

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Tuesday, November 18, 1980 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 88****The Election Act, 1980**

DR. REID: Mr. Speaker, I request leave to introduce Bill 88, The Election Act, 1980.

This Bill is a complete rewrite of The Election Act. It rearranges the sections into parts related to the functions. It will also enable as many Albertans as possible to vote in future elections, regardless of their mobility in our modern society, and to vote in their home constituency wherever possible.

[Leave granted; Bill 88 read a first time]

MR. CRAWFORD: Mr. Speaker, I move that Bill No. 88 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

Bill 236**An Act to Amend The Individual's Rights Protection Act**

MR. R. SPEAKER: Mr. Speaker, I request leave to introduce Bill 236, An Act to Amend The Individual's Rights Protection Act. It makes amendments with regard to place of origin.

[Leave granted; Bill 236 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. MOORE: Mr. Speaker, I have the honor today of filing with the Assembly a report from municipalities throughout Alberta on the use of the 75th Anniversary \$20 per capita funds.

Mr. Speaker, of the almost \$41 million allocated to municipalities, better than 93 per cent of the grants are accounted for in this report. Municipalities must account for the remaining expenditure of moneys by January 15, 1981. At that time I would have a final document with regard to the use of the per capita grants.

Included in the grants here is some \$31 million which has been expended in capital projects. The capital expenditures are designated in two categories: capital structures, such as the construction of new buildings or parks; and expenditures for things of lasting value, such as renovations, building additions, and the purchase of equipment. According to the per capita grant guidelines, municipalities were permitted to use their grant in whole

or in part in this way.

The report indicates 14 different categories, with the majority of capital expenditures attributed to cultural projects, at an approximate sum of \$12 million. About \$10 million was expended for recreational and sports projects, with just over \$4 million for community facilities and programs. A small portion — less than \$1 million — went toward celebration events, with the majority of moneys allocated for projects of a more lasting community benefit.

Mr. Speaker, in reviewing the reports received to date, the most notable impression is that each municipality has allocated its funds thoughtfully and carefully, and that the end result truly represents whatever is important to that community.

MR. SPEAKER: I hesitate to interrupt the hon. minister, but it would appear that if there are going to be fairly extensive listings or explanations of the contents of the documents, that may be taking up time, because the documents are of course about to become public knowledge.

MR. MOORE: Mr. Speaker, the comments I have just made are not part of the documents, unless one were to research at length the matters contained here. However, I was about to conclude by just saying that the per capita grant money has been used on a remarkable variety of innovative community projects, something we believe is a tribute to the citizens of this province in allocating these funds.

MR. CRAWFORD: Mr. Speaker, I'd like to file copies of the 1980 annual report of the Legal Aid Society of Alberta. Copies are available for all members.

MR. BORSTAD: Mr. Speaker, I would like to file copies of two reports completed for the Northern Alberta Development Council. One is the Profile of Part-time Farmers in Northern Alberta. The other is Projection of Highly Qualified Manpower Requirements in Northern Alberta. Both reports will be referred to at the conference, Alberta North in the 80's, this weekend.

head: **INTRODUCTION OF SPECIAL GUESTS**

MRS. CRIPPS: Mr. Speaker, it gives me a great deal of pleasure today to introduce 40 grade 12 students from Frank Maddock high school in Drayton Valley. I believe they're sitting in the members gallery, accompanied by their teacher Lynne Beesley. Would they rise and receive the welcome of this House.

MR. CAMPBELL: Mr. Speaker, it's my pleasure today to introduce to you and to the rest of the Assembly 18 students from the Pine Hill Colony in the constituency of Rocky Mountain House. They are accompanied by their teacher Mrs. Thelma Dorn and an attendant Mr. Joe Hofer. I would ask them to rise and be recognized by the Assembly.

MR. BORSTAD: Mr. Speaker, I would like to introduce Ross Pettit, a student from the Grande Prairie composite high school. Last spring Ross topped his Social Studies class on Canadian and Alberta history. His prize was a visit to Edmonton today and to the Legislature this after-

noon. I would ask Ross to rise and receive the warm welcome of this Assembly.

MR. APPELBY: Mr. Speaker, I am pleased this afternoon to be able to introduce to you and to the other members of this Assembly a very special group of visitors, here under the auspices of the Canada World Youth movement. They are made up of a group of students from Indonesia and from other parts of Canada. We have four such groups visiting Alberta at the present time, in the communities of Lac La Biche, Stettler, Vegreville, and the group I'm happy to introduce today, from Westlock. Seven are university students from Indonesia. Seven are from Canada, two from Quebec, two from Ontario, two from British Columbia, and one from Alberta.

These students are working under the cultural exchange program, and have been living in the Westlock community for the past two months, taking part in community activities and working in such things as the hospital, the nursing home, and in agriculture. They have been living with local families, which certainly have enjoyed having them for this period of time.

Their group leader is a young chap named Benny Quay, who has been in Alberta for a number of years now. They're in the members gallery, and I'd ask them to stand and be welcomed to the Alberta Legislature.

MRS. LeMESSURIER: Mr. Speaker, I would like to introduce to you, and through you to the members of this Assembly, 40 students from Victoria Composite high school in my constituency. They are accompanied by their teacher Mrs. Unterschute, and are seated in the public gallery. I would ask that they stand and receive the welcome of the Assembly.

head: ORAL QUESTION PERIOD

Education Funding

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question to the Minister of Municipal Affairs and the Minister of Education. It flows from the commitment contained in the throne speech of the spring of this year, dealing with a review of the foundation program. I ask the question, this being the time the municipal convention is taking place in the city of Edmonton.

My question to the Minister of Municipal Affairs or the Minister of Education: what progress has been made on the review of the foundation program? Has the government arrived at a conclusion so that, from the standpoint of budgeting, municipal governments and especially school boards would be in a position to know the implications of this government review prior to the commencement of their fiscal year, which is January 1?

MR. KING: Thank you very much, Mr. Speaker, and my colleague. At the present time, it is the Department of Education that is involved in these studies. As I have indicated on other occasions, we are in the first stage of a major review of the educational finance plan in the province. Within the Department of Education, this year we are doing what are referred to as base-line studies; that is, we are doing an examination of the current financial system in the province.

In addition to the work being done within the department, I believe four or five pieces of work have been contracted out to consultants. Our expectation is that

next spring, when those base-line studies are done, we will involve the Department of Municipal Affairs and the Provincial Treasury for the second stage of the review, which will involve the development of a proposal for educational finance in the province in the future. But that second stage is also expected to take 12 to 15 months. Therefore we would not be in a position to make policy decisions until 1982, I would expect.

MR. R. CLARK: Mr. Speaker, so that municipal governments won't be holding their breath, my supplementary question to the Minister of Education would be: is he in a position to indicate the nature of the three studies that have been contracted out, so the Department of Education will have a base line — to use the minister's words — on the financial position of school boards? That has been included in their financial statements for a number of years.

MR. KING: No, Mr. Speaker. I want to be clear that I am recalling the figure 3 from memory. Some number of contracts have been let outside the department, but it might be three, four, or five. I can't be precise with the member as to which aspects of the work are being done internally and which have been contracted. But if the hon. member has an interest in that, I will undertake to provide it to him.

MR. R. CLARK: Mr. Speaker, to the minister. Can the minister confirm to the Assembly that the three, four, five, or however many studies there are, both inside the department and to private consultants, have actually commenced?

MR. KING: Oh yes, Mr. Speaker. I'm sorry if I was unclear about that. Some of this activity began last December or January. I know that at least one of the external contractors is at work, because I have had a meeting with them.

MR. R. CLARK: Mr. Speaker, to the minister. Can the minister assure the Assembly that when the external contractors' work is done for the Department of Education, that information will be made available to municipal governments in the province? Will the minister give an undertaking to make that information available to the Assembly?

MR. KING: I have already made that undertaking to the Alberta School Trustees' Association and to representatives of municipal governments, and I'm certainly prepared to make that undertaking to the hon. member opposite.

MR. R. CLARK: Mr. Speaker, to the hon. minister. Taking into regard the announcement on evaluation the minister made last week, especially that portion of the remarks that centred on diagnostic testing for gifted children and children with learning disabilities, will additional funds be made available this year — and next year also, because those two years will be prior to '82 when some decision is arrived at — to enable school boards to use the results of this diagnostic funding to meet the aspirations especially of parents with gifted children, many of whom have met the minister and his department officials and have certainly been given the impression at least that some additional funding will be coming for-

ward, be it out of the educational opportunity fund or someplace else?

MR. KING: Mr. Speaker, funding for programs for the gifted is already available under the educational opportunity fund, at the discretion of the local school board. That is to say, if they want to use some of that money to operate programs for the gifted, they may. That is at their discretion.

With respect to any undertaking I may have made to the parents or representatives of the gifted, I want to make it perfectly clear that my undertaking is to consider, with them and in the department, ways in which the department might be of more assistance to gifted students as well as to handicapped students. There is no undertaking with respect to additional money at this time.

With respect to diagnostic testing, I doubt that additional money will be available from the Department of Education for testing in the upcoming year. Quite clearly, what was suggested by the statement of last week was that we are not satisfied with an *ad hoc* approach, and want to develop a program that will have general application throughout the province. That should be funded. In the meantime, I don't think we would be well served by an *ad hoc* response.

MR. R. CLARK: Mr. Speaker, just one last question to the minister. Is it the intention of the government to attempt to maintain the present broad balance of funding the cost of education — something like close to 25 per cent coming from local property tax? Will that be the government's target for the next two years until this review is finished? Then, after consultation with Treasury and Municipal Affairs, there will be some basic changes as far as the foundation program is concerned. On a provincial average, close to 25 per cent of the cost of education is now coming from supplementary requisitions.

MR. KING: The matter the hon. member refers to is constantly under review. As the hon. member knows, that split between provincial and local support varies from year to year, depending upon a variety of circumstances. So I am unable to say at this moment what the split of provincial/local funding will be next year or the year after.

The hon. member appreciates that we are maintaining a program that was developed in 1961, for which he had responsibility for a few years, not in its development but in its maintenance. Three critical questions were never answered by the people who originated the program; in fact, they haven't been answered to this date. One of them is: what is an appropriate split between provincial and local support? The second is: how do you rationalize that split? The third is: what exactly is it that constitutes a basic education or a foundation education, whether in Fort Chipewyan or in Edmonton, Alberta? Laudable as the program was in 1961, we would like to answer those questions now.

MR. R. CLARK: "Now" is very appropriate.

Medical Fees

MR. R. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Hospitals and Medical Care. I raise the question in light of the comments the minister made some months ago, some weeks ago, several

weeks ago, many weeks ago, on this question of extra billing. In the comments that I noted, at that time the minister indicated very firmly that the government would move on the question of extra billing. At one stage in the minister's public pronouncements, the government was committed to stopping extra billing. What happened between when the minister made that statement and the legislation that was introduced yesterday, which is a total back-off from that position?

MR. RUSSELL: Quite a lot has happened in the interim, Mr. Speaker. First of all, I think it demonstrates that I'm a pretty open-minded, flexible, and reasonable person. [laughter]

MR. NOTLEY: You've got a red face, Dave.

MR. RUSSELL: On a more serious note, Mr. Speaker, we have watched with a great deal of concern the experience that all other provinces in Canada have had with opting out legislation. I've assessed very, very carefully the presentations that have been made to me both for and against opting out legislation, by not only the medical profession but their patients throughout Alberta. There is a great deal of difference of opinion on that. Of course, the third new element that's been introduced is the federal government's response to Justice Hall's report on medical care in Canada, and the directions indicated by the federal minister. We'll have a better indication of what those will be some time after next February.

Putting all those things together, our caucus came to the decision that opting out legislation was not the step to take at this time, and that we should look at the experience the legal profession has had for many years with respect to the taxing or assessment committee. So we propose to try that. I have been assured by the medical profession that they will support it very enthusiastically. They believe they can bring the practice of extra billing within reasonable bounds, given that legislative framework to work within. I admit that it is a different direction than I indicated some time ago, but it's a step we think is reasonable to take at this time.

MR. R. CLARK: Mr. Speaker, in this Assembly we're used to hearing the federal government blamed for a lot of things. But I'd like to ask the minister what action on the Hall report and what comments made by the federal minister led the Alberta government to make that at least one of the factors that urged the government to arrive at the conclusion, which is basically to do precious little?

MR. RUSSELL: Mr. Speaker, I am sure the hon. leader shares my concerns with respect to the federal government's attitude, because he was a member of the government's Executive Council at the time former Premier Manning led the fight against medicare, if I can put it that way. I think the concern by Canadians should be just as great today with respect to that matter, because it's no secret that the present Minister of National Health and Welfare would like to see socialized state medicine, in its purest form, introduced into Canada.

Personally, I think that would be a tragedy. Taken as a package, the recommendations put forth in the Hall report are pretty severe. It doesn't leave the medical profession or the provinces much choice with respect to the standards or choices of medical care that citizens in different parts of the province would receive.

More specifically, at our September meeting the federal

minister indicated that the federal government would be prepared to move with respect to banning extra billing, banning opting out, compulsory binding arbitration for doctors' fees, an expansion of the benefits provided for citizens, and the abolition of medicare premiums. When you put that together, that's a pretty awesome package.

We do have the federal minister's commitment that no action would be taken until there is further consultation. So I'm not blaming the federal government for anything; I am just repeating the direction they would like to follow. That's not the direction that meets with the agreement of most of the provincial ministers of health, including the province of Alberta.

So therein lies our concern. Since meeting with the other ministers in September, I have had communication with the federal minister, voicing her concern about the prospect of Alberta introducing opting out legislation. Therein lies the dilemma that faces the province. So we're trying to deal with it in a reasonable way that we think will respond to the concerns of the majority of our citizens.

MR. R. CLARK: Mr. Speaker, to the hon. minister. In the course of the discussions the minister has had with the medical profession in Alberta, according to the minister the profession has said it will attempt to keep extra billing within reasonable bounds — and I don't doubt that. In the course of the discussions, what does the medical profession regard as reasonable bounds? Or if I can put it another way, has the minister received some assurance from the profession that in fact we can look toward a sizable reduction in the practice of extra billing?

MR. RUSSELL: Mr. Speaker, that's a very fair question, but it's a very difficult one to respond to. The executive of both associations — that is, the Alberta Medical Association and the College of Physicians and Surgeons — have assured me verbally that they are confident this legislation will permit them to deal effectively with the relatively small group of doctors who, quite frankly, are abusing the extra billing privileges. Statistically, that represents about 12 per cent of the doctors in Alberta who do extra bill. They're the ones causing the bulk of the problem. So if you take that as a major problem and set it to one side, I have to take the assurances of those two professional associations that they can deal effectively with that group.

With respect to the rest of the doctors who extra bill — not constantly but on a choice basis with respect to their patients, and at varying levels — I believe that policing by their own profession plus members of the general public will certainly encourage them to be more careful in that practice; to be more judicious and to assure the public they will be billed fairly for services received.

MR. R. CLARK: Mr. Speaker, to the minister. What commitment did the minister make to the college with regard to the make-up of the panel of the committee that will be viewing the practice of extra billing? Was a commitment given that at least half, or more, of the members of the committee would be members of the medical profession?

MR. RUSSELL: No, Mr. Speaker, no commitment has been given. If hon. members have had a chance to peruse the Bill introduced yesterday, they'll note that the organization and the functioning of the committee is to be outlined by way of regulation rather than embodied in

the legislation. I think the reasons for that are obvious.

I have said publicly that there will have to be members of the general public represented on that committee, just as there are presently on the board of directors of the College of Physicians and Surgeons. I'm not sure today what the correct proportion might be. But certainly if the committee is to be credible, there will have to be a large percentage of general public representation on that committee, balanced with persons who are knowledgeable in assessing the true value of medical bills for the various medical services provided.

MR. R. CLARK: Mr. Speaker, to the minister. Is the minister prepared to give a commitment to the Assembly that, from the standpoint of numbers, the medical profession will not have the majority of individuals on the committee? I ask the question to satisfy people in the public who are concerned about extra billing and who have heard the government move from a position of banning extra billing to this position. It seems to me that to have credibility we have to have an assurance that the medical profession will not be in a position to dominate from the standpoint of numbers on this committee. Can we have that assurance?

MR. RUSSELL: Mr. Speaker, I cannot give that assurance to date.

MR. NOTLEY: A supplementary question to the hon. minister. Is the minister in a position to advise the Assembly what steps the government proposes to take to select the representatives from the general public? Will there be specific meetings with particular user groups? What will be the process? What time frame are we looking at for the selection of this committee?

MR. RUSSELL: Mr. Speaker, we're now getting into detail that I'm unable to answer today. The legislation provides the college with the legislative authority to constitute such a committee. Presently their board of directors is made up of both medical doctors and members of the general public. I have to assume that in consultation with the government and my department during the next few days or weeks, we will develop a good committee with the correct proportion. I can't say today whether that be fifty-fifty or some other proportionate breakdown. There are both factors to consider: the very valid concerns of the general public, as well as a balance of members from the medical profession who can assess these bills. That's the balance we would be striving to achieve.

Public Service Negotiations — Division 8

MR. HIEBERT: Mr. Speaker, my question is directed to the Minister responsible for Personnel Administration. Could he clarify for the Assembly the status of the arbitration board in conjunction with the NAIT/SAIT dispute? Has the make-up of the board been established by the Public Service Employee Relations Board?

MR. STEVENS: Mr. Speaker, the memorandum of agreement reached in September and then rejected by the members of Division 8, resulted in the government of Alberta seeking arbitration from the Public Service Employee Relations Board. That board met last week and again, I believe, on Friday and yesterday.*

The board has established an arbitration board, and

*See page 1603, right column, paragraph 3

the government of Alberta did name its appointee. The Alberta Union of Provincial Employees declined to name a representative for that division, but waived its right to a 10-day time period that the Act provides; the board did waive that. So in fact the Public Service Employee Relations Board named an appointee for the union. Those two persons and the board determined a chairman. The three persons named are: chairman, Gerald Hawko; representative of the Alberta Union of Provincial Employees, Robert A. Pailp; and government appointee, David Ross.

MR. HIEBERT: A supplementary, Mr. Speaker. What is the time line for the arbitration board? Will the NAIT and SAIT instructors' associations have an opportunity to make direct representation to this arbitration board?

MR. STEVENS: Mr. Speaker, I'm not in a position to indicate any time frame for the board as it would be up to the arbitration board to determine how it will proceed. However, I am confident they will act as quickly as possible in their proceedings.

They must consider five areas: public interest; terms and conditions of employment of the instructors, for example, and other instructors in different situations; the relationships between various classifications within the unit; what are fair and reasonable terms for solving this dispute; and any other factor. So I would assume the board would consider that possibility; that if the instructors have areas of concern, ideas, or suggestions, they would bring those forward to their representative. I would assume the board would give those matters consideration in determining an answer.

MR. NOTLEY: A supplementary question, if I may, to the hon. minister. Is he in a position to advise the Assembly, after the memorandum of agreement was turned down by the instructors, why the government chose at that point to go the arbitration route? That's one route, but another route would have been to make a counter offer. Is the minister in a position to advise why the latter course was not followed?

MR. STEVENS: Mr. Speaker, I would be happy to respond. Generally when one has a memorandum of agreement reached at the bargaining table with both parties presenting all the facts for their representatives, one expects that the principals — in this case the government of Alberta and, on the other side, the Alberta Union of Provincial Employees — would then confirm that. We were very much surprised and disappointed that the bargaining team did not relate the memorandum of agreement well to their membership.

When in fact the application was made to the board, in its first determination — I don't have the date in front of me, but it would be in early November — the board did request both parties to return to the bargaining table; in fact, we did that probably around November 9 or 10. But it was determined that it would be best to return to the Public Service Employee Relations Board and have an arbitration board established if that board so chose, which they have done.

MR. NOTLEY: Another supplementary question to the hon. . . .

MR. SPEAKER: May I just interject for a moment and express some degree of concern. Certainly, one wouldn't

want to see all questions of any kind held back on a subject of this importance. But since the matter is before an arbitration board, it would seem there might be some need for some circumspection, to avoid the impression that something said in this Assembly might be intended to influence the outcome of the arbitration.

MR. NOTLEY: Mr. Speaker, my supplementary question is not with respect to what the ultimate decision of the arbitration board may be, but the events leading up to the decision to go to the arbitration board. The minister indicated a moment ago that in fact there had been some discussions subsequent to the initial turndown of the memorandum of agreement, and that it was decided. Is he able to advise the Assembly what "it was decided" meant? By whom? By the government, or as a result of mutual agreement on both sides?

MR. STEVENS: Mr. Speaker, perhaps to clarify that. Both parties did meet, but it could not be determined in those meetings what factors the members themselves may have considered relevant in their rejection of the memorandum of agreement. For that reason, it was decided to approach the solution available to either party, which is to seek arbitration.

MR. PAHL: A supplementary question to the minister, Mr. Speaker. Have any arrangements been made for payment of retroactive pay to the instructors at NAIT and SAIT upon the decision of the arbitration board?

MR. STEVENS: Mr. Speaker, the Member for Edmonton Mill Woods raises a question that I'm sure is on the minds of many of the instructors. When the memorandum was rejected, we did regret that the union did not accept the government's offer to provide an 8 per cent interim payment. I think that would have enabled the retroactivity to be behind us. We're now approaching mid-November — and I recognize your advice, Mr. Speaker — and I do not know when the board will come down with the decision.

But I can assure you and members of the division concerned that once the board has reached a decision — and that decision is binding upon the government of Alberta — we will do everything within our power to ensure the award is calculated into the retroactive payment and new payments, and done as quickly as we can. That's perhaps the best way to answer. We will do everything we can to make sure they're paid, hopefully before the end of 1980.

Eastern Slopes — Land Use Review

MR. NOTLEY: Thank you, Mr. Speaker. I'd like to direct this question to the Associate Minister of Public Lands and Wildlife. It too flows from a commitment in the throne speech with respect to the Eastern Slopes review. Is the hon. minister in a position to advise the Assembly where the review is at the moment with respect to the Eastern Slopes?

MR. MILLER: Mr. Speaker, our Eastern Slopes policy has been very effective in that the review we're undertaking is more or less ongoing. I'm not in a position at this time to be able to ascertain when the review will be completed, but we are presently working on that aspect of it.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the fact that public hearings were held when the policy was developed some years ago but haven't been held since 1973, will it be the intention of the government to have public hearings at some point in the review procedure?

MR. MILLER: Mr. Speaker, the policy we have been following in all the land planning and processes which go on is that we are in contact with the user groups. As such, we have input from those who are most concerned with the developments which are to take place.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Beyond the question of user groups *per se*, with respect to Albertans who are concerned with the issue, will there be any provision in the present review for public hearings so that Albertans who are not part of a particular special interest group may be able to make submissions to the government?

MR. MILLER: Mr. Speaker, we have found that most people who have an interest belong to some group or other, and that they have representation through their respective organizations and do make comments.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Can the minister advise the Assembly what steps have been taken by the department to solicit observations from the oil industry, for example, or other user groups? Have specific letters been going out under the minister's signature, inviting groups to participate?

MR. MILLER: Not specifically letters, Mr. Speaker, but we do have contact on an ongoing basis with all the user groups.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the government given any consideration to asking the Environment Council of Alberta to assist in the evaluation of the Eastern Slopes policy?

MR. MILLER: Not specifically the group referred to by the Member for Spirit River-Fairview. However, members from that group are on the other groups, and their representations are made through them.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the government at this stage preparing any legislative changes to formalize the results of the review? Is the minister in a position to outline in summary form the objectives of the review?

MR. MILLER: Not at this point in time, Mr. Speaker. We are presently conducting the review. When we have all the information, we will make a statement.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the minister in a position to advise the Assembly clearly what the time line is for completion of the review and when we may expect further action by the government?

MR. MILLER: When the review is completed, Mr. Speaker, I will be in a position to answer the Member for Spirit River-Fairview more fully.

MR. NOTLEY: Mr. Speaker, one further supplementary.

MR. SPEAKER: Might this be the last supplementary.

MR. NOTLEY: I appreciate the sort of end run there, but is the minister in a position to be a little more definitive as to the time frame? I'm sure the government has a clearly thought-out time frame of which the minister would no doubt want to advise the members of the Assembly.

MR. MILLER: Mr. Speaker, we want to make sure we have input from all the user groups, as I specified in my opening answer. If we are going to do a thorough review, which the Member for Spirit River-Fairview would expect, it's just not practical at this time to have a specific time frame where I can say, well, at this point in time we'll have it completed. We're flexible on it.

MR. NOTLEY: Like second billing.

MR. MILLER: We hope to do it in the near future. When we are in a position to present everything, we will do so.

MR. SPEAKER: The hon. Member for Edmonton Mill Woods, followed by the hon. Member for Bow Valley.

MR. PAHL: Mr. Speaker, my question has already been raised. Thank you.

Committee on the Disabled

MR. MANDEVILLE: Thank you, Mr. Speaker. My question is to the hon. Minister of Social Services and Community Health. Could the minister advise the Assembly when members of the Alberta International Year of the Disabled committee will be appointed?

MR. BOGLE: Yes, Mr. Speaker, during this fall sitting.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate what method will be used to appoint members to the committee, and what the qualifications of members appointed to the committee will be?

MR. BOGLE: Basically, Mr. Speaker, we will follow the same procedure used in the International Year of the Child. Citizens from across this province will be asked to serve on the committee, and the appointments will be made by ministerial order.

MR. MANDEVILLE: One final supplementary question, Mr. Speaker. Will the minister advise this Assembly of a specific date on which guidelines for the grants will be set?

MR. BOGLE: Before the end of the calendar year, Mr. Speaker.

Foreign Oil Purchases

MR. PAYNE: Thank you, Mr. Speaker. My question this afternoon is to the hon. Minister of Energy and Natural Resources. Could the minister advise the Assembly as to the implications of the Prime Minister's recent indications that the Ottawa government is giving serious

consideration to a 100,000 barrel-a-day deal with the Saudia Arabians at a probable price of at least \$35 a barrel?

MR. SPEAKER: With great respect to the hon. member, perhaps that kind of analysis might be undertaken independently outside the question period.

MR. PAYNE: Thank you, Mr. Speaker. That direction is altogether appropriate. But perhaps I could take a second shot and ask the hon. Minister of Energy and Natural Resources if he could clarify for the Assembly the policy or position of this government with respect to such deals. [interjections]

MR. LEITCH: Mr. Speaker, I think the only observation I can make today about the arrangements the hon. member is referring to is that they support or corroborate the evidence given to the Assembly by way of a letter from the chairman of the Alberta Petroleum Marketing Commission on November 3 when we were debating Resolution 21. In that letter the chairman expressed the view that oil would be available in the international market place to replace any reduction in Alberta's production. I think the arrangements the hon. member refers to confirm that advice.

MRS. CHICHAK: Mr. Speaker, a supplementary to the hon. Minister of Energy and Natural Resources. Could the hon. minister advise whether, consistent with the preparation the federal government is taking to investigate the availability of supplies with respect to the direction we've now taken with regard to reduction in March, the federal government has also made any current moves to get back to the negotiating table, in order that perhaps additional purchases would not be required on the international market?

MR. LEITCH: Mr. Speaker, there have been some tentative discussions, but no firm arrangements have been made as yet.

Dependent Adults Legislation

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Social Services and Community Health is with regard to the dependent adults Act that was brought to the Legislature in the spring. Some cases have been brought to my attention where a dependant's entire estate has been dissipated, really without the knowledge of that particular person, when they are mentally incapacitated. I was wondering if the minister has had such cases brought to his attention and, secondly, is the minister or the department working on some safeguards or a change in the present legislation to examine this question?

MR. BOGLE: Mr. Speaker, I'm not familiar with the specific case the hon. member has mentioned. If he'd like to bring it to my attention outside the House, I'd be pleased to receive it.

On the general question of safeguards for dependent adults, it was the original intent of the legislation, which was introduced by my predecessor, as it was the intent of our government through the amendments proposed and passed by this Assembly during the spring sitting, to ensure that the dependent adult for whom the legislation

has been designed is given as many safeguards as possible, through the Public Trustee's office. That falls under the purview of the Attorney General, as I'm sure the hon. member is aware. Through the Public Trustee's office, the assets and holdings of the dependent adult are safeguarded, either in a direct way or through a private trustee arrangement. But there are still procedures that must be followed through the courts. I'll be pleased to look into the specifics of this case with the hon. member and consult with the Attorney General, if advisable.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. I understand the minister and officials are meeting with various groups to discuss the question I raise here in the Legislature. I was wondering, are those meetings still proceeding? Is there a planned schedule of meetings, or are they just open by invitation?

MR. BOGLE: Mr. Speaker, some concerns were expressed to the department, some directly through my office, some through members of this Assembly, and some through the department, by groups like the Alberta Association for the Mentally Retarded, a group in the city of Calgary, also the Provincial Mental Health Advisory Council, as to some of the amendments passed by this Assembly in the spring sitting. I am not aware of the specific concerns raised by the hon. Member for Little Bow today, although it is possible that those concerns have been raised directly by a member of one of the organizations I have mentioned or by individuals, with some officials within the department, and those matters are being discussed at that level. If they are, I'm not aware of the same. I'll certainly investigate to satisfy myself on that matter.

MR. R. CLARK: Mr. Speaker, a supplementary question to the hon. minister. Since the legislation was passed last spring — and the minister will recall that at that time members on this side of the House made representation that the legislation be held up because of some aspects it — is the government now giving active consideration to bringing The Dependent Adults Act back, not at this fall session but at the spring session, and dealing with some of the legislative shortcomings which have become apparent, and which were predicted?

MR. BOGLE: Mr. Speaker, I believe I indicated during the debate on the Bill during the spring sitting of this session that, as a relatively new piece of legislation, it was quite possible that the Bill could be brought back for further amendments either this fall — and that won't happen during this fall sitting — or possibly next spring or fall, or at a later time. That door is open.

As we proceed with this new piece of legislation and discover certain shortfalls, it's incumbent upon us to address those areas and try to ensure that the legislation meets the purpose it was originally intended to; that is, to provide the best possible safeguards for the dependent adults, both through the Public Trustee and Public Guardian aspects.

MR. R. CLARK: Mr. Speaker, perhaps to get a more precise answer from the minister, can I put the supplementary question this way: does the minister have plans that are presently being developed to bring that piece of legislation to the spring session of 1981 to deal with some of the shortcomings that have been brought to the attention of the minister's department?

MR. BOGLE: The direct answer is no, Mr. Speaker, but a more complete answer is that at the present time we are reassessing the impact of the Bill on dependent adults. If it's desirable, in the view of the government, to bring the piece of legislation back — and we are holding meetings with various interest groups, in particular the associations for the mentally retarded in this province — I think that's a very logical way that we might proceed. But if the direct question was, do we have a definite plan at this time, the answer is no.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Some cases have been brought to my attention where individuals can function independently to some degree, but at the same time they are made plenary guardians. In cases such as that, I was wondering whether the minister had considered any access to legal representation for those individuals, an advocate of some kind, some other type of body through which the complaint could be laid, or someone else who could investigate or support an individual in that type of case.

MR. BOGLE: Yes, Mr. Speaker. We have provided special financial assistance to the Alberta Association for the Mentally Retarded so they might employ a citizens' advocate. The function of the citizens' advocate is clearly to do the kinds of things the hon. member has mentioned. Communities in different parts of the province have requested local citizens' advocacy offices and, to my understanding, those recommendations are going through their local preventive social services agency or other bodies for funding at the local level. I think that is a very important aspect when we're looking at individuals who can function in a reasonably adequate way with some special assistance. That's one of the very critical aspects of the entire intent.

MR. RUSSELL: Mr. Speaker, I wonder if the House would permit me to clarify one of my earlier answers given today.

HON. MEMBERS: Agreed.

Medical Fees (continued)

MR. RUSSELL: Mr. Speaker, thank you for pointing out to me my use of statistics in responding to a question posed by the Leader of the Opposition. When I referred to the 12 per cent of the physicians causing the bulk of the problem with respect to extra billing, that is 12 per cent of the physicians who extra bill, not 12 per cent of the physicians in Alberta. I have the June numbers here. Of 2,386 physicians billing in Alberta, 878 extra billed that month. It is 12 per cent of the 878 who are getting roughly half the extra billing dollars.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

MR. HORSMAN: Mr. Speaker, with respect to the motions for returns, I would move that motions for returns 130, 134, and 135 stand and retain their place on the Order Paper.

[Motion carried]

127. Mr. Notley moved that an order of the Assembly do issue for a return showing copies of any and all applications for injunctions or for an injunction or similar court proceeding filed by or on behalf of any and all departments or agencies of departments of the government of the province of Alberta between September 1, 1980, and September 26, 1980, inclusive.

[Motion carried]

133. Mr. Notley moved that an order of the Assembly do issue for a return showing, with regard to the speech made by the Hon. E. Peter Lougheed, Premier, taped at the facilities of CFCN Television in Calgary on the afternoon of Thursday, October 30, 1980, and broadcast later that same evening by the various television stations and some radio stations in Alberta, and itemized in all cases on the basis of individual companies contracted:

- (1) the "market value", in the sense of market value as the term is used in Section 19 (1) of The Election Expenses and Financial Contributions Disclosure Act (Statutes of Alberta, 1977, Chapter 18), of
 - (a) the production costs arising from the preparation for broadcast of the Premier's speech,
 - (b) the costs of advertisements purchased for the purpose of informing Albertans of the date and time of the broadcasts in various areas of the province,
 - (c) the costs of air time booked and used for the purpose of broadcasting the Premier's speech; and,
- (2) the costs charged to the government of the province of Alberta for
 - (a) the production costs arising from the preparation for broadcast of the Premier's speech,
 - (b) the costs of advertisements purchased for the purpose of informing Albertans of the date and time of the broadcasts in various areas of the province,
 - (c) the costs of air time booked and used for the purpose of broadcasting the Premier's speech.

MR. McCRAE: Mr. Speaker, I'd like to move an amendment to Motion 133 and to offer a few remarks on it. I have copies of the proposed amendment available for you and all members.

If I could continue, the proposed amendment is very, very simple: that the motion be amended by deleting subparagraph (1) and renumbering subparagraph (2) as subparagraph (1). The reason for the amendment quite simply is that the first part of the motion refers to market value as outlined in Section 19 of The Election Finances and Contributions Disclosure Act. Section 19, sir, refers to

The value of contributions other than money provided to a registered party, registered constituency association or registered candidate is the market value of the contribution at that time.

Mr. Speaker, it's almost facetious, I think, to suggest that the Premier's broadcast, which is the subject of this motion, the free time the Canadian Broadcasting Corporation made available, in any way related to a contribution to a political party, candidate, or constituency association. It was a matter of public interest, pure and simple. CFCN, CFRN were carrying the broadcast. The Canadian Broadcasting Corporation had also requested

the opportunity to carry the broadcast to the parts of the province that were not going to be served by the other two channels or networks. The broadcast itself was so fundamentally necessary, so fundamentally in the public interest, so fundamentally a government broadcast, not in nature of a political broadcast at all, that to request information in the vein of market value of political contributions is just not appropriate at all. That, sir, is why I'm moving that the first part of the motion be struck and that the motion as amended be accepted.

If I might offer another comment, I don't know why what I termed a facetious part of the motion was included. Perhaps it had to do with the fact that free broadcast time was made available to the sponsor of the motion, the Member for Spirit River-Fairview. I would simply say that it would be presumptuous in the extreme to equate the Premier's broadcast on the federal budget and its intrusion into the energy industry with his own free-time broadcast several nights later.

I'm asking the Legislature to support the amendment to delete subparagraph (1) and renumber subparagraph (2). I would simply offer the further advice to my learned friend opposite that if the Legislature sees fit to accept the amendment I'm sponsoring today, I hope he won't, in terms of his own financial contribution disclosure to the Chief Electoral Officer, equate that as an approbation or direction to him that he need not report his Friday night political broadcast time as a contribution under Section 19 of the Act.

In short, Mr. Speaker, I'd like to move the amendment that has been distributed to all members, for the reason that the Premier's broadcast was a matter of broad public interest, pure and simple. It would have been almost derelict on the part of this government not to respond in the way we did. I would ask all members to support the motion as amended.

MR. NOTLEY: Mr. Speaker, I must say that at least the hon. minister had the pizzazz to smile when he gave that ridiculous speech. Really, Mr. Speaker, what a complete pile of nonsense. [interjections] The issue here is very simple. We have a right . . .

MR. PURDY: On a point of order. Is the hon. member closing debate on the motion?

MR. SPEAKER: My understanding is that the amendment is now under debate and each member has the right to speak on it once. But there is no right of the mover of an amendment to conclude the debate, if that's what the hon. member is . . .

MR. NOTLEY: That's right, Mr. Speaker. That's my understanding. We're talking about the amendment now. Members are going to have lots of opportunity to debate this. So fair enough; let them take their turn.

Mr. Speaker, the public really has a right to know two things: all the points listed in the second part of this motion for a return, which are the actual costs, but in my judgment we also have a right to know the market value of the costs involved. Was there in fact something less than the market value charged by the television station in question that did the production work? That's the sort of thing the public should have a right to know, and the kind of thing that would be mandatory if we were dealing with an election campaign because it's clearly spelled out in the election expenses Act. But it's a red herring, or a blue herring in this case, to sort of drag in the election

expenses act. [interjections] Because if time and production costs were provided to the government of Alberta at less than market value, the people of Alberta have a right to know that.

Perhaps some members of the public would like to applaud radio station CFCN in Calgary if they [inaudible]; some might think it's a public service. But at least we have a right to know. Very specifically, that is the reason for the request, so we know what the cost was and what the potential cost would have been. To suggest, as the hon. minister has, that somehow this is a facetious request, is absolute nonsense, Mr. Speaker. It's a legitimate request. Frankly I'm amazed. But as I say, the minister was smiling broadly when he made his remarks, especially when he talked about the non-partisanship involved. So I think we can probably take that for what it's worth.

The fact of the matter is, Mr. Speaker, that the request is for both the actual cost, which clearly the public must know, and the potential cost were we to go into the market place, which is legitimate information. If the members of the House choose to pass this amendment, that information won't be available, but I'm sure it's the kind of information that should be made available by the government. For that reason I put it to the Assembly today.

[Three members rose]

MR. SPEAKER: I believe the hon. Member for Edmonton Mill Woods was on his feet first, followed by the hon. minister and then the hon. Member for Vegreville.

MR. PAHL: Thank you, Mr. Speaker. Speaking in support of the amendment, notwithstanding the minister's rather charitable putdown of the first part of the request, I think it would be worth pointing out to the Assembly that the market value as defined here has relevance only with respect to the time of an election. If we're not in the time of an election, it would seem to me that market value would be asking a department of government to make an assessment. That clearly is not within the purview of a motion for a return. I would just add those two comments in support of the motion.

MR. CRAWFORD: It's irrelevant, and he knows it.

MR. SPEAKER: If I might say, the hon. member has raised a very valid point of order. As I mentioned the other day, there's no way for the Chair to know whether a certain assessment exists within a government department. But it would seem to me that if that does not exist, the first part of the motion requiring that such an assessment be made would be, as the hon. member has pointed out, outside the proper scope of a motion for a return.

MR. KOZIAK: Mr. Speaker, I too support your comments and, of course, the amendment to the motion. I find a great deal of confusion in the original motion before it's amended. If we were to adopt the approach suggested by the hon. Member for Spirit River-Fairview, we would be asking contractors who bid on our roads not what their bid is but what their costs are. We would be asking contractors who supply our printing, construction, rental facilities, food, and what have you not what their price to the government is but what their costs are.

MR. NOTLEY: Did we ask for tenders on this?

MR. KOZIAK: Mr. Speaker, when you enter into a contract with a supplier, you ask him for his price, not his costs. Because it's the price you pay that's going to determine whether you enter into the contract. I can see why the hon. member sits on that side with the New Democratic Party. He has absolutely no grasp of economic principles. Were he and the members of his party to form the government, with that approach to economics we would see the dissipation of the trust fund, any surplus, and the economy of the province within a year.

Mr. Speaker, it's important that the people of the province of Alberta know what in fact we pay for. It's not necessary that we know whether the supplier is losing money or making money. If we put certain projects out to tender or buy them on the basis of a quoted price, the tender or the quoted price is what's important, not the costs of the person supplying the particular product or quoting the price.

With those remarks, Mr. Speaker, I would definitely support the amendment to the motion.

MR. BATIUK: Mr. Speaker, I rise to support the amendment moved by the Minister of Government Services. When I look at the member who is proposing the motion — it says in section (1): "the 'market', value in the sense of market value as the term is used in Section 19(1) ...", and I stress, "... of The Election Expenses and Financial Contributions Disclosure Act ...". If that's the same Act I'm thinking about, it's not the way it's printed here. There's an Election Finances and Contributions Disclosure Act. If that's the same one, Mr. Speaker, Section 19(1) refers to contributions to a party, a constituency association, or a candidate. It does not speak to the event in question: the Premier informing the electorate, not as a party representative nor in the capacity of a candidate in an election, but as a duly elected leader of the province. And, truly the Premier was speaking as the leader of the province. He spoke to all Albertans and even to some beyond.

Where is that cry of impropriety? Is the Member for Spirit River-Fairview trying to imply that the address was for partisan motives? People from all walks of life tell me of their support for the Premier's address. We must accept that this was a vital message, information of interest to all Albertans. It is the obligation of the government to concisely inform the people of this province, and this was being done. Now if anything is going to be referred to as partisan, I hope the hon. member does not refer to the Premier's nice blue suit and the orange background, but I couldn't see anything else partisan in that.

Mr. Speaker, how often does the Member for Spirit River-Fairview appear on air waves and television? I am sure the amount of coverage the Member for Spirit River-Fairview receives does not reflect the importance of his message nor the degree of support he has from the electorate of the province. This morning I had an opportunity to attend the session of the Alberta Association of Municipal Districts and Counties, and the president of the association gave his support to the Premier's stand very strongly. Also the alderman who represents the city of Edmonton made it very clear. I'm sure I saw on the agenda that the hon. Member for Spirit River-Fairview is going to be addressing the conference. If he is going to use some of this garbage we see quite often, I would suggest he look for the exit before he starts his speech.

Mr. Speaker, I am going to support the amendment.

MR. COOK: I think the substantive point in the debate so far is the one raised by the Member for Edmonton Mill Woods. I would suggest to the hon. member, through you, Mr. Speaker, that he has made this kind of error of parliamentary procedure on several occasions. The Assembly cannot order a minister to produce assessments but rather documents. I would refer the hon. member to the section of *Beauchesne* dealing with notices of motions for production of papers. Clearly, if there is nothing to produce, he cannot ask the question. He could, however, provide for a written question to be asked, and that might be a suitable alternative.

MR. SPEAKER: With great respect to the hon. member, the question doesn't arise unless an assurance is given in this House that the assessment doesn't exist, and that hasn't happened.

MR. NOTLEY: We haven't had that yet.

[Motion as amended carried]

MR. R. CLARK: Mr. Speaker, with regard to Motion for Return 136. I've had the opportunity to discuss the matter with the Minister of Labour and satisfied the concern I had which led me to placing the matter on the Order Paper. I'd like to withdraw Motion for a Return No. 136.

MR. SPEAKER: So ordered.

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

216. Moved by Mr. Purdy:

Be it resolved that this Assembly urge the government to consider the development of an interdisciplinary environmental education curriculum for use in Alberta schools from kindergarten to grade 12.

[Mr. Appleby in the Chair]

MR. PURDY: Mr. Speaker, it gives me great pleasure this afternoon to propose Motion 216 to this Assembly. In this speech today, I will cover three important areas: first, the situation and issues involved will be noted; second, I will review a position paper on environmental education; and last, I will discuss the Bennett environmental centre as an example to be followed in setting up a program of environmental education. The Bennett centre was set up in Edmonton as part of the 75th Anniversary celebrations and has many educational proponents for future student activities.

Environmental education has been an official topic of discussion among Alberta educators and policy-makers for over a decade. In 1971, the Alberta Environment Conservation Authority recommended in its annual report that public school curricula be invented to help the young develop an awareness of the environment in contemporary terms. In May 1974, the Alberta Environment Conservation [Authority], renamed the ECA, sponsored the first Alberta conference on environmental education. [One] of the recommendations that emerged from that conference was that curriculum development in environmental education should be of an interdisciplinary nature.

In January 1975, a restructured, 11-member, interdepartmental committee on environmental education

started planning an integrated and co-operative approach to environmental education. In a 1977 report entitled *A Proposal for Environmental Education in Alberta*, they articulated long-term goals and methods of approach that would make them most workable in implementation.

Their first recommendation, Mr. Speaker, was:

That the Department of Education . . . develop a curriculum plan from Kindergarten to Grade 12 showing where environmental education concepts and activities can be integrated into the existing curriculum.

In recommendation no. 2 they recommended:

That the Department of Education Curriculum Branch hire at least one person on a full-time basis to coordinate the development of environmental education materials and curricula.

As of last spring, it seemed that the activity toward these goals was being pursued and the Department of Education was about to hire an environmental educational co-ordinator. The position was classified, the salary decided, and the job description drafted. But then hiring procedures ground to a halt. Why? No one seems to know. Ministerial discretion is the only reason given by departmental officials. I see the minister is in the House this afternoon, so if he gets involved in this debate, maybe he can shed some light on the subject of why the job was stopped all of a sudden.

Teachers indicated that the problem with presently using an *ad hoc* method of teaching environmental education is that it lacks scope and consequence, as students change classes every year. They sometimes repeat; they sometimes are instructed at levels beyond their backgrounds and occasionally miss out on any environmental education whatsoever contingent on that curricula.

Both Edmonton and Calgary public school boards have hired environmental educational co-ordinators in order to alleviate this difficulty. This aspect of the status quo seems to support the observation of the interdepartmental committee, that we seem to be headed in the right direction. If Alberta were to go ahead and hire an environmental education co-ordinator, it would be the first province in Canada to do so. Approximately 15 such positions exist south of the border, primarily in the more urban-oriented states, such as California, New York, and Michigan.

The issue here is whether to hire an environmental education co-ordinator and start working toward an interdisciplinary approach in curriculum development. Supportive studies have been done. The position has been defined. Mr. Speaker, let's be leaders in Canada in this important field of education.

Moving on, I'd like to speak now on a review of the position paper on environmental education put forth by the Alberta Teachers' Association in March 1978. The paper defines environmental education as education in which the goals are developed of: number one, a recognition of human interdependency with other life; number two, a sense of responsibility to maintain the environment in a manner fit for life; and number three, an aesthetic appreciation of the environment, including its multitude of interdisciplinary relationships, interdependencies, and settings.

I should note that this definition is similar to that endorsed by the provincial government's interdepartmental committee on environmental education, but it adds the emphasis on aesthetic concerns.

Environmental education should be interdisciplinary, to deal with objective evidence and to produce citizen

awareness of the connections among energy, economics, resources, and natural and humanly produced environments. The paper also noted that environmental education should be lifelong, developing attitudes from which the basis for judgment and environmental matters. This paper's main focus was environmental literacy; that is, that the basic education level includes students' awareness of environmental concerns and understanding the possible consequences of various choices made.

Environmental education involves four aspects: reality, relevance, responsibility, and relatedness. Reality is the observation of real things and processes within the natural setting. Relevance is contained in techniques and contents; these must be relevant to the experiences and knowledge of the student. Responsibility is instilled by developing a sense of stewardship regarding the environment so that students recognize that reaching their own potential is dependent upon how defined resources are managed. This is a live-and-let-live attitude, involving respect for plant, animal, and human inhabitants. The fourth aspect, relatedness, recognizes that each one of us is part of a functioning whole and that our world involves heavily interrelated natural and developed systems.

Dr. T. C. Byrne former Minister of Education in Alberta, has suggested that education should stress the nature of the world we live in . . . and the limits of our planet; that [indicating] curves of growth inevitably encounter impregnable barriers, and that our values must be based on realistic perceptions of our environment.

On the theme of environmental education, skills and attitudes uniting activities across the various goals are subjects within the Alberta curriculum.

I think it's useful at this point to go over the recommendations the position paper put forth. Recommendation one called for full-time co-ordination of development of a provincial perspective on environmental education. The Alberta Teachers' Association notes that Alberta Education is the proper authority and that they should accordingly appoint a full-time co-ordinator for the task of developing a general environmental education perspective. It should be provincially co-ordinated with local flexibility.

Mr. Speaker, recommendation two stated that the consideration of broad factors in development of [environmental] education perspectives be taken into account. Some other recommendations suggested development of an outline plan, a supplemental guide, and a widespread distribution of publicity campaigns to teachers and school trustees.

Overall, this position paper recognizes the importance of environmental education in a worldwide sense. But it also notes that there is an urgent need for information and educational material based on local experience and applicable to local conditions.

The last area I'd like to touch on, Mr. Speaker, is the Bennett Environmental Educational Centre, opened in Edmonton on August 30 of this year. With this centre in existence, it can be used as a basic starting point in the development of an interdisciplinary environmental education curriculum. Bennett centre is located in the Cloverdale community, in the historic Bennett school built in 1913. It is situated in the heart of the capital city park system. The intermixture of the nearby community, open spaces, natural trails, and the interconnecting trails along the park system, creates a most interesting environment. Bennett centre is to be organized and operated by the Edmonton Public School District through the instruc-

tional services, with co-operative programs in liaison with city Parks & Recreation and the Edmonton Catholic schools.

A joint advisory committee will serve to formulate policies concerning shared use, day-use user fee, and agreements between the three co-operating groups. The existing Bennett building will serve as a program centre for activities, including the scheduling of up to four school classes participating in day visitation programs. When the centre is completed, it will be able to accommodate an additional 64 students and teachers in over-night extended programs.

The program's purposes are based on four aspects. First, the program will provide interdisciplinary experiences for students, with a focus on early Canadian and local heritage, environmental field studies, outdoor recreational pursuits, community and urban studies, and cultural activities. Second, the program will provide opportunities for students to develop healthy, adventurous, lifetime skills through outdoor pursuits in all seasons. One of the most important aspects of this program is its ability to provide opportunities for students to develop outdoor safety skills, field study techniques, and responsible environmental practices. All these are possible while participating in practical outdoor and environmental activities. The fourth purpose of the program is to provide opportunities for city schools to participate in exchange programs, band camps, or other immersion programs that may be enhanced through students' sharing experiences in a unique and stimulating environment.

A program co-ordinator for the Bennett centre is now in place. He works with teachers, curricular staff, and other assisting resource persons in developing and carrying out student programs. Several approaches are involved in this program. One is the team-plan approach in which teachers, curricular consultants, and other Bennett resource persons will be activated for the purpose of developing sequential programs according to specific grade levels and for seasons. Consideration will be given to student needs, interests, and readiness levels, needs presently being met by the existing programs, school programs, and grade level priorities. Another approach is in teacher-initiated programs, which will allow individual teachers to develop and design their own activities. This open-door approach will rely on the resourcefulness of individual teachers to research and prepare a student activity.

At the beginning of this month, Mr. Speaker, Bennett centre will begin a pilot outdoor fall program for grade 5 and 6 students. A division three park orienting program is also going on in which students will become familiar with the capital city park environment through skills using maps and compasses. A special program is scheduled for December on a pilot basis called nighttime sky-light hiking. Activities will focus on exploring a park environment after dark, with hiking to select city skyline viewpoints. Later this winter there will be an exploration by snowshoe and cross-country skiing. In its beginning stages there is still room at this centre for changes and input from concerned individuals.

I've gone into so much detail on the Bennett centre to show how viable this program is. Most importantly, this program is in Edmonton, and sets an example for us to follow in setting up an interdisciplinary environmental education curriculum.

Arguing against the environmental education curriculum is somewhat akin to arguing against motherhood. Conventional wisdom says that the bulk of environmental

education efforts should be directed at young people through the school system. The question of how to go about implementing it is not really the issue in this motion. The question comes down to whether environmental education is a worth-while pursuit and worthy of consistent government support in policy. Environmental education is a worth-while pursuit, and I would urge members of this House to support this motion.

MR. ISLEY: Mr. Speaker, I'd like first of all to compliment the hon. Member for Stony Plain for bringing this motion before the House. In looking at the motion and attempting to take a position on it, I first of all attempted to determine what some of the large words in the motion were. I checked out "interdisciplinary", and my dictionary tells me it's involving two or more academic disciplines. I checked out "environment", and my dictionary tells me it's a synonym for "surroundings" and that it can mean the

complex of climatic, edaphic, and biotic factors that act upon an organism or an ecological community and ultimately determine its form and survival, or it can mean "the aggregate of social and cultural conditions . . . that influence the life of an individual or a community."

I gather from the first speaker on the motion that we're talking basically about the physical environment although I had trouble sometimes, in listening to the presentation, whether we were talking about interdisciplinary environmental education or lobbying for more Bennett centres.

I then attempted to take a look at where we are with respect to environmental education and whether or not it fits into the various disciplines in our school curriculum. I started by looking at The Goals of Basic Education for Alberta, which were passed by this Legislature, I believe, three years ago. At the onset, I would say that I didn't participate in the debate in the House at the time. I did participate in the debate in the field. I wasn't convinced then, and I am still not convinced that we established the best goals. But we are working with those goals. The goals of schooling, which are primarily the responsibility of the school, make no mention of environmental education.

So in this motion, we're asking the government to commit itself to something new, something it didn't give to the school at that time as a total school responsibility. I look in the goals of education, and it indicates that "Achievement of the broader goals of education must be viewed as a shared responsibility of the community". I find a goal here related to environmental education: develop a commitment to the careful use of natural resources and to the preservation and improvement of the physical environment.

Then I went on to look at the programs of studies to see where and what is covered. Looking at the program of studies for elementary schools in the province, if you look at the science section on page 28, six major conceptual schemes for science flow through grades 1 to 6. I submit that two of those six deal with environmental education. The third one states, "Living things are inter-dependent with one another and with their environment", and the fourth states, "A living thing is the product of its heredity and environment." As I've previously mentioned, you'll follow that theme through the first six grades, expanding with each grade.

I look into social studies, and on page 41 I see the heading "Interdisciplinary base of social studies concepts":

Interaction is a key concept in the understanding of social problems. History, geography, and the social sciences describe in part man's interaction with his social and physical environment. Environment is, itself, an important concept which can be defined in terms of Time, Space, Culture, and Systems.

Again, that theme runs through the first six grades of social studies.

I look at music, and I see under listening skills, "Listen to environmental sounds — school, home, weather, animals, machines"; under "Moving", "Move to environmental sounds."

I submit also that health and physical education place an emphasis on the physical environment. So I think at the grade 1 to 6 level we have one, two, three, four, five, six subjects at least which work in environmental education as a part of them, which is certainly more than two and certainly makes it interdisciplinary.

I look at the junior high school handbook, page 35, "Science". One of the objectives of the secondary school science program — and this theme runs from grades 7 through 12:

To develop a critical understanding of those current social problems which have a significant scientific component in terms of their cause and/or their solution

- (a) depletion of natural resources
- (b) pollution of water and air
- (c) overpopulation
- (d) improper use of chemicals
- (e) science for the consumer.

Again, as I've indicated, that theme runs through the junior high school, grades 7 through 9. I look into social studies, and I find the same interdisciplinary emphasis on basic concepts and the interaction within the environment that was stressed in the elementary. I move to industrial arts, and we see emphasis on the technical environment the children are being taught to work in.

I then move to the Junior-Senior High School Handbook. I turn to page 10, and I get into the group B options. You see optional subjects that can be developed by the teacher with the students suited to the needs of the community in biology, physical sciences, social problems, and outdoor education, all of which, I submit, have environmental educational impact.

You move to the Program of Studies for Senior High Schools. In the general objectives for science you see the same general objective I read out for junior high school. You look at the number of science courses. We offer 12 sciences courses at the high school level: three in biology, three in chemistry, three in physics, Science 11 at the grade 10 level, Physics 22, and Physics 32. I would suggest that almost every student in this province takes either Biology 10 or Science 11. If you look at the Science 11 curriculum, one of the major electives of Science 11 is "to develop a critical understanding of . . . current social problems", and again it goes through depletion of natural resources, pollution, overpopulation, use of chemicals, science for the consumer, et cetera. Add to that, again at the high school level, your industrial arts education, physical education programs, and outdoor education programs, which are becoming popular in some schools.

I've attempted to lay forward the evidence that as far as a commitment is concerned, the intent of this resolution is probably fulfilled. The commitment is probably stronger than it has any right to be under the goals of education adopted by this House.

In view of what I've stated, I would hope I have

convinced the hon. Member for Stony Plain and others that we do indeed have an interdisciplinary environmental education curriculum in Alberta schools from grades 1 through 12. I have not had a chance to survey the kindergarten curriculum, so I'm not saying we have it at that level.

However, Mr. Speaker, the situation may exist that we have the interdisciplinary environmental education curriculum but it is not being properly implemented. If this is the case, the problem is not in the commitment to the concept but in the way we implement our curriculum. I suggest there could be a number of reasons for this. One may be inadequate materials, resources, or methodology. I don't think Bennett institutes are the answers to environmental education, because I don't think you're going to do a proper job of teaching it with one field trip to a particular site. I think it can be a supplement, but it isn't the end-all be-all.

Further, I am not convinced that we need a provincial environmental education co-ordinator. I think I have stated in the past that at times maybe we have too big a bureaucracy in education. Maybe to do a better job of environmental education we need to get the children out of the classroom and into the real-life environment. Maybe we should be looking at special funding to encourage more field trips, the end point of some of which could be things like my fellow Member for Stony Plain is advocating. Maybe we should be encouraging and giving additional support to outdoor education programs.

If we're not implementing it properly, the second reason may be poorly prepared teachers. If this is the case, I think we have a message to send to our universities. I'm not suggesting it is the case; I'm saving my suggestion for the last.

Maybe our biggest problem is that we have made the commitment but we lack a curriculum implementation arm in our Department of Education. In other words, some way of ensuring that what we have committed ourselves to, and what the Department of Education has prepared through its curriculum branch, is really occurring in the classroom. If this is a problem, I would remind the hon. member that it was a concern I expressed during the debate on Motion 203, and I would reiterate that concern: this Assembly can make commitments in educational curriculum, Alberta Education through its curriculum branch can develop the desired curriculum, but if at that point the system breaks down, we get no results from the commitment. I repeat that we have no curriculum implementation arm in this province that has any clout, and we haven't since 1971.

Mr. Speaker, in closing I submit that we have in place what this motion requests. However, if it is not doing the job, we must look elsewhere for the solution and attack the problem from that viewpoint.

Thank you.

MRS. EMBURY: Mr. Speaker, I'm very pleased to participate in the debate this afternoon on Motion 216. I'd like to commend the Member for Stony Plain for bringing this before us. However, I would also like to state at the introduction of my remarks that this motion is totally redundant.

It's almost impossible for any member to support it in the Assembly because, first of all, there's an insinuation that there isn't integration of environmental education within our curriculum. Secondly, when the Member for Stony Plain introduced the motion, possibly I wasn't listening carefully, but I really did not hear any adequate

explanation of what he meant by interdisciplinary education. I appreciate the remarks from the Member for Bonnyville, but as he gave the definitions of the terminology involved, I almost felt we were talking about some dreaded disease rather than having a clarification of what this motion is all about.

However, I am pleased to participate in the debate because it certainly led me to look into an area I actually knew very little about, what is occurring in the curriculums in our schools. For that reason I was most impressed, as we've already been told this afternoon a little about the history behind this motion, that it goes back as far as 1971, that there was an international conference that put forth many worth-while ideas in this area. Further to that, an intergovernmental committee has given serious consideration. Fortunately, more recently the Alberta Teachers' Association has presented a brief on this concept and urged the government very strongly to bring forth and implement some recommendations. So I think it is a very important topic to have before us.

I would like to suggest, though, that unfortunately most of us have a very narrow view of what is meant by environment, instead of a much broader range of how it means that man is interrelating with his environment. I think that's one problem most of us have with this motion.

The Member for Stony Plain suggested that the minister has been rather insensitive, and he would require an explanation of why some action hasn't been forthcoming already in this area. Frankly, I would like to propose to the Member for Stony Plain that there's much evidence that the Minister of Education has indeed been very sensitive to what people are probably telling him. I would like to propose that many people feel that a lot of very good programs are being carried out already. Probably a lot of parents have indicated that this is one of the areas that is fairly well done.

While we can always place a lot more emphasis on any one field, I'm sure the member is aware that parents have been saying for so long: let's get back to the basics, the three Rs, and things like that; let's look at the school curriculum and what is being taught. So a lot of parents are aware that there is only so much you can put into curriculums in the elementary school through to high school. So I think the minister probably has been listening to a total representation of our population.

The minister also states in the December/January, 1979-80 issue of *Environment News* that he feels it is very, very important that our young people be environmentally literate. He goes on to say that he very strongly supports environmental education for our young people. However, he also goes on to state that he believes there should be a broad array of educational approaches to this topic. If the Member for Stony Plain has not read this article, I'd be pleased to pass it to him.

One area I am pleased to talk about and just bring forth some of my own ideas and some of the statements I've read is the programs already in existence and the importance of all young people being involved in caring for their environment. Frankly, I think the schools have done a very good job in this area so far. I'm very, very pleased to have noted that quite often most children in fact bring it to their parents' attention if on a mountain hike they're disposing of a gum wrapper or something, or in many ways. The children will bring this to the attention of the parents. So I think the teachers in our school systems really should be commended, because they've been very cognizant of this. As the Member for Bonny-

ville illustrated, obviously there is some integration throughout the total program. I think a lot is being done in that area.

I'd just like to mention one of the more interesting programs to show that there have been some excellent examples of what people can do. I suppose this might come under the term "interdisciplinary", because these people were not actual, formal schoolteachers, as we might know. I'd like to draw the attention of the Assembly to two Albertans, Mr. and Mrs. Greg and Gladys Stevens. If that name sounds familiar to us, I think it's only fair to say they are the parents of one of our hon. ministers in the Assembly.

These dedicated people have travelled for over 20 years, teaching the children of our environment. It started out to be not only an Alberta program. In over 20 years they travelled first of all throughout the prairie provinces. In 1971 each of the provinces went on their own with their forestry association. So since 1971, the concentration for the Stevens was to travel right through Alberta. They contacted both public and separate school boards. Literally they covered, as I said, all parts of the province: Edmonton and region, Calgary, Medicine Hat and area, Lethbridge, Brooks, Red Deer. They feel they have probably talked to 100,000 students a year. They have received stacks and stacks of letters. The basic premise of this program was to relate conservation and environmental concerns to children in the schools. That is one example of a very good program that has been in existence.

Possibly another example of an interdisciplinary program — although as I said, I'm not sure exactly what was meant by that term — is to look at an area that is of great concern, particularly to the hon. Leader of the Opposition: Kananaskis Park and what is known as Kananaskis Country. Here is a very, very new area that is still being developed, yet one of the first programs they have developed already is a pilot environmental education program. This is going to be operated for the Canmore schools. Over the next five years, it is expected to expand greatly, with the focal point being an environmental centre for students near Bragg Creek. You can see already that there is tremendous potential for Kananaskis Country to become a huge living classroom for tens of thousands of students. Most, I assume, would come from around the Calgary area, but hopefully children from southern or central Alberta will also have the opportunity to participate.

[Mr. Speaker in the Chair]

Of course, the emphasis of the program will be on the environment, but also on why some of the decisions were made. An example of this is that quite often it's very difficult for children to look at a cut line or a completely cleared, stripped area where every tree has been taken down. So often people say, why? Who could have caused that terrible destruction of the area? Well, they have to learn about the give and take in environmental concerns and some of the trade-offs that have to occur. So the premise of this program is that each side of the question will be presented to the children. Even in elementary school, they can make their own decision as to whether it's good or bad.

I'm not sure if members of the Assembly are aware that the upper and lower Kananaskis lakes — which are extremely beautiful, set amid the mountains of the Spray range — were created by hydro-electric dams. So as I said, I don't think most people realize there is a trade-off.

In closing, Mr. Speaker, I wish to emphasize that the word "environment" is more than the natural environment we so often relate it to. It gives the impression of being out there, or possibly just a natural park.

The majority of Albertans live in what is known as urban ecosystems. Man is part of the many interrelated and constantly changing ecosystems that make up the biosphere. Environment is the sum total of the physical, chemical, biological, social, economic, political, aesthetic, and structural surroundings of all living things. I think I'd best end my definitions, because I'll be accused, as others, of using terminology which only complicates the issue.

When I was a professor of nursing at the University of Calgary, one of the concepts we talked about in the first year of the nursing program was this very concept of man being part of an ecosystem. I'm not sure exactly where the knowledge of these nursing students came from, but primarily they were already quite able to have an open discussion of the importance. To me this was an indication that these students received a fair education along environmental lines in their elementary and secondary educational system.

One of the problems I have with introducing or encouraging a co-ordinator to be hired by the provincial government. . . I had a very minor example last weekend, but it rather affected me. A few of us were gathered in Dalhousie, one of the communities in my constituency, for the opening of what was a rather important event. I think it's extremely important, too, that an urban community would so honor our past Lieutenant-Governor, instead of it being possibly a rural community. We were gathered at an elementary school in Dalhousie with the past Lieutenant-Governor Dr. Steinhauer and all the members of his family to open the Ralph Steinhauer playground. As I said, this was a very important event, because His Honour told me that although his name has been so honored in the form of an association or group using his name, this was the very first time anything physical or concrete had his name attached to it.

On this occasion, the principal of the small elementary school chose to rather severely take me to task and say we were jamming down the throats of the teachers a certain set of coloring books for students in the elementary school. At that time I was slightly taken aback at the attack, and said I would be glad to look into the issue. I've found out since that it really isn't true. This resource material was made available, if they felt it could be used. I understand it still might be being assessed by some teachers in other schools. But I thought this was a very interesting example to tie up with this motion, because here we are again saying that something must be, thou shalt be, right from the top down, throughout the school system. I would much rather do, as is happening in the Edmonton school system and possibly the Calgary school system — because people are employed in those two educational systems as environmental experts — and let it come up from the grass roots level. Obviously if principals in our elementary schools have this idea that we're trying to jam information down their throats and take away their local autonomy and the use of the resources we supply, then I would say this is a very good example.

Let's look at what is being done in total throughout the province. We might have to give some assistance to some areas which need a bit more leadership in this. But I would much rather support what the Member for Bonnyville said. If support is needed to make sure the children get out and have more field trips, I would much rather go that route.

MR. LYSONS: Thank you, Mr. Speaker. I too would like to get into this debate on environmental education in schools. I agree that it should be done perhaps outside the school setting rather than in the school. There's a little paragraph here in my notes that says: the position of the Alberta Department of Education is that environmental education must be given a high priority in terms of policy and program development, dissemination, and implementation. By the time you get through all those words and what could come out of that, you really don't have much left but a confused audience.

I think we must teach our young people and ourselves a little more about the environment and how we can deal with the environment. The first and most important element would be for the survival of this province, this country, and this world. We have literally thousands of people who are no more conscious of the environment than — well, it's really sad when we see so many different actions going on. The Member for Drayton Valley sent me a little note — I was going to mention it — about the 4-H clean-up on the highways and the mess our highways are in. These are by adults, not school children. She also points out tons of garbage, disposable diapers, et cetera; apparently the biggest single thing they found in the ditches was disposable diapers. Now surely we should not have adults who are capable of managing little children. . . . So any time we can teach one another on elements of survival and clean-up, yes.

Safety: we're having farmers and others now using very, very toxic chemicals. The oil companies are using some extremely potent chemicals. By and large, the oil companies are far more responsible in the handling of their chemicals than are the farmers. I've just been shocked to go down backroads and see cans and cans and cans of some of the most powerful elements we've ever had introduced in our midst.

I'd like to mention another point, that environmental awareness also gives us an opportunity to enjoy our surroundings and community. One of the most enjoyable trips I think one could take in this province, outside the mountains, would be down Highway 41, starting at Cold Lake and wandering down to Medicine Hat. That road is now complete. You see everything from the very, very best fishing and woodland scenery in the north end, and as you move down you come through hay country, grain, more lakes, rivers, grain-growing country, cattle country, and on and on. A field trip of a couple of weeks on that road, starting either from Medicine Hat or better yet south of Medicine Hat, when the road is finished — I'll have to talk to the hon. members from Medicine Hat and Wainwright about that. Then we would be able to see and enjoy the environment. Students could learn better in no other way than to have a camping trip along that road. I agree with the Member for Bonnyville that to learn about the environment is to go out and meet it head on.

As a very young student in school I remember we went on a little field trip, and the teacher was showing us eggs, nests, and so on. We were finding the nests, catching birds, and actually teaching the teacher. We found it so amusing that I thought I'd teach the teacher a lesson. She had a little handbag deal, and she used to walk along and would bop us over the head with it every once in a while, or hit her leg. We walked right past a duck's nest. She'd missed this, but we knew the duck's nest was there because we'd been out to the edge of the schoolyard lots of times. So I plucked a couple of eggs out of the duck's nest and slid them into her handbag. The next time she bopped this across her leg she found she had a little

omelet.

In that one afternoon I think we catalogued all the things we had found, and of 17 different nests we had found, the teacher had recognized only two or three. The rest the students had taught the teacher.

Mr. Speaker, I better get off that topic here. There's great concern among all people, particularly the rural people. Quite frankly, I think they are far more attuned to environmental concerns than our city cousins. We in the country are used to living with, seeing, and wanting to protect nature, even though we must destroy some nature to develop our farms.

AN HON. MEMBER: Those two eggs.

MR. LYSONS: Yes, and teach teachers.

But if the Department of Education were to ask for money for field trips for students and teachers and take along knowledgeable people, I certainly would more than heartily endorse that. A field trip should be an organized trip and not something that some teacher, who's busy in the first place, has to have added to her curriculum, and then have to force something else out of the way to get the message to the children. I think the children can be provided with the enthusiasm to learn if they're given the opportunity to learn. I certainly think that would be far more important than having a special curriculum co-ordination to do this.

Thank you, Mr. Speaker.

DR. CARTER: Mr. Speaker, I rise to speak with regard to motion 216. I commend the Member for Stony Plain for its introduction. The comments this afternoon have been most interesting. I know that sometimes people beyond these walls feel the Legislature is a rather dry place in which to have to sit and listen. It may well be a dry place to sit and listen, but some of the comments are far from dry.

Representing as I do the constituency of Calgary Millican, I would like to make just a few comments with regard to how this motion affects this environment in this particular constituency. To some degree, I would dissociate myself from the comment made by the Member for Vermilion-Viking with regard to some of his urban cousins not being quite so sensitive to the environment. For example, the constituency of Calgary Millican is quite subject to some of the pressures of environmental pollution. As I list some of these things, I'm sure you'll agree. We have the Bow River with its interesting kind of problems, and the Member for Calgary-Forest Lawn is often keeping us apprized of developments with regard to pollution in the Bow River in particular. I appreciate his concern through question period in the House, since we both share that body of water as it flows through the eastern part of Calgary.

Then again within Calgary Millican we are blessed with not one but two sewage treatment plants, and on occasion the wind of course helps to underline the fact that those sewage treatment plants exist. Again, the riding has one fertilizer plant, which is able to color the landscape in different ways, and yet another fertilizer plant exists in the next-door constituency of Calgary Egmont.

Again, one portion of the riding has the stockyards, and stockyards of course are not noted for giving off the odor of Eau de Cologne. We have an explosives plant, which raises all sorts of other environmental concerns as to the disposal of the leftover material, especially now that that particular plant is being relocated. In southeast

Calgary we have a rendering plant. This is one of the sources of pollution of a less than pleasant odor, which is a matter of continuing concern not only for the constituents but the Department of Environment. The whole environment of Calgary Millican, whether it be from downtown or all the way out to the southeast portion of the city, is one where the constituents are daily brought in contact with various odors, where they are very much aware of the fact that environmental matters really do matter.

With respect to Motion 216, the riding of Calgary Millican is somewhat less than fortunate because we do not yet have a high school, and I hope that the Minister of Education will help to send that message back to the public school board in Calgary. So it's very difficult for this kind of instructional curricula to be processed within Calgary Millican, other than in the lower echelons, as the motion does comprehend and encompass.

I was interested earlier in the remarks made by the Member for Calgary North [West] when she referred to a number of indicators which have been used in international conferences when working out definitions with regard to environmental concerns. Very quickly I'd like again to run over some of those physical, chemical, biological, social, economic, political, aesthetic, and structural surroundings of all living things. I'm rather interested that that particular definition, as far as I'm concerned, covers a true theological definition, because it involves a comprehensive definition of environment as including the totality of the universe. That in turn reminds me of a line of a very favorite hymn of mine which begins, "This is my Father's world ..." That particular line was even sung by no less a member of this Assembly — as a matter of fact by two of them, I think, certainly by one — the Member for Cypress and perhaps the Member for Medicine Hat, when they were involved in a rather interesting environmental project this past spring in the Cypress Hills.

The whole matter of thinking in terms of a theological definition of "This is my Father's world" may not be accepted as a proposition by all members of the province of Alberta, but it certainly is an underlying concept and understanding of a good portion of the residents of this province who have a very firm, steadfast belief in the fact that there is a God, and that he has a concern not only for the universe but for this world and for people living in it. That then goes on to a whole basis of stewardship, the stewardship of the gift of existence. That in turn brings in a base line concept of a whole evaluation of life, the evaluation of how important your life is, the evaluation of the importance of the life of other living beings within this whole ecosystem.

I think the whole matter of creation has been underlined again for me in this past week, watching the photo variations coming back from the space probe that recently went past the planet Saturn, the whole kind of interesting input that has come from that space probe, information which has changed the understanding of astronomers. But again, as I watched those photographs and thought of that satellite spinning its way through the outermost regions of space, for me it was interesting to note, I keep thinking, where will we find another place in this vast universe where the delicate balance is such that life can truly exist? One keeps hoping.

The whole matter of a life support system and how delicate it is, is again brought home whenever you engage in any kind of reading with respect to outer space, when we see that the various components of different balances

of gas mean that life cannot exist. One wonders if at some point in time that kind of death sentence will happen to this planet of ours. So there is that underlying environmental concern which has been growing in recent years, which is evidenced certainly in many parts of the industrialized world, the whole concern that we do not want this planet to die, in spite of acid rain, hazardous waste, poor land use, or even the threat of nuclear war. Again, the base line in terms of creation comes back to a proper evaluation of life.

With respect to some of my contacts over past years, I find that I have indeed been privileged to work with native Indians in this country of ours, within this province in particular. They have been a good reminder to me of their awareness of the fragility of our life systems on this planet and the interrelatedness of the various systems. For example, the Sweetgrass Hills, which unfortunately are just across the line in the state of Montana, together with the Cypress Hills were very special holy places for the native people of the great plains. In effect they were sanctuaries. They were places where the native people went, no matter whether the tribal name was Peigan, Blood, Crow, Sarcee, Blackfoot, Sioux, Assiniboine, or Gros Ventre. These peoples moved from there, and they regarded these places as special sanctuaries. There was water, wood, shade, and a tremendous variety of wildlife, animals which no longer exist in those particular portions of the great plains. These places were sanctuaries. They are sanctuaries for all of us even today. In the Sweetgrass Hills, as out on the plains or in the Cypress Hills, the native people gave thanks daily to their spirit creator, manitou, whatever their name was for the creator, often by smoking at the sunrise of the day and again at sunset, sitting with the peace pipe and offering sweetgrass smoke up to heaven and to the four points of the compass as thanks to God, and they would also point it toward mother earth. This was all part of a concept of trying to say thank you for the totality of existence.

Many of us have been fortunate enough to grow up on the plains. Others have grown up in other parts of the environment of this great country of ours, and we've grown up with an awareness of the environment and how precious it is. Many of you were no doubt interested earlier, as was I, in the comments of the Member for Vermilion-Viking, because he was really bringing back and awakening some of the experiences of our own childhood. That's one thing that really needs to be done more and more today. We need to rediscover the child within us, sometimes to go apart to those places and have a better understanding, a reawakened understanding of the preciousness of clean water; to watch wildlife, the coyotes, deer, or elk or the birds circling in the sky. Many of Alberta's children today need that same type of experience. Often as adults and parents we should be doing that, giving that kind of heritage to our children by sharing that with them. I know that beyond the walls of this Legislature we have many senior citizens, grandparents, who are great resources. They can reach out and give their grandchildren a reawakened awareness of what it really means to be environmentally concerned, the preciousness of the totality of our existence.

Of course I could mention many other items, but I find in speaking in support of this motion that, as the proposer of the motion has said, in actual fact it's a motion in favor of motherhood. I would agree with that, but I would go one step further and say that as I support this motion, it is not only in favor of motherhood but of mother earth.

MR. R. CLARK: Mr. Speaker, in rising to take a brief part in this debate, might I say to the member who just completed his comments how much I appreciated those comments.

To the Member for Stony Plain who has put the matter on the Order Paper, I welcome the opportunity to take part in the debate, somewhat unexpectedly because I hadn't planned to make any comments. I take part in the debate because it's somewhat confusing to me that the motion before us is almost identical to the first recommendation of the interdepartmental committee on environmental education, which presented its report entitled *A Proposal for Environmental Education in Alberta* to the Minister of Education on October 14, 1977. Copies were sent to a whole array of deputy ministers in a variety of departments.

I'd like just to mention three basic recommendations. One was that the Department of Education give emphasis to the development of environmental learning materials. Secondly, the department, in fact the minister this spring, indicated to the Environment Conservation Authority education advisory committee that his department would be hiring an environmental education co-ordinator, as prescribed in the report of the interdepartmental committee. So it seems to me what we're debating here today is something that was recommended to the government in '77. At least the minister has moved some distance on that.

It's from that vantage point I'd like to make four comments very briefly this afternoon, Mr. Speaker. First of all, dealing with this question I regarded as the rather telling point the Member for Bonnyville raised when he went through the various curriculum material available and pointed out pretty clearly there is more than ample opportunity for appreciation and understanding of our environment within the existing curriculum. It's one of the basic problems all of us have to keep in mind in this Legislative Assembly, whether it's in Education or in any other government department. We can say things, do things, and pass things in this Assembly, but unless we then keep our eyes on the ball enough to see the things done are actually implemented and carried forward, all the good intentions or things we might talk about, be it in basic goals of education, whether they're good or bad — I'd be inclined to agree with the Member for Bonnyville there too, that they're a little wanting. Whether they're good or bad, unless we're prepared to follow these things through and in fact see they're being done, we're really not going to have much impact on the curriculum our young people are taking.

I simply say that members would be wise to look at the curriculum, not only the field of environmental education but a large number of other areas that supposedly are in the curriculum for children between grades 1 and 12 in this province, which for a variety of reasons — the priority isn't certainly in keeping with the goals of education that were discussed in this Assembly some two to three years ago. I urge members to do a bit of checking with their own school systems to see if in fact that isn't the case, not only in environmental areas but a number of other related areas.

Mr. Speaker, the Member for Calgary North West is back in the Assembly, and I really can't miss the opportunity to say how much I enjoyed a rather novel approach of explaining Kananaskis Country to us as a rather sizable environmental classroom. Might I simply say to the hon. member, that's likely as good a justification as I've heard for some days. But might I say to the

hon. member that perhaps the greatest environmental classroom we have in this province — if that's what we're looking for — is the Eastern Slopes themselves. Within the Eastern Slopes and within 40 or 50 miles of Kananaskis Park and Kananaskis Country, are projects like the Silver Creek Ranch, of which the Calgary public school board have been making excellent use for a number of years. I'm somewhat biased towards that project because it happens to be in my own constituency. As things often work out, schools in my constituency go down to a facility at Exshaw, I think it's Camp Yamnuska if my memory is accurate. I know youngsters from Carstairs have been going there on environmental ventures for some period of time.

Let me say to members of the Assembly very straightforwardly that it seems to me that part of the long-term heritage of this province is in fact the Eastern Slopes themselves. If members of the Assembly and government feel moved really to push in this area of environmental education, one of the finest experiences young people can have is to spend the best portion of a week — well prepared before they go out there and certainly well prepared to use those experiences when they get back — in that particular part of this province. I noted with interest the comments made by the Member for Vermilion-Viking. That isn't to say there certainly isn't a very useful experience in taking the junket he indicated.

Mr. Speaker, the last comment I want to make deals with this question of environmental education within the greater context of financing for basic education. Several members today have made the point that we're prepared to make money available for field trips. As important as environmental education is in Kananaskis, eastern Alberta, or the downtown area of Calgary, Edmonton, or wherever it may be, I think we'd be very wise to resist the temptation to designate money for field trips.

Not that I have anything at all against field trips, specifically but the basic problem becomes once again: we sit here in our wisdom in the darkness we oftentimes are in, telling people in various areas across the province what their priorities are. It seems to me we've tried to do that within the broad goals of education, and it seems to me that we have to make sufficient resources available and then trust those people, be they principals, teachers in the classroom, elected school trustees, within their proper role to make the kind of decisions that are going to have the curriculum or the objectives of education we've approved here, and the curriculum that flows from there, become a living educational experience in the classroom.

I would simply caution ministers, officials of the department, and members of the government not to get carried away with setting up money specially for educational field trips. There are at least a hundred other ventures which could come down the pipe that might be just as worth while within the 1 to 12 system in education, to make a special commitment such as that. Once we do that, we really are defeating the purpose of teachers in the classroom, locally elected school boards, and school officials.

I commend the member for bringing the matter before us. Basically, I think it was virtually dealt with in '77. As a result of this discussion, I would simply hope we're going to see that there's a higher priority given to environmental education within the existing curriculum. I don't think we need money set aside for field trips. We do need — this is a suggestion made by the Member for Bonnyville, and I hesitate to agree with him twice in the same day because of what it might do to his opportunities

for moving forward. His suggestion of some sort of implementation arm or facility within the Department of Education to live within the curriculum and the goals of education as set forth in this Assembly would be a matter of worthy consideration by members on both sides of the House.

MR. PAYNE: Mr. Speaker, I appreciate the opportunity to bat number seven in the batting order today. In so doing, I would like to indicate to the hon. member whose motion is under debate today that I'm generally in support of the motion, although within some quite severe time constraints I may not be able to indicate as many qualifications to that support as I would have liked.

Initially, Mr. Speaker, I would like to make the point that environmental education, although it may appear to be a comparatively modern educational phenomenon, in fact is not. I recall quite vividly 35 years ago at the public school I attended in southern Ontario, there was a very clear correlation in grade 8 science between scientific education and the environment. In those days we learned a lot of our science by rote. I can remember on more than one occasion standing up with all the class to see who could first memorize the primary noxious weeds and other lists that had been chalked on the board by our principal and science teacher. One clear prize for those who could memorize the list first was an opportunity to absent oneself from the classroom and pick up litter in the schoolyard. As one who was able to learn by rote fairly quickly, I found myself picking up litter a great deal. So I learned very early in life that there is such a correlation between the study of science and the environment.

Motion 212, of course, urges the government to consider the development of environmental education curriculum in all grades in Alberta schools. As I indicated at the outset, I am pleased to speak in support of that motion, but with perhaps just one qualification. Before indicating to the member opposite — I don't mean that politically, of course, only geographically — I would like to answer the question of why I am in support of environmental education with two questions. One, can we as legislators honestly say that a young Albertan who has learned the three Rs — and reference has unfortunately been made to those today — yet has no appreciation for his environment, is truly educated? The second question I might pose by way of an answer to the question of my support: can we honestly say that the student of the physical and social sciences has been adequately educated if his course work has been developed in isolation from the environmental implications of these disciplines?

I want to acknowledge the very significant private sector contribution to this general subject by way of a reference to the organization whose acronym is SEEDS. As some but perhaps not all members will be aware, that acronym is for a non-profit foundation with which I've had some past affiliation called Society, Environment and Energy Development Studies Foundation, and is a classic illustration of how the private sector, once mobilized in a traditionally public-sector area, can produce materials of undoubted quality.

In reading some past debates, I noted with interest the not unexpected, cynical observation by the Member for Spirit River-Fairview that materials prepared by the private sector would have some bias. I would like to reassure him — I wish he were here today to hear this reassurance — that I have reviewed those materials very carefully, and it is unquestioned that they are unbiased and very

balanced in their approach to the environment.

I had one or two qualifications of that support as I have indicated, Mr. Speaker. One of those is the principle of application; that is, I feel any environmental educational curricula and materials relating thereto should place an emphasis on the individual responsibility and obligation for personal behavior in this area.

I think I could best make that point for the members today with an illustration. It arises from my concern with the activist tone that sometimes accompanies discussions and educational efforts in this area. I recall very vividly just a few years ago at a senior high school in Calgary talking one day with a student outside the school who was armed with a video camera, one of these little \$700 video packs, and a clip board, with fire in her eye. I questioned what she was about to do. She was taking that video camera as a weapon or a tool, if you will, to expose corporate polluters in the city. I thought it was so ironic, because as I looked over her shoulder the student parking area was just awash with hamburger wrappers, ice cream wrappers, cigarette butts, and cigarette packages. It was just strewn with litter. I thought, how ironic that she should be going off with this tool and weapon to expose pollution elsewhere in the community when there it was right at her feet. I would suggest that by way of an illustration of my point that in a principle of application there should be emphasis on individual responsibility.

I think I have time to take a swing at one more pitch today, Mr. Speaker; that is, to suggest to the member who proposed this very worth-while motion that there should be a good balance of the practical and the theoretical in any environmental education materials, either currently contemplated or produced sometime in the future. Of course, members of the Assembly from Calgary will be aware of the outstanding illustration of this balance in the Clean Calgary Committee, with its annual drive using teenagers from across the city to clean up the banks of the Bow River. It's an exercise that's not very ethereal or theoretical, but it has an undeniably positive impact on an important part of Calgary's environment.

In summary, Mr. Speaker — and I regret that the time constraints I face today have prohibited my expanding on one or two other qualifications — I would like to make, if you like, a parenthetical observation to the members that the blue haze of noxious smoke that seems perennially to pollute the members' lounge has perhaps made it difficult for us to get a clear vision of the intent of this motion. I was planning to speak at length on that subject, but of course with the reference of the hon. Member for Calgary Millican to the historic use of sweetgrass peace pipes and their connection with the environment, I felt it wouldn't be appropriate for me to elaborate any further.

With that somewhat qualified and somewhat brutalized support of the member's motion, Mr. Speaker, I beg leave to adjourn debate.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

205. Moved by Mr. R. Clark:

Be it resolved that this Assembly urge the government to introduce legislation to appropriate funds from the Alberta Heritage Savings Trust Fund to build a northern Alberta children's hospital as a lasting tribute to Alberta's first 75 years.

[Adjourned debate April 17: Dr. C. Anderson]

DR. C. ANDERSON: Mr. Speaker, it has been quite a while since we discussed this motion.

On October 20, 1980, Premier Lougheed stated:

We're continuing with our position of maintaining Alberta's position of having the highest quality health care system . . .

in Canada and in the world. There is no doubt that optimal child care is a most important investment. The attainment of health is part of this investment and commitment by this government. There is no doubt that a complete child care facility in Edmonton would greatly enhance the prestige of the University of Alberta and its Faculty of Medicine as a teaching centre. However, it is unfortunate that the discussion of health care needs of children has been focussing on the physical facility rather than on the quality and extent of the health care program.

As far as I can see, the arguments to date on the northern Alberta children's hospital have been based on the belief that centralization would result in a better level of care for the child. However, centralization could cause some difficulties. Centralizing children's hospital beds in a single facility would necessitate the reduction or closure of pediatric wards in other hospitals and might result in more inconvenience to family members by not being able to have their children treated in the hospital nearest their homes.

We've recently seen two studies being carried out to support a northern children's hospital, the first one being undertaken by Dr. H. W. Bain, professor of pediatrics at the University of Toronto. He conducted the study for the Children's Hospital Foundation of Edmonton. We've also had a study carried out by the International Critical Care Consultants Limited, the principal consultant being one of our own Edmonton doctors, Dr. Neil N. Finer. These studies have been beneficial in bringing the northern Alberta Children's Hospital Foundation project to the forefront of the population, and I'm sure helped the Leader of the Opposition in bringing his motion to the floor.

In his study, Dr. Bain suggested that the age limit should be increased at least to the 18th birthday. He concluded that by doing so, we would be able to provide services, including child psychiatry, for the most neglected group, the adolescent child. Dr. Bain has also stated that administrators of the hospitals have had to look at the needs of all groups within their hospitals, and traditionally the departments of pediatrics have played second fiddle to the larger and more powerful departments of medicine and surgery.

In introducing the motion, the Leader of the Opposition stated that Alberta was providing yeoman service in pediatric care in northern Alberta. In Edmonton we have in excess of 500 pediatric beds, medical services second to none in Canada or the world, and a fine tertiary care delivery system. We have pediatrics being provided for in the Royal Alexandra hospital, Glenrose hospital, University hospital, Edmonton General hospital, Misericordia hospital, Charles Camshell hospital, and W.W. Cross hospital. Besides that, in the planning stages, we have two 400-bed community hospitals and now the new Walter C. MacKenzie Health Sciences Centre.

So with the present situation of having in excess of 500 pediatric beds, we have a problem with low occupancy of approximately 60 per cent. However, the Royal Alexandra hospital pediatric pavilion has 175 beds, 75 more than

the children's hospital in Calgary. We have 90 neonatal intensive care beds in Edmonton, while there are only 37 in Calgary. These beds are located in two very fine centres, the Royal Alex and University hospitals.

In his study, Dr. Finer showed that by population of children less than age 14, Alberta ranks fourth in the number of beds behind Ontario, Quebec, and British Columbia. We would expect this to happen on the basis of the larger population in those provinces. Alberta is fourth by percentage of population of children less than 14 years of age, following behind Newfoundland, New Brunswick, and Prince Edward Island. We would expect this on the basis of the smaller population and the ability to provide more beds at a lower cost on a percentage basis.

In his paper, Dr. Bain stated that we have two fine neonatal intensive care units with excellent doctors. He stated that the Glenrose hospital facility is potentially second to none. He stated that Edmonton has a splendid staff of full-time pediatricians. He went on to state that Edmonton has an excellent research program in pediatric medicine which appears to be quite productive.

In 1978 only 50 pediatric referrals had to be made out of the province. So, Mr. Speaker, I believe that we have the facilities, beds, and medical research capabilities here to provide children in the Edmonton area with a very high level of care, and of course this is our primary concern.

However, by providing a larger, centralized facility we would be able to have a regionalized system that could attract more high calibre pediatricians. We could attract more of the specialized groups, the pediatric surgeons and especially the neurosurgeons who are so desperately needed. We could provide major pediatric intensive care to deal with the specialized problems of the pediatric age group. We would be able to attract more pediatric anesthesiologists to specialize in full-time anesthesia for the child. We would be able to provide better pediatric nursing and a better pediatric dietary service. We would also be able to concentrate and provide a better location for pediatric research because we'd have more children located in one centre. This would help to provide a tertiary level of care and also attract candidates to the pediatric residency program.

However, there are some disadvantages to having a centralized pediatric facility. A disadvantage to family practitioners would be created by centralizing most of the beds in a single pediatric facility. There has been a trend in Britain to go away from the free-standing pediatric hospitals for reasons I am not quite sure of. The other disadvantage would be that we would be segregating our children from the general population, and we should strive to make sure that they are not segregated but kept in with the general population.

Training of general and family practitioners to take care of primary care could be handicapped, especially if those practitioners were to go into those centres. Like every other major teaching centre, there is a strong attitude on the part of the faculty to try to persuade those students to go into the specialty rather than to prepare to serve as a family practitioner and a primary care person. I feel it would be difficult to use this type of thing to teach interns the necessary requirements to practise in rural Alberta, because so few of these people would have the opportunity to work within this centre.

The team approach we have now with the adult specialists and the pediatric consultants could be lost. I have a patient, a little boy who has multiple congenital abnormal-

ities of his spine and legs who has benefited at the University hospital with specialists of all age groups gathering together to consult on his case, and to make recommendations. This little child's surgery has been taken to congresses in Seattle and throughout the world. It displays that we now have the potential and opportunity to provide good specialized care.

In his report, Bain stated we have two excellent neonatal intensive care units. He then goes on to say they should be combined into one. What kind of difficulties are we going to have to try to convince the Royal Alex or the University hospital to shut down their centre so that the other may take over? I realize this may be beneficial, but it's still an advantage to have your neonatal intensive care units where the deliveries are being done and the obstetrics performed. Bain has also stated that there should be a maximum of 300 and a minimum of 250 in-patient beds for pediatric care to make an efficient system. Does this mean that when we have constructed the children's hospital in Calgary, which will have a lot fewer beds than this, it'll not be efficient and we'll not be providing the types of care that need to be provided? Perhaps we are already out of date in that facility.

Bain has also suggested that the bed allocation within the centre should be divided up, the majority of beds dealing with tertiary care or the gravely ill child, a moderate number of beds allocated to secondary care, with part-time pediatric staff being allowed to have their patients occupy these beds, and finally that some beds should be provided for primary care and for the part-time pediatrician and the family practitioners on staff. Where would our family practitioners who are presently looking after children place their patients and be able to provide the type of care they needed?

I'd like to quote from a patient's letter that stated:

As a parent who spent a good many years with a child in hospital care ... and comparing the actual care in Edmonton to the Toronto Sick Kids, I certainly could not fault Edmonton.

I know from personal experience that quality care is available. The letter goes on to state:

The biggest obstacle seems to be the admitting and emergency. Parents and patients go through unnecessary anguish and anxiety in these areas ...

Long waiting times in admitting from the emergency exist, up to five and one-half hours.

... the main reason appearing to be that no one in emergency actually has the authority to make that decision.

The University hospital and the Royal Alex hospital, for all practical purposes, have specialized children's wings. They do not have emergency and admitting facilities for children staffed entirely by children's personnel and with pediatricians in attendance at all times. However, we could easily develop a northern children's centre with two wings at the two hospitals without actually building a monumental edifice, a Taj Mahal, to symbolize it. It's important, because Finer says that the cost to build a children's hospital is approximately 2.4 times as much as a general hospital of equivalent size. By providing an emergency and admitting facility for those two wings in each hospital, we'd be able to provide a visibility to the parents of these facilities at a time when they are distraught and in difficulty.

Bain has also stated that the hospital should be situated adjacent to and physically and functionally attached to an adult hospital for certain key functions. The most important relationship is to the service areas of the obstetrics

department. This is met in both at the Royal Alex and the University hospitals.

In summary, Mr. Speaker, I feel we have to assess the need, look at the timing, and decide on the priority. I feel that we could make the Royal Alexandra hospital pediatric pavilion and the University hospital with the Walter C. MacKenzie hospital development into really specialized pediatric care hospitals.

Thank you.

MR. GOGO: Mr. Speaker, addressing the motion moved by the hon. Member for Olds-Didsbury, and after the eloquent remarks of the Member for St. Paul, particularly with regard to timing, I would keep my remarks very, very brief. For those who believe centralization of any facility, including hospitals, is in the interest of Albertans — the motion doesn't say for one minute that this facility to commemorate our 75th anniversary should be located in Edmonton, Alberta. It doesn't say that, but I can just imagine the howl if it were proposed for Morinville, Vegreville, or any other 'ville' in this province. If members can just visualize for a moment that we did proceed with such a facility and we located that facility on this very grounds to serve all Albertans in northern Alberta, with the type of roads we have leading to and from this building, I would suggest with respect, Mr. Speaker, that by the time they got in or out, it would be academic as to the treatment they had.

Mr. Speaker, I have had the opportunity to look at some hospitals in this province and some outside this province. When one considers how anybody could vote against such a thing as a children's hospital, you only have to call into any of the hospitals in this province after hours, particularly after midnight, with a sick child — whether it's an infant, a 3-, 4-, or 10-year old — and find the number of drunks being rolled in by police forces. Expecting parents in this province to wait in line behind some — I must be very careful of The Individual's Rights Protection Act, because I don't want to refer to drunks as being a different class of citizen.

But with the very traumatic experience some of those parents have to go through waiting in line, surely it's time, with respect, Mr. Speaker, that I think we look at some of the facilities we presently have because there are many fine institutions in the world over 100 years of age providing excellent service. They have come to the conclusion that bricks and mortar do not really heal people, notwithstanding the Alberta children's hospital in Calgary, but that indeed, it's the care people receive.

I had the very good fortune to visit the H.H. Williams Memorial Hospital in Hay River, which the hon. Member for Edmonton Belmont is chairman of, and in my opinion, they have revolutionized patient care. They have carpeted floors because it went out of style years ago that you get an infection if you have anything other than concrete or tile on the floors. They painted the walls so that people can appreciate that there are still colors in life beside the bare white enamelled walls.

I suggest, again with respect, Mr. Speaker, the proponents of the northern Alberta children's hospital, who have shown some excellent films, point out very clearly some of the alternatives within the present setting. They can make these places have different access for emergencies for young people, particularly infants. They can dress them up with colors and instead of wearing the very sterile costumes that some nurses seem to wear, dress them in other things.

Mr. Speaker, it's truly a motion I'd like to spend some

time on. I think the Member for Olds-Didsbury, the Leader of the Opposition, has his heart in the right place. But some people seem to think that the 75th Anniversary should be not just dedicated to remembering the pioneers of this province but concerned about the future of this province.

With that, Mr. Speaker, I beg leave to adjourn the debate.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

MR. HORSMAN: Mr. Speaker, when we assemble this evening, it is proposed to deal in order with committee study of Bills 79 to 87 on the Order Paper. Therefore I would move that when the House reconvenes this evening, we reassemble in Committee of the Whole.

MR. SPEAKER: Does the Assembly agree that when members reconvene at 8 o'clock, they'll be in Committee of the Whole?

HON. MEMBERS: Agreed.

[The House recessed at 5:29 p.m.]

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

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

[Mr. Appleby in the Chair]

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

Bill 79 **The Labour Relations Act**

MR. CHAIRMAN: There is an amendment to Bill 79, which I believe has been circulated. Are there any comments or questions with regard to the amendment?

MR. NOTLEY: Mr. Chairman, could we perhaps have a summary of the amendments by the minister before we enthusiastically pass or reject them?

MR. YOUNG: Mr. Chairman, now that we're assured of enthusiasm in passing, I'd be pleased to make some comments on the nature of the amendments. The amendments go from A to W, so I presume there are roughly 24. I think I could go over some of them very quickly, perhaps even without reference to the statute itself, and give you an indication of their significance.

The first amendment, A, is a redefinition of "employer" and a slight modification of the definition of "employee". The redefinition of employer will really mean that "employer" will be defined for purposes of this legislation as per the common law understanding which has emerged. That is a change from a four-point definition proposed in Bill 79. If it has any import, it really means that we are moving from a specific definition as proposed in 79, to rely upon the common law definition. There has been a

great deal of interpretation in court findings with respect to that.

With respect to amendment B to Section 12(1), the section provides for the administering of oaths. It was found that a board could not administer oaths, so the amendment simply removes the labor relations board and continues to enable the chairman to do that.

Amendment D relates to the counsel which may be available to a person who is responding to allegations before a union hearing. It complies with the request of the Alberta Federation of Labour that the person should be able to have counsel, but not necessarily of the accused's choice. I think this will have only one effect; that is, the trade unions, in their disciplinary hearings, will have to be ultra cautious to assure natural justice or they will in fact find themselves and their proceedings before the courts. Mr. Chairman, is this the kind of explanation hon. members find useful? As long as I can stay with it.

Item D removes the expression "registered" as a qualifying adjective of employers' associations, and would mean that any employers' association could sue or be sued and not just registered employers' associations. We have a number of employer associations; they are registered only in the construction industry. So this means that any employers' association would be liable and would also have the same capacity in law.

Amendment E is to achieve the same effect as amendment C. F is to clarify a concern some have expressed that Section 43(1), dealing with the revocation of certification, could follow only if there had been "an application for revocation of the certification of a bargaining agent". As it read, it was interpreted that the Board of Industrial Relations — in this legislation, the labor relations board — would be able to deal with revocation of certification on its own initiative. This is to remove that possibility.

Amendment G, amending Section 44 of Bill 79, again deals with revocation of certification. It is the section which gives the labor relations board the capacity to revoke a certificate on its own initiative under certain conditions. This amendment clarifies those conditions. First of all, the labor relations board has to serve by double-registered mail or personally upon the trade union and the employer or employers' organization affected by the revocation. So the method of service is clear.

The second portion of the amendment provides a period of 60 days, rather than 30, within which an objection may be heard. This is to respond to the concerns of some unions that they might have to hold a meeting after they receive the notice, and that under their constitutions that might take them a couple of weeks. There is not really a degree of urgency, well-founded or otherwise, that would mean we have to stay with 30 days, so we've expanded the time to 60 days.

We have further clarified that where there is any resistance or exception taken to the suggestion of revocation, the labor relations board shall not revoke the certification. A concern was raised about whether the labor relations board would or wouldn't. It was never our intention that it should, but to satisfy the concern we have expressed it in clear and explicit language.

Amendment H is to clarify that the proceedings should occur only on application. Again, it's a clarification as to procedure. Amendment I, dealing with Section 47, is again a consequential amendment to carry over the clarification that was issued in sections 43 and 44, because these sections all deal with the revocation of certification, and having made the change in one instance, we're flow-

ing it through to apply to all the sections.

Amendment J, dealing with Section 53(3), is to clarify that where the legislation now refers to "strikes" it should also refer to "strikes or lockouts" so that it is not a one-way street and it applies to the actions of both parties. That was an inadvertent omission.

Amendment K, Section 54(2), is to clarify and follow through some predecessor sections wherein the employers' organization may have lost the right to represent certain employers. While it had lost the right under formal registration provision to bargain for those employers, it was not clear under this section that they would not be swept in in any event. So again, it is an amendment to clarify and continue the concept in the earlier portions of this particular section of Division 4, dealing with registration.

I referred to Amendment L in my comments on second reading. It provides for the co-ordination of collective bargaining in the construction industry. We have the rather unique situation whereby in order to try to get cohesion — it could be on both sides of the table — there is a capacity for the minister to designate an organization as the co-ordinating agency. Once that designation is given, the organization so designated has the capacity to sit at the bargaining table, without necessarily being in a speaking capacity, but at least in a silent capacity, to know what's going on and hopefully to co-ordinate the activities. That could work on either side of the bargaining table. That is in The Alberta Labour Act now. It was introduced in 1977, and this would reinsert it.

Amendment M, Section 79(2), I believe is again simply a clarification that had been requested, and there certainly is no change in principle involved in respect of that.

Amendment N, dealing with Section 92, is to clarify and remove a concern that had been brought to our attention based on the wording of Bill 79. It will clarify that first the service of notice of, then the establishment of, a disputes inquiry board during a work stoppage has no effect upon that stoppage in the sense that it brings an end to it by virtue of the establishment of the board. Hopefully if a board is established it will have some effect, but simply by virtue of bringing the parties together as a consequence of its activities . . . But the simple establishment of the board will be clarified by this amendment, we hope, so that it's beyond any confusion of interpretation that that is the intent and effect.

Amendment O resolves, we hope, a concern expressed that when the minister is seized with the findings of a disputes enquiry board, he must notify the parties forthwith. There had been allegations that the minister could hold the results of the disputes enquiry board and delay processing of a dispute. That clearly was never our intent. As a matter of fact, I think it would counterproductive. But to try to satisfy and provide clarity and certainty, we have introduced the expression "forthwith".

Amendment P is to clarify Section 104, that during the term of a collective agreement there could not be a strike or lockout. We've introduced the clear expression that the agreement is "between the bargaining agent and an employer or employers' organization", rather than saying, as it does at the moment — if members will refer to it — "during the term of a collective agreement" without identifying who is involved in the collective agreement. This relates it to specific parties. That thought is carried through in amendment Q and in amendment R. It's the same clarification being carried through in the three locations in the legislation.

Amendment S is an attempt to clarify by restating that

when a disputes enquiry board is in effect, the conditions of the collective agreement — which may or may not have expired, but in the event it does expire — continue on and the standard grievance provision contained in the legislation also will continue on. There is a methodology of resolving any disputes of interpretation flowing from the administration of the agreement. It's a rather long way of expressing that, but that is the end effect of it.

Amendment T is another attempt to clarify what we had intended to convey before with respect to unfair practices. It is to clarify that where a notice to commence collective bargaining has been given, no employer shall do anything except as provided there. It's to try to be more explicit. That is in response to submissions made to us by parties since the legislation was tabled.

Amendment U, dealing with Section 141(5) . . . Sorry about these breaks, but my memory isn't up on a series of very recent amendments, and I don't have notes before me. This is to clarify what our expression in Section 141 of the statute, coming within the ambit of "rectify", really means. We have tried to express it more clearly and more certainly by citing specifically what we mean by "rectify".

There was discussion about what that additional power of the Board of Industrial Relations would be. It is spelled out here in (i). The capacity would be to "certify or refuse to certify a trade union", "revoke or refuse to revoke [a] certification", "revoke or refuse to revoke the rights of a bargaining agent voluntarily recognized", the same with respect to registration of an employers' organization, and finally to "cancel or refuse to cancel the registration certificate of a registered employers organization". By specifying it that way, we have now clearly limited and specified what that additional authority to make right that was advanced to the labor relations board can accomplish.

Amendment V refers to our ability to pay mediators. The presumption here is that there might occasionally be a mediator from outside the staff of the department. While I think that was clear before, we didn't wish to be without the capacity to pay the individual, and that is clarified. Amendment W is to correct an oversight. In the consequential amendments, The Private Vocational Schools Act was not amended as it should have been in the original Bill. This corrects that omission.

MR. NOTLEY: Mr. Chairman, just several comments on the amendments. First of all, with respect to amendment C, the question of disciplinary hearings. I think that will go some direction. I know I've had some concern expressed to me about that issue, both with respect to the constitution of a bargaining agent and the concern of somebody coming in with a lawyer, and the problems that will create internally.

I think G may also be helpful. In other words, instead of 30 days we're now increasing that to 60 days. The other one that I think is probably useful is amendment O, Section 101 — now new Section 1 — striking out "then notify" and substituting "forthwith notify". That was the concern I had: that in fact we could have a situation where it might not be expedient to do it, but it might happen because sometimes with a lot of pressures these things happen. I think the amendment "forthwith notify" is a step in the right direction there. With respect to Section 135, amendment T, this may cause me not to move an amendment myself. But as I understand Section 135 as now amended,

If a notice to commence collective bargaining has been given, no employer affected by the notice shall,

except

Then all these are qualifications:

- (a) in accordance with an established custom or practice of the employer,
- (b) with the consent of the bargaining agent, or
- (c) in accordance with a collective agreement in effect . . .

Am I correct? In other words, they are all mandatory items, not "either" or "or". This is the concern I had before. That's what I get out of the government amendment here. If I'm wrong, perhaps we should get it straight. I think it is important that if we're talking about an either/or situation, because you're talking here about . . .

MR. YOUNG: Mr. Chairman, let's resolve the "if right away and say that we're talking about an "or" situation. It could be one, two, or three, but it's not an "and" situation. In other words, it should be clear that the employer may, in accordance with established custom or practice, do other things if the union agrees. But the union agreement is not conditional, or not a necessary concomitant to satisfy one.

MR. NOTLEY: I appreciate the explanation of the minister. I will move my amendment then, but at least that clarifies it. The way I read it here, I thought we were making all three of these things mandatory. As I understood it before, Mr. Minister, the Act really talked about "and" and we changed that to "and/or". What is rather crucial here is whether or not the bargaining agent is going to be involved in this process. That's a matter of some real concern to the labor movement. As I understand the present Act, that is a mandatory provision. As I understand Bill 79, the Act we have before us, it isn't. It's an either/or situation. As I understand the minister's explanation, it's now an either/or situation, so we'll get to that.

So with the exception of the minister's explanation of Section 135, I think the other changes are reasonable and I can support them.

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

[Motion on amendments carried]

MR. NOTLEY: Mr. Chairman, I have several other amendments, which may not be approved quite as easily. I have copies here for hon. members of the committee.

Just going through the amendments being distributed now, the first amendment is Section 2(2), which would strike out the exemptions (e) and (f). In other words, The Labour Relations Act would apply to all employees in the province of Alberta. That would include employees on the farm as well as domestics. It seems to me that if we're talking about the provisions of The Labour Relations Act, they should be applicable across the board, whether or not people are unionized. It's going to be very difficult to unionize domestics, highly theoretical, but I think the rights under The Labour Relations Act should be extended to all employees.

The next amendment, Mr. Chairman — I think we'll probably deal with all of them at once and increase the speed with which we deal with them — is with respect to Section 24. At the present time the wording is:

The Board is not required to divulge any information as to whether a person is or is not a member of a

trade union or has or has not applied for membership in a trade union.

The amendment would strike out "is not required to" and substitute "shall not". I think if we get into a situation where the board, for one reason or another, is divulging who is or is not a member of a trade union, you're making it almost impossible to get bargaining agents organized. That is inconsistent with the right to organize. As far as I'm concerned, Mr. Chairman, we should be simply saying, "shall not" as opposed to "is not required to".

The next change is with respect to Section 49. "Notwithstanding anything in this Act, if an application for . . . certification" — we're talking about a certain number of days from the decision of the board. The change here would be to strike out decision and deal with the application. So we would have a Section 49(1), which would deal with the application itself — at the present time, on page 25, ". . . expiration of 90 days from the date of refusal".

The reason I raise that is that there's been a good deal of concern about how long it takes for these decisions to be made. For example, Local 1325 of the carpenters have had an application for certification outstanding for 16 months. They've submitted two other applications for certification before the board. The way the Act reads at the moment, 90 days from the date of the decision would mean 90 days plus 16 months in this particular instance. It's been suggested to me that in fact we shouldn't be talking about from the time of the decision but from the time of the application. If we want to put a time limit, if the minister feels it should be more than 90 days, 120 days, that's up to him. But it should be from the time of the application as opposed to the decision, because the minister well knows that some of these decisions take a little while to go through the process. I think that would be useful.

With respect to 135, I had thought in reading over the amendment — I could be wrong, but my reading of the minister's amendment is not quite the same as his. I think section (d) would be dealing with 135 again and changing that back to a situation where there would have to be the consent of the bargaining agent. It seems to me, Mr. Chairman, that that would clarify the situation. That is also the provision in the present legislation. So we'd just be retaining an "and" as opposed to an "and/or". It's an important provision as far as trade unions are concerned, because it means that

If a trade union has made application for certification, no employer affected by the application shall, except in accordance with established custom or practice of the employer [and] with the consent of the trade union . . .

do certain things. Without going into a lot of detail, the minister knows perfectly well that you can have a one-shot wage increase, all sorts of changes, which look very good on the surface and might even be argued on the basis of accordance with established custom, but without the consent of the bargaining agent. At the present time the legislation says "and". It seems to me that would go some distance. Frankly, as I read the minister's own amendment, I see it in a somewhat different light than he does, in that it would not set those out as either/or situations, but in fact those are the tests. In any event, because of the ambiguity on that score, I think it is important that we have the "and" in, and have submitted the amendments accordingly.

MR. YOUNG: Mr. Chairman, first of all, in speaking in opposition to the amendments, the hon. Member for Spirit River-Fairview is obviously not satisfied with The Alberta Labour Act as it exists with respect to his amendment A. During the restructuring of that legislation into two new Bills, 79 and 80, he proposes to change what is in the existing legislation and introduce a new principle. As he might expect, that is not acceptable.

His amendment B relates to information as to who a trade union member is, which is provided to the labour relations board, must be provided by way of clarification at the time of examination of applications for certification. The legislation now says that the labour relations board is not required to divulge. His proposal is to make it absolute that it shall not divulge. That position was advanced by one of the associations appearing before the committee of officials and me. While we believe it is an amendment that might possibly be accepted, and while it is the practice not to divulge, we are leery of the possibility that there may be an occasion when we're dealing with certification applications that possibly even the applicant may want a restricted form of information. We think it would be very unusual, but we're not sure it couldn't happen. For that reason, we have refused to accept the amendment, although it is our commitment to administer it in the manner the hon. member would like to have it administered, per his proposed amendment.

But there is — and I say this with all candor — uncertainty on our part whether it is totally feasible in absolutely every situation not to divulge, under very stringent conditions, the kind of information that is stated here as not possible to divulge. It may be simply divulging it to legal counsel appearing on behalf of the applicant, and if the employer has legal counsel present, maybe to his legal counsel, and not even to the principals involved. We're not 100 per cent certain that we can administer the way we would like to, with an absolute bar.

So I'm quite prepared to give the hon. member — as I did the trade unions and others who have raised this matter — my commitment that that's the way we intend to administer. That is the way we have administered. I should point out to all hon. members that to the best of my knowledge the wording in Bill 79 is as it has been in The Labour Relations Act for many years. When I raised the question with those who brought the matter to my attention, nobody ever gave me an illustration of any abuse or problem with it.

Having regard to the fact that over many years there has never been a problem, that there is no change in that particular section from what is in the statute now, and that there could be a difficulty in certain circumstances in meeting to the satisfaction of those appearing before the board, we have determined we should not make the amendment the hon. member has advanced, although I have to advise him that we did consider it very carefully.

With respect to amendment C which the hon. member has advanced, again that is not a new thought. It is one which was advanced vigorously to us in our review of the legislation. First of all, let me acknowledge that there are some difficulties with some of the applications for certification. That is especially so when a union changes its name — perhaps that's the best illustration — or changes its affiliation and involves the board in a massive change of certificate.

Let me give you an illustration. It's no secret that it has happened or is happening. That is wherein the Alberta Association of Registered Nurses was the recognized bar-

gaining agent; the United Nurses of Alberta have picked up those certificates. It has required changes of over 100 certificates, and I can't say they all come at once, but they certainly come in flocks, droves, or whatever it is that trade union certifications come in. They come in blocks and severely test the resources of the board. That's not the only illustration of virtually block submissions of union certifications that can come and cause problems.

The other area of problems, and there are several, is when the certifications by their very nature are controversial. Both parties, the applicant and the employer, have strong feelings and perhaps have done things which require a fair degree of review in order to ascertain the facts of the situation with respect to the appropriateness of the unit, the numbers in the unit, and the manner in which the evidence before the board should be weighed by the board. That takes a great deal of time.

The other area, which has taken some time for the board and which we hope our amendments will have expedited somewhat, is the removal of the test of "proper", as this legislation does.

Having said all that, the hon. member's amendment would tie the delay time from the time an application is received till it can be dealt with, can be resubmitted, instead of to the point at which a decision is made, as is proposed in Bill 79. It would tie that time to the date the union submits the application in the first instance. That would mean that if there is any problem at all with respect to the handling of the application for certification, the union would be able to turn right around and resubmit an application, and may well be able to do that before the original application has even been dealt with. While I will commit to try to resolve situations — and I can't reflect upon the illustration the hon. member gives, because to the best of my knowledge it hasn't come to my attention. But I certainly would be prepared to make the commitment that we will try harder. We hope some of the amendments here will enable us to proceed more quickly.

At the same time, I think it's entirely unrealistic and would make a sham out of any proposal to have any order in terms of the sequence of application decision and opportunity for reapplication. The hon. member's motion would clearly make a sham out of that process.

With respect to his proposal D we are obviously having some confusion in interpretation. I think my original statement to the Assembly is correct. The proposal, though, I think is unnecessary for even another reason.

Leaving aside any legislation at all, let me draw the scenario I think would exist: we have an employer and a trade union commencing collective bargaining, at least on a renewal of the collective agreement if that's the issue at hand. The employer could make only those changes established by custom or practice by the employer. Now what is "custom and practice"? Clearly it is something that has to have occurred three or four times in like circumstances. It might be a seasonal change of shift for instance, one of the "for instances" we might encounter more often.

The more extreme circumstance one could dream up is that we're talking about a first-time collective agreement. The employer has been certified, and the employer, over a period of years sufficient to establish a practice of doing it, has provided an increase to his employees on June 15. As I understand the scenario here, because he is certified he is barred from doing that.

Fair enough. What kind of situation do we have? If he's barred from doing it, is it going to make the union's job any easier? Is it going to make the employer's position

any better or worse? In a circumstance like that, we think that if there is a long-standing practice, that should be permitted.

The question then arises: what size increase? If traditionally the increase has been 5 per cent and he increases 15 per cent, that's not tradition, practice, and custom anymore; that's clearly an unfair labor practice. I submit to the hon. member that in those circumstances any action of the employer that he could point to that wouldn't be most judicious, cautious, and careful, that wouldn't err on the side of caution, custom, and practice, would be very counter-productive on his part. It is for that reason that I really think the hon. member is making a very big issue of something not warranting attention of the type he is proposing.

MR. NOTLEY: Mr. Chairman, dealing very briefly with the three major points. As I look at the present legislation, the old Unfair Trade Practices Act had recognition of the "and". That being the case, it seems to me we have at the moment a move away from recognition of the participation, if you like, or the consent of the trade union involved. One could argue the case of whether or not there has been established custom or precedent. That would become a matter for debate, argument, and what have you. As I understand it at the moment, the legislation says "except with the consent of the trade union". There's no ambiguity at all; it's very straightforward. Just as the minister argued with respect to one of the other changes being in the Act, I would argue in this case that perhaps the Act as we have it is better than the change being made.

As far as the question of the 90 days is concerned and whether it's from the application of the decision, I realize that's a difficult judgment to make. I think there are other ways around it. Perhaps one can look at a different number of days being reasonable. But keep in mind that we're talking about the right to resubmit an application. We're saying that there will be no right to resubmit an application until after the decision has been made. If there are problems with making the decision — 16 months in this particular case — it is a long time.

So, Mr. Chairman and Mr. Minister, we have a situation at the moment where, rather than having what I think the minister is concerned about, frivolous applications — you get one application, then another application down the road. Obviously no one is going to make an application until such time as there has been a decision on the application. But it's a question of how long you have to wait. We're saying you have to wait 90 days after the decision. Why should you? If the decision is made and has dragged on for 16 months, why should the carpenters have to wait another 90 days after 16 months? Why shouldn't they be able to make an application the next day, and go through the process again? It seems to me that that's not unreasonable, as I understand it.

On the question of "shall not divulge", I guess the point I'd make on that, Mr. Chairman, is that as we get into an increasingly complex society, there are going to be greater challenges and all sorts of employers, some very good and some not so good. We all know some people are just waiting, pouncing to get hold of the names.

I respect the minister's commitment today. I appreciate his words. I'm glad they are in *Hansard*, because I think it's important that they be in *Hansard*. I would be happier if we had a little clearer wording — perhaps "shall not divulge unless we had the consent of the individual involved", that sort of thing. But it seems to me

that it strengthens the confidentiality feature which, as the minister well knows, is very important if you are attempting to organize a group of people.

In summary, I would say that notwithstanding the response of the minister, I think the amendments have merit and would commend them to the committee.

MR. CHAIRMAN: Are there any further questions or comments with regard to the amendments? Are you ready for the question?

[Motion on amendments lost]

DR. BUCK: Mr. Chairman, on behalf of the Leader of the Opposition, Mr. R. Clark, I would like to move an amendment to Section 147(1) by adding after Clause (b):

The minister shall move in the Legislative Assembly a motion to the effect that the Assembly is of the opinion that a state of emergency exists, and if the motion is carried, then . . .

I will give you the amendment, Mr. Chairman.

If we really feel that this legislature is important in dealing with labor relations, I think it's only fair that the Assembly debate the issues before a decision is made as to whether or not a strike should be terminated. A good example of the cases we're concerned with is the recent nurses' and teachers' strike. I think the people affected and the citizens of the province would feel much better if there were a debate in this Assembly before a decision was reached. Also, Mr. Chairman, after the debate was held in public, I think the government would look better after the decision was made. We certainly would like to hear from the Minister of Labour as to why the government would not allow the Legislature to bring in an action such as this.

Mr. Chairman, with those few brief remarks, I would like to start the debate on the amendment.

MR. YOUNG: Mr. Chairman, perhaps I can deal with the matter with as much brevity as the hon. Member for Clover Bar has in moving the amendment.

In labor relations I think it's important to have a public understanding of what the system is and what the expectations are. When we're dealing with the public emergencies area, we are obviously dealing with a judgment decision as to the nature of the emergency, the nature of the issues at play in our society. Given that we're obviously dealing only with those extreme circumstances — which we hope never to have to deal with, but which are unavoidable from time to time, it would appear — we have to ask ourselves what the most appropriate way is of handling those particular circumstances.

I would point out to all hon. members that in some of the situations I've experienced, and which this legislation clearly anticipates, tempers and moods of people will be very high, very dynamic and subject to very rapid change. We are talking here about the best way of resolving a dispute over working conditions — and usually it's rate of pay, but not necessarily. So we're talking about how a certain sector of our society perceives the equity with which they're treated relative to other parts of our society. We're talking about a sector of our society, maybe a large part of our society, which feels very deprived of services which ordinarily would be rendered by those who have caused a work stoppage.

In my experience it's very important to be able to respond at the point in time when an emergency is identified, and that may change very dramatically and in a very

short space of time. Secondly, it's very important to be able to respond at the point when those persons involved, whether it be society which is deprived of services or those members of the bargaining unit who feel unfairly treated, are most susceptible to responding positively to the particular action.

Mr. Chairman, I want to conclude with this observation. I started a comment which I didn't complete, and that was my opening comment. I think that every society comes to expect or perceive fairness and equity based upon their experience of whether some procedure, dealing first of all with the decision-making as to fairness and equity, and the process itself, is handled in a fair and appropriate manner. Since this section was enacted, I believe history shows that it has been fairly handled, appropriately handled, and handled with discretion. Having established that we have a process that is effective in that sense, I would submit that we should retain that process and not venture into areas that we have no experience with, until it is proven that we need to change the process. The case is not well founded.

DR. BUCK: Mr. Chairman, I'd just like to say to the hon. minister that. I think the judgment of 79 or 78 just may be a little better than the judgment of one, the fabulous five, or even the not-so-busy 27. If it were brought to the Assembly, where it should be, we would have the views of all members. Then the Tory backbenchers couldn't hide behind closed doors and say how they were so concerned about the nurses. The hon. member — what's Embury's constituency?

MR. R. CLARK: Calgary North West.

DR. BUCK: The hon. member tells us how she supports the nurses. But how do we know? If that debate took part in the Assembly here, we would know how the members voted. We would know where the members stood. Mr. Chairman, we are assuming with this type of legislation that this Assembly is always going to be one-sided. But I would like to say to the hon. government members that the day may come, and I hope it's not too far off, when this House could be divided 40 to 39. Then that debate should be in here, because the members can stand up and be counted. The government could certainly fall or stay in power on an issue such as that. So this is where the debate should be.

The precedents are there. The federal government calls its members back when they want to settle strikes: the railroad strike, the postal workers' strike, the longshoremen's strike. Mr. Chairman, it doesn't take that long to get the members into the Assembly if it is an emergency situation. We were here when the nurses' strike was settled. We could have done that. It should have been done in this Assembly. But no, it was done with the minister and Executive Council. We don't know if those backbenchers supported it or didn't support it. The people of Alberta should know. They would have had the opportunity to debate in this Assembly, because that's what the Assembly is for, hon. minister — at least the last time I looked. I realize we're just a nuisance to you over here, but it's the system that we have to worry about.

So, Mr. Chairman, I'd like to know from the hon. minister how many other provincial assemblies in Canada have the same type of executive power we have here. That's the question I leave with the minister, and he can answer some of the other charges.

MR. GOGO: Mr. Chairman, I want to speak against the amendment. I always felt Section 163 of the old Act worked very well.

If the Member for Clover Bar considers himself a nuisance, so be it. I wouldn't argue with him. In my understanding of parliamentary procedure, the executive council of any government always sits at the liberty and the wishes of the members of the caucus of that government. I've never had any quarrel with members of Executive Council exercising 163. With respect to the hon. Member for Clover Bar, or without respect to hon. Member for Clover Bar, I don't want to get into a debate with him; I simply want to speak against the motion. I think the Act is fine the way it's spelled out, and I would urge members not to support the amendment moved by the hon. Leader of the Official Opposition.

MR. NOTLEY: Mr. Chairman, a couple of observations on this motion. I certainly intend to support the amendment. It seems to me that there's a basic question of rights here that should only be altered by a vote of the Legislature as a representative of all the people. But setting that issue aside for a moment, I want to deal with the first observation the minister made; that is, sometimes an issue can develop very quickly and require a back-to-work order. Let's just take that observation.

Mr. Chairman and Mr. Minister, it seems to me that if we were going on the basis of the old definition, before the hon. Member for Lethbridge West . . . Yes, he was in the House. He was just elected to the House in 1975. When we had extreme privation as the criteria — that is definable, and we are dealing with threats to life or property which are very clear, very definable — then the minister might have an argument that perhaps at a given stage, a work stoppage has reached a point where it is necessary on the basis of a clearly definable provision. But with the hon. Member for Lethbridge West present in the Legislature, we changed the Act in 1975, with the opposition opposing it — both the Social Credit members and myself — saying that it's no longer "extreme privation", it's now "unreasonable hardship".

"Unreasonable hardship" is so vague you can drive a truck through it. It's a very open-ended provision, and the minister knows it's an open-ended provision. So this argument that somehow there is a point in time when you get to unreasonable hardship — really, that could be at the beginning of a strike, half-way through, when the government finally decided to move in respect of the teachers' strike in Calgary, or at any point. It's very much a matter of judgment.

So using the minister's arguments, with the changes this government made in 1975 to "unreasonable hardship" — don't blame the opposition for it. The present Attorney General was minister at the time. I find it very difficult to understand how you can credibly make the point that it's not possible to call back the Legislature. If we're talking about extreme privation, there may be an argument. But we're no longer talking about that. That was five years ago. The Member for Lethbridge West may have forgotten. That was five years ago, ancient history, water under the bridge. We're talking about unreasonable hardship.

Mr. Chairman, under those circumstances, with the very definition this government has now set out, why is it not possible to call the Legislature? Are we so incredibly busy, so self-important, and so far away that it's not possible to call the Legislature at a few moments notice? We can call the House of Commons in several days. We

could call a session of the Legislature in a matter of a few hours.

I think the Member for Lethbridge West put it rather well. He said that he has no objection to the cabinet acting on the basis of 163 after talking to the government caucus. So we have a caucus meeting. Well, very nice, but there are more members than the government caucus in the Legislature, which from time to time may be a little surprising to members of government but nevertheless is a cruel fact of history. That being the case, the issue is: shouldn't it be the Legislature that makes the decision?

Do we have precedents elsewhere? Yes, we do, and the minister knows we have precedents elsewhere. It's embarrassing. It's difficult for any government to terminate a strike. There's no question about that. It's difficult for the minister. I feel for the problems of any minister. Whether it's when you have to introduce an Act in the Legislature or whether it's by Executive Council order, it's difficult. You suddenly get yourself in a very hot situation; no question about that. I would say, Mr. Chairman, that if you're going to be interfering with the "or else", which is part of the collective bargaining procedure and the basic system that makes it work — from time to time, Mr. Minister, we have to do it. From time to time the public interest requires that we stop a strike; no question about that. It was done in British Columbia when Mr. Barrett called the Legislature in session and sent thousands of workers back to work. They weren't very happy in British Columbia. It was done in the province of Saskatchewan, as the Member for Clover Bar pointed out, where there were post office and rail workers, or what have you. There are times when that sort of thing has to be done; no question. The issue is: who does it?

It seems to me, Mr. Chairman, that it has to be all the elected representatives, who are accountable in the House and to their constituents. Under those circumstances, it seems to me the amendment proposed by the Member for Clover Bar is basically consistent with what I would call the mainstream of labor relations in Canada and elsewhere in the world — not every jurisdiction, but the mainstream. Why not move in this direction?

MR. YOUNG: Mr. Chairman, I think the hon. Member for Spirit River-Fairview has got to the essence of the issue. He raised the question in his observations of where is it most effective, here or by decision of cabinet? I had tried to address the same issue, perhaps obliquely and not very well, by referring in my first comments to the effectiveness being tied to what the public has come to understand. Any system will work, even without law, if the public and the group affected understands, appreciates, and respects that system. Clearly, our experience in Alberta is that the procedures here are respected.

Now perhaps I should allude to the comment the hon. Member for Clover Bar made. He wants to protect a government with a one-member majority and have the decision made here, on the assumption that with fewer members and a smaller majority, the cabinet's discretion and judgment apparently would not be as valid. I appreciate the concern he has. I don't accept his argument and debate, but again that's a matter of judgment.

The hon. Member for Spirit River-Fairview advanced some suggestions with which I have to take issue. He says the amendments made in this concept in 1975 — I believe that was the year — have done away with the extreme privation by expanding the possibility of interpretation. That is not so, and the hon. member must surely be aware of that. If the statute could deal with extreme

privation before, and if there was a possibility of extreme privation before, the extreme privation may exist today just as much. [interjections] The fact is that the possibility still exists. If there was a need, and if he had a concern about being able to respond to extreme privation before, the possibility still exists and the remedy would still be the same. His argument on that point is self-defeating, because clearly it has to encompass the possibility of extreme privation.

The hon. member made a further observation that I think I would also like to take some issue with. As I understood from his comments, the notion that it is appropriate that we should have to use this kind of legislation because it is fitting or right for our society, or whatever — I'm not sure of the thought he was communicating — that groups should get themselves in a position where they would force a situation of extreme privation on our society. If in fact that is the thought, I have to say that I cannot agree with it. I think in their own interests and the interests of their members, responsible labor leaders will do their utmost to avoid that circumstance.

I think we have to acknowledge that there is a role for labor leaders to do their best for their membership, the same as there is for us as politicians in this Assembly. At times we are politicians, but there are times when we should be statesmen and put partisan politics aside. In my view there comes a time when management and labor leaders have to respond to the same call. There is and should be a challenge and responsibility overcalling their immediate narrow interest. If that is not there, clearly our society is in for a great deal of difficulty.

So in case the suggestion was advanced that this should not be the case, I want to lay it out that my perception and my expectation of leaders in management and, equally, in the union movement is that they have a responsibility to their membership. They have a function to perform in relation to that, but also they must keep in mind their responsibility to society and the statesman role they have to play.

In that sense, I've often wondered whether we go too far when we advance the notion that there is a right to strike in every circumstance. I simply point out to the hon. Member for Spirit River-Fairview that if one reads the ILO documentation, it is pretty clear that even the International Labour Organization, which is a tripartite organization, doesn't go that far. They suggest there should be a right to organize, but they accede, acknowledge, and accept that there are circumstances when there should not necessarily be a right or the opportunity to strike, because that imposes too much hardship on third parties.

Mr. Chairman, the hon. Member for Clover Bar tried to lead us some direction toward decisions behind closed doors. I'm not sure what the objective of his comments was, but in my view ...

DR. BUCK: It's not here; it's in cabinet. That's behind closed doors.

MR. CHAIRMAN: Order please. The hon. Member for Clover Bar can have a turn if he wishes. [interjections] Order please. Hon. Member for Clover Bar, you'll have a chance to ask questions after the minister has finished speaking.

MR. YOUNG: Mr. Chairman, I just put it this way. The hon. Member for Clover Bar appears to be of the view that having members of government stand up and be

named, presumably in a standing vote, would be more compelling, forceful, supportive, and persuasive than a cabinet decision on society and dissident members who are trying to advance their cause, and through their actions have caused a work stoppage, which has produced a back-to-work order or contemplation of a back-to-work order. I can only say to him that while he may be right, the fact of the matter is that the evidence to date is that this section works very well. Frankly, in labor relations I'm not inclined to tinker with those processes which appear to be operating effectively and forthrightly.

DR. BUCK: Mr. Chairman, can the minister indicate to the committee how many jurisdictions other than Alberta use this mechanism?

MR. YOUNG: Mr. Chairman, I'll give a very quick response. When I have a chance to do the research for the hon. member, I can respond. But he has researchers at his ...

DR. BUCK: What nonsense. The minister should know that. He can give us that information.

MR. CHAIRMAN: Order please.

DR. BUCK: Tell us.

MR. R. CLARK: There are no others, and Les knows that.

MR. NOTLEY: Mr. Chairman, the issue I want to deal with is this comment the minister made that somehow — and it was really quite interesting listening to him talk about the need for responsible labor leadership, responsible management, and so on, and that there shouldn't be strikes. Of course nobody likes strikes. Nobody likes strikes less than trade union leaders. As a matter of fact, very few of them like strikes.

But the issue is not that, Mr. Chairman. The question is responsible intervention by government. That's the issue. At what point is there going to be intervention by government to terminate a legal lockout or a legal strike? The minister can steer around it all he likes, but that's the issue. In most other jurisdictions — and the Member for Clover Bar is perfectly right in asking the question — we have a situation which is established by a very clear precedent. When there is a strike that has to be terminated, the House of Commons is called back into order to terminate the strike. In other provinces, when a strike must be ended the appropriate Legislature is called.

It seems to me, Mr. Chairman, that that is the question. Who will decide when a work stoppage must cease? The "who will decide" in the mainstream of labor law now is the elected representatives of all the people. The minister can argue the aspects of the ILO. We can get into a good deal of debate over that. We can talk about the distinction over what constitutes an emergency service, for example. But the fact of the matter is that if you are going to stop a strike, the argument overwhelmingly can be made that the place to stop it is as a result of a debate in the Assembly, where the issues can be confronted and where members can be held totally accountable.

The minister says that because the system has worked reasonably well — yes, the system has worked in this province. I'm not saying it has worked totally happily. As members will well recall, last spring there was a good deal

of burning resentment on the part of nurses in particular when they were ordered back to work, and a feeling of frustration, which I think was perfectly understandable on behalf of the nurses in this province.

I'm not arguing the point, and never have, that there are not times when a government acting on behalf of everybody may not be forced to stop a work stoppage. One of the aspects of modern industrial society is that from time to time those work stoppages have to cease in the interests of the greater good. It's a question of how we decide that and who decides it. I find it very difficult to accept this argument that it should be the cabinet behind closed doors. Twenty-seven people behind closed doors, or perhaps 73, after meeting over in Government House have all the wisdom, but 79 of us in an open session of the Legislature ... The people who are going to be forced back to work will know what the arguments are, and can go after us and say, all right, why did you support this? Where do you stand on this issue? When there was a standing vote, why did you vote against it? Or why did you vote for it? It could cut both ways, because it could be just as unpopular to vote against a back-to-work order. If you have any doubt, all we have to do is look at the back-to-work orders in the House of Commons. The majority of them have been close to unanimous votes where members have voted in favor of a back-to-work order. So, Mr. Chairman, I just fail to understand the reasoning.

The minister attempted to argue that because in 1975 we moved from a very restricted definition, "extreme privation" to "unreasonable hardship", because unreasonable hardship could thereby include extreme privation — yes, it could. But it could include a ballpark mower. That was the problem. That was the debate that occurred in 1975 in the Legislature. It's one thing to talk about extreme privation. That's definable. You could even look to very clear legal precedents to define extreme privation. But unreasonable hardship? That's a totally different situation. In any event, I would say to the minister that while I think the decision to stop a work stoppage should be made by the Legislature, even using the government's arguments for a moment, you could defend extreme privation a good deal more easily than you could defend unreasonable hardship. Unreasonable hardship is almost *carte blanche* authority to end the work stoppage, with the best motives in the world. No one is implying improper motives on the part of the minister. But the fact of the matter is that it is excessive power in the hands of the minister and the Lieutenant Governor in Council who make the decision. It has to be made again. However well-meaning and well-motivated that decision is, it's made in cabinet where there are no minutes, no record of the debate, and issues aren't public. Mr. Chairman, there's a great difference between that and public discussion in this House.

MR. YOUNG: Mr. Chairman, I believe we're in grave risk now of going over the same issues again and again. Let me try to respond very succinctly to the hon. member. First of all, I would imagine we all agree that any group of persons being ordered to discontinue something they have been doing are likely to be suffering extreme frustration. I think that's a natural expectation. That's an observation the hon. member made, and I want to let him know that I agree with him, because I think that's always with us.

I think we should all acknowledge that when we are dealing with the kinds of issues this legislation contem-

lates, we are dealing with matters which strike very close to whether our society will continue to be an ordered society or break into a chaotic ferment. Let me acknowledge to the hon. member that while I couldn't contemplate what this Legislature might do, I'm not surprised that legislatures or parliaments in general might well come close to a unanimous decision on a back-to-work order, presuming that the initiative was advanced with due care and discretion. Because they are very, very difficult situations. The future of society, at least in the short run, can be severely strained by the nature of that particular decision.

As we've already acknowledged, I guess it boils down to who will decide. There are arguments pro and con. I think the overwhelming argument at this time in this place, and the experience of Alberta, clearly ought to be to stay with what we have, because it has been effective and that's what counts.

So that it isn't overlooked by hon. members, I would submit, however, that it is always possible for the government to convene the Legislature should it feel the circumstances of a particular situation — and I can't envision what it might be. But should it accept the hon. member's arguments, it could convene the Legislature and have a special Bill, because that's really what would be necessary if we were going to go the route the hon. members are suggesting. The fact of the existence of this doesn't preclude the calling back of the Legislature, if one wished to do that.

Having said that, I think if I continue to talk I will be simply reiterating what I've already expressed.

MR. R. CLARK: Mr. Minister, there are just two points I'd like to make to supplement the comments made by my colleague the Member for Clover Bar. First of all, dealing with this concept of an orderly society, keeping in mind the bulk of cases federally and in other provinces where they have had to reconvene the House of Commons or the legislative assembly, the bulk of members have supported the move. It seems to me that that has done two things. It has guaranteed a public discussion of the issues. Also those people to be affected, both labor and management, have an opportunity to see how their own elected representatives vote. It would seem to me that if we're really concerned about an orderly society, it's a far healthier situation to have that done in public than all sorts of presumptions as to what various people may have done or may have said, not in public.

I think the minister's point about an orderly society is very valid. I simply say that to go as far as we possibly can in that direction, let's do the thing in public. If the people are to be ordered back to work, see that the bulk of the elected representatives of the province are agreed that a strike must be settled.

I go back to the nurses' strike of last year. On that occasion my colleagues and I urged the government to move in that direction. We're not critical of the government for moving when they did. The same thing with the teachers' strike. In fact in Calgary, I wrote the minister and urged the minister to move on that. It seems to me that had the teachers in Calgary not chosen to go back to work, had they been able to see that all members of the Legislative Assembly had voted in favor of their having to go back, that would have struck a far harder blow for orderly society than having the decision made behind closed doors.

I say in all seriousness, sir, that where we may have been able to get away with this kind of legislation in the

past, as Alberta becomes more industrialized, we're going to find the kind of anxiety the members on both sides of the House had last spring when the nurses were ordered to go back to work, then the thing went to court. All members in this House realize there is a very fine line between once the order is passed and the thing goes to court and the very anxious question: are they going to go back to work or aren't they? For what does the government do if they don't? Or if members don't want to use that example, some years ago the seaway workers were ordered back, and there was the protracted period of days when they refused to go back. That is when we find how flimsy our ordered society is. I simply say to the minister that as we become more industrialized in this province, as labor becomes more organized, in my judgment there's going to be a greater need to do this kind of thing, as reluctantly as it has to be done, in public. Mr. Minister, in my judgment this Legislature would be wise to move on that of its own volition, rather than be forced into it after some sad experiences, when we come to the conclusion that that's what we have to move.

MR. YOUNG: Mr. Chairman, I appreciate the comments of the hon. Leader of the Opposition. I would just say that one of the factors we have to keep in mind is how much elucidation comes from a debate in this Assembly that isn't already in society? How much information comes out of a debate in this Assembly that isn't already public in one of these situations? I refer to the teachers' strike in Calgary. It's a long while since I've seen anything that was so fully explored as those issues were, with so many different opinions pro and con. I am not sure that with the best of intentions here we could communicate a great deal more than was communicated about that dispute. That's a matter of judgment.

The hon. leader makes the additional point, perhaps the more significant point if I understood it correctly, that having the Legislature react as one body to resolve the issue — as I believe he is presuming — is a more powerful persuasive approach than a cabinet order. Again, though, I would say that the situation as it now exists is that we have had relatively successful experience with this particular section. I will be the first to acknowledge that I am ever alert to the very problems raised by government intervention at any time — how fine that line we walk is when we decide to make these decisions. While I recognize all those points, I am not yet persuaded that the approach being advocated by members of the opposition is a desirable approach at this time in Alberta.

But I do want to make clear to all hon. members that the possibility of recalling the Legislature and having a special Bill is always there and certainly will be kept in mind. It's a very difficult decision as to whether that, with the somewhat longer time frame which must necessarily prevail attached to it, as opposed to the more expeditious route provided for in the Bill, is a better way to go in a given instance. For that reason, it's my desire to keep this procedure we have here.

MR. CHAIRMAN: Are you ready for the question?

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

[Three minutes having elapsed, the House divided]

For the motion:

Buck	Clark, R.	Notley
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Against the motion:

Adair	Fyfe	Oman
Anderson, D.	Gogo	Osterman
Batiuk	Harle	Pengelly
Borstad	Horsman	Reid
Bradley	Hyndman	Russell
Campbell	King	Schmidt
Carter	Knaak	Shaben
Chichak	Kozia	Stevens
Clark, L.	Kushner	Stewart
Cook	LeMessurier	Stromberg
Cookson	Little	Trynchy
Crawford	Mack	Webber
Cripps	Magee	Weiss
Diachuk	McCrae	Woo
Embury	McCrimmon	Young
Fjordbotten	Moore	

Totals:	Ayes - 3	Noes - 47
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[Title and preamble agreed to]

MR. YOUNG: Mr. Chairman, I move that Bill 79, The Labour Relations Act, be reported as amended.

[Motion carried]

Bill 80

The Employment Standards Act

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

MR. NOTLEY: Could we have the minister just briefly outline the purposes of the amendments?

MR. YOUNG: Yes, Mr. Chairman, I'll endeavor to do that. While I'm on my feet I should say that if there's room on our desks, I believe the Clerk's office has the regulations now in effect which compose our standards regulations for employment conditions, and a proposed set of regulations. I underline the expression "proposed". We think they are very near to being in their absolute final form, but there might be some change yet. I don't wish to mislead members in any respect. When the pages have the opportunity, if there's still room on our desks, we'll be supplied with both sets of regulations, those existing and those proposed under Bill 80.

Mr. Chairman, if I may address the amendments now. The purpose of amendment A dealing with Section 42(a) of Bill 80 is to identify that the 30 days expressed in Bill 42, which govern whether or not an employee is entitled to general holiday pay, would be in the preceding 12 months, instead of 30 days time without end. It's Section 42(a) on page 21 of the printed Bill, if you have the Bill before you. Simply add to 42(a) "has worked for his employer for less than 30 days during the preceding 12 months". It's to put a certain time and a time capable of being researched or having records kept for it.

The amendment in B to Section 72(3) is to remove a judge of the Court of Queen's Bench and substitute a provincial judge. We are doing that because the particular subsection has application only in the event, which we think unlikely, that the umpire would not be a judge. In that case, the umpire would be able to go to a judge of

the Provincial Court, which is a court of record.

Amendment C, Section 100(1)(b), is to make it clear that these subclauses are read with an "and" between them. The "and" was inadvertently left out. So that:

An employee has a priority over claims and rights of

- (a) preferred, ordinary or general creditors,
- (b) the Crown or an agent of the Crown,
- (c) and any other person . . .

So it's not one or the other; it's all three.

Amendment D is to make it clear that in the case of a claim being registered against real or personal property, there are two obvious different locations to make the registration, depending upon whether it's real property or personal property. While we felt the section was clear, concern had been raised about it. So the amendment here is simply to clarify that if you're registering a claim against personal property, you do it in the registry for personal property and not in the registry for real property.

Amendment E is to correct an erroneous reference in the transitional and consequential amendment section in Section 119. I believe the board referred to in that section is a board of the Minister of Advanced Education and Manpower. I'm sorry, I don't remember just which board it is. But in any event, flowing from that particular board, the minister is the authority for regulations and not the Lieutenant Governor in Council, and it was erroneously advanced in the original Bill.

I'm not sure whether other members have received them yet, but I am receiving my regulations. While the volume looks to be similar, if members do a topic count they will find about 30 regulations existing at the present time under The Alberta Labour Act governing employment standards and the . . . Sorry, I've got The Liquor Control Act regulations here in the other hand. It feels about as weighty as the regulations which will flow, but I believe there are 12 regulations instead of the approximately 30 that are here. I want hon. members to be able to see the changes, so they can have a better appreciation of them. It also substantiates the observations I made at second reading, that the effect Bill 80, The Employment Standards Act, is to reduce very significantly the number of regulations and to advance many of these into a statute.

[Motion on the amendments carried]

MR. R. CLARK: Mr. Chairman, I'd like to make one comment and ask one question.

Mr. Minister, I believe in relation to this Bill, reference is made to handicapped people being able to be employed at less than the minimum wage. I raise the question because at the very time we're passing this legislation, the Minister of Social Services and Community Health has a program in his department about the advisability of this very question. It seems to me that there's not much sense in moving ahead with that study in that minister's department if in fact the decision has already been made. I'm simply very interested in knowing why there is no correlation in what's going on in the Department of Labour and in the Department of Social Services and Community Health.

The other comment I'd make is that I commend the minister for having the proposed regulations available to us. I would simply say, after saying congratulations to the minister, that it would have been so much better if we could have had them a couple of days earlier, to have had a chance to look at them prior to committee work rather

than laying them on us tonight. It's great to have had them laid on us tonight, but it would have been far more meaningful from the standpoint of looking at them and having an intelligent discussion of the proposed regulations if we had had them before this evening.

MR. YOUNG: Mr. Chairman, beginning with the last point. I appreciate the point that's been made. It was my hope that we could have had the new regulations at the time of second reading or earlier. But it didn't work out that way, partly because I think we tried to be too thorough and had them in too much the final form rather than having them close to the final form, which would have made it possible. So my apologies to the Assembly for that.

With respect to the question of the section dealing with the handicapped, which I believe . . . Sorry, I thought I had it at my fingertips. In any event, as hon. members know, the existing legislation provides for the capacity to make regulations which provide for either a lower minimum wage or an exemption from the minimum wage for handicapped persons.

I want to make it very clear that it is not our intention that this legislation should be paramount in any respect. The Individual's Rights Protection Act obviously retains paramountcy. As a matter of fact, I think hon. members ought to be advised at this point that the one notwithstanding provision in Alberta legislation that put legislation over and above The Individual's Rights Protection Act is in the existing labour relations Act. It's section 33.1, if memory serves me, and it has been removed from the two Bills that have been advanced here. So every effort is being made to respect, first, our commitment to individual and human rights and, secondly, the philosophy of our legislation. I regret that we are not sure at this time whether some way along we will need the provision that exists here for the exemption for handicapped persons. When the expression is used here, it has a potential for applying to more than physical characteristics, which I think hon. members will appreciate.

Secondly, we have some exemptions in existence. Those exemptions have been very carefully reviewed, because there is no way we want to have persons paid less than the minimum wage where they are making a contribution such that it is possible to continue their employment at the minimum wage or better. But we're not sure of the effect of removing it at the present time. I am pleased to be able to advise hon. members that in the past year we have had a very close look at the workshop situations that exist in the province. As has been stated, my colleague the Minister for Social Services and Community Health is also examining that situation. I think we are going to have to come to grips with a number of questions in the next while. I've indicated in correspondence to the committee of action groups for the disabled that I hope to be able to do that in 1981.

Some of the questions that have to be addressed are the following: when is an employment relationship a true employment relationship as opposed to an activity or a training relationship? Hon. members will know that that distinction — handicapped or otherwise — is difficult in some instances, with respect to our apprenticeship and other programs which have a component of education and employment. It's a challenge we are having to address in connection with the programs in the high school system whereby students, for whatever reason felt by the educators, would perform better in school, and their attitude might be somewhat improved if they had the oppor-

tunity for work experience. But in doing that, we have to deal with the question of which side of the line they are. What is an employment experience and what is a training experience? We have been wrestling with those questions and doing it in connection with both the school and sheltered workshop situation.

It is my hope that we will come to some conclusions in 1981. But until that time, without wanting to forecast at this stage the nature of that distinction — which will be difficult, will require a great degree of judgment, and probably an examination of almost every individual situation once we establish some parameters — we don't feel we should proceed without this particular provision to which the hon. Leader of the Opposition has referred.

Having said what I have, I think I have expressed the concern as keenly as I can. There is no way I would do anything other than try to proceed in the manner that would afford the most self-esteem and self-respect for all those we can, in the sense that this particular section or the lack thereof would promote that. I can't underline how difficult an area it really is.

[Title and preamble agreed to]

MR. YOUNG: Mr. Chairman, I move that Bill No. 80, The Employment Standards Act, be reported as amended.

[Motion carried]

Bill 81
The Financial Administration
Amendment Act, 1980 (No. 2)

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

MR. ADAIR: Mr. Chairman, I didn't have the opportunity to say a few words on second reading of Bill 81. I want to take a moment to indicate my support for the Bill, and to indicate that we in Tourism and Small Business are most pleased to see the amendment, particularly 46(1):

The Treasury Board may direct the payment of interest on accounts due to suppliers of goods or services to the Crown on any terms and conditions that it determines.

I really feel that's an important one for the small business community of the province of Alberta.

It should be pointed out that with that particular section going into the Act, it is not a case of a great number of accounts being slow in payment. I think the government has perceived it to be slow in payment. But on doing some checking within the department before we pursued the inclusion of this in The Financial Administration Act, we found that over 90 per cent — as a matter of fact, almost 95 per cent — of the bills are paid on time, within the 30 to 45-day period. But there are some that do fall through the cracks, for any number of reasons. There may well be a delay in the mails, misplacement, or some other reason that is unaccountable at the time. But they affect that very small businessman to a great degree. Say a person with three employees and an outstanding bill of \$30,000 has to wait three, four months or five months and then borrow from the bank at reasonably high interest rates. It puts him in a bit of a position of being somewhat unhappy with government or whoever it may be.

As a result, the quest to have that corrected was pursued and we found there was really no means or vehicle by which the government could be in a position to pay interest on overdue accounts. As a result of some efforts made by the department of Tourism and Small Business, Section 46 (1) is now included in The Financial Administration Act and I support it very strongly.

[Title and preamble agreed to]

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

[Motion carried]

Bill 82
The Alberta Government Telephones
Amendment Act, 1980

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

MR. R. CLARK: Mr. Minister, I was not in my place in the House when Bill 82 was given second reading in principle, but I want to make the point that from my point of view this is the old question of cross-subsidization all over again. It's the kind of thing AGT would be extremely well advised to keep out of. I know the arguments from the people in AGT, that AGT has to be involved in this because Bell is, B.C. Tel is, and so on. That's just a bunch of hot air when you get down to the nitty-gritty of the thing. It's simply a matter of cross-subsidization. This piece of legislation is going to do more to hurt the small businessman in the long run than the former piece of legislation, Bill No. 81, is going to do to help small business. What we're doing here is on one hand helping — according to the Minister of Tourism and Small Business — about 5 per cent of the bills that the government pays late on. What we're doing here is setting up a situation where AGT is going to be in a cross-subsidization situation. We're going to be putting a great deal of added pressure on the Public Utilities Board. All in all, it's just a move in the wrong direction.

DR. WEBBER: Mr. Chairman, I appreciate the hon. opposition leader outlining his concerns. When he says it's a matter of cross-subsidization, I think that needs to be clarified. In fact the term is confusing. Certainly in the telephone industry there is cross-subsidization in terms of long-distance revenues cross-subsidizing expenditures in the area of providing local exchange services. But I think the hon. member was referring to a possibility of cross-subsidization from the non-competitive services to the competitive services. If this were to happen, AGT would be involved in unfair competition.

However, as I mentioned in second reading, the Public Utilities Board did make a division several years ago between the different kinds of services AGT provides, which they called competitive and non-competitive services, and each year requires AGT to provide what they call a contribution test to make sure that kind of cross-subsidization does not take place.

With reference to the small business people in Alberta relative to competition, I think it's important that we should be concerned about the small business people in the electronics industry. It is not the intention that the small business person is going to be harmed by this legislation; in fact the opposite. It would be an attempt to try

to encourage the private sector to go into the high technology telecommunications area, possibly by AGT going into joint ventures with Canadian companies doing research and, as indicated as well, international consulting.

Reference was made to Bell and B.C. Telephones. Increasing competition is a trend throughout the whole telecommunication industry in North America. I think there are some positive aspects to that. If telephone or telecommunication companies are going to survive in that atmosphere, they have to adapt to this increasing competition.

MR. R. CLARK: Might I say to the minister that the kind of cross-subsidization we're talking about here is AGT taking money from the area where they're not in competition and using a portion of that money in areas where they are in competition. Clearly, if the minister goes back to Public Accounts two years ago, we showed beyond any question of a doubt, with the AGT official sitting right over there, that in fact Altel Data was losing money. That money had to come from only one place. It came from long-distance telephone calls, or the money that people pay for their monthly telephone services. So let's not kid the troops.

DR. WEBBER: Mr. Chairman, I don't think anybody is trying to kid the troops. Relative to Public Accounts several years ago, the hon. leader refers to Altel Data. I believe he is correct in the fact that Altel Data did go in the red at that time. However, as I mentioned before, in terms of the competitive and non-competitive services, the Public Utilities Board wants to be assured there is an overall profit in the competitive areas, and that has been the case, even at the time Altel Data was losing money. As a matter of fact, in this past year I believe there has been \$15 million to \$20 million profit in the competitive areas. To the best of my knowledge, the Public Utilities Board receives the data on a year by year basis. No concern has been expressed relative to cross-subsidization from the basic non-competitive area over to the competitive area.

MR. R. CLARK: Mr. Chairman, I'd be very interested in knowing in what areas of competitive ventures AGT is making \$20 million a year.

DR. WEBBER: I would be happy to provide the hon. leader with a breakdown of the information. Altel Data certainly is making a profit these days, and the whole area of mobile communications is also making a profit. Those are the two main centres.

MR. GOGO: Mr. Chairman, it would probably be easier for certain members of the opposition to accept the amendment if Alberta Government Telephones were changed to another name.

Just a quick question to the minister. As I read Section 5.1, it enables Alberta Government Telephones to purchase Bell Canada. Is that correct?

DR. WEBBER: I don't know if I care to comment on that. I suppose it allows for that possibility. I don't know if there's enough money in this province to buy Bell at this stage.

DR. BUCK: It would fit right into your philosophy of buying government agencies.

[Title and preamble agreed to]

DR. WEBBER: Mr. Chairman, I move that Bill 82 be reported.

[Motion carried]

Bill 83
The Court of Queen's Bench
Amendment Act, 1980

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

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill No. 83 be reported.

[Motion carried]

Bill 86
The Pension Fund Act

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill 86 be reported.

[Motion carried]

Bill 87
The Ground Water Development Act

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

[Title and preamble agreed to]

MR. STEWART: Mr. Chairman, I move that Bill 87 be reported.

[Motion carried]

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

MR. HARLE: Mr. Chairman, before the question is put, I wonder if I might advise the members of the committee that I've distributed tonight three proposed sets of regulations on Bill 75, The Liquor Control Act, which is going to be discussed in committee tomorrow afternoon. They are some general administrative, liquor licensing regulations. I might say in this regard that two tables referred to in those regulations will be circulated tomorrow. A set of permit regulations and advertising code regulations are essentially the same as the regulations presently being used. I trust hon. members will have this material so they can discuss these matters tomorrow.

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Whole Assembly has had under consideration the following Bills and reports the following: Bills 81, 82, 83, 86, and 87. The committee also reports the following with some amendments: Bills 79 and 80.

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

HON. MEMBERS: Agreed.

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

Bill 74

The Planning Amendment Act, 1980

MR. MOORE: Mr. Speaker, I would like to move second reading of Bill No. 74, The Planning Amendment Act, 1980.

Mr. Speaker, basically four matters of principle are contained in this legislation, each one of which I would like to make separate comments on. The first matter that should concern members of the Assembly has to do with that aspect of the Act which amends Section 28 contained on page 1, which involves councils passing a by-law which would authorize a council of a municipality to enter into an agreement with one or more councils for purposes of establishing a joint municipal planning commission.

Very clearly the intent is to allow municipal governments in this province to enter into joint municipal planning commissions and further, by way of that amendment, to enter into joint municipal subdivision approval authorities or committees. Very simply, the situation is this: we presently have under the Act the ability to allow municipal governments to become their own subdivision approving authorities. That authority was previously granted to the major metropolitan areas of Edmonton and Calgary, and more recently has been granted to Lethbridge and the city of St. Albert.

It's the government's view that a number of municipalities in the province at the present time do not have the ability to function as their own subdivision approving authority, in terms of the staff it would take to be proficient in such matters, and that by combining with other municipalities in their area — an example would be a rural municipality with several towns or villages within their boundaries or with one or two other rural municipalities adjoining them — several municipalities might in fact be able to develop a joint municipal planning commission and municipal subdivision approving authority that would function under a single planning commission.

Perhaps I could give one principal example before moving on to the next item. In the Peace River country, an area I represent as an MLA, there has long been a request from the northern part of that district to form a new planning commission. That would entail a duplication of staff in a variety of areas. My hon. friend from Peace River agrees. The facts of the matter are that when I asked municipalities in the northern part of the Peace River country what their major concerns were with respect to the Peace River planning commission, inevitably the answer was subdivision approving authority. So being a very practical individual, I said, why not get to the root of the problem? The problem is that we need to define in legislation some ability for those areas to be their own

subdivision approving authority, and amend the Act so that more than one municipality can jointly form a subdivision approving authority and still be in the same regional planning commission. It makes economic and political sense, and it resolves the problem of the Member for Peace River to a large extent.

Mr. Speaker, the second part of the Bill I'd like to speak to involves an amendment that would allow the Provincial Planning Board to intervene, if you like, on request where there is a dispute between a regional planning commission and a local authority, or between two local authorities, and undertake to hear both sides of the argument. This may be a dispute where two municipalities disagree over the meaning of some section of the regional plan, and they are desirous of obtaining an independent view of what that really means.

Mr. Speaker, this was a part of the planning legislation before we brought in The Planning Act, 1977. It was removed at that time, with the view that there was no longer a need for some referee, if you like, before we got to the court system.

At the request of a number of municipal governments and regional planning commissions, I bring forward this amendment that will allow the Provincial Planning Board, on request, to intervene and make a binding decision in a case where a regional planning commission or two municipal governments disagree on the intent or meaning of some section of a regional plan. I recognize, Mr. Speaker, that there are no provisions in the legislation to specifically provide penalties for not observing that decision, but I have every confidence that the municipal governments and planning authorities in this province will observe the legislation without provisions for penalties.

Thirdly, Mr. Speaker, I'd like to speak to the matter of providing notice to adjoining landowners with respect to subdivision approvals. A year ago I brought into this legislation provisions to provide notice to adjoining landowners of any subdivision approvals made by subdivision approving authorities throughout the province. Prior to that there had been no requirement whatsoever in our planning legislation to advise adjoining landowners.

As a result of the Harvie case in Calgary and other concerns which had been expressed to us, we thought it was necessary to ensure that landowners who adjoined subdivisions were protected, by ensuring that they were at least aware of the subdivisions that might have been approved next to them and had some opportunity to contest, in whatever way they might, the provision of adequate parkland, parking, open space — whatever facilities were part of the subdivision approval. We did that by way of requiring that each adjoining landowner be served written notice by double-registered mail, which in lay terms requires that that person be at the post office to accept his mail and testify that he had in fact received notice.

What's happened over the last year is that if someone is away on business, holidays, or otherwise — it may be that 200-odd landowners in the city of Calgary are required to be notified and 10 or one of them is away. The subdivision cannot proceed until every single adjoining landowner has, by way of signature, testified that he has received notice. This has resulted in an impossible situation with regard to delays in subdivision approval that, however much it might be in the public interest to make sure that everybody is aware of what's happening next door, necessitates a change that in some respects I am reluctant to bring forward but nevertheless I think is

necessary.

That is, we revert to a system of advertising, in the newspaper, subdivision approvals that are there, in the hope that our description of that subdivision approval will lend every adjoining landowner some opportunity, if he or she so desires, to appeal that subdivision approval. I mention again, Mr. Speaker, that this is brought forward with some reluctance, but it's brought forward with the desire to expedite the process of approval of subdivisions which is so vitally necessary to the establishment of additional residential areas, particularly in both of our major metropolitan areas.

Finally, Mr. Speaker, I want to deal with the last matter of principle that is contained in the Act. Again, it is one which I think was the intent of this Legislature originally, but has been a cause for concern as a result of recent decisions by our courts. It's simply this. It has been ruled that a member of council — council being council to the city of Edmonton, the city of Lloydminster, the town of Valleyview, any municipal government in this province including the Minister of Municipal Affairs representing improvement districts — is not eligible to vote on a proposed by-law unless that council member has been present at every single moment of the public hearings that have been held with respect to that by-law.

I want to emphasize the importance of this particular section, Mr. Speaker, because there are some who have said to me since the introduction of this Bill several days ago that that could amount to the violation of the rights of individual citizens who attend public hearings and are not heard by councillors. I want to emphasize it by saying this: I don't believe there are any councillors — be they in the city of Edmonton, Calgary, or small cities, towns, villages, municipal districts, counties, whatever, throughout this province — who would purposely avoid attendance at a public hearing when they had an opportunity to attend, in terms of time and priorities. On the other hand, I don't believe we in this Legislature should implement laws that prohibit a member of a local municipal council from voting on a by-law that may change the land-use order, the municipal plan, or some other things because he or she missed a part, all of, or five minutes of that hearing. That's not a reasonable suggestion in 1980.

As recently as this morning I had members of certain executive positions in urban government say to me that to introduce this kind of legislation is irresponsible. Mr. Speaker, I want to say that what's irresponsible is to suggest that elected civic people in this province would defer their responsibility to the voters by deliberately not attending hearings or not informing themselves of the issues present before voting. I don't think there are very many, if any, of our elected civic politicians who would in fact deliberately avoid public hearings when they have the time and opportunity to attend, then vote on the matter without any knowledge. Surely it's incumbent upon every elected municipal politician to inform themselves of the issues at hand. It isn't always necessary to attend every moment of the public hearing in order to do that.

In closing, Mr. Speaker, to take the concept a little further, to this level of government, it would have been necessary for the Minister of Municipal Affairs, perhaps members of this Assembly, and certainly my colleagues in the Executive Council to attend every hour of the 103 days of hearings under the Edmonton annexation if we were to cast a valid vote in terms of how that issue should be decided. I think it's important we read and understand the representations made there, and all of us will do that. But perhaps that is more important than whether we

attended every single minute of the public hearings.

Mr. Speaker, those are the four principle points contained in Bill No. 74. I will just close by saying that my colleague the Minister of Federal and Intergovernmental Affairs first introduced The Planning Act in 1977, some time ago. I and other members recognize that while the Act is a vast improvement over planning legislation that existed before, it was not perfect the day this Assembly assented to it. It's not perfect with these amendments, but with your indulgence and support, and the concern of municipal governments and regional planning commissions throughout the province, we hope one day we won't have to make amendments at every session of the Legislature.

Thank you.

MR. R. CLARK: Mr. Speaker, in taking part in second reading of Bill No. 74, might I say I would hope the minister wouldn't feel any member in the House would be able to hold his or her breath when that day happened when we wouldn't have amendments to The Planning Act each year. It seems to be one of those things.

Mr. Minister, basically I want to make just two comments. I have no difficulty with the bulk of the amendments, other than that part dealing with Section 43. That part indicates that any municipality can appeal to the board if a decision taken by another municipality creates detrimental affects. I would respectfully suggest, Mr. Minister, that between now and committee some very serious consideration be given to perhaps adding the word "adjacent". I raise the question because, especially in and around the large urban centres — but not only there — as the legislation now stands and as I read it, it doesn't prevent a municipality, for whatever reasons they may choose, from appealing to the board the decisions made by not just a neighboring municipality, which would have a direct impact, but a municipality some distance away.

I'm not suggesting that kind of thing is imminent on the horizon. But when we look at the city areas especially of Edmonton and Calgary and the municipalities surrounding them, looking at them from a long-term growth, I can see the possibility of both those large centres having some very real concerns about the growth of places like some of the smaller centres around the constituency or adjacent constituencies around Calgary. From time to time now we wield a great deal of influence through the Calgary Regional Planning Commission. I expect the same kind of thing is true in Edmonton.

As I look at the schedule for the board at this time, my information is that the board is now running some four to five months behind time. There's that long a delay. It would seem to me there is some wisdom in using the board to adjudicate problems which arise between adjacent municipalities. But frankly I would hate very much, in fact I would oppose, seeing the board used as a means where the city of Edmonton might be able to appeal something the town of Leduc is doing, or other jurisdictions in the greater Edmonton or Calgary region. I simply use Edmonton and Calgary because they're easier examples. I would suggest, Mr. Minister, that some pretty serious thought be given to adding the word "adjacent" so that, one, we walk before we run, we see what the effects of the board's action would be on just dealing with problems of adjacent municipalities. Secondly, I think there is the very definite possibility that some of our larger metropolitan areas may feel that in planning for the future and so on, they've got some — divine right

wouldn't be the right term, but right to become involved in decisions that are pretty important to much smaller municipalities, and we could end up with a very, very long backlog before the board, a board which is very much behind time in its hearings now.

MR. L. CLARK: I would like to just to say a few words on second reading of this Bill, if I could. I think one of the problems we've had with regional planning in the rural areas has been a complaint that there's not fair representation for the rural areas, because the board has been kind of top-heavy with urban people.

I was just wondering if this joint board you're suggesting now would not make this even a little more top-heavy with urban people. I was hoping that this concept would not be forced on the rural areas, or any municipality for that matter, and if they did agree to form a joint board they could voluntarily get out of it if they found it wasn't acceptable.

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

HON. MEMBERS: Agreed.

MR. MOORE: Mr. Speaker, to answer the comments of the hon. member who spoke last, it was not envisioned by me that anyone we asked were forced to form a joint municipal planning commission. Under this Act the legislation would be permissive. In fact I think one could suggest the greatest benefit might occur to rural municipalities who wanted to provide for a subdivision approving authority that would not be dictated to by an urban municipality. Certainly that would be the case in the Edmonton and Calgary regions. So it would not be my desire in any way to suggest that a municipality or a number of municipalities might be required to form such a joint municipal planning commission or subdivision approving authority. In fact a reading of the legislation would indicate otherwise.

Finally, Mr. Speaker, the Leader of the Opposition makes a valid point with respect to Section 43 (1), that provides authority to the Provincial Planning Board to hear a dispute that might exist between two municipalities. Once again, that was inserted into the Act at the request of a number of municipal governments and at least one or two regional planning authorities.

Mr. Speaker, I don't have any problem in undertaking over the course of the next couple of days to consider the

matter of an amendment in committee to that section which, as the hon. leader suggests, might in fact indicate that the section would only be effective with regard to municipalities adjacent to one another. In that regard, if the hon. Leader of the Opposition has some specific wording in mind, he might forward it to me. At the same time, I'll undertake to check with our Legislative Counsel with respect to the wording and ensure that the concept of what's being referred to is adequately provided for. But I don't have any concern with the objective that was spoken to by the Leader of the Opposition, and I would try to accommodate that.

[Motion carried; Bill 74 read a second time]

LAW CLERK: Bill No. 77, The Appropriation [Alberta Heritage Savings Trust Fund, Capital Projects Division] Act, 1980.

MR. CRAWFORD: Mr. Speaker, I had indicated to the Law Clerk that we would be proceeding with that one tonight, but changed my mind. The Provincial Treasurer is not here. We won't be calling those Bills or the subsequent ones at this hour.

Mr. Speaker, tomorrow afternoon we will be in Committee of the Whole in regard to Bills in order to consider The Liquor Act amendments and, if there's time, would look at some of the other Bills in committee, I think pretty well in order. The Minister of Energy and Natural Resources has a couple and, subject to the attendance of ministers, we would go through the few that remain in committee stage. If there's time after that, we would return to some second readings, starting with Bill 73, and would look to sitting Thursday evening and second reading of Bill 84, The Health Occupations Act, at that time, if it doesn't get on tomorrow.

MR. R. CLARK: Mr. Speaker, in closing the debate might I ask the Government House Leader if the hon. gentleman could indicate if a decision has been made when Bill 60 will be dealt with in second reading.

MR. CRAWFORD: No, Mr. Speaker. There's no decision in respect to Bill 60, but it would not be tomorrow or the following day.

[At 10:41 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]