

**LEGISLATIVE ASSEMBLY OF ALBERTA**Title: **Wednesday, April 16, 1980 2:30 p.m.**

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

**PRAYERS**

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. SCHMIDT: Mr. Speaker, it's my pleasure this afternoon to introduce to you, and through you to the members of this Assembly, 55 grade 6 students from the Robina Baker school in Devon. They are accompanied by their teacher Mr. Alex Kozeluk. They are seated in the members gallery. I would ask them to rise and receive the welcome of this Assembly.

MRS. CHICHAK: Mr. Speaker, it gives me great pleasure today to have the opportunity, on behalf of the hon. Minister of Education, the Hon. David King, to present to you and to members of the Assembly a class of grades 5 and 6 students from the Sacred Heart Catholic school situated in the constituency of Edmonton Highlands. The students are approximately 50 in number, and are accompanied by their teachers Miss O'Callaghan and Mr. MacDonald. They are in the public gallery. I would ask them to rise and receive the welcome of the Assembly.

MR. APPLEBY: Mr. Speaker, I have the pleasure this afternoon of introducing to you and the other members of this Assembly 20 grade 10 students from the town of Westlock in the Athabasca constituency. With them is their teacher Elizabeth Lange. They're in the public gallery, and I would ask them to stand and receive the welcome of the Assembly.

head: **ORAL QUESTION PERIOD****Nurses' Salary Dispute**

MR. R. CLARK: As has been the custom the last several days, Mr. Speaker, I'd like to direct the first question to the Minister of Labour regarding the nurses' strike, for which the deadline is being set for Friday morning. Can the minister confirm whether the offer to the nurses from the Alberta Hospital Association, which was read aloud in this Assembly yesterday, has been made officially and formally to the Alberta nurses' association, so that in fact negotiations have been based on that offer?

MR. YOUNG: Mr. Speaker, I can advise hon. members that Mr. Jack Davis, president of the Alberta Hospital Association, made a public statement on April 11 which may have come to the attention of all hon. members. My understanding is that that statement contained essentially the same material as was communicated yesterday. I believe it was communicated to this Assembly by way of a telegram read by the Minister of Hospitals and Medical Care that had come to him from the president of Alberta Hospital Association.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Let me pose it this way: is the minister in a position to assure the Assembly that the offer, read in the Assembly yesterday, by Mr. Davis has been officially made to the nurses?

MR. YOUNG: Mr. Speaker, first of all a correction: it was read in the Assembly yesterday by the hon. Minister of Hospitals and Medical Care. Secondly, I do not think it proper for me to comment upon what goes on between the parties, even if I were fully conversant with all the discussion which takes place between them. All I can assure the hon. member is that I understand there is a public commitment and, according to the information I have, that commitment apparently was made subsequent to some discussion which took place between the parties.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. During question period yesterday and the day before, the minister referred to a future appropriate time when the minister himself would become directly involved in negotiations. In light of comments made by the nurses that this most recent proposition has never been formally put to them, is the minister now prepared to become himself directly involved in the negotiations or the discussions, and assure Albertans that the offer read yesterday in this Assembly by the Minister of Hospitals and Medical Care is in fact presented officially to the nurses?

MR. YOUNG: Mr. Speaker, I think we have two matters raised in the question. If I could deal with one element first, that has to do with my involvement. I consider that, as Minister of Labour, I have a responsibility to try to assure that every effort is made for the two parties to accept their responsibility to bargain collectively, to achieve a collective agreement without a work stoppage. We have staff in the Department of Labour who assist in that procedure. The procedure involves, first, conciliation — in this case a conciliation board — and subsequently mediation. I consider that my personal effort would be the final element of a very determined mediation procedure. I would intend to take that step as soon as it appears necessary. That may well be within the next number of hours.

At the present time I'd like to assure the hon. member that, according to my information, the parties are mediating with the assistance of our skilled mediators. So I would expect that any questions such as have been raised about that offer, if any do remain, have already been dealt with in that procedure. I don't understand how they could usefully have mediation proceedings without the kind of clarification that the hon. leader raises.

MR. R. CLARK: Mr. Speaker, one last supplementary question to the minister. Is the minister then indicating to the Assembly that right at this time, mediation is taking place between the minister's department, the Hospital Association, and the nurses? I take it that's being done under Mr. d'Esterre's direction.

MR. YOUNG: Mr. Speaker, I'm pleased to assure the Assembly that, if not right at this time, then just before I came in, that mediation process was proceeding. I believe two senior officers of the Department of Labour are involved. My understanding is that they are doing their utmost to assist the parties to recognize their responsibilities — responsibilities of the United Nurses of Alberta

and the leadership of that association, responsibilities of the Alberta Hospital Association and their leadership — to recognize that they should endeavor to make the collective bargaining process work and to achieve a collective agreement without a work stoppage; and secondly, to recognize that in both cases they have responsibilities to the public, as do their component members.

MR. R. CLARK: Mr. Speaker, just one further question to the hon. minister. I'm referring back to the second-last answer the minister gave the Assembly, so that there is no misunderstanding in the answer the minister has given us. I take it from that answer that in the regrettable situation of these last negotiations not being successful in coming to a settlement, Mr. Minister, you have given the Assembly a very firm indication that as a last resort you would exercise your responsibility as minister.

MR. SPEAKER: Order please. Would the hon. leader use the ordinary parliamentary form of address.

MR. R. CLARK: Mr. Speaker, that the minister would exercise his ultimate responsibility, and become directly involved in negotiations as the minister.

MR. YOUNG: Mr. Speaker, that is in fact the indication I gave earlier. I intend to exhaust every possibility I can think of to assist in this dispute. That includes if the current mediation does not succeed, involving myself to assure that the very senior leadership of both associations have been aware of their responsibilities, and have assisted however they may to achieve a resolution without a work stoppage.

MR. NOTLEY: Mr. Speaker, a supplementary question, if I may, for clarification. If I recall the minister's answer, he indicated that he assumed the offer from the Alberta Hospital Association would be on the table for mediation to be successful. I certainly would agree with that statement. But my question to the hon. minister: in the discussions the minister has held with department officials, and presumably with the people undertaking the mediation, has the minister not received assurance that in fact that offer is specifically on the table?

MR. YOUNG: Mr. Speaker, I don't think it valuable to the success — or the hoped-for success — of this mediation procedure for me to begin divulging what I may be discussing with my mediators. But I do want to reiterate that I have in my hand — and I know it's public information — the press release which was issued by the president of the Alberta Hospital Association, Mr. Jack Davis, in which he states quite clearly and has put in writing that it was an offer. So I don't see how it could possibly be construed as not being an offer.

Now the question may arise and has been raised about how, in the nature of discussions and mediation or prior to mediation, it may have been reviewed. That is something which I think, if there is any doubt, the parties will surely have exhausted by now in their efforts to come to a collective agreement, which I think both parties very much desire and are very earnestly trying to achieve.

#### Hog Marketing

MR. R. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Agriculture. Some time ago in question period, we asked the Minister of

Agriculture if he was in a position to indicate what progress was being made with regard to a stop-loss program as far as Alberta hog producers are concerned. On that occasion, the minister indicated that rather than do that on a provincial basis, there were going to be discussions with the other provinces and the federal government.

My question to the minister is: what progress has been made in developing a stop-loss program for Alberta pork producers as a result of consultation with other provinces and the federal government?

MR. SCHMIDT: Mr. Speaker, we've had the opportunity to continue to monitor the pork producers in this province pricewise in both the short-term and the long-term. We've also had an indication of a time factor. In that area, we'll have the opportunity to discuss the longer term. The provinces of Manitoba, Saskatchewan, and Alberta had started some discussions on the problems that existed on the much longer term. That will take place towards the end of this month. At the present time, we are continuing to monitor on the short-term the differential and the problems that exist in the area of marketing, both numberwise and indeed the price itself.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Mr. Minister, as a result of the monitoring that has been referred to by the minister, what is the effect of the \$42 per hundredweight price on pork producers in Alberta today?

MR. SCHMIDT: Mr. Speaker, we have had submissions to us both from the Hog Producers' Marketing Board and indeed from individual producers, and have had the opportunity to review those figures with figures from the department itself, in monitoring the actual price and the cost of production at this time.

MR. R. CLARK: Mr. Speaker, to the minister. Mr. Minister, is the government in a position to indicate either a stop-loss program or a floor price being established for pork producers in the province prior to any meeting at the end of this month or at some time in the future? The point I'm really making, Mr. Minister, is that at the price of \$42 per hundredweight and production costs close to \$57 per hundredweight, literally hundreds of small producers are going to go out of business if we wait until Alberta, Saskatchewan, and Manitoba can agree upon something.

MR. SCHMIDT: Mr. Speaker, we have always agreed that the problem that existed was both long-term and short-term. Of course, long-term involves the area of stabilization, which hopefully would be of a federal nature and would be acceptable to producers across Canada. The short-term problem, of course, is the area of pricing and also the cost involved in the production of hogs. We have always stated that we would be willing to consider a solution to some of the short-term problems, giving us that breathing space to take a look at the longer term nature of the industry.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Mr. Minister, the willingness on behalf of the Department of Agriculture to consider short-term financial help has been forwarded by the minister's department for some time. My supplementary question is: what positive result can the minister indicate to this

Assembly that will help people who are getting \$42 per hundredweight today? What positive action?

DR. BUCK: A study.

MR. SCHMIDT: Thanks, Walter.

Mr. Speaker, consideration is ongoing at the present time. I can't give the hon. Leader of the Opposition a time factor, when we will come out with a basic program. As I stated before, we are reviewing the short-term problem that exists with regard to hog marketing. Understandably, there are some producers who are finding it rather difficult. For those who are finding it a financial responsibility, in those areas where we can help through the Agricultural Development Corporation or other areas of funding, we are certainly willing to do so on an individual basis.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Agriculture. What assessment has been made by the department of the modified subsidy scheme made available to pork producers in 1974 as a pattern that might be put in place as a short-term contingency in 1980?

MR. SCHMIDT: Mr. Speaker, we have the option of reviewing the program that existed in this province before; I believe it was '74. We've had the opportunity to assess most of the provinces — of course dealing strictly with the North American market — in some areas, because of the similar problem and various programs they have, trying to review and to establish the help that goes directly to their producers; and an opportunity to take the programs they have against the figures we have, in an actual cost factor, to see if they would be as beneficial to our producers as in their own province.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the widespread concern of pork producers in the province concerning the price of \$42 per hundredweight, is the minister in a position to give the Assembly any indication of a time frame? The minister said, not in the next short while. But is there any indication? Will it be part of the recommendations that the Foster committee, for example, will be making, so that people in the pork business who are now worried about the continuation of their operations would be able to see some light at the end of the tunnel, at least on a contingency basis?

MR. SCHMIDT: Not at this time, Mr. Speaker.

DR. BUCK: A supplementary question, Mr. Speaker, to the minister. Can the minister indicate if his department or the government has given any consideration to a program to keep the hog producers afloat, similar to what the government did with the cow-calf producers when they gave a "one-shot deal", I believe was the term the government used? Has the government given that consideration?

MR. SCHMIDT: Mr. Speaker, on the short-term base it's one of the considerations, yes.

#### Prince Rupert Terminal

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Economic Development and is with regard to

the port at Prince Rupert. I was wondering if the minister could indicate whether he or his office has had discussions with the federal minister with regard to the present status of this port and the federal contributions of money. If no discussions have taken place, has the minister established an agenda of discussions with the federal minister Mr. Pepin to discuss the future financing of Prince Rupert?

MR. PLANCHE: Mr. Speaker, the last conversation I had with the federal minister was when he was in Edmonton. Subsequent to that, we've had an exchange of telexes on clarification of what we understand each other's commitments to be. That's where it presently sits.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Could the minister indicate whether the federal government is still committed to contributing just over \$42 million toward the capital cost of Prince Rupert, or are they continuing to renege on that commitment, even in light of the throne speech commitment of last week?

MR. PLANCHE: Actually, we estimate their net commitment to be about \$37.5 million, Mr. Speaker. But as to whether they're committed, that seems to be dependent upon whose eyes you're looking through. Our view is yes, they are; and their view is no, they aren't.

MR. R. SPEAKER: Mr. Speaker, to the Minister of Economic Development for clarification. In the telegram that was received by the minister, was there an indication by the federal government that the \$37.5 million was available for the port construction?

MR. PLANCHE: It indicated that they would be prepared to honor the commitment they'd already given if there was some consideration to commercial terms. And that, of course, wasn't the undertaking they originally gave us.

MR. R. SPEAKER: A final supplementary, Mr. Speaker, to the minister. Could the minister indicate whether this present position of the federal government, or any other items or factors that we could take into consideration, will delay the initiation of construction at the port location in the summer of 1980?

MR. PLANCHE: We would certainly be hopeful that it wouldn't, Mr. Speaker. However, there is a date of no return somewhere around the end of May when that, in fact, will happen. So it remains to be seen whether the federal government is going to honor the commitment they gave us.

MR. R. SPEAKER: Mr. Speaker, in light of the minister's answer and the urgency of the matter, has the minister a contingency plan or a sequence of events and a strategy that will press the government into a commitment and maintain that starting date of early spring, 1980?

MR. PLANCHE: Mr. Speaker, in that it is of a great deal of concern to the four premiers meeting in Lethbridge next week, hopefully out of that will be a message of combined resolve to see to it that the federal government does in fact honor its commitment.

MR. SINDLINGER: Mr. Speaker, a supplementary to the Minister of Economic Development. Could the hon. minister advise whether the railroad upgrading into Prince Rupert is under construction or under way and on schedule, so that it would meet the target date for the start-up of Prince Rupert?

MR. PLANCHE: As I remember, Mr. Speaker, the Canadian National Railway had a long-range plan of annual expenditures to upgrade that line, and that's still under way as previously indicated. It should be remembered, however, that there is a stretch of track through there that is not stable. I'm not sure that a lot can be done about that over the longer pull, and it would be our intention to handle that problem by having a surge capacity at Prince Rupert.

#### Western Electric Grid Proposal

MR. SINDLINGER: Mr. Speaker, my question is to the Minister of Utilities and Telephones. On March 27 it was announced in this House that there would be studies undertaken for a western electric grid proposal. My question is: what will be the cost for those studies?

MR. SHABEN: Mr. Speaker, we haven't yet determined the total cost of the studies. A major portion of the study having to do with the transmission line configuration, design, and plan has been awarded to Teshmont Consultants Ltd., at a cost of \$600,000. We would estimate that the total cost of the other components of the study, including the \$600,000 referred to, would be somewhat in excess of \$1 million.

MR. SINDLINGER: Supplementary, Mr. Speaker, to the hon. minister. Could the minister please advise the House what cost-sharing arrangements have been made for those studies between the participating provinces?

MR. SHABEN: Yes, Mr. Speaker. The three provinces have agreed to an arrangement for cost sharing, with Alberta assuming 50 per cent of the cost of the studies and Saskatchewan and Manitoba each assuming 25 per cent of the cost.

MR. SINDLINGER: A supplementary please, Mr. Speaker, to the minister. Could the hon. minister please advise this Legislature why Alberta is bearing the major portion of the cost for these studies?

MR. SHABEN: Mr. Speaker, as I indicated earlier to the members of the Assembly, discussions on the western electric grid have been ongoing since '78. In the course of those discussions, the kind of work and the kinds of questions that needed to be answered in the next six to seven months were determined. A major portion of the work was referred to and described in one of the documents filed in the Assembly on the 27th, and I might refer to that document. It deals with the method of studies to determine the method of integration of the power from Manitoba into Alberta, and it's a major portion of the study. So that's one of the reasons for the cost-sharing formula.

MR. SINDLINGER: A final supplementary, Mr. Speaker. Could the hon. minister advise this Legislature whether the public will have input into the studies via submissions or hearings, and also have access to the final report?

MR. SHABEN: Mr. Speaker, certainly the public is invited to provide me or any of the three participating governments with any comments or suggestions they might have; we would welcome them. In terms of the studies, as is our practice in this House, from time to time we make available any information, as required.

MR. SPEAKER: The hon. Member for Camrose, followed by the hon. Member for Edmonton Mill Woods, then a final supplementary by the hon. Member for Calgary Forest Lawn.

MR. STROMBERG: Being that the proposed line is interprovincial, has the minister looked into what jurisdiction the federal government might have over this line, say, in the selling or pricing of electricity, and other matters?

MR. SHABEN: Mr. Speaker, we recognize the nature of any interprovincial agreements, and that was taken into consideration in the hon. Premier's statement of March 27, where the National Energy Board would be involved wherever necessary.

MR. PAHL: Thank you, Mr. Speaker. My supplementary question to the minister is: could he indicate to the House whether the consultant who was awarded the job — I didn't get the name — is an Alberta-based or a Canadian-based firm?

MR. SHABEN: Yes, Mr. Speaker. The company's name is Teshmont Consultants Ltd., which is a Canadian company well experienced in the high voltage transmission systems throughout Canada.

MR. KNAAK: A supplementary, Mr. Speaker.

MR. SPEAKER: Following the hon. Member for Calgary Forest Lawn, whom I've already recognized.

MR. ZAOZIRNY: Supplementary, Mr. Speaker. The minister stated in response to a previous question that public participation would be invited. Beyond that invitation, can the minister advise this House as to whether the terms of reference of the study group will include a requirement of consultation with any Albertans whose lands or property might be affected by the location of these transmission lines?

MR. SHABEN: Mr. Speaker, that's a very important question. Of course, that is why we highlighted the importance of the configuration, design, and location of a high voltage transmission line. There is a procedure in place, which all members are aware of, that involves the Energy Resources Conservation Board with respect to transmission line locations within the province of Alberta.

MR. ZAOZIRNY: Supplementary for clarification, Mr. Speaker. Is the minister then saying that to the point in time of the preparation and completion of the study, there will be no requirement of public consultation with potentially affected groups?

MR. SHABEN: The hon. member may not be clear on the purpose of the study. It wouldn't necessarily pinpoint the exact location, on quarter lines, of the transmission line. Before the final, specific location of the poles, there

will certainly be ample opportunity for landowners to have input.

MR. KNAAK: Mr. Speaker, my supplementary question, on the same point, is to either the Minister of Federal and Intergovernmental Affairs or the Attorney General. Has the Minister of Federal and Intergovernmental Affairs any information on whether the interprovincial grid would turn into an interprovincial undertaking and thus fall under federal constitutional jurisdiction?

MR. SPEAKER: The hon. member is asking for a legal opinion. I suppose there's no harm in the minister answering the question specifically and saying whether he has a legal opinion.

MR. CRAWFORD: Mr. Speaker, all I was going to say is that I would have been so pleased to have such a question directed to me when I was in private practice, and I could have charged the hon. member for a fat opinion.

But the way the question was put, Mr. Speaker, I think that what is raised is a legal, constitutional question. I can't do any more than say that I'm sure the hon. member is already aware of that.

MR. SPEAKER: Final supplementary.

MR. KNAAK: Mr. Speaker, just for clarification, to the Minister of Federal and Intergovernmental Affairs. Will the answer to the question of whether or not it becomes a federal jurisdictional grid affect the decision of whether or not Alberta will participate in it?

MR. JOHNSTON: Mr. Speaker, I would perhaps reflect only on what the Minister of Utilities and Telephones has indicated, that we have considered some of the interprovincial ramifications of the interconnect between Manitoba and Alberta. But I can give the member the assurance that it will be carefully weighed in our decision.

MR. SPEAKER: Final supplementary by the hon. Leader of the Opposition.

MR. R. CLARK: Supplementary question, Mr. Speaker, to the minister. In the course of the consultant contracts which have been announced by the minister today, can the minister assure the Assembly that the question of whether one line or a second line would have to be strung across the very sizable distance from Manitoba to Alberta will be taken into consideration? I ask the question because if it has to be two lines drawn across the three provinces, the costs become extremely high. I'd like an assurance from the minister that that matter will be looked at from a technical point of view in the course of these consulting reports.

MR. SHABEN: Yes, Mr. Speaker, there are a number of options or methods for moving power from Manitoba to Saskatchewan and Alberta. There are different configurations that can be used, or a variety of combinations. It may be one, two, or three lines.

#### 75th Anniversary — Medallions

DR. BUCK: Mr. Speaker, my question is addressed to the hon. Minister responsible for Culture, responsible for the 75th Anniversary celebrations. Can the minister indi-

cate what response has been given to the Calder senior citizens' group requesting that their share of the funding be used for purposes other than the medallion program? Can the minister indicate what response the government gave that group?

MRS. LeMESSURIER: Mr. Speaker, perhaps the minister responsible for the medallions would like to answer that question. [interjections]

MR. NOTLEY: Oh, there he is. You're on camera.

MR. McCRAE: Mr. Speaker, I have not yet received the representation the member is speaking of.

DR. BUCK: Mr. Speaker, can the Minister of Government Services indicate if he has the problem solved as to who will be getting the scrolls, who will be getting the silver medallions, and who will be getting the gold medallions, in light of the fact that representation has been made to MLAs — and by other senior citizens' groups — as to the problem that's arising in this area?

MR. McCRAE: Mr. Speaker, I don't accept the premise that there's a problem. We've certainly indicated who will be getting the scroll, who will be getting the gold, and who will be getting the silver medallion.

#### Computer Records — Confidentiality

DR. BUCK: Mr. Speaker, to the minister. In the retrieval of information from the health care commission's computer records, can the minister indicate what written guidelines there are in government agencies as to what information can be retrieved and what information must not be retrieved from the computers?

MR. McCRAE: Mr. Speaker, I assume the member is challenging the use of the Alberta hospital insurance commission records as a mechanism to get to the 70,000-plus senior citizens, people 75 years of age or more, who may qualify for a gold or silver medallion. If that is the case, we would simply say to him that with the assistance of the hospital insurance commission, knowing the great deal of interest out there among the people who may qualify for a medallion — used their records through the commission. That is, at the expense of the 75th Commission, they put together a list of the people who may qualify, and used that list to mail out a questionnaire to the possible recipients. At no time did the 75th, or any other department of government, have access to the list. The list was used by the insurance commission to mail out the questionnaires; the questionnaires were then returned to the 75th. Again I repeat: at no time did any other government department have access to the list.

DR. BUCK: Mr. Speaker, I didn't ask that question. Already the minister is defensive. [interjection] The question, Mr. hon. minister of health, safety, whatever you are ... [interjections]

The question, Mr. Speaker, to the minister is: what written directions are there to government centres which have computer information stored within them? What written guidelines are there to all those computer centres as to what information can be retrieved, made public, and what cannot? That was my question, Mr. Speaker. I mean, the minister doesn't have to be defensive about the other usage of it.

MR. McCRAE: Mr. Speaker, the minister is not trying to be defensive at all, but is trying to put forward clearly the position of the 75th vis-a-vis the use of Alberta hospital insurance commission records or lists.

Now, I understand he's asking the question of the Minister of Government Services: what control do we have over the computer system to ensure that private information is not going out willy-nilly to all members of the public? That is a question of some considerable detail, Mr. Speaker, and I would like to be absolutely correct before I begin the answer. If I could take it under advisement, I will come back to him tomorrow or the next day. In the meantime, I would like to assure him that there are a number of check points to assure that private information is kept private.

DR. BUCK: Mr. Speaker, to the minister. I'd accept that the minister will table those guidelines. The question to the minister is: has the Alberta Medical Association made any representation to the minister or the minister's department as to its concern about the confidentiality of medical records and their use — as in this case, supposedly an innocent use? Has the association made any representation to the minister?

MR. McCRAE: No, Mr. Speaker, I've had no representations from the body he mentions.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister, if I may. The minister indicated check points. Do the check points that the minister referred to involve written guidelines developed by this government and made available so that in fact there will be confidentiality of personal information?

MR. R. CLARK: He's going to table them.

MR. McCRAE: Mr. Speaker, I would rather come back to that matter more fully, rather than give a partial answer that may become distorted or misunderstood. There are some written guidelines. There are some other guidelines as well, and just a number of general practices which assure the privacy or confidentiality of private information. On the other hand, there has to be access to the information by the departments responsible. But generally there is no one place where all the information on a particular question or a particular citizen is stored. It is out here and out here and ... But rather than get into that, Mr. Speaker, because it is an area that I think could be readily confused, I would rather respond to the question fully at a later date.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. In light of the fact the minister has said there are some written guidelines, would he give an undertaking to the Assembly to table those written guidelines at his earliest convenience?

MR. McCRAE: Mr. Speaker, I'll give no such undertaking at this time [interjection] because I would have to look at the written instruction, such as it is, to see whether it is what might be categorized as something that is properly 'tableable', if that is a word — capable of being tabled, if I might say that. Rather than give assurances right now, I would rather say that we will respond to the question or series of questions at the earliest opportunity.

MR. R. CLARK: Mr. Speaker, to the hon. minister. Could the minister indicate to the Assembly what possible harm there could be to the computer section or any other section of the government in tabling the supposed written guidelines the minister referred to, so that the public will know what those written guidelines are? What conceivable harm could come to the Alberta government with the minister tabling those guidelines?

MR. NOTLEY: We would find out what the guidelines are.

MR. McCRAE: I don't think any conceivable harm would come to the government or the citizenry, Mr. Speaker. But we will come back to the question when we've had an opportunity of reviewing it in detail. [interjections]

#### 75th Anniversary — Medallions (continued)

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Has the minister made any extra effort to getting the application forms out to nursing homes or senior citizens' lodges?

MR. McCRAE: Are we back to the medallion question, Mr. Speaker? We did make a very concerted effort to get the application forms out to all citizens, using the method that is under challenge by his colleague there.

DR. BUCK: It's not being challenged. [Inaudible] just playing little games.

MR. McCRAE: Mr. Speaker, I should say [interjections] we've had a tremendous response to it. When the member talks about problems in the area, it's just really impressive the number of citizens who've responded with a desire for a medallion. There are some who are quarrelling with it, and that's understandable, but a vast majority of the citizenry are responding very positively. I wish all members here would take an equally positive attitude towards what I think is a very successful and worth-while celebration.

DR. BUCK: Oh, Mr. Speaker.

MR. SPEAKER: The point of order which is about to be made by the Member for Clover Bar is valid. [laughter]

MR. NOTLEY: It was an invitation to debate, and a poor invitation at that.

MR. KOZIAK: You're at your best when you don't open your mouth.

#### Parks Development

MR. MANDEVILLE: Thank you, Mr. Speaker. My question is to the hon. Minister of Recreation and Parks. Could the minister indicate what progress has been made with the plan to open a number of mini-parks in the province this year?

MR. TRYNCHY: Mr. Speaker, as announced in the throne speech, we will be commencing planning on some recreation areas in the province. That's as far as I can go at this time.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate approximately how many mini-parks will be opened in the province this year?

MR. TRYNCHY: Mr. Speaker, the answer to that question would be that we might not open any parks. I suggested to the member that the funds will be available for planning. We'll see how the planning goes, and we'll go from there.

#### Mine Safety — Grande Cache

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister responsible for Workers' Health, Safety and Compensation. It flows from the report on the investigation of the accident at the McIntyre Porcupine mine in Grande Cache. Reports indicated that the minister felt there was responsibility by both management and labor. Has the government had an opportunity to review the role of the department to determine whether there was in fact any fault that could legitimately be laid at the doorstep of the department itself?

MR. DIACHUK: Mr. Speaker, this is under consideration. That is the reason I have recommended that the recommendations suggested in the inspectors' report be implemented, and discussed with both union and management. My involvement in the discussions will give me a better feeling for whether my officials were also lax in their inspections.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. In view of uncertainty over the role of the officials, why did the government choose the type of inquiry that the minister alluded to, as opposed to a public inquiry so that the proper role of everyone, including government officials, could be adjudicated and examined?

MR. DIACHUK: Mr. Speaker, the investigation carried out by the mines inspection branch was according to the present legislation. The responsibility of my officials was to carry out that inspection. It wasn't a decision made shortly after the incident to take that alternative or some other choice. It was as part of the statutes and regulations that require the inspectorate to investigate the incident. Following this, in the dialogue and discussions with my officials, it was felt that they reviewed the incident thoroughly enough. I had assurance from both management and the union that rather than approach the review through a public hearing, we would commence immediately with some of the recommendations in the report.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. The February 21 workers' inspection report indicated that breaker posts were not being set in the part of the mine that collapsed. Why was there no immediate action taken to determine the ongoing safety conditions in the mine, after the forewarning in that report?

MR. DIACHUK: Mr. Speaker, following that specific report there was mention made to both management and the union that this was not carried out. However, as a detailed answer as to what really took place, I would have to take that as notice and reply further.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Is the government in a position to indicate what review took place to assess the safety of the company's detailed plan? I understand that a plan has to be registered one year ahead of time. Why was the question of temporary supports left up to district foremen, as opposed to being clearly laid out in safety standards as part of the plan that had to be presented to and approved by the department?

MR. DIACHUK: Mr. Speaker, that is an area the inspectors were concerned about and have brought to the attention of management. Even before the report was filed in the Legislature, the recommendations were made to management that those procedures had to be followed according to plan and not circumvented. In other words, my officials did not wait till the future meetings. These recommendations are now being implemented. As to the review following that report, as I indicated earlier, I will take that as notice and answer later.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. What review has been made by the government of union complaints in the Grande Cache mine with respect to allegations that workers who refuse to work in unsafe conditions have been dismissed? I raise that question very specifically because the suggestion was made by the minister that there was responsibility on the part of both workers and management. That relates to whether there has been any specific review of worker complaints that it was a very tricky thing not to work in conditions, because you could get fired.

MR. DIACHUK: Mr. Speaker, with regard to the question of dismissal and workers' complaints, those come under the jurisdiction of my colleague the Minister of Labour.

MR. NOTLEY: Mr. Speaker, a supplementary question, then, to the hon. Minister of Labour. Is the Minister of Labour in a position to advise the Assembly where things stand with respect to the rather serious complaints that have been made by the United Steelworkers of America with respect to the right of a worker not to work in a condition that he or she considers unsafe?

MR. YOUNG: Mr. Speaker, I cannot respond in detail on the matter of the particular Grande Cache concern. I can, however, indicate that a liaison committee, or a union/management committee, does exist at the mine at Grande Cache. In fact, there are several. There had been a number of matters before that committee. It seemed that some assistance was desirable to provide to both parties, and some months ago the Department of Labour dispatched officers to assist both parties. My reports indicate that most of the difficulties have been overcome. As recently as about 10 days ago I had a report from the department indicating they now felt that both parties had a good appreciation of the relationship they need to have with one another to overcome the kinds of problems which I think the hon. member is raising, that they felt they would not have to continue to attend these meetings, and that they felt they were now running and proceeding very well.

MR. NOTLEY: Mr. Speaker, a supplementary.

MR. SPEAKER: Might this be the final supplementary. We have exceeded the time for the question period.

MR. NOTLEY: Is the Minister responsible for Workers' Health, Safety and Compensation able to confirm to the Legislature that there has not been a general inspection of the McIntyre Porcupine mine at Grande Cache for a period of at least one month, and that the reason is shortage of qualified inspectors?

MR. DIACHUK: Mr. Speaker, I cannot confirm that today, but I will assure the hon. member that I will respond to it shortly.

MR. SPEAKER: I was overlooking that the hon. Leader of the Opposition wished to ask a further supplementary. If the Assembly agrees, perhaps we could have that one. Then I believe the hon. ministers of Labour, Government Services, and Energy and Natural Resources wish to supplement answers previously given, if the Assembly agrees to that extension of the question period.

HON. MEMBERS: Agreed.

MR. R. CLARK: Mr. Speaker, thanks. My supplementary question is to the Minister responsible for Workers' Health, Safety and Compensation. It's as a result of the minister's own department doing the investigation. It now appears the department itself may — and I underline "may" — very well have been somewhat at fault for the most regrettable accident which took place at Grande Cache.

My question is: is the minister now prepared to recommend to his cabinet colleagues that there be some changes in the legislation so that such reviews in the future are not internal reviews done by the department? As an alternative to that, is the minister prepared to recommend to the Assembly going the route of a public inquiry or, in fact, bringing people from the outside to make the kind of judgment we were asking his own departmental people to make on themselves?

MR. DIACHUK: Mr. Speaker, the representation made by the hon. Leader of the Opposition will be noted. As to the review, it is part of the requirement of the present legislation that the inspectors, the officials of my department, the occupational health and safety division, carry out the complete investigation — that's the first step — of any fatality and all fatalities in the work place in Alberta.

DR. REID: Mr. Speaker, could I ask a supplementary of the Minister responsible for Workers' Health, Safety and Compensation? Has there been any indication received by the minister from the union, Local 7621 of the United Steelworkers of America, or from the management of McIntyre Mines to indicate whether they are willing to take part in further review and discussions of the accident and the recommendations?

MR. DIACHUK: Mr. Speaker, as I briefly indicated yesterday in my statement, I have had the encouragement from both the local representing the workers at that mine and management that they welcome this approach. They made that statement after reviewing the report from my officials.

#### Nurses' Strike Vote

MR. YOUNG: Mr. Speaker, yesterday the hon. Member for Spirit River-Fairview asked a series of questions relating to the matter of the recent vote by nurses. In response to his second question, I indicated that I had exhausted my fund of information. Then, in endeavoring to accommodate the hon. member I did not follow my information gauge, and proceeded to keep responding. In doing so, I reported that there had been a resolution of a problem that arose at Canmore. That is in fact what was reported to me earlier that day. I gather there was reconsideration of the parties, and I am now pleased to report that as of today, we have a signed accommodation between the parties, and the matter is resolved without any further problem.

With respect to the issue which arose in Medicine Hat, it is considerably more complex and is before the Board of Industrial Relations this afternoon.

#### Computer Records — Confidentiality (continued)

MR. McCRAE: Mr. Speaker, I welcome the opportunity of further responding to the question on the protection of privacy or private information that came up just a few moments back.

Could I say first, Mr. Speaker, how tremendously complex an area it is, with the several departments of government and the computer system taking in information in a number of separate areas. As I said earlier, I think one of the important things is that there is no central collection of information. It is out there in several departmental areas with separate access points or codes or whatever, so that all the information cannot be collected or given out through one point.

Anyway, Mr. Speaker, the question was whether I would table the guidelines. The guidelines as such are not written guidelines. We have practices ...

MR. NOTLEY: Oh, oh, they aren't.

MR. McCRAE: Mr. Speaker, if the hon. gentlemen would let me continue, I would like to give them the information they were purportedly asking for.

MR. NOTLEY: Shame, shame.

MR. McCRAE: The so-called guidelines are policy, or practices, and if I could just recount some of them. First of all, physical access to the computer area is restricted to a minimum of authorized staff. Secondly, critical data are stored off-site. Physical security controls at the off-site location are also implemented.

In the area of administrative safeguards, we assure that each employee who has access to sensitive data is required to sign a statement to the effect that he or she understands that actions will be taken if there are breaches of confidentiality. Furthermore, the functions of computer programming and the operations are separate. The separation of duties principle is also used in other areas on a need basis.

Further, data processing staff are educated as to the importance of maintaining confidentiality of automated records. Also, all automated information systems are reviewed prior to implementation to ensure that appropriate security provisions have been adequately documented and tested.



Mr. Speaker, on-line access to the computer system is restricted to staff with an authorized user code and corresponding password. Additionally, multilevel passwords are utilized to restrict access to the computer system by both users and staff to specific functions, specific files, and specific elements of data. Such controls are agreed upon with the user departments, based on sensitivity of data.

Finally, all transactions of an on-line system are logged. These logs are used for systems recovery purposes. In addition, these logs may be used to ensure that users are complying with the data access rules established by the systems designer.

Mr. Speaker, those guidelines, practices, or procedures are to assure that there is no breaching of confidentiality, so that private information is not out there in hands where it should not be. And I think it goes without saying that it has been very, very successful to date. There have been no problems that I am aware of.

MR. R. CLARK: Mr. Speaker, in light of that rather long-winded supplementary answer, I wonder if I might pose one very brief supplementary question to the minister?

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

MR. R. CLARK: Mr. Speaker, to the minister. In light of that answer, I assume that the answer the minister gave the Assembly a few minutes ago, when he indicated there were written guidelines — the minister is now telling the Assembly there are no written guidelines that he can consider to table in the Assembly?

MR. McCRAE: Mr. Speaker, I thought I clarified that a moment back. The use of the term "guidelines" came from the member from Fort Saskatchewan in response to a question as to whether I would reply, which I said I would. In the next question he talked about my tabling guidelines. If my recollection is correct, I then responded that the so-called guidelines are a collection of material which constitutes practice, policy, and so on. They are not written out under a heading "guidelines". They are practices and procedures. They will appear in print in *Hansard*, and whether I table them under a heading "guidelines" or simply respond as I have, surely the message is there.

#### **Pine Bark Beetle Infestation**

MR. LEITCH: Thank you, Mr. Speaker. On Monday last, in connection with the pine beetle infestation in the southwestern part of the province, the Member for Calgary North West asked whether we were monitoring pine logs coming into the province from British Columbia. My response to that is: so far as we have been able to ascertain, there are no logs coming in from British Columbia of a type that would be expected or anticipated to contain the beetle.

The second question on the same subject that I would like to respond to, Mr. Speaker, was asked by the hon. Leader of the Opposition, who inquired whether I could confirm that the infestation had originated in the national parks. I indicated in my answer that I didn't think I could confirm that, but would do some checking. I have now done some further checking, and we are unable to con-

firm the source of the infestation. There has been an infestation in British Columbia, Manitoba, and some earlier infestations in Alberta, and we aren't able to say what was the cause of the current infestation.

### **ORDERS OF THE DAY**

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

##### **Bill 25**

##### **The Public Utilities Board Amendment Act, 1980**

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill No. 25, The Public Utilities Board Amendment Act, 1980, and note with respect to what is in fact very important legislation of long standing in the province that it is important to the Legislative Assembly to assure that all is done that's necessary to assure the efficient and capable functioning of a public tribunal which has a very good reputation, and which has fulfilled a traditional role as a well-established quasi-judicial tribunal in the province for many decades.

The principles proposed in the important amending legislation, Bill 25, include a new section to define the reference in the Act to applications. This clears up a situation where numerous references are made in the Act, as it now stands, to complaints received by the board, which has on occasion left the question as to whether a complaint in respect of which the board is asked to act is anything different from an application in respect of which the board is expected to act. For that reason the redefinition, as will be seen from the proposed new Section 2.1, clears that matter up.

Further, Mr. Speaker, there is some helpful recasting of language in the proposed new Section 70.1. This introduces the jurisdiction for the board to say that a person — and I should always say that that includes corporations in law, as well as other entities perhaps — is not in certain circumstances the owner of a particular public utility; that is, for the purposes of the Act. This allows certain small operations of a utility nature to be exempted. And the ability to exempt, which is the overall intention of this section historically, is given new clarity by this change. I mention that it's been the overall intention of the section over the years because, if that were not so, it would be an important new principle. Rather than that, it is a helpful restatement of the principle.

The section also adds some elaboration, in that rather than dealing substantially with the capacity simply to make exemptions under this same section from certain provisions of the Act, a provision is added that the goods and services provided by a utility may be exempted. This broadens the number of situations in which an order can be easily made, and what is actually being exempted can be more easily described by the board after hearing the parties in respect of such an application.

I might use an example, if it helps. A typical example, which was in fact quoted to me by the board, would be: under either The Public Utilities Board Act or The Gas Utilities Act they would find that, say, a small service station operator in a remote area of the province, or indeed in any smaller community in the province, might as a service to people in the area distribute propane bottles and have them sent away, filled, brought back,

and redelivered to customers in the area as sort of a point, and he may do this for 25 or 30 customers. Strictly speaking, under the Act such a person would be operating a public utility, because he is involved in distribution and the providing of goods and services. The board's capacity to exempt is therefore important in order not to have people unnecessarily involved in the type of regulation, which is of far greater magnitude, that they also do in the sense of the large corporations, which would not of course be exempted in the way I have described.

There is a further proposal, which is an important one. I mentioned this on the introduction of the Bill, because perhaps it is the most significant part of the proposed amendments. The ability to capitalize a lease under certain circumstances, upon application by the operator or owner of a public utility, is provided for in the new Section 87(1). When an ability is introduced to bring something that hadn't previously been in the rate base, there would always be the concern that this would lead to a situation where the return, as it's calculated, would be affected by what's in the rate base, and that the end result might be that utility users would be paying more as a result of the amendment than previously. That was a subject of much discussion when these matters were under consideration by government caucus, and a matter of discussion when I discussed with the Public Utilities Board the representations they had received in regard to that. Therefore I think it's important to note that the belief I have arrived at is that the introduction of this measure wouldn't by itself cause a tendency to rate increases. If that were the case, I don't think it would be recommended.

The board feels that since the inclusion in the rate base cannot occur unless they approve it — in other words, an application has to be made and a determination made on what effect it would have if it were introduced into the rate base of a particular public utility — they can control that aspect of it, the unnecessary spin-off effect on the payments required to be made by users.

On that basis, the question arises: well, then, is it really as important as it sounds to have it in? I think it is, because in a large sense utilities are like corporations which are carrying on business like other corporations and happen to be regulated for certain purposes by this legislation. But they also are regulated by other legislation; for example, taxation legislation. They also have occasions to prepare various statements for purposes of borrowings in the market or reports to shareholders and so on. In those cases where it would be significant, in order to include the capacity to capitalize a particular interest in a lease on a basis established by the board, which would be relative to the basis on which the board allowed other assets to be capitalized, is a satisfactory principle and one that brings the legislation forward in that sense, filling a need that probably did not exist when the Public Utilities Board was first established and the utility operations, in particular the larger utility providers, weren't on anything like the scale they are now and didn't have the same corporate requirements.

The other item involved, a major item in a sense, significant perhaps, is that under 87(2) present wording indicates that no approval is needed to realize upon a security, the issue of which the board had approved. This, once again, evidences the extent to which the public tribunal, the Public Utilities Board in this case, does have jurisdiction over the way in which this particular class of industry, those engaged in the utilities business, is able to deal with assets that other companies deal with with much less

supervision. All this change would do would be to add that in cases where the owner of the utility was exempted from compliance because of a previous declaration by the board, there could also be the activity, in the sense of realizing upon a security, whether it be a debenture or another type of right or mortgage, that the company need not seek the permission of the board where a declaration had been made under Section 70.1. That makes it consistent with the view that no approval was required where the security had been issued on an occasion where the board had previously approved it.

If I can just sum that point up this way: it's seen that it's the same thing to say that no approval is needed if it's been previously approved as it is to say that no approval is needed if an earlier declaration of exemption has been made. So once again, it's evidence of the technical nature of this industry and the work of the board to have to deal with such things. But it is a way of making the legislation more consistent.

There are a number of incidental amendments I might mention, Mr. Speaker, without, I hope, taking the wrong view of what is detail and what is principle in regard to this Bill. Very quickly, the role of chairman is further clarified to make the administration of his work less cumbersome and to reduce the unnecessary involvement of the Lieutenant Governor in Council in day to day supervision of the Public Utilities Board. I indicate to hon. members that the repeal of Section 19, for example, and the recasting of Section 13 are directed at that purpose. There's a change in the fiscal year, a very minor matter, unimportant to the principle.

Because of the bulk of the bill — it's not overly large, but it's still an imposing number of sections and pages — I might mention for the convenience of hon. members that 10 of the references simply deal with the item that I mentioned at first; that is, the incidental amendment in various parts of the Act relative to the words "application" and "complaint". So 10 of the sections simply deal with that.

[Motion carried; Bill 25 read a second time]

#### Bill 24

#### The Gas Utilities Amendment Act, 1980

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill 24, The Gas Utilities Amendment Act, 1980. I don't think there's any magic in numbers, but I wanted to deal with 25 before 24 because it contained a broader picture of amendments, some of which, however, are merely repeated in Bill 24. Perhaps that will enable me to deal with it more quickly.

It might be said that the legislation is directed at similar purposes. Obviously, The Gas Utilities Act deals with the regulation of installations with respect to gas and perhaps some related substances, whereas the public utilities legislation covers the same sort of function in relation to utilities of other types. However, in both cases it's the Public Utilities Board which is the effective quasi-judicial body that makes the regulations and receives the applications. So in fact it's the same agency and the same individuals under both Acts. Therefore, the first proposed amendment does the same as the first proposed amendment that I've just discussed in regard to clearing up the definition of a complaint and an application.

Beyond that, the existing Section 3 is fully recast in order to have the same provisions with respect to gas utilities as are provided with respect to public utilities.

For hon. members who wish to do a comparison, Section 70.1 of Bill 25, of which I've spoken, could be read along with Section 3 of Bill 24.

The ability of the Lieutenant Governor in Council to direct the board in regard to the making of declarations or varying of orders in appropriate cases is one of the features that is introduced into this legislation as a result of casting the section the same way as it is in The Public Utilities Board Act. In other words, it's not new, in the sense that the sections in the two Acts are now equivalent. The Public Utilities Board under The Public Utilities Board Act was in the position so described under that legislation. They will now be in the same position under The Gas Utilities Act with respect to the potential of having some direction with respect to their activities made by the Lieutenant Governor in Council. So although the principle is not new and has been there for many years in the one piece of legislation, it is in fact a new provision in the legislation as far as gas utilities are concerned.

Now I don't know if the question will come up as to how often such a direction has been made. The language is there for hon. members to see in Section 3. I would have to say that at this point I don't know how often such a direction might have been made to the Public Utilities Board acting under either of these pieces of legislation. To the best of my memory, it is not a frequent occurrence, but it is perhaps an important power to have in the hands of government when the work the board does is as important as it is.

The other principles in the Bill include the two I described in respect of The Public Utilities Board Act relative to the capitalization of leases and the realization of securities. I think there are only a few other incidental changes. Once again, a number of the references, seven of them, deal with the fact that a new definition has been introduced in regard to what an application is.

MR. NOTLEY: Mr. Speaker, I wonder if either the Minister of Utilities and Telephones or perhaps the hon. Attorney General sponsoring this Bill could, during the course of the discussion of Bill 24, make some comment on a problem that has certainly arisen in rural Alberta over the question of the franchise areas of rural gas co-ops when annexation occurs. There's a widespread concern, at least that I've been able to perceive, that when annexation occurs to urban centres, the gas co-op franchise is just shifted off aside. It does create problems in terms of other members of the co-op as well as the financial commitments that the co-op has in an area subject to annexation.

I know the Minister of Utilities and Telephones has the matter under consideration, but because of the widespread concern in rural Alberta, perhaps the minister might take the opportunity to bring the Assembly up to date on where things stand on this question.

MR. SHABEN: Mr. Speaker, I'm not certain whether it's appropriate to discuss the matter raised by the hon. Member for Spirit River-Fairview while discussing this particular piece of legislation.

MR. SPEAKER: I had somewhat the same misgiving myself. But of course if the hon. member wished to put it another way, he could be in course of debate, deploring the omission of some provision in that regard in the Bill. So I let it go.

MR. SHABEN: It might be only useful at this time to indicate that the matter is of some considerable concern to the government, and it's under consideration. But it probably involves the Department of Municipal Affairs more than either of these two Acts. In the case of The Public Utilities Board Act, which primarily regulates rates, there is an appeal procedure in terms of franchise areas. I think this is the area the hon. member was referring to. It's a position where the Public Utilities Board can deal in an appeal sense on those matters. We are working at trying to develop a way of dealing with the concern that has been raised. Because The Municipal Government Act, in our determination of it, gives the municipalities the opportunity to operate or grant franchises within their boundaries, the question overlaps the two Acts. That's why it's difficult to respond in relation to the one piece of legislation. Work is being done on that in co-operation with the Minister of Municipal Affairs and the Attorney General.

[Motion carried; Bill 24 read a second time]

#### Bill 26

#### The Land Agents Licensing Act

MR. L. CLARK: Mr. Speaker, I move second reading of Bill No 26, The Land Agents Licensing Act.

This Act will take the place of what is now The Landmen Licensing Act. Besides the change in name, for the obvious reason that not all land agents today are necessarily men, one of the more major changes is to establish a land agents licensing advisory committee. This board will be made up of a maximum of 12 and a minimum of eight persons, plus a chairman appointed by the minister. At least four of the members will be land agents, and four will be landowners. This committee will make recommendations in regard to the licensing, qualifications, and standards of conduct for land agents. It is to ensure that there is a set of procedural standards or steps which will be followed in agreements between land agents and landowners, when these agreements come under the jurisdiction of The Expropriation Act and The Surface Rights Act.

Another change would be in Section 6, Mr. Speaker. Under this section, the registrar may suspend or cancel a licence if there is any contravention of this Act or if a person fails to comply with the regulations of the Act. Section 7 gives a person suspended under Section 6 the right of appeal to an appeal board. Section 8, which is also new, gives the right of appeal from the decision of the appeal board to the courts for either party.

Under Section 13, the Act gives the power to investigate to the registrar. This parallels somewhat The Real Estate Agents' Licensing Act. However, this Act is not as wide in scope in that the registrar would only have the authority to inquire or examine records or documents that relate to the complaint for the alleged contravention. Section 14 also parallels The Real Estate Agents' Licensing Act in that it gives the authority to the registrar to demand the production of documentation related to the complaint. However, the registrar does not have the power of seizure, and must apply to the courts for a court order to seize the documents.

There are a few other minor changes. There will also be a couple of amendments coming in for word or house-keeping changes, but I believe these are the major items in this Bill.

Thank you, Mr. Speaker.

[Motion carried; Bill 26 read a second time]

### Bill 32

#### The Livestock and Livestock Products Amendment Act, 1980

MR. STEWART: Mr. Speaker, in moving Bill 32, The Livestock and Livestock Products Amendment Act, 1980, there are many changes in wording in the Act, basically to reflect the concerns of both the producers and the livestock dealers, and the department in administering the Act. There are some specific changes in wording that will interpret more clearly the definition of a livestock dealer. In the past, cases brought to court of people dealing in livestock without a licence have been lost due to the wording. The changes in the wording in the Act will reflect this and will change and remove that particular problem. This will in no way affect those individuals who make a practice of dealing in livestock who are duly licensed and bonded.

Section 5(1) has been added to make it possible for any person who has been refused a licence or had their licence cancelled or suspended to appeal the same, and allows for the formation of an appeal board. Section 6 is amended to allow a specific time period to be put in the regulations to govern when the livestock or livestock products must be paid for. This is a prompt payment aspect the industry has been asking for. This should benefit the industry by avoiding the use of excessive credit, which can lead to dealer bankruptcy and non-payment to producers.

Section 6(3) is a housekeeping amendment to include financial institutions such as trust companies and credit unions. Section 7 is amended to avoid the inclusion of sales commissions and handling charges in claims against the patron's assurance fund. Section 9(1) is amended to remove the requirement of publishing in the *Alberta Gazette* and will now only require publishing in a local paper, and will also change the wording from "business" to "dealing".

Section 9.1 is amended to have the time period for receiving claims for non-payment for hatching eggs increased from 60 to 90 days. The reason for this change in the Act is that it is a more realistic time period due to the hatching time and the egg business, as payment is based on hatchability, which requires an additional 30 days.

Section 10 is amended to allow the maximum of the patron's assurance fund to increase to \$1 million from the present \$500,000. The reason for this change is to allow a larger fund level to facilitate a larger payment. At the present maximum payout of \$25,000, the present level is adequate. However if this amount is doubled, the fund would soon be depleted. This change should have little immediate effect on the industry or patrons.

Section 11(1), (2), and (3) is amended to allow the level of payment from the fund to be set by regulation rather than by the Act. This allows for more flexibility based on changes in the market conditions and levels. This change will not affect anyone who ... The change in levels of the contribution to the payments from the fund should be welcomed by the industry and producers, as it will provide additional protection in the case of default.

Section 13 is amended to provide for the following: to remove the maximum payment into the fund through an annual license fee, and to allow the regulations to design the amount that can be paid out of the fund to a patron. These amendments are needed to allow for increased contribution and payments from the fund previously mentioned. This will basically affect the livestock dealer

as his license fee could be increased, but they are in agreement with this concept if the coverage from the fund is also increased.

Section 14 is amended to allow the minister to appoint Alberta government employees as inspectors under the Act, the same as can be done by employees of the government of Canada. Under the present wording, this requires an order in council. This should have little effect on anyone, but will allow for a more uniform appointment of inspectors.

Section 15(2) and Section 24 are amended to increase the penalty level to be more in line with present-day values. Sections 16, 18, and 19 are repealed. They are now redundant since The Meat Inspection Act has been proclaimed.

Section 22 is amended to allow firmer control over individuals who are dealing in livestock but are not licensed. An unlicensed livestock dealer does not have any protection for the producer from bonding or the assurance fund in case of default. The individuals affected will be those dealing without a licence. However, the producer will have the protection in place if we are able to eliminate those dealing without a licence.

Section 23 is amended to consolidate, from Section 5 to 23, the penalty for any violation of the Act or regulations. Again this will have impact only on those who violate the Act.

Mr. Speaker, I think that is my interpretation of the many changes which have taken place, and I so move the Bill.

[Motion carried; Bill 32 read a second time]

### Bill 39

#### The Companies Amendment Act, 1980

MR. OMAN: Mr. Speaker, I would like to move second reading of Bill 39, The Companies Amendment Act, 1980. The main thrust of the amendments has to do with buy-back arrangements with companies buying back their own securities.

In history, English law has tended to be prohibitive of this Act, whereas American law has allowed it to happen quite freely. Our own province has tended to follow the English custom, but other provinces of Canada have tended to liberalize the law. For instance, in Alberta a company is not allowed to buy back more than 1 per cent of the issued shares in one given year. Ontario allows 5 per cent.

The confusion has caused some problems. Some companies have unwittingly bought back more than the allotted share and have found that they've had to try to find those from whom they bought and restore the shares at the original price and so on. The other thing which has provided some difficulties is with regard to employees who have been granted shares in lieu of wages or as company benefits, and then have left before retirement age and wanted to turn them back over to the company.

So what this really does is provide an escape clause, if you will, which allows the Securities Commission to make exceptions to the rules if, in their opinion, "it would not be prejudicial to the public interest to do so." That's the actual phrase that's used. This brings Alberta's Act more in line with the majority experience of Canadian provinces, particularly Ontario, where the Toronto Stock Exchange is located, obviously.

The other parts of the amendments are really house-keeping, the last having to do with the effective date of

any changes in companies' status with the securities branch or the registrar. Because of computerization and the fact that things move more quickly now, sometimes these things are registered on the computer before the *Gazette* is published. So the amendment here simply indicates the date on which these would be effective as published in the *Gazette*.

[Motion carried; Bill 39 read a second time]

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

## head: **GOVERNMENT BILLS AND ORDERS**

### **(Committee of the Whole)**

[Mr. Appleby in the Chair]

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

### **Bill 2**

#### **The Consumer and Corporate Affairs Statutes Amendment Act, 1980**

MR. CHAIRMAN: There is an amendment. I believe the amendment has been circulated. Would the Minister of Consumer and Corporate Affairs care to comment?

MR. KOZIAK: Mr. Chairman, I believe the government amendment, March 31, 1980, to Bill No. 2 is self-explanatory. We're providing for the statutes that are amended, namely The Cemeteries Act and The Prearranged Funeral Services Act, to come into force on a day fixed by proclamation rather than on assent. The others would come into effect on assent. Other minor amendments are there to correct grammatical and other considerations.

MR. CHAIRMAN: Are there any questions or comments with respect to any sections of the Bill as amended?

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill 2, The Consumer and Corporate Affairs Statutes Amendment Act, 1980, as amended be reported.

[Motion carried]

### **Bill 3**

#### **The Attorney General Statutes Amendment Act, 1980**

MR. CHAIRMAN: Are there any comments or questions?

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill No. 3 be reported.

[Motion carried]

### **Bill 7**

#### **The Radiation Protection Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to any sections of this Bill?

MR. R. SPEAKER: Mr. Chairman, to the minister. One of our concerns a year ago was certainly the inspections that were being done. I wonder if the minister could comment on that. I believe the minister indicated in the Assembly that all inspections were up to date. Could he confirm that at this point?

MR. DIACHUK: Mr. Chairman, to the hon. member. Yes, the inspections are up to date. One of the discrepancies that was taking place at one time was that statistics would show as backlog a certificate issued for installation. I have now asked them to change that procedure to show as backlog any facility that is already completely installed and awaiting the final inspection. As of last week, we had the inspections up to date.

MR. R. SPEAKER: Mr. Chairman, to the minister. Could the minister indicate whether consideration is being given to more stringent types of conditions placed on the inspections, that standards have to be higher. If there is consideration, would that have any effect on the X-ray facilities across the province. Is one of the reasons standards are kept a little lower possibly so some of the X-ray machines do meet some basic requirements?

MR. DIACHUK: Mr. Chairman, the amendments in Bill 7 don't relate to that, but the programs do. I welcome the question. One of the reasons we have an amendment in this Act with regard to the composition of the radiation advisory board is to bring in other people to advise on programs such as the hon. member is concerned about, for a more effective use of the equipment with lower radiation. As I indicated in this Assembly, our standard is very high. However, my officials are involved in some work now in recommending to the technicians the lower amount of radiation to be used to get the same results. That is what took place in other parts of Canada; they were using a lot more radiation to produce the same type of X ray.

These kinds of programs will benefit by the expansion of the board with people from public health and so forth. It was quite an unusual arrangement to restrict it to these four qualified people we now have under the Act. We had other people serving on this committee, and they weren't recognized. So now we will be able to retain the four designated people under Section 13 but expand that committee with people who are involved in public health, involved as technicians, to improve the program, give advice to the technicians, give advice to the school — NAIT, where are technicians are being trained — on what is going to be as effective with a lower radiation output.

MR. R. SPEAKER: Mr. Chairman, to the minister. Could the minister just explain the composition of the 12 members? Will they all be professional people? I gathered that from the minister's remarks. They won't necessarily just be citizen-level people, but professional people in various specified health areas. Is that correct?

MR. DIACHUK: That's correct. It won't be just citizens at large. We've left it flexible enough so that from time to

time we could use different people appointed by the minister to serve a particular area the division may be involved in. I was advised by Legislative Counsel that that was a rather unusual piece of legislation, that four existing members were specified as outlined in the present Act. As I indicated earlier, we may even look to people who are technicians and bring in one of them to serve the committee. We've had them working with this committee, with my officials, but unofficially. There's been no recognition.

MR. R. SPEAKER: Mr. Chairman, could the minister indicate whether there is a shortage of X-ray inspectors? If so, is there a program at NAIT or SAIT the minister has implemented or initiated, through the process of co-ordination, to supplement personnel for the program?

MR. DIACHUK: With regard to shortage or availability, I don't have the answer. The training of these technicians comes under my colleague the Minister of Social Services and Community Health; the school itself comes under Advanced Education and Manpower. All my knowledge is that we advertised for some inspectors with this qualification and had a very low response, indicating one of two things: they like private practice better than going to work for government, or our salaries aren't high enough.

[Title and preamble agreed to]

MR. DIACHUK: Mr. Chairman, I move that Bill 7, The Radiation Protection Amendment Act, 1980, be reported.

[Motion carried]

**Bill 4**  
**The Department of Government Services**  
**Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to this Bill?

[Title and preamble agreed to]

MR. McCRAE: Mr. Chairman, I move that Bill No. 4, The Department of Government Services Amendment Act, 1980, be reported.

[Motion carried]

**Bill 11**  
**The Alberta Municipal Financing**  
**Corporation Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to any sections of the Bill?

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill No. 11, The Alberta Municipal Financing Corporation Amendment Act, 1980, be reported.

[Motion carried]

**Bill 14**  
**The Municipal Election**  
**Amendment Act, 1980**

MR. CHAIRMAN: There is an amendment. The amendment has been circulated. Are there any questions or comments with regard to the amendment? Are there any questions or comments with regard to the various sections of Bill No. 14 as amended?

[Title and preamble agreed to]

MR. MOORE: Mr. Chairman, I move that Bill No. 14, The Municipal Election Amendment Act, 1980, as amended be reported.

[Motion carried]

**Bill 16**  
**The Reciprocal Enforcement of**  
**Maintenance Orders Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to any sections of this Act?

[Title and preamble agreed to]

MRS. FYFE: I would like to move that Bill 16, The Reciprocal Enforcement of Maintenance Orders Act, 1980, be reported.

[Motion carried]

**Bill 19**  
**The Off-highway Vehicle**  
**Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to any sections of this Act?

MR. R. SPEAKER: Mr. Chairman, to the Attorney General, with regard to the background motivation for this Act. Have there been a number of charges or difficulty in apprehending people? Also, have certain imprisonments occurred because of this, or is this a sort of preventive action?

MR. CRAWFORD: Mr. Chairman, I'm not sure I'm in a position to answer that question. I think the Solicitor General is, though.

MR. HARLE: Mr. Chairman, the purpose, of course, is to match up the provisions in this Act with The Motor Vehicle Administration Act and to provide to peace officers an ability similar to that presently existing under that Act. It's been quite accepted in the administration of the motor vehicle legislation for these provisions. They just simply did not exist in The Off-highway Vehicle Act, and we wanted to make sure that provisions exist in this Act similar to those existing in the motor vehicles legislation.

It is quite true to say police enforcement agencies have had some difficulty. When they find one of these off-highway vehicles, of course if nobody is driving it the problem then is that they can't get back to the owner — for example to say, well, you should know where that vehicle was — and lay an offence as a result. In a similar way, there's no provision for seizure when they come across a vehicle in circumstances where, had it applied to

an ordinary motor vehicle, they would have been able to do something.

[Title and preamble agreed to]

MR. HARLE: Mr. Chairman, I move that Bill 19, The Off-highway Vehicle Amendment Act, 1980, be reported.

[Motion carried]

**Bill 20**  
**The Libraries Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments regarding any sections of this Bill?

[Title and preamble agreed to]

MRS. LeMESSURIER: Mr. Chairman, I move that Bill No. 20 be reported.

[Motion carried]

**Bill 22**  
**The Marketing of Agricultural Products**  
**Amendment Act, 1980**

MR. CHAIRMAN: Are there any questions or comments with regard to any sections of this Bill?

[Title and preamble agreed to]

MR. PENGELLY: Mr. Chairman, I move that Bill 22, The Marketing of Agricultural Products Amendment Act, 1980, be reported.

[Motion carried]

**Bill 23**  
**The Wildlife Amendment Act, 1980**

MR. MANDEVILLE: Mr. Chairman, under Section 11.22, it indicates that the Lieutenant Governor in Council is empowered to make regulations to regulate the carrying of firearms in aircraft, vehicles, and boats. The question I'd like to ask the minister is: has there been some problem? What is the reason for bringing in the regulation, or could it be put in the legislation?

MR. MILLER: Mr. Chairman, that was Section 22.11? I'm having just a little problem here. What page is it on, please? Section 11.22, was it?

MR. MANDEVILLE: Subsection 42.

MR. MILLER: This amendment allows for the implementing of regulations which will allow for conditional control or uses. Up to now it has been an absolute prohibition with no capability to modify with regard to circumstances. For example, it may be decided to allow the discharge of firearms from boats under certain conditions. At present the Act reads that you can have a shotgun in a row boat. In many cases we have hunters with boats with small motors which they take out to the reed bed, shut off the motor, and hunt from them. This is to allow for that to be done, rather than having to have to row out to your reed bed.

MR. CHAIRMAN: Are there any further comments or questions with regard to Bill No. 23?

[Title and preamble agreed to]

MR. MILLER: Mr. Chairman, I move that Bill No. 23, The Wildlife Amendment Act, 1980, be reported.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Whole Assembly has had under consideration and reports Bills 3, 7, 4, 11, 16, 19, 20, 22, and 23; also the following Bills with some amendments: 2 and 14.

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

HON. MEMBERS: Agreed.

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

[Mr. Appleby in the Chair]

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

**Department of Transportation**

MR. R. SPEAKER: Mr. Chairman, last evening in the Legislature we were pursuing a concern we wanted to raise with the Provincial Treasurer with regard to the commitment of this government toward transportation expenditures in the province of Alberta. Just to review the matter for the Provincial Treasurer, first of all I'd like to refer to the estimate book itself, 1980-81, and indicate that there the expenditure percentage change from the 1979-80 forecast is 15.2 per cent to the present budget figure we are discussing of some \$562 million. However, as we can well do with mathematics, if we compare the increase from \$451 million to \$562 million, it comes to the 24.5 per cent increase in the budget.

Our concern, Mr. Chairman, and what I'd like to relate to the Provincial Treasurer, is that it was my impression, the impression of other members of this Assembly, and the impression that was conveyed by the media throughout the province of Alberta, that the people in the province would be given a 25 per cent increase of dollars over the actual dollars spent in the 1979 year of Transportation construction. I'd like to relate to the Provincial Treasurer two items that lead not only me to believe this, but certainly have made other persons who have interpreted the budget believe the same thing.

The first statement is on page 21 of the Budget Address, 1980. The statement by you, Mr. Provincial Treasurer, indicates that "the 1980-81 budget of Alberta Transportation will increase by \$110.5 million over 1979 ..." It doesn't say what the base is. Over 1979, inter-

puted very quickly, in most cases gives the impression: over what you spent in 1979. "A 24.5% increase" to \$562 million. We indicated last evening in the Assembly that we felt that was a very misleading statement.

The second piece of evidence that I feel only endorses that misleading attitude is in 1980 Budget Highlights, presented along with the budget and other documents here in the Legislature. Under the third item of highlights it clearly says — and this is what the Budget Address given by you, hon. minister, does:

- increases road and highway building and rehabilitation by almost 25% to \$562 million;

Just to repeat it: it increases highway building and rehabilitation. To me that says the highway building and rehabilitation that went on in 1979 — increases it by 25 per cent.

Now that document as well doesn't really say it in figures but compares estimates of expenditure. The 1980-81 estimates are compared to the comparable 1979-80 forecast, which was \$488.2 million, which most likely was a close estimate of the expenditure of 1979. If we add 24.5 per cent, or nearly 25 per cent, to that figure, very quickly calculated that's about \$120 to \$122 million, which would bring the Transportation budget to some \$610 million and bring about the commitment of this government, a 25 per cent increase.

What I'm saying to you, Mr. Provincial Treasurer, is that, number one, I think we should admit at this time that the increase is only 15 per cent, not 25 per cent. The statement is misleading. If the government really wishes to meet that commitment, we should move through some mechanism that some \$49 million to \$50 million are added to the Transportation budget. On this side of the House I'm willing, and I'm sure my colleagues are, to support — I don't think we can add it directly into the estimates in this budgeting discussion here, but we can give moral support through a resolution for a special warrant. I would be the happiest guy in the world to move that, and I'm sure many people in this Assembly, for a number of reasons, would move and support that kind of resolution at this point in time. Mr. Provincial Treasurer, I certainly think not only we are owed an explanation but the people of Alberta are owed that same explanation.

MR. HYNDMAN: Mr. Chairman, I'm very pleased to offer a few comments, because in fact it's the comments of the hon. Member for Little Bow that are misleading. I'm very pleased indeed that the opposition has seen fit to draw particular attention to this very useful part of the budget. There is no question, as the Member for Calgary Buffalo said last evening, that the figure stated in the budget speech is correct, that "the 1980-81 budget of Alberta Transportation will increase by \$110.5 million over 1979, a 24.5% increase ..." That is a proper statement and a fair comparison.

As the Member for Calgary Buffalo said, the statement found in the estimates book with respect to the 15.2 per cent increase is correct as well, because it measures the estimate for the next year from the forecast.

I suggest, Mr. Chairman, that it's a little late in the day for the opposition to be suddenly raising something when, in fact, the budget speech and the estimates have been presented in exactly this way every year for the last five years. In fact, if I recall correctly, it was in 1975 that the opposition raised some questions and said a change should be made to the format we now have, so that forecasts and estimates were shown in order that there

wouldn't be an understating of the amounts of the increases. That's what they said. Partly in response to opposition submissions in 1975, the format was changed to offer far more in the way of disclosure, as we now have in the budget speech and estimates.

So, in fact, what we have here is disclosure that is proper, fair, and comparable. What the budget speech shows and what is stated in the estimates as well are the proposals of this government for the next fiscal year with respect to roads and highways. That is compared against the proposals of the government last year at this time with respect to that vote for the '79-80 year. That's the only way to be fair and compare what we're saying.

The increase is massive: an increase unmatched in Canada, never matched in the '50s or '60s — a 25 per cent increase in roads and highways.

While we're talking about comparisons, Mr. Chairman, I might go back to the last budget speech of the former government, of Mr. Aalborg in 1970. A rather thin document in terms of content and programs, I might add. But if we look at the estimates book we have, which shows not only the proposals of this government for next year but also the per cent change from forecast, the '79-80 forecast, and the '79-80 estimates — five columns of information. Do we have that in the budget of the previous government, of which the hon. gentleman was a member? No, we don't. We have nothing about the '79-80 actual expenditures. That's gone. That was never in there. They never thought of that. They didn't want to disclose that. There is nothing with respect to the per cent over forecast, or even the forecast. They talk about the forecast that didn't even exist in the 1970-71 budget.

The estimate documents we have, Mr. Chairman, are among those which present more information than most of the other 11 governments in the country, and there is no question that they provide more information and a better comparison of information for those who want to read and understand them.

Again, I think it reflects and suggests, as did the budget speech, that we have here a very significant increase, responding to Albertans, to MLAs, and providing more in the way of roads and highways in this coming year than was ever presented by any previous government in this province, and certainly better than any other record in the country.

MR. R. SPEAKER: Mr. Chairman, the matter is more serious than the minister expresses. Number one, the budgets we presented may not have had the information. We were at fault. I will admit it. Whatever responsibility I can take for pre-1971, heap it on my shoulders. Since 1971, through the learned ability of you and others, hopefully there have been some improvements. I don't argue with that. And a good thing there are. There is more information and better comparisons; that's fine.

The amount of \$110 million — I don't even think I would have argued with that as being a large increase of money for Transportation. I think that's a great sum of money; a good increase. Even the 15 per cent is a fine increase. I wouldn't argue with that.

Mr. Minister, I'm not arguing with your arithmetic. I agree with what you said. The Minister of Transportation agreed and explained the comparative basis. The hon. Member for Calgary Buffalo explained it very well; I agree with him. I have said the same thing on how to compare one base. We are all agreed on the mathematics.

What I do not agree with is the impression that was left and the manipulations that occurred in the presentation



of this budget. A bit of ethics is involved in that kind of manipulation, because there were a couple of things — well, I'm going to stick to the subject. There was a manipulation of figures. There is only 1979. If the budget had said that it is over the comparable estimates, I wouldn't have had much of an argument. But all the publicity that came out of this Assembly, and members of your own back bench got up and said, we appreciate the 25 per cent increase in Transportation's expenditures. They had the impression it was that much, and they felt it was money over and above this estimated actual expenditure of 1979.

My question to the minister is very clear, and I know what the answer is and so does the minister. Does the 25 per cent increase represent 25 per cent over the 1979 actual expenditures for Transportation, as is indicated in the highlights and in the impression of the budget? I know what the answer to that is. But if the minister can say, yes, we intended to give 25 per cent more new dollars to spend in 1980, then that's great. If that is really the intention of the government, let's admit it and make the necessary adjustment here in this Assembly.

MR. SINDLINGER: Mr. Chairman, I'd like to reiterate what I said last night, not in detail but in substance only. In the three documents in question, the figures themselves are consistent with generally accepted accounting practices. But in all fairness, I'd like to ask the hon. Provincial Treasurer to comment on the 1980 Budget Highlights, in particular the third item referred to under Highlights of the 1980 Budget Address. It states that increases in road and highway building and rehabilitation will amount to almost \$562 million. However, in the Estimates of Expenditure 1980-81, on page 327 the department total is given as \$562 million, the same \$562 million contained in the Budget Highlights. However, I look at the various votes in the comparative summary of program expenditure, which is totalled to give the \$562 million, and contained in there are such items as construction and operation of rail systems, \$12 million, and construction and maintenance of airport facilities.

My question to the hon. minister would be: how can those types of items be reconciled with the road and highway building and rehabilitation identified in the Budget Address as making up the \$562 million?

MR. NOTLEY: Mr. Chairman, I would say to the Provincial Treasurer that with respect to page 21, I don't think there is any problem with the way that is worded. But I think the Member for Calgary Buffalo raises a valid point with respect to the highlights and also the summary in the small bluish sheet that is widely circulated to people in the province. Here we say: increases in road and highway building and rehabilitation by almost 25 per cent.

I would be willing to admit, Mr. Treasurer, that one can look at the wording on page 21 and say, that is consistent with the practice in this Legislature. But people who look at the highlights, people who read this document — and frankly, Mr. Chairman, most people who read the budget are going to be looking at this document more than the rest of the documents — are going to come away with the impression that there is a 25 per cent increase in expenditure, when in fact there's a 15.2 per cent increase in expenditure. Last night the minister pointed out the reason for it. I wasn't here, but I had an opportunity to read the Blues. We're encouraged that extra money was made available.

I suppose the one minister who can get away with special warrants is the minister of highways. It's difficult to predict the construction season. We had a more encouraging construction season last year than we had any reason to hope for. With a good fall, it was obvious that we could do more work and I applaud the government for doing more work. But the net result is that in fact this year's increase over what we did last year was 15.2 per cent. When a person reads the highlights, Mr. Treasurer, one could come away with the impression that there was a larger increase projected this year than is actually the case.

Perhaps even more important, Mr. Chairman, we vote the estimates on the basis of the information supplied on page 327, and then down through the votes. Here we are basing the percentage increase on the forecast, and I think that's a reasonable thing to do because that's the actual money that was expended for every department. We see 14.6 per cent for departmental services. We go through to surveys and property acquisition of 6.9 per cent; department total, 15.2 per cent. So even when we vote the estimates, Mr. Chairman, in fact we are using the forecast as opposed to last year's budget estimates. While the budget estimates are contained, and I applaud the government for doing that, the actual vote we will go through is based on the change over last year's forecast.

Mr. Chairman, I wanted to make those observations, because I think that while we can sidestep page 21, the fact is that when one looks at the summary, an awful lot of people in this province will be asking all of us as members where that 25 per cent is, when in actual fact it will be a 15.2 per cent increase in dollars over last year.

Mr. Chairman, that's an observation. I suppose we could spend a good deal of time debating that, and I would welcome the opportunity. But since I wasn't here last night, I'd like to deal with several other points in the form of questions to the Minister of Transportation. Might I just say that I think the Minister of Transportation has shown an excellent attitude in co-operating with MLAs on both sides of the House, in terms of sitting down and discussing projects in their respective constituencies. I would recommend the Transportation minister's tolerant approach to the Minister of Hospitals and Medical Care. In any event I think the minister is to be applauded for doing that.

There are really two points I would like to raise in addition to issues concerning my own constituency, which I've already dealt with in talking to the minister. In terms of provincial issues, the first is the question of whether we are going to be making any commitment for five-year block funding as recommended by the heritage trust fund [committee] in the fall of 1975. I believe the present Minister of Transportation was a member of that committee. While I appreciate the fact that more money is being made available — 15.2 per cent in actual dollars; 25 per cent over last year's estimate — we still don't have any commitment to the long-term funding of Transportation on a consistent basis. In the discussions in the heritage trust fund committee in 1978, I thought some of the most compelling arguments were advanced by the former member for Drumheller, who held the present minister's portfolio for many years. He argued that unless we commit ourselves to block funding, with an inflation rate, an escalation rate, and a form of project funding, what we get is stop/start budgeting, and it isn't possible for the private sector to gear up to purchase equipment. I felt that the arguments advanced by the Member for Drumheller at the time were excellent. It seems to me that they

still are excellent. I would ask the minister where the government stands now with respect to this question of five-year block funding with an inflation escalation feature. It seems to me that that's very important.

The second point I'd raise is that when we look at the improvement of our primary highway systems — and we're looking at page 162 of the book of elements, Mr. Chairman. While I applaud the fact that there will be increased construction of secondary roads — certainly that's long overdue — I look at the primary highways. I see that last year our forecast was \$126 million; this year we're estimating \$115 million. So there will be a drop of approximately 9 or 10 per cent in actual dollars if we just stay within the strictures of the estimates in primary highway construction. I've travelled this province long enough to know that we have all sorts of leeway in order to do at least as well this year, Mr. Minister, as last. No one argues that you can double the highway budget overnight. I don't think any member of the opposition, as I recall, has ever suggested that. There are only so many people in the business. If you double the department in one fell swoop, you'll simply find that the contracts will come in at a substantially higher cost and your dollars won't go as far.

But it seems to me that what we're in fact doing this year is reducing the money in real dollar terms on primary highways and that, secondly, this government still hasn't given us a clear indication of its position on the heritage trust fund recommendation of 1978 for block funding, with provision for an increase in expenditures as a consequence of inflation.

MR. HYNDMAN: Mr. Chairman, I'd like to respond to a couple of the points made. Firstly with regard to the suggestions by the Member for Calgary Buffalo respecting the light blue 1980 Budget Highlights, one of the problems is that in a document 10 inches square we're attempting to incorporate many thousands of facts in the estimates and indeed in the budget speech itself. I think this document setting forth the highlights is well received by Albertans. That's the reason it's put together. But it is a summary, so in putting it together it is sometimes difficult to put in all the facts one would like, and at the same time print it on this small piece of paper. But I think the suggestion made by the Member for Calgary Buffalo merits consideration; that is, to review in future years the method of description of road and highway building, and the figure used with respect to the 1980 Budget Highlights document.

Getting back to the comments of the Member for Little Bow, it seems to me that what his complaint boils down to is that on page 21 of the budget speech, where a 24.5 per cent in Transportation is talked about, a clause stating "over 1979-80 estimates" is not there and he would like to see it there. I point out to him that at the top of page 13 of the budget speech, in discussing all the government's total budget of estimates of expenditure, operating and capital, — in effect referring to the rest of this document — it says the total will be \$5.309 billion, a 17.4 per cent increase over the comparable '79-80 estimates. I think most hon. members will agree it would be pretty cumbersome to put in the phrase "over the comparable 1979 estimates" 500 or 600 times in this book, and to make it so anyone would read it or so it would be understandable. Granted, perhaps members of the opposition would like it to be not in that form, but I guess that's one of the difficulties in putting forward a document.

I don't think, though, that the statement on page 21 is misleading in any way. I reject completely the suggestion there's any manipulation there. If it boils down to the question of impression, well that's a subjective situation. But I believe that members of the Assembly can correctly and accurately go about the province pointing out that the increase in proposed expenditures this year over last year is 24.5, per cent or \$562 million.

MR. R. SPEAKER: Mr. Chairman, I agree. I can't argue with what the Provincial Treasurer said. It is subjective. The impression is out there in the public, and I think we have a responsibility to legitimize that. In light of that, I'd like to move this motion in this committee. I recognize we can't add dollars to the figures here but, Mr. Chairman, I'd like to move that this Legislature support the government of Alberta, through the Provincial Treasurer, to supplement the Transportation budget of 1980-81 by a special warrant or supplementary estimates of \$49 million, which in turn increases in reality the expenditures of this government by nearly 25 per cent for the year 1980. It makes it a reality and I'd like to move that, seconded by the Leader of the Opposition.

MR. PAHL: Mr. Chairman, speaking to the motion, or the amendment, it would seem to me that the hon. Member for Little Bow would be trying to introduce a lot more orderliness into the highway building programs that occur in this temperate zone of ours. As he well knows, the growing season in this part of the world is also the highway construction season. I would suggest that trying to match estimates and construction with precision, and suggesting this could be done, would be like trying to pin down precisely just when, within the space of literally hours, he would be putting his crop in and taking it off, without any variability for the weather we all have to live with. So I think the cosmetic effort represented by the amendment just doesn't appreciate or recognize the reasonable variability of the estimate and the actual expenditures. Although the point has been well spoken to, I think we should not consider this motion for amendment too seriously.

MR. NOTLEY: Mr. Chairman, we're all well aware of the fact that the climate in this province is uncertain and is going to have an impact on the progress of the construction season. That goes without saying. Nevertheless, Mr. Chairman, the government has come to this Legislature and made proposals on the basis of what they think can reasonably be projected. That information has been compiled by the department on the basis of a priority which is presented to us for our consideration when we look at the estimates.

Mr. Chairman, I don't think there is a rural member in this constituency who has had an opportunity to talk to regional Transportation officials, the minister, or top officials in the construction branch, who would not be able to itemize projects which could in fact proceed and aren't able to proceed this year because the department has to work within the constraints of this budget. I just mentioned the department primary highway program, which this year is \$11 million less than the forecast for last year.

The idea that this Legislature would not be able to increase the money and that the minister's department wouldn't be able to properly spend \$49 million is, I find, a little hard to accept. If we were talking about a \$200 million or \$300 million increase that would have a dramatic effect on contract prices, then it would be a dif-

ferent matter. But we're talking about \$49 million. I don't think, Mr. Chairman, and members of this committee, that there would be many people among the senior officials of the Department of Transportation who would come to us and say that an increase of \$49 million would affect the bidding on highway contracts. A large percentage increase might very well might, but there are enough projects ready to go or that could well be pushed ahead in this province in the primary program alone to be able to fit well within the \$49 million the Member for Little Bow has suggested.

No, Mr. Chairman, as a member from rural Alberta where there are many miles of road yet to be built and many miles of road yet to be paved, I have no difficulty at all in supporting this particular motion. I would assume other rural members in Alberta with the same situation would look forward to helping the minister with the additional funds necessary to do the job.

MRS. OSTERMAN: Mr. Chairman, just a quick comment on this proposal. I really find it interesting that just a few moments ago the hon. Member for Spirit River-Fairview — and I'm sorry if I misunderstood the hon. member — was talking about the fact that there was a sizable increase, that one must keep in mind that you could add to inflation, and that all that would happen is that the cost of the projects would go up. Now, we're talking about a significant increase in the budget; it's already there. We don't need to add another amount of money to it. I think the fine balance has been struck between getting as much done as possible this year and adding to the cost of that construction.

MR. MAGEE: Mr. Chairman, I also would lend my voice to not passing the amendment. It is my opinion at this late date in the year, when spring is just around the corner, that another \$49 million thrown in would indicate that possibly a flood of contractors could arrive in this province from other provinces and, by so doing, again create a situation where we would have excess contractors who in another year or so would be faced with bankruptcy because of the fact that you can only stimulate an industry so quickly.

In my experience in developing a business, I have found that if you try to go too fast without long-range planning you're simply going to build a situation where you are stumbling rather than going by a planned approach. I certainly think this amendment would do this. While I'm all in favor of gradually — the next three, four, five, or seven years — expanding our Transportation dollar, it should be done on a systematic basis. I hold out to you, Mr. Chairman, that this system has been arranged in this systematic pattern for this coming year.

MR. SINDLINGER: Mr. Chairman, I'm rising also to speak against this motion. In doing so it may be helpful if I provide for the consideration of the members some information I developed in regard to this matter. It's been alleged that this government is reducing the real value of expenditures on highways, and I would submit that that is not the case. To support that contention, I went to Statistics Canada and looked up construction price statistics, catalogue 62007, February 1980, table 19. That table gives highway construction price indexes for Alberta from 1971 until 1980. Applying those price indexes to the construction and maintenance of highway expenditures by this government over the period of years covered by the indexes, I discovered that the real value of expendi-

tures by this government on highways has increased over that period, and the increase is in the double digit figures. In my estimation, that's quite commendable, given the double digit inflation we've had over that period of time.

MRS. CHICHAK: Mr. Chairman, I'd like to make a couple of very brief remarks. I'm not going to repeat what some of my colleagues have presented in opposition to this motion. But I'd like to call a spade a spade. I think we have to look at what appears to be attempted by the hon. Member for Little Bow. I think that the hon. Member for Little Bow, in moving to increase the amount of the budget on highways, is not really doing that. It would appear that his remarks were to bring the limits up to concur with the percentages used in the budget speech, or in the budget.

I would like to say that I think the hon. Provincial Treasurer and the Minister of Transportation and other members have very clearly set out that the percentages being quoted and the moneys that have been allocated according to the budget or the estimates are all there and coincide. Perhaps the hon. Member for Little Bow is trying to — or I should ask him. Is he trying to lead this House in some sort of obtuse way by indicating that all the moneys are not there, and that if the hon. members from the government side vote against this motion they are in fact voting against increasing the budget for highways to bring it into line with the percentages of figures that are used? If that is the intent of the hon. member, then I would say that clearly that would be misleading the people of this province. On that basis I would simply have to say there is no way I could support a motion of that nature.

I've listened to the debate. I've not been satisfied that the hon. members from the opposition have clearly said that the percentages and the moneys being allocated or to be used in the department of highways do not coincide. So if it's to be a spade a spade, then let's call it a spade. We are not going to be led under that kind of directive.

MR. CHAIRMAN: Before we proceed any further with this debate, I would have to express some very serious doubts as to the propriety of this type of resolution. Generally, when we're considering the estimates an amendment will be brought forth rather than a motion to amend one of the particular estimates. It might also be possible to move a motion which would make a recommendation to the Assembly. I have some doubt about justifying the relevance of introducing a motion of this type, with this type of wording, at present. However, I am willing to hear some argument on that point too. Perhaps the member who made the original motion would like to close debate. If you wish, we could then put the motion.

MR. R. SPEAKER: Mr. Chairman, in closing debate I'd like to say three things. The first one is that when I hear the reaction of the backbenchers on the government side it brings back ghosts of pre-1971. I recall sitting on that side of the House and reacting in a very similar manner because the opposition raised it. The Provincial Treasurer when he sat on this side of the House, the Premier when he sat on this side of the House, reacted just on that principle rather than on the issue at hand or the discussion at hand. I remember doing that. Politically it was suicide and the results were 1971. That's my first comment.

The second thing that I'd like to say is that yes, I am attempting to say to the hon. Member for Edmonton

Norwood that we live with a 25 per cent commitment, and in line with that, through this resolution, it could have even been amended to say: if it is required by the minister in the administration of the Department of Transportation. There's no question that weather conditions, various other conditions, other situations, availability of equipment, men, et cetera, put certain constraints on the budget of the Department of Transportation. That's very obvious, and I can't argue with that. We could have amended the motion to that effect and said, we give him permission on the basis that he is able to allocate the money in a responsible manner. It could have been amended that way and the government ... Maybe when we come back a year from now there will be special warrants for the Department of Transportation. I certainly hope there are. But this could have given them licence and assurance that this Assembly was a hundred per cent behind the Minister of Transportation. That's my second comment.

The third comment is this. It's an old Social Credit principle that that which is physically possible can and should be made financially possible. All I'm saying is that there's capability in this province to follow out that principle. I'm urging the members to support this resolution and we can do it.

Thank you, Mr. Chairman.

SOME HON. MEMBERS: Question.

MR. HORSMAN: Mr. Chairman, on a point of clarification, I wonder if the Chair could read the motion presently before the committee since we did not receive copies, as is the normal course when we are dealing with amendments before the committee or the House.

MR. CHAIRMAN: I might say that I think that is a policy that has been creeping not only into our committees but into the Assembly as well, that somebody comes up with an amendment or a change in the way of a motion and does not supply sufficient copies. This is not only members of the opposition; I have seen it on the part of government members as well. When an amendment is to be presented it would be very useful and, I think, very courteous and appropriate if sufficient numbers were made available so at least the Leader of the Opposition, the person in the Chair, the Clerk or the Clerk Assistant, the Government House Leader, the Premier or the Acting Premier, and the Deputy Government House Leader could all receive copies of the amendment or the motion.

I'll read this to you now. As I say, I still have misgivings about accepting this type of motion at this stage in the proceedings.

I move that this Legislature support the government of Alberta, through the Provincial Treasurer, to supplement the Transportation budget of 1980-81 by a special warrant or supplementary estimates of \$49 million.

Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in — yes?

MR. HORSMAN: Mr. Chairman, on this point, I don't want to prevent the hon. members of the Assembly, no matter where they sit, having an opportunity to bring matters of either confidence or non-confidence in the usual manner, both during the debate on the Speech from

the Throne or in Supply. But I do think it should be done in such a manner that it is proper and does not set an improper precedent for future days. It seems to me that the motion as worded is not in order with respect to the normal procedures in Committee of Supply. If I could, refer to *Beauchesne*, rule 477:

The Estimates of a department or agency of the Government are referred to and considered in the various standing committees, where the Members have an opportunity to agree to, negative, withdraw, reduce or supersede each Vote of the Estimates.

It seems to me, Mr. Chairman, that the way the motion is worded in this particular instance does not fit any of those methods of dealing with the votes and the one we are dealing with now. Therefore, if the hon. member wishes to make an amendment to the vote it should be done in the proper way. I have some reservations about the manner in which it has actually been worded. I would like, therefore, to put that point. Not that I object to it being voted on. But I do think that if we vote at this time, we do so without creating any precedent for the future operation of the Committee of Supply. I would like the hon. members of the opposition to consider the proper form at a future date. I just want to get that on the record.

MR. R. CLARK: Mr. Chairman, speaking to the point raised by the Deputy Government House Leader, from our point we certainly would not consider this to be a precedent-setting form to be used in future situations.

MR. KNAAK: Mr. Chairman, on a point of order. I believe the motion is in fact not consistent with *Beauchesne*. The House is at liberty to change its rules but requires unanimous consent to change those rules. I think the initial vote, if there is one, is to ask for unanimous consent to change the rules in order to permit this motion to be introduced. If that is not desirable, I believe it should be ruled out of order.

MR. CHAIRMAN: In reply, if I might, to the Member for Edmonton Whitemud, I would remind all members that this committee has no right to change any rules. That has to be done in the Assembly itself. We can't change any of the rules when we're in the committee stage. The more I look at this motion, the more misgivings I have. I read in the first line "I move that this Legislature support the government ..." and so on. We are not sitting as the Legislature at this time. So it becomes more apparent to me that this is not a motion that could be accepted in committee. I wonder if the hon. Member for Little Bow would wish to change the wording of this resolution and have it in a more acceptable form, or what the feelings of the committee would be.

MR. R. SPEAKER: Mr. Chairman, possibly the point is well taken. To comply with what I believe you are suggesting, I'd like to amend it to this effect: "that this committee, being the Committee of Supply of the Legislature, urge the government to supplement the Transportation budget of 1980-81 by a special warrant" and so on. That would apply then to the committee as such.

MR. PURDY: Mr. Chairman, I draw your attention to procedure in committee, *Beauchesne* 491, where no motion can take place. An amendment must take place as the various votes are brought up in committee study. So

I'd say the motion proposed by the Member for Little Bow is out of order.

MR. CHAIRMAN: I would suggest that I would have to look at this very carefully and make a ruling on it before putting it to a vote. I would suggest to the committee that my feelings are that this is not an amendment to a particular vote, and I would not feel I could accept it and put it to the committee in this form, as suggested by the Member for Little Bow.

MR. R. CLARK: Mr. Chairman, with great respect, sir, might I ask that given the hour of the afternoon, perhaps between now and tomorrow — it's the government's intention to sit tomorrow evening — the Chairman of the committee could consult with the Law Clerk. Perhaps the Government House Leader may want to consult with whoever he wants to. At that particular time, Mr. Chairman, a final ruling might be made by you, sir, after having an opportunity to discuss it with the Law Clerk.

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: Does the hon. Government House Leader wish to comment?

MR. CRAWFORD: Mr. Chairman, I was just on the point of moving that we rise and report, which I will do shortly. I see no harm, Mr. Chairman, since you have

stated you would not want to accept it at the present time and would only be prepared to make an actual ruling on it after consideration. I think the suggestion made by the Leader of the Opposition is a reasonable one and therefore would move that the committee rise, report progress, and ask leave to sit again.

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Supply has had under consideration certain resolutions, reports progress thereon, and requests leave to sit again.

MR. SPEAKER: Having heard the report and the request for leave to sit again, do you all agree?

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, tomorrow night the Assembly will meet again in Committee of Supply, and I would think the same will apply to Friday.

Mr. Speaker, I move we call it 5:30.

HON. MEMBERS: Agreed.

[At 5:28 p.m., pursuant to Standing Order 5, the House adjourned to Thursday at 2:30 p.m.]

