupt stroke, their work ethic of 50 years [is] violated, and worse, the old ... feel guilty, even anti-social, for not hurrying to make way for the young.

But on the other hand, I don't for the moment believe we should assume that the elderly are all unhappy. To many, retirement is a new experience, a time for new meaning, new life, and new adventure. My wife and I recently had the opportunity to travel from Vancouver to Alaska on a cruise boat with 300 retired, pensioned couples and single persons. That was a love boat. We had a fantastic time. The people with us enjoyed themselves very much; they book that trip every year and they come back. We really enjoyed being with them.

AN HON. MEMBER: [Inaudible] keep up with them.

MR. STEVENS: I should have kept up with them.

For these individuals the right to work past 65 is really meaningless, because these kinds of individuals are flexible enough to have found pleasures from many areas in their lives. The Member for Clover Bar mentioned volunteer work as not being a meaningful approach. Thousands and thousands of Albertans find volunteer work exactly to their liking, and are providing their fellow citizens and Alberta as a whole with their expertise, enthusiasm, enjoyment, and sharing.

With respect to Alberta's programs and opportunities for our retired citizens, I believe that our government's record is outstanding in Canada. Last week I had two occasions to visit the area I have the privilege to represent. My first visit took me to the Big Hill Lodge in Cochrane, where about 100 residents, guests, friends, and staff were having an open house. I had the pleasure of being there and sharing in that wonderful evening. Two days later I went to the Bow River lodge in Canmore. It was beautiful, because the residents there were being entertained by a fellow resident who was showing slides of a recent trip. He didn't interrupt his slide show, nor did the residents interrupt their viewing of the slide show. I came in and saw the slide show and then left. It was a wonderful evening. That same day I met some senior citizens in Banff who, without a facility yet, are providing themselves with programs and activities for many friends. In each case I came away with that overwhelming message of love.

In the private sector many employers retire employees at 65 as a matter of company policy. The company

pension plan probably reflects 65 as the normal retirement age. But many private-sector employers allow employees to work after 65.

If I could speak personally for a moment, Mr. Speaker, I might confess to this Assembly that among other things you might consider me the son of Smokey the Bear. You see, my father is the provincial education officer for the Alberta Forestry Association, and for over 20 years he and my mother have been travelling thousands of miles across Alberta. They speak to hundreds of thousands of children and their teachers and principals about conservation, the environment, and this beautiful province. As a part of that program, on occasion he or my mother wears the Smokey the Bear costume or, now, the Bertie Beaver costume. Some of his students are now parents with students in his classes. The point of that story is that my father is 75 years young. My mother is 49 and holding. Mandatory retirement would have deprived Alberta, and our students, of 10 years of his gifts to them, but more important, their gifts to him and my mother.

[Mr. Speaker in the Chair]

The motion before us refers to public employees. I'd like to point out to the Assembly that The Public Service Act has no specific reference to retirement age, nor is there any reference of this sort in The Public Service Employee Relations Act. Indeed, our regulations governing selection, promotion, appointment, and transfer of employees, provide that the services of a salaried employee may be continued after the age of 65. An application is made to the Public Service Commissioner, and that employee will be given the opportunity to continue working for up to one year. That can be continued on a part-time basis. Perhaps this period of extension beyond the pension retirement age, as defined, is not sufficient. But I have not yet received submissions for such an extension from any individual or from the Alberta Union of Provincial Employees.

In addition, as an employer our government provides a preparation period for each employee. We call this program Preparing for Retirement. The program is offered to employees and to their spouses, at their choice. They come to the major centres on occasions when the program is offered each year, spend time with retired persons and specialists in retirement, and learn to plan for that very important part of their life. Our pension programs provide that employees may apply for retirement on an unreduced pension using the number 85. For example, if they are 55 and have 30 years of service, or 60 and 25 years, or 65 and 20 years, they may apply. Many of our employees do this. Pension board approval is required, and the pension is available.

All of us probably receive the Alberta teachers' news. There's a beautiful article in the March 31 issue, entitled Should You Plan for Your Retirement? This is an essential part of one's development. Each of us must plan, must examine our own circumstances, our position, health, finances, the needs of our families and spouses, and our plans to use our time and where to spend it.

Mr. Speaker, I won't go over the disadvantages which were covered so effectively in the presentation of Motion 212. I would mention that if constituents within the constituency of Clover Bar have expressed concerns about employment or feel they have been discriminated against: first of all, The Individual's Rights Protection Act is very clear on that, between 45 and 65 years of age; secondly, I would like to have those constituents bring their concerns

with regard to employment to my attention through their member, and I will look into them.

Each of us can challenge these arguments, but I'd like to go over the advantages, perhaps, of abolishing retirement age. The skill and experience of older workers need not be wasted. This would respect the individual's feeling of the right to work. It would not have a significant effect on unemployment. In fact, aging of the work force might alleviate some labor shortcomings. Finally, loss of employment income may lead to serious damage to an individual's standard of living.

The recently published Croll report indicates that there is no clear relationship between the ability of individuals and their age. We can see that here in this Assembly. In concluding, Mr. Speaker, I suggest that this is a national issue. It is a matter of concern for all Canadians and for Albertans as part of Canada. It has an effect on federal pension plans, old age security, and guaranteed income. Our government must evaluate very carefully the implications of the report and other studies which are now being released. We will wish to consult with the federal government and our sister provinces before making a decision to extend the pensionable age. We would need to evaluate the reactions of the insurance industry, which underwrites our pension and employee benefit programs. Finally, we would want to assess the reaction of private-sector proposals.

I hope my contribution has been of some assistance in the deliberations. I intend to listen carefully to the contributors to this important and timely topic.

MR. MAGEE: Mr. Speaker, I also welcome the opportunity to speak to Motion 212, introduced by the Member for Clover Bar. While I agree with the intent of his motion, that the broad subject of retirement should be studied, the Member for Clover Bar makes three very positive statements in his motion which would, if approved by this Assembly, be far too precipitous. And rapid action in this field would certainly be construed by everyone as this government's going off half cocked.

The three points I consider entirely inappropriate, and which should only be changed after careful study, are: to move away from mandatory retirement, to urge the government to abolish mandatory retirement for public employees, and to develop alternatives for extended employment in the private sector. Further to these comments, Mr. Speaker, the entire tone of this motion would tend to indicate that this government is not doing anything in this field, and that here is a new idea that needs urgent action or the whole world is going to fall apart. Previous motions and Bills that have dealt with this subject have been presented in the past few years by hon. members on the government side of the House. It is not to say, Mr. Speaker, that I do not personally feel that policies in these areas should not be taken for granted, and should be continually under view. Certainly this government is doing just that.

Mr. Speaker, in view of the time, I would now like to adjourn debate. I hope that when this motion comes up, I will be able to carry on with a number of other comments on this subject.

MR. SPEAKER: The motion to adjourn the debate at this time, of course, is not essential, because *Standing Orders* requires that we move to the next order of business, and the hon. member who has the floor of course will have the floor when the same item comes up for debate again.

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

**Bill 205
An Act to Amend
The Ombudsman Act**

MR. MANDEVILLE: Mr. Speaker, I move second reading of Bill 205, An Act to Amend The Ombudsman Act.

Mr. Speaker, the purpose of this amendment is to extend the powers of the Ombudsman to investigate privately run facilities under contract to the government. Before starting, I want to say that I have certainly appreciated the office of the Ombudsman and the Ombudsman himself, for the help I have gotten in my constituency, in problems that have come up that he has been able to deal with. I am sure I can say that many MLAs have really appreciated the services we get from the office of the Ombudsman.

The reason for this amendment, Mr. Speaker, is that the Ombudsman isn't able to deal with so many areas. Many complaints come in, and nothing can happen, or the problems can't be solved as far as the Ombudsman is concerned. The report that just came out indicates they had 2,623 complaints in 1979. That is a little decrease from 1978. However, of the 2,623, 552 are written complaints directed against government departments and agencies. Five hundred and sixty-six were oral, which you realize the Ombudsman can't deal with that efficiently. Total complaints they had against the government were 1,118.

However, the area we're so concerned about is that we can't solve problems directed against bodies and organizations beyond the Ombudsman's jurisdiction. There were 271 written complaints and 1,234 — a total of 1,505 complaints that couldn't be dealt with under the Ombudsman's office. That's why I think we need to extend the powers of our Ombudsman.

If I or any of us have problems in our constituencies, we can go to the Farmers' Advocate. We can solve our problems as far as the Farmers' Advocate is concerned. He does a tremendous job in the area he is responsible for. But what will happen when we have complaints from our municipal districts? There is just no place where you have someone to complain to or to solve the problems or the injustice that might come from some municipal authority. Also, I certainly think it would be advisable for the Ombudsman to be able to look into the Alberta Energy Company, Crown corporations, and possibly PWA.

Mr. Speaker, in making a few comments on the debate on 205, I wish to comment briefly on the history of the Ombudsman and on the concern that led to the Bill now before the House. The office of the Ombudsman was established under the Social Credit government to perform an independent investigative function that neither the media, the opposition, nor the government can adequately perform. Recognizing the public's right to know and to be assured that justice prevails, the government at the time sought to ensure that investigations made were from a non-partisan individual whose primary purpose was to protect the rights and freedoms people in our society are entitled to.

The Alberta office of the Ombudsman was the first to be established in North America. Passage of The Ombudsman Act indicated a landmark decision in this coun-

try and, indeed, on this continent. Since an Ombudsman was appointed in Alberta, like appointments have been made across the country. However, as time changes so do countries, and in them, provinces and people. The laws of government must reflect this change, and The Ombudsman Act must be revised.

Expansion of the Ombudsman's jurisdiction is critical. The present government continues to erode the powers of this Legislature by its trend to deliver services through contracts, to investigate these complaints by departments and, failing resolution, to deal with the issues through caucus committees or through committee appointed by the Lieutenant Governor in Council.

Mr. Speaker, as evidence of this trend, I would like to table a letter sent by the hon. Minister of Hospitals and Medical Care to the president of the Alberta Union of Provincial Employees. Herein the minister denied the necessity of a public inquiry into nursing homes and referred the union to the health care facilities review board to deal with their concerns. Obviously, if this committee had been effective initially, the request would not have been necessary. If the committee had acted upon concerns subsequently, the unions would not have to investigate nursing homes independently, and they certainly would not be raising concerns now, if the situation would have been changed. More independence is required here. If the government investigates the agencies and business it supports, no one is left to judge their credibility, effectiveness, and procedures.

In this amendment, I am proposing that the Ombudsman's authority be extended to allow him to investigate privately run facilities under contract with the government. This amendment follows the Ombudsman's expressed frustration at being unauthorized to investigate reported child mistreatment in Peace River. In this instance, serious allegations were made that were subsequently proven to be true. If the Ombudsman had been able to investigate the complaints on behalf of the children, action would have been immediate. Instead we were subjected to the inefficient and unforgivable fiasco of the past few weeks.

The people of this province have yet to be assured that the problem has been resolved. The Ombudsman continues to consider an independent investigation by his non-partisan office preferable to that of a committee appointed by the minister, who is not only responsible for the contracted services, but is accountable for the welfare of his wards.

MR. SPEAKER: I hesitate to interrupt the hon. member, but it would seem to be clear that what he's reading in is clearly debate. There is, of course, no objection to the hon. member adopting, as I'm sure we all do from time to time, ideas which we get from our constituents or others and making those part of what we say in the House. But as I mentioned the other day, actually to quote the arguments of people who are not members is a means of extending debate in the Assembly to others who are not members, and having them participate in the debate. That certainly is not the purpose of this Assembly.

MR. MANDEVILLE: Thank you, Mr. Speaker. I accept your ruling.

At this time, Mr. Speaker, I would like to say that I certainly have to congratulate our Solicitor General, Graham Harle, for the quick action he took when the problem arose in our Remand Centre here in Edmonton. He got the Ombudsman to act immediately and come up

with a decision so we don't run into the problem of not knowing exactly what's happening in these particular centres.

I was pleased last night to hear the Provincial Treasurer announce that there's going to be a 20 per cent increase as far as child welfare services are concerned. Most of this, as I understand from the budget last night, is going to be given to child care residences operated under contract. That makes it more prevalent for this Act to come into force, and to get the support to bring this Act in. I think it should be realized that this particular amendment is not just to take care of child welfare situations, as I just mentioned, but also includes all contract services applied to government departments, including nursing homes.

My colleagues and I believe that if public moneys are used to support a facility, then every member of the public is entitled to assurance that these facilities are being run in an equitable, just, and ethical manner. Internal review does not perform this function. Programs must be investigated by persons other than those involved in design and delivery of the same.

Presently the Ombudsman is empowered to inquire into complaints regarding institutions administered by government departments, but not privately owned institutions if they receive public funds. During 1979, Mr. Speaker, the Ombudsman was only able to investigate 57 per cent of the complaints he received. Clearly, the Ombudsman's power must be expanded. We as a legislature must ensure that the mandate accorded by this Assembly to respond to grievances of citizens in this province is truly being met.

Mr. Speaker, I'm not proposing that the amendment at hand represents the only revision needed to expand the Ombudsman's jurisdiction. The Ombudsman is concerned that his authority be expanded to allow him to investigate the decisions of municipalities, and of Crown corporations the government is involved in and deals with at arm's length. My point, Mr. Speaker, centres on the recognition that the public needs protection from the internal review process of this government. I'm asking that members of this Assembly guarantee their constituents that right, and extend the Ombudsman's jurisdiction to enable him to investigate privately run facilities on contract with the government of this province. The government should welcome this opportunity to assure the public of fairness and equity to those in contact with government departments.

As I said, Mr. Speaker, I think this is a small amendment, and that we should have more amendments to The Ombudsman Act. I realize it increases the load of the Ombudsman. However, if this amendment is passed, I'm sure the Ombudsman and his office will be able to handle it without adding any staff. It would certainly give justice to many more Albertans. Mr. Speaker, I would solicit the support of all members of the Legislature for Bill 205.

MRS. CHICHAK: Mr. Speaker, I am pleased to have this opportunity to participate in the debate on Bill 205. I am also pleased to recognize that the hon. Member for Bow Valley has the concern he has, with respect to the proper and fair care and treatment of citizens who find themselves in various care institutions. However, the proposal that the hon. Member for Bow Valley makes, to rectify what he perceives or what perhaps is, in many areas, some problem which requires attention, is a direction that I can't say I totally agree with at this time. In my remarks, I will try to expand the reasons for the

position I hold.

Mr. Speaker, when The Ombudsman Act was passed and established, the role of the Ombudsman was really to provide a mechanism through which the private citizen could have an examination of actions or service provided to him by the government and its administration — its employees, as such — where the individual, the citizen, felt aggrieved. It is very clear that the Ombudsman is answerable or reports to the Legislature. What is being proposed in the amendments here, I would submit, is that the role of the Ombudsman be expanded to include the parties on both sides of an issue that have no relevance to this Legislature. Some of the examples the hon. Member for Bow Valley used in moving his Bill and requesting the support of this Legislature were areas such as nursing homes and other care facilities that are under the Minister of Social Services and Community Health.

I'd like to put before the House some information, in the event that hon. members, particularly the member who has moved this Bill, have overlooked mechanisms that are in place to assist or to minimize any levels or standards of care that are not being met, as they are set in the interest of our citizens. To start with, I would cover primarily those areas I am particularly knowledgeable in, insofar as direct experience with regard to my involvement with some committees.

I would like to submit, just before I go into my remarks on what is in place to provide the service the hon. Member for Bow Valley is concerned there ought to be, a submission by our present Ombudsman, Dr. Ivany, to a standing select committee of this Assembly with respect to the Ombudsman. Dr. Ivany himself made the representation to them, if I may just quote very briefly, that: "Certainly, the Ombudsman institution was never intended to cure all injustices." I think that is true. We try to deal with as many of them as we can, and to rectify as many as possible. However, we cannot be all things to everyone. We try in those areas where we feel we have or can have direct responsibility.

I would just like to say that with regard to hospitals — and when I use the term "hospitals," I would like to indicate that I include a number of facilities, as the definition for hospitals is under The Alberta Hospitals Act; in addition to that, under the Minister of Hospitals and Medical Care, all those facilities including contract nursing homes and homes or units that are operated under The Senior Citizens Housing Act. This takes in a lot of facilities and services. The hon. member moving the Bill indicated that institutions, contract agencies, which provide service to the citizen, but are receiving the majority or the total of their funding from the government, should come under the purview of the Ombudsman. Well, I submit that that mechanism could be considered if nothing else was available in place to investigate or deal with complaints of citizens who feel aggrieved with respect to services that are being provided within those areas.

I would like to refer to a committee I chair, which is the Alberta Health Facilities Review Committee. That committee has 12 members. Two of them are elected; the other 10 are private citizens, not employees of the government. The concern is that there be an individual who has no particular allegiance or contract with the government and can deal in an unbiased way in order to examine any matters put before them without having to be answerable directly to the government. I'd like to suggest that this is one such committee, because the members are concerned that the citizen be fairly and properly treated: if there is any grievance, that it be

investigated in a very unbiased manner; and if the grievance is legitimate, that it be dealt with expeditiously, in the appropriate manner.

What does a committee like the Alberta Health Facilities Review Committee look at when it visits these institutions? It examines the level of care being provided, with respect to the standards set in the province. It examines the facility from the point of view of maintenance and comfort; the appropriateness of care and treatment provided to the individual resident or citizen within the facility; the attitude of staff towards citizens to whom they provide the service; the morale of the patients and staff, the conditions — the food, the kinds of programs and activities being provided to those citizens — in order to have a place where the resident or patient, depending on the facility, will have the kind of comfort and care that individual, as a human being, is entitled to or should have. It would seem to me that the committee carries out the role that is needed: to be sure the administrators — those who run these facilities, who operate them, who provide the service — keep abreast and aware of what they ought to be doing and what is expected and appropriate.

Any citizen can complain with respect to a problem he may feel exists. Not only the patient or the guest in the residence can complain to the committee; an employee or a relative may complain. The avenues are there, and a proper and appropriate step is taken in the investigation, very much in line with the kind of investigation an ombudsman carries out today. I would like to say that I have personally examined quite carefully, and had some discussion with the Ombudsman as to how certain matters are dealt with and disposed of with regard to the investigations, and the steps and procedures. So, as much as possible, there is no bias with respect to handling concerns there may be.

I'd like to say that the Alberta Health Facilities Review Committee has on its list over 350 facilities. Most of these facilities were under the jurisdiction of the Minister of Hospitals and Medical Care. I'd like to point out to members as well that a certain number were under the jurisdiction of the Minister of Social Services and Community Health. But because there are so many facilities to be visited — we felt they should be visited at the outset, whether there is a complaint or not, just to be sure they are maintaining an acceptable level of care. We felt they must be visited no less than once in two years, and we attempt to visit them at least once every year, if possible. But if a concern is expressed, not only when the concern comes from outside, by a citizen — whether it is a relative, a patient, a staff member, or even a board — a district board will say, we have in our facility a problem we cannot resolve; would you please look into it from an outside point of view. We've had that happen, which is a very healthy thing. We have found just so many of these. In our visits, if we see a concern, we have gone back on a special visit to examine where a member of the committee had a concern.

Because the number of facilities is so large and because we have felt there is a need to carry out visits to all institutions of this nature that provide any kind of care, we have in recent days established a second committee particularly to visit and look at facilities that are under the Department of Social Services and Community Health. I think that time has evolved: the Alberta Health Facilities Review Committee has been established since 1972, and over this period of time we have found a real need to expand it.

Now the Ombudsman's role is to respond generally to complaints provided to him. Within our area we have found there needs to be not only an examination or a visit to a facility because there is a complaint, when there is something improper, or they feel there is some action that is not appropriate; but there needs to be an examination to ensure that the situation doesn't come to that position. We have to recognize, Mr. Speaker, that there are well over 350 facilities currently under the Minister of Hospitals and Medical Care, and well over 500 facilities under the jurisdiction of the hon. Minister of Social Services and Community Health. Just talking about those two ministries, not even looking at the other areas the hon. Member for Bow Valley raised in his remarks in moving the Bill, the Ombudsman would have to expand his staff to be able to deal with all these examinations, not only to respond after the fact but take a role which, I think, would probably diminish the role the Ombudsman was really intended to play. So for some of these reasons, I think hon. members should consider whether the Member for Bow Valley has proposed the appropriate direction or step.

In addition, as a matter of fact just to refresh the hon. member's memory, and I'm sure he hasn't forgotten it, is the recent appointment of the Cavanagh Board of Review, to examine and to bring recommendations on a whole host of areas with respect to The Child Welfare Act: the policy, procedures, the services that ought to be provided, the extent of care, the role of professionals — a very broad scope. So I think this government has moved very widely and effectively in the area we feel very sensitive to, and I very much feel we are responding to that. That's not to say that tomorrow or the next day or a month from now, something will not go wrong in some facility somewhere. When you have over a thousand facilities just of the nature of the two areas I mention, you're not doing anything if there is no possibility of anything going wrong. We hope we can prevent any errors. We hope we can prevent any injustices. But we would all have to be perfect people if no errors were committed. I would say the important thing is that we be sensitive to the situation, that we be taking the kind of action necessary to minimize errors to the degree humanly possible.

Mr. Speaker, I would like to close my remarks in this regard by saying the hon. Member is correct in feeling the sensitivity he does, but I think he is wrong in the direction he has proposed to correct it.

MRS. EMBURY: Mr. Speaker, I am very pleased to rise this afternoon and address the second reading of the Bill proposed by the hon. Member for Bow Valley.

The member himself reviewed the initial introduction of the Ombudsman and the development of his role over the past few years. It has indeed been unique legislation, not only in Canada but in North America. What was also interesting to learn was how quickly other jurisdictions in Canada followed this piece of legislation. Other provincial offices, however, do not have the clause whereby there is authority to conduct investigation into contract agencies within the social service area because, as in our province, a mechanism for review is already in place. If a board governing the agency was mainly comprised of government-appointed members and received government funds, possibly an investigation would be considered.

Each year brings greater public concern over a wide variety of issues. Due to our improved methods of communication and the great array of mass media we have, people today have much, much greater expectations

of government. It doesn't matter what physical facilities are available for people or what manpower is utilized — and in that manpower there is extreme dedication by professionals and non-professionals — I think that there is a higher and higher demand within the public for more and more standards. I think one of the factors that influences us today is our rapidly changing society. A lot of new knowledge and new techniques are available now. The expectation of people is growing more and more that the government should provide, and that more money should be spent because of the complexity of our system.

It's very, very difficult today for a lot of people, particularly in our large, rapidly growing urban centres. When you consider that in Edmonton and Calgary alone, there are 2,000 people moving in per month, there's bound to be a lot of stress factors. Other factors contribute to stress, such as our high interest rates, the concern over housing for many people, and the increase in rents as they perceive it. Many people feel their salaries are not keeping up with the costs they have to face. So I think there is a great deal of stress among people, and a great deal of concern for individuals who are in our care facilities.

One thing that happens is that people are looking for very sudden and very quick answers to some of the problems that they perceive. Of course this isn't wrong. It can be an early warning system, and it's great to see compassionate individuals who are concerned about members of their family or other members of society. I think it is a very valuable asset that they bring these to people's attention.

But the point I'm really trying to make is that with the complexity of our society, people unfortunately expect an instant answer. And when this is not forthcoming in any situation, they may tend to react in any way that will bring about the greatest publicity, or that hopefully will bring about a solution to the problem. So we find that people do react without understanding all the avenues that are available to them within our systems.

I think Dr. Randall Ivany, in the Thirteenth Annual Report of the Ombudsman, said it a little better than I:

We live in a world and a universe which is in a constant state of flux. Nothing can be static. Why? In part because we live in a world of imperfection in every field. All fall short of the ideal, short of the best. Nowhere is this more true than in the field of human relationships and in the ordering of society. Certainly in the whole bureaucratic mass there is the potential always of injustice. So what is creative is the movement towards improvement, the righting of wrongs, the pursuit of justice, the breaking down of oppressions of all kinds.

I have known what it's like to be involved in investigating a facility, as the hon. Member for Edmonton Norwood stated with her review committee. I had a constituent who was very, very concerned about some elderly people in one of our larger institutions. She tried at the very local level, first of all going right to that institution and dealing with the people on that immediate board, but to no avail. The next step was to try to pursue the concern through the administrative structure within that given institution. The next step involved in this procedure was to, go to the board. About that time, she came to me to see what other avenues would be available to her. As a result, the investigation has gone right through the total system. I think what happens in these individual cases is that it is very, very hard for people to understand all the implications when they possibly are making accusations about staff members or about some of the physical struc-

tures involved. So it's a very, very long process, and people tend to become extremely angry and frustrated at our whole system.

Unfortunately, one of the other routes open to people, of course, is the legal route and, again, this is a very complex structure for most people to even consider.

The hon. Member for Bow Valley mentioned one type of structure that is in place, the Farmers' Advocate, who serves a specific purpose. I also thought this was an interesting way that is available today. In fact, if one really studies all the various routes available, there is an extreme number of them. One good example is the Landlord and Tenant Advisory Board, that deals with complaints in that area. The *Edmonton Journal* has started a column called SOS, to which citizens can write requesting help in solving problems. CBC television has a very successful show called *Ombudsman*. There is the Human Rights Commission, established to deal with complaints brought forward by those who believe they have been unjustly treated by the law. One new piece of legislation introduced in the Assembly this spring by the hon. Member for Calgary Forest Lawn was a private member's public Bill, The Utility Consumers' Advocate Act. More and more we see various routes to tackle some of the complex problems we have.

While the hon. Member for Edmonton Norwood specifically dealt at length with the Alberta Health Facilities Review Committee, as she is the chairman, she also alluded to the Cavanagh Board of Review. I think it is really important to consider in a little more depth exactly what the Cavanagh Board of Review will be undertaking. To me it is an incredible mandate for this commission. They're going to review the operations of The Child Welfare Act and The Social Care Facilities Licensing Act. In particular, they will review and report on:

- the changes, if any, that should be made in the policies, practices, and procedures in the administration of The Child Welfare Act and The Social Care Facilities Licensing Act;

- the extent of services available and the nature and quality of facilities provided for in the child care system in Alberta, and to make observations based on appropriate comparisons with other jurisdictions in Canada;

- the need to establish guidelines in respect to the limits of treatment policies, procedures and practices that may be authorized and the methods that may be used to supervise such guidelines in private or volunteer agencies;

- the changes, if any, that should be made in the duties, responsibilities and structure of The Child Welfare Commission;

- the division of responsibility for services to be provided by public facilities and those operated by private or volunteer agencies;

- the respective roles and relationships of Provincial child welfare workers and the boards and employees of private or volunteer agencies and whether any changes should be made with respect to program development, supervision and inspection procedures;

- the changes, if any, that should be made in the policies, procedures and practices provided in respect of foster homes in Alberta;

- the adequacies of the distribution of services throughout Alberta of public and private child welfare facilities, and to consider whether the present facilities in outer lying areas provide satisfactory services;

such other matters that the commissioners consider relevant

Frankly, I think this is a tremendous undertaking by the commission. Knowing the people who have been appointed, we appreciate the fact that they will do a very good job in this area and will look forward to their report.

Further to those systems already in place, we had a new piece of legislation introduced, The Social Care Facilities Review Committee Act. Basically, it has the same mandate as the Alberta Health Facilities Review Committee. Surely, here again is the response of a government very, very concerned about meeting the social needs of the people of Alberta.

As I stated yesterday in my speech on the Speech from the Throne, it is very, very evident that members of this Legislature support the hon. Minister of Social Services and Community Health in his endeavors. We have certainly found that he is very, very sensitive to the needs of Albertans and is very concerned when situations do arise. We also support the efforts of the people in the department. They are sensitive. It really doesn't matter whether we have something like an Ombudsman's investigation or any of our other systems. What we are hoping for is that we can always prevent these individual situations from happening. Reacting to them doesn't really solve anything. That's the purpose of the various systems we have in place.

Mr. Speaker, in closing I urge that members of this Assembly consider not voting for this legislation.

MR. OMAN: Mr. Speaker, in rising to debate the issue, I think I can commend the hon. Member for Bow Valley, who introduced the Bill. I think he did it with all sincerity and has a genuine concern to correct something that has happened that undoubtedly was most unfortunate.

One thing that rather surprised me with regard to this whole issue has been the attempt of some members of the opposition to discredit the government as a government that's impersonal and unconcerned, and most particularly the minister of the department involved. I'm a little amazed at that because evidence indicates that three months before the story broke, when the minister learned of what had happened, he immediately asked, through the channels in his department, that the people involved cease and desist. And that was done. He also ordered an investigation. I think the minister has shown good judgment right through in the way he's handled this matter. I personally would commend him for the way he has taken it. [interjections] I don't think he should be easy; I think he should just take the kind of course he took.

When you have dozens — indeed not just dozens; the number must move into the hundreds — of situations of this type, where you have people who are always subject to lack of judgment in one case or another, I am somewhat amazed that more of this hasn't cropped up. I think there's some credit to the department and to the system in the fact that this is a somewhat isolated case. I'm not saying it won't happen again. It probably will because, as has been indicated, people are involved. I don't care whether they're people with degrees or much training or other; we are all subject to mistakes in judgment.

There's also the likelihood, when the pendulum goes one way, that it swings back too far to the other extreme. We talk about behavior modification, and that's a good term. We all use it. It's a well-respected term in psychiatric circles. Any of us who are parents certainly use behav-

ior modification on our children in order to bring them into line. My hon. colleague here uses a motion that's familiar. But again, you can use that to an extreme. We have situations where people have locked up their children, starved them, misused the term in order to bring them into what they thought was their line. I heard of a young child who had been so subjected to negativism that when he was asked his name he said, Willie Don't. I guess all of us know that.

The question that is really before us is: is the responsibility of the Ombudsman to be widened to include such situations as these? I'll not belabor the point or in any sense try to belittle what the Ombudsman or his office has done in our province and the kind of forward step we as a province took to initiate that office as the first in Canada. But I wonder if the Ombudsman doesn't have enough on his plate already. All of us know of those moments in our lives when we had so much to do we that couldn't do anything very well. We spread ourselves so thin that we're responsible for almost everything and have time for nothing.

My colleagues who have spoken before me, have already indicated that more than one committee has been appointed, in one instance to look specifically into the problem we have at hand, and other committees which are charged with this continuing responsibility and have been given a specific mandate to look after the specific area. So they are doing this continually and can undoubtedly do it much better than the Ombudsman is prepared to, when he has such a wide area of responsibility already. I guess I would have to say then, that it seems to me that sufficient safeguards are already in place, more than one: the department itself, which is now obviously alert and twice as conscious of what it must be responsible for, as well as these review committees.

With these things in mind then, Mr. Speaker, it's my view that it would not be wise for this Assembly to support the motion before it, and I would speak against it.

Thank you.

DR. REID: Mr. Speaker, before looking at the amendment that's been put forward by the hon. Member for Bow Valley, I would like to comment that I, myself, and I'm sure the other members of this Legislative Assembly, agree with his concern for Albertans who deal with government departments rather indirectly, through contract agencies.

Mr. Speaker, others who have spoken in this debate have well addressed the history of the Ombudsman as he exists in this province and the role the Ombudsman fills. That role can briefly be described as providing an extra-judicial appeal mechanism for any citizen, or their representative, who after the normal appeal mechanisms there may be within a government agency, still feel they've had rather a bad deal or been improperly dealt with. They can go to the Ombudsman, either directly or somebody on their behalf, to see if the Ombudsman will investigate the circumstances and see whether in fact they have been dealt with properly. The function of the Ombudsman, his jurisdiction, the delineation of his restrictions, and those other things that matter so much with legislation when the legalese gets to it, are dealt with very well in the legislation.

It's interesting that this province had the first Ombudsman, appointed under the previous administration, and that rather surprisingly, George McLellan, who was the ex-commissioner of the RCMP, was a policeman.

Few jurisdictions have thought of appointing a policeman as Ombudsman. In fact, of course, since he was the first Ombudsman in this country, a very necessary educational process was required. I was among the many people in rural Alberta fortunate enough to hear our first Ombudsman. He came to our town, as he went to many others. He addressed service clubs, groups of concerned citizens, in some cases the police forces, groups of civil servants, to educate us Canadians, who until that time had thought of the Ombudsman as a vague Scandinavian concept, in what the Ombudsman did, should do, and could do. In fact I think anybody would say that the choice was excellent. By the end of his period in office, I think most Albertans, and certainly a lot of other Canadians, were much more aware of that office than they had been before.

The Ombudsman as an entity relates primarily to two groups of people: his clients, or the complainants if you want to call them that, and also to the civil service, the Alberta public employees. In those relationships the personality, the feelings of the individual who fills that office are extremely important. In actual fact the office tends to be partially defined by the person who occupies it. Because of that relationship the Ombudsman has to those people, it might be expected that the civil service would be, perhaps the word is antipathetic, to the role of the Ombudsman. They might feel he is a policeman checking up on what they have done, that he is yet another check in those relationships in the hierarchical system of the civil service, whose main role is to police the civil service. That's not his role. His role is purely to investigate complaints and to make sure that people are well dealt with by the civil service.

A study done in 1977 of all the ombudsmen in this country at that time and of the attitudes of the civil service to the ombudsman, revealed some very interesting facts. The most important is that in this province over 95 per cent of the civil service who were surveyed approved or strongly approved of the office of the Ombudsman and its concept. I think that's a compliment to the person who filled that office for those first 10 years, and the way he had affected that office and the attitudes of civil servants to it. It was also interesting in that study that of those surveyed civil servants, fully three-tenths felt the greatest advantage of the role of the ombudsman was that it was an impartial, non-political, and objective review of the dealings between citizens and the civil service. Another fifth felt that justice and fair play for the public were the main benefit of that office. Another quarter felt it was an additional channel for complaints. Therefore, three-quarters of the civil service who felt this office was for the benefit of the individual citizen, were balanced by one-tenth who felt that essentially the ombudsman was to control bad administration. Fully three-quarters of the civil service feel that the main benefit of his office is the benefit for individual citizens who feel they may have been wronged.

It's interesting that those civil servants are just as concerned about individuals and their dealings with government as we politicians are. And their attitude to the Ombudsman and his role says much for the quality of the people in the Alberta public service. The ombudsman is not necessarily quite as well thought of by the civil service in other provinces.

Other members have well described the function in the province, and the function of the health services review committee, chaired by the hon. Member for Edmonton Norwood, who does such a good job of that committee.

The Bill introduced just yesterday by the hon. Member for Lethbridge West, introduces the concept of a similar committee for those 500 facilities which come under the hon. Minister of Social Services and Community Health. We all know how well the committee chaired by the hon. Member for Edmonton Norwood has functioned. I anticipate that the committee for facilities under the Minister of Social Services and Community Health will function similarly. I think it's important that those committees function properly, because they are to some extent fulfilling the objective of the Ombudsman.

One would hope that by having those committees, we can avoid the dilution of the Ombudsman that has led to the good attitude in this province to his role. I think the most important thing about the Ombudsman is that that role is held in respect by everybody in the province. If we dilute that role, there is the risk we will create a small bureaucracy in the Ombudsman's office, and that it will not be the Ombudsman, himself or herself, who will be dealing with people; it will be another bureaucracy. When that happens we will, in actual fact, destroy a lot of the usefulness of the role of the Ombudsman.

Mr. Speaker, in view of the time, I think I had better

adjourn the debate at this stage.

Thank you.

MR. SPEAKER: Does the Assembly agree with the motion to adjourn the debate?

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, in regard to next week's business, I think hon. members would anticipate we'll be starting Wednesday afternoon with the budget debate, and that we'll continue throughout that afternoon. Whether or not the House should sit Thursday night is a matter we will address again next week and give hon. members as much notice as possible.

MR. SPEAKER: I wish all members a very Happy Easter or, as they sometimes say, *Crystos Voskres*. [applause]

[At 5:28 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]

