

LEGISLATIVE ASSEMBLY OF ALBERTA

And as in duty bound your petitioners will ever pray.

Title: **Tuesday, November 25, 1980 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF VISITORS

MR. McCRAE: Mr. Speaker, it's my pleasure today to introduce a very special guest to you and, through you, to members of the Assembly. Our guest is from Manitoba, our sister province, and is a second-time mayor there, having just won a very handy second victory. He's in Edmonton today visiting the mayor and councillors, and will go to Calgary tomorrow to visit the mayor and councillors there. Our guest is Mr. Bill Norrie, Mayor of Winnipeg, and he's accompanied by his wife. They're in the members gallery, and I'd ask that they stand and be recognized in the traditional fashion.

head: PRESENTING PETITIONS

MR. GOGO: Mr. Speaker, I wish to present to the members of the Legislature a petition signed by over 18,000 residents of Lethbridge and southern Alberta. The petition is to urge the Assembly to urge the government to permit and support the continued operation of St. Michael's hospital in Lethbridge as a fully active treatment facility with no reduction in present bed capacity, services, or medical specialists on staff.

head: READING AND RECEIVING PETITIONS

MR. WOO: Mr. Speaker, I move that the petition I presented on November 21, 1980, from 11,285 residents of the county of Strathcona and Sherwood Park now be read.

CLERK ASSISTANT: Mr. Speaker, I certify that this petition is in order to be read and received:

To the Honourable, the Legislative Assembly of Alberta, in Legislature assembled:

The petition of the undersigned residents of the county of Strathcona, No. 20, humbly shows:

That they are greatly concerned that the approval of the present application by the city of Edmonton to annex the entire county or any portion thereof and bring it within the jurisdiction of the city of Edmonton will result in a much increased financial burden in relation to the cost of property taxes, utility services, and all other expenditures [resulting from such annexation].

Wherefore your petitioners humbly pray that Your Honourable Assembly may be pleased to give consideration to any action possible on your part to prevent such annexation.

head: INTRODUCTION OF BILLS**Bill 242****An Act to Amend
The Surface Rights Act**

MR. R. SPEAKER: Mr. Speaker, I would like to introduce a Bill, being An Act to Amend The Surface Rights Act. The purpose of the amendment is to ensure that landowners are dealt with fairly by companies seeking to enter and use their land.

[Leave granted; Bill 242 read a first time]

Bill 243**The Travel Agents Licensing Act**

MR. COOK: Mr. Speaker, I beg leave to introduce Bill 243, The Travel Agents Licensing Act.

Briefly, this Act provides for a licensing procedure for travel agents, a bond to be posted by travel agents, a complaints procedure to be provided through the Consumer and Corporate Affairs Department to receive complaints about travel agents who are bad actors, and revocation of business licences for travel agents who conduct their business in an unsatisfactory or unscrupulous manner. Finally, it opens up the opportunity for reciprocal enforcement in other provinces of similar types of legislation.

Mr. Speaker, this Bill was prompted by complaints I've received in my constituency, and there are others in the province. Similar legislation is provided in other provinces.

[Leave granted; Bill 243 read a first time]

Bill 245**The Energy Conservation
Building Standards Act**

MR. COOK: Mr. Speaker, I beg leave to introduce a second Bill, being Bill 245, The Energy Conservation Building Standards Act.

Briefly, this Bill provides for energy consumption standards to be established in BTU terms for commercial, industrial, and residential buildings. Mr. Speaker, Alberta is moving to high energy costs, and it's important that we not construct buildings that are energy inefficient and will be with us for the next 50 years. This Bill provides that the standards should reflect the state of the art of standards now, and that they be cost effective. Public hearings may be provided by the Minister of Labour, if he so chooses, and buildings may not be occupied if they are not able to meet these standards.

Finally, there is one further stipulation that buildings that are energy inefficient and are built not meeting these standards would not qualify for pricing support through the natural gas rebate.

[Leave granted; Bill 245 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. COOKSON: Mr. Speaker, I'd like to file with the Assembly the customary copies, from Environmental Protection Services, of a tabulation of certificates of variance issued under sections 4.7 and 4.8 of The Clean Air Act subsequent to April 1, 1980.

MR. MOORE: Mr. Speaker, I would like to table with the Assembly copies of the annual report of the Alberta Department of Municipal Affairs, as required by statute.

MR. KING: Mr. Speaker, I would like to table a statement indicating that there is no return of materials to the Assembly pursuant to Motion for a Return No. 135, moved by the hon. Member for Clover Bar.

At the same time I would like to file with the library information indicating the communities on whose behalf interest was expressed for the relocation of the Alberta Correspondence School, and indicating as well additional communities considered by the government.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. MACK: Mr. Speaker, it is with great pleasure this afternoon that I introduce to you and to the members of the Legislative Assembly some 33 senior citizens. They represent the McClure Around 60 Group and the Northgate Lions Senior Citizens Recreation Centre, both located in the Edmonton Belmont constituency. The tour of this group was arranged by Mrs. A. Holmes.

With the McClure Around 60 Group today is Mr. John Good. His father, Mr. George [Good], was one of the old-country Scottish stonemasons who immigrated to Alberta in 1910 to work on this Legislature Building. He was later joined by his family.

Mr. Speaker, also with the group are some of the pioneers of Alberta, whom we honored in many different ways this year. The group is seated in the public gallery, and I would ask that they rise and receive the very warm, deserved welcome of this Assembly.

MR. KING: Mr. Speaker, on behalf of my colleague the hon. Minister of Culture, I would like to introduce to you, and through you to the members of the Assembly, 18 students from the Alberta Vocational Centre in the constituency of Edmonton Centre. They are accompanied by their instructor Ada Nanning. I might indicate to members of the Assembly that they once again include a number of new Canadians, from whose talents we as a province are going to benefit. I would ask that the students and their instructor rise to receive the welcome of the Assembly.

head: **MINISTERIAL STATEMENTS**

**Department of
Advanced Education and Manpower**

MR. HORSMAN: Mr. Speaker, I am pleased to announce that the government of Alberta will again provide work opportunities during the winter months for unemployed Albertans under the priority employment program.

As you are aware, the program has run each winter since 1971-72, and has grown steadily in both the number

of projects and the number of participants. To date more than 26,000 Albertans have been provided with short-term work experiences, many of which have led to permanent employment. For instance, the Department of Social Services and Community Health has taken a very significant number of its full-time employees from this source.

Individual projects are organized under provincial government departments, boards, and commissions. Most are scheduled from January through April, when employment levels are traditionally lower. Last year, 22 government departments sponsored projects throughout the province that employed 1,080 Albertans in a variety of jobs which emphasized gaining work experience and building careers.

Funding will be based on the employment situation in coming months. However, last year \$3.5 million was allocated to fund priority employment program projects.

Mr. Speaker, the designation of 1981 as the International Year of the Disabled Person gives the government the chance to highlight the ongoing work in the field of training and employment of people with handicapping conditions. I am proud of the work already accomplished in this area, and pleased to announce the expansion of this program area in particular.

One of the expanded program elements is the employment skills demonstration project, operated by Social Services and Community Health, which will provide work experience projects for employable social service clients with various departments participating in the priority employment program. Among these clients will be handicapped Albertans.

The other is the special placement work experience project, operated by the personnel administration office. Albertans, including disabled persons, who are registered and active clients of their special placement program are eligible to participate in projects within provincial government departments.

Already under way, various projects will run throughout 1981. Employment with the two special program elements that relate to the International Year of the Disabled Person will be for a period up to six months. This will enable reasonable work experience and skills in preparation for more permanent employment.

In conclusion, Mr. Speaker, I would like to reiterate that the priority employment program does more than provide short-term relief for people. It gives them the opportunity to learn new skills and gain the experience needed to move into the labor force, and in this way share fully in the benefits of Alberta's economy.

Thank you, Mr. Speaker.

Department of Government Services

MR. McCRAE: Mr. Speaker, of prime importance to the Alberta government are its communications with the citizens of Alberta. In 1973 the government's regional information telephone enquiry system, otherwise known as the RITE system, became operative. It has become just one aspect of inexpensive and improved access to the government.

The RITE system now has 34 centres across Alberta, from Fort McMurray down to Cardston. It is estimated that the RITE system is currently handling in excess of 8 million calls a year. Many of these calls are transferred to a larger centre to obtain information that the citizens require. This service is provided toll free to most citizens of Alberta.

But nearly 14 per cent of Albertans have been unable to enjoy toll-free access to their provincial government because they live outside the toll-free areas of the 34 existing centres. Mr. Speaker, I am now pleased to advise hon. members that soon these Albertans will be able to utilize the network toll free by way of a zenith number. By calling the operator and requesting 22333, local Albertans previously without toll-free service will reach the RITE centre nearest their home. Furthermore, the use of RITE will now be made available to volunteer, non-profit organizations throughout the province. In the past, because of technical limitations, we have not been able to make the services available to these non-profit groups.

Mr. Speaker, I am also able to announce today another improvement to the system of interest to members. The regional information telephone enquiry system, in addition to the estimated 8 million calls handled by RITE operators annually, carries a heavy load of internal public service calls. As a result of the tremendous volume of calls, there has been congestion on the Edmonton-to-Calgary lines. This problem will be resolved early in the new year with the installation of additional lines to Calgary and to all areas south of Calgary. The additional lines will assure better access to the south of the province, and will continue to make the RITE system the most extensive government communication network in North America.

Thank you, Mr. Speaker.

head: ORAL QUESTION PERIOD

Lord's Day Act

MR. R. CLARK: Mr. Speaker, I'd like to direct the first question to the Attorney General and the Minister of Tourism and Small Business. It deals with the question of initiatives the government may or may not take on this question of observance of the Lord's Day Act as it applies to business on Sunday, and the effects it's having on small businesses in the province.

I would just say that last spring I asked the Attorney General what action the government planned to take in this area. He indicated that if there were sufficient requests, the government was prepared to move in this area. My question to the minister is: does the government have any plans for immediate action in this area of concern?

MR. CRAWFORD: Mr. Speaker, it is an important area, and it's not free from controversy. I think the remarks I may have made some time ago would be that the feeling I believe Albertans generally have is twofold: one, the idea of a completely wide-open, commercialized Sunday is something that wouldn't be favorably greeted by the majority, as I understand the representations I've received. At the same time, the existing system had worked well over the years because the level of enforcement of what is in fact out-dated federal legislation had caused no difficulty, so long as the areas in which there was a certain amount of Sunday activity tended to be the gray areas.

Mr. Speaker, during the summer and until the present time, what I have been able to do is receive a very large and useful number of presentations on the subject, demonstrating once again that there are strongly held views on both sides. The only commitment I've given to anyone making a presentation is that the matter would not be

acted on at once, because it did not seem to be a situation where a sudden decision would necessarily be the best, in light of the fact that the situation was still developing. The other commitment I gave was that a review in regard to the policy areas involved would be made in the upcoming months by our caucus.

Mr. Speaker, in regard to the timing of a decision in the area, I might say that a lot of people I spoke to seemed to feel that if the situation had been able to continue much as it had over the years, with minimal operations and what I've referred to as the gray areas, probably no action would have been necessary.

MR. R. CLARK: Mr. Speaker, a supplementary question to that rather ambiguous answer, if I might be permitted that latitude in question period. "Not acted on at once" was the note I jotted down.

Has the minister given a commitment to the groups that made representation to both the Attorney General and the Minister of Tourism and Small Business, that a definite time frame has been decided in which the government will either take some action or in fact indicate it is going to leave the status quo? I ask the question because of representation I'm sure both ministers received and representation my office has received, especially from small-business people who are finding themselves in an increasingly difficult position.

MR. CRAWFORD: Mr. Speaker, I have not given a specific commitment — I wouldn't be in a position to do so — in regard to any legislative time frame. That can only be done as a result of the matter being discussed by the government caucus, and that hasn't been possible this fall because of other issues.

I think I should note that the status quo wouldn't necessarily remain the same if the federal government, for example, decided to make a move in this respect. Prosecutions that are taking place at the present time are under the federal legislation, and it is that legislation that has been frequently referred to as being rather outmoded. The only opportunity the provinces have is to occupy the same legislative field from a different constitutional aspect than Sunday observance.

That has been done in some provinces, and is well known to the people who brought briefs to me in regard to it. Some have recommended certain systems in use in other provinces relative to hours of operation of businesses, as distinct from the narrower issue of Sunday closing. We have assured them that we're familiar with, and are continuing to examine, the type of system used in other provinces which have dealt with the matter legislatively.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Has the minister or the department made representation to the federal government for any change in substance or in enforcement of the federal legislation? Secondly, has the Attorney General given any directives to the Crown prosecutors in the province with regard to a possibility of enforcing more rigorously the legislation which is presently on the books?

MR. CRAWFORD: Mr. Speaker, with respect to the first item, we have not made representations to the federal government in respect of what they might do with their legislation. It may be that some communications have been passed on to federal Members of Parliament where it would appear that was appropriate.

With respect to the prosecution policy, of course we have the duty to either agree or not to the prosecution in each case. It's a rather different system than many prosecutions, in that there's the opportunity for the Attorney General's Department to grant or refuse fiats when presented by one of the police forces. Our policy has always been that if it's the opinion of a police force that enough evidence exists to prepare a complaint in regard to the matter and commence proceedings, the fiats are routinely granted. In other words, we wouldn't be interfering with the normal prosecutorial policies of the police forces by means of withholding, in a discretionary way, any fiat.

I should say that the enforcement policy we've declared is that the law should be enforced in the form that it is. The police forces, particularly in Calgary and Edmonton, have recently changed the way they approach that philosophy in the area of Sunday observances. The reason is that the extent of Sunday openings has vastly increased in certain types of business in both cities. So since the police act on the basis that when a legitimate complaint comes to their attention, it is their duty to investigate it and see whether it's appropriate in those circumstances to pursue the matter further, they are doing so because there are more complaints coming to their attention.

MR. R. CLARK: Mr. Speaker, I pose a supplementary question to the Minister of Tourism and Small Business as a result of the concern expressed to many members, I am sure, about the increased Sunday opening and the impact it's having on independent retail grocers, especially small corner-grocery operations.

Has the minister received representation on this matter? Has the minister in fact sought the advice of such organizations that represent small business in the province before making recommendations to the government on what action can be taken in this area as a result of representation received by the minister?

MR. ADAIR: Mr. Speaker, we've had representations on both sides of the fence. In other words, we've had representations from some small-business men to allow them to open on Sundays, and from others to enforce the closing on Sundays. Generally, to this particular point in time, we have referred them to the Attorney General, and indicated to them that we would pursue with them any changes that may be made, on the basis of what may be the best for small business. The Attorney General has basically covered the position we're at right now.

MR. R. CLARK: Mr. Speaker, one further supplementary question to the Minister of Tourism and Small Business. Has the minister received representation concerning this question of Sunday closure and, more specifically, the impact of Safeway? It does 13.6 per cent of its business in Canada and receives 27 per cent of its profits from its Canadian business. Has the minister received representation about what certainly appears to be an unjust portion of Safeway's profit coming from its Canadian business? Has the minister initiated any investigation into that whole area?

MR. ADAIR: No, Mr. Speaker, in relation to the percentages. Most of the representations made to us were relative to whether they should be open or closed on Sunday, with a concern relative to Safeway expressed in one.

MR. R. CLARK: Mr. Speaker, to the minister. In light of the very large portion of the market place Safeway dominates, especially in Alberta and the cities of Edmonton and Calgary, has the minister's department commissioned or caused to be done within the department any work that would look at alternatives to enable the small-business man to better compete with Safeway, under the concern expressed by many people that Safeway may very well be getting involved in a far wider open Sunday?

MR. ADAIR: We have not at this time, Mr. Speaker.

Federal Budget — Tax Incentives

MR. R. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Economic Development. The question is as a result of perhaps one of the more encouraging aspects of the federal budget, that part that gives tax credits to manufacturing businesses which settle in census area 15, basically the northwest area of the province excluding the city of Grande Prairie. Is the minister now in a position to indicate what effect the increased investment tax credit has had on investment intentions in northwestern Alberta?

MR. PLANCHE: Mr. Speaker, that question also came up in Grande Prairie on Saturday. There's only a passing mention of that particular issue in the federal budget. I've asked my officials to develop what further detail may be available. If there is an incentive tax credit, of course that would be beneficial to those who were going to settle in the north and in the DREE-oriented areas. To this stage, we don't have anything definitive at all.

MR. R. CLARK: Mr. Speaker, then to the Provincial Treasurer. Is he in a position to indicate if the Treasury Department can confirm that as a result of this initiative in the federal budget, small manufacturing businesses that would settle in census area 15 would get close to perhaps a five- to six-year federal income tax holiday as a result of these incentives?

MR. SPEAKER: It would appear that the hon. Leader of the Opposition is asking the minister to give an opinion with regard to taxation as to the legal effect of the federal budget: is it going to provide a tax holiday for five or six years for certain kinds of businesses.

MR. R. CLARK: If I gave that impression, I'm sorry; that wasn't the impression I intended. My intention was to ascertain from the Provincial Treasurer if the Treasury Department has looked at that portion of the federal budget dealing with a tax concession to census area 15. What are the results of those assessments the department hopefully has carried on?

MR. HYNDMAN: Mr. Speaker, we are looking at that issue together with the Department of Economic Development, as mentioned by my colleague. We want to be very sure that what appears in the budget is in fact the case, insofar as one peels layers off this budget there are a number of surprises. So it may be a little while longer before we actually are able to ascertain exactly what the apparent effect of that provision is, and what it might or might not do for Alberta businesses.

MR. PLANCHE: Mr. Speaker, to supplement my previous answer. We also had a conversation in Edmonton

last week with the federal minister responsible for the DREE program, Mr. De Bane, and asked him to develop some further in-depth information on it so we can make our own assessment of it.

Edmonton Annexation Application

MRS. FYFE: Thank you, Mr. Speaker. I'd like to ask a question of the Minister of Municipal Affairs. Further to my question a few weeks ago, can the minister advise the Assembly if the Local Authorities Board will be submitting the Edmonton annexation report by the end of the current year?

MR. MOORE: Mr. Speaker, I can only repeat what I said earlier; that is, I expect to be able to make the report public before the end of the calendar year.

MRS. FYFE: A supplementary question, Mr. Speaker. I wonder if the minister could advise the Assembly that before making a boundary decision, consideration will be given to the wishes expressed by the residents through the petition presented in the Assembly today, together with the petition submitted to this Assembly last year, also the expression of the results of municipal plebiscites.

MR. MOORE: Once again, Mr. Speaker, the government is conscious of the concerns of the residents in the area under question, and will take under consideration all the views that have been expressed, including those by the two members who are involved and have submitted petitions to the Assembly.

Public Service Negotiations — Division 8

MR. HIEBERT: Mr. Speaker, my question to the Minister responsible for Personnel Administration arises from the recent arbitration award for Division 8 employees. Could the minister advise if the recent arbitration award has been forwarded and presented to the NAIT and SAIT instructors' associations?

MR. STEVENS: Mr. Speaker, the arbitration board held an inquiry on Saturday. I understand representatives of the NAIT instructors' associations were present as observers. The board then concluded its hearing yesterday, and I understand a written copy of that award has been delivered to chief negotiators of both parties. As soon as I have a copy, I will make sure it is made available to the ministers so they can forward it to the management of the institutions.

MR. HIEBERT: A supplementary question, Mr. Speaker. Is the minister in a position to clarify to the Assembly how the arbitration award compares to the memorandum of agreement previously rejected?

MR. STEVENS: Mr. Speaker, the memorandum of agreement for the instructors in this division provided for a settlement of 8.25 per cent April 1, 1980, a further 2.5 per cent as of October 1, 1980, then a further 9.25 per cent in the second year commencing April 1, '81. The arbitration award has moved that 2.5 per cent settlement back six months to April 1, so in fact the award now binding upon the employer and upon the Alberta Union of Provincial Employees and the instructors will result in a 10.75 per cent settlement on April 1, 1980, and a 9.25 per cent settlement in the second year.

Abandoned Rail Beds

MR. MANDEVILLE: Thank you, Mr. Speaker. My question is to the hon. Minister of Transportation, regarding abandoned rail beds. Does the Department of Transportation have a policy with regard to the disposal or use of rail beds where rail lines have been abandoned?

MR. KROEGER: Mr. Speaker, we've been working on a policy on this in conjunction with Economic Development. At the moment we're still not able to comment, because the federal policy has not been spelled out.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Has the minister recently met with federal officials with regard to the use, sale, or disposal of abandoned rail beds?

MR. KROEGER: No, Mr. Speaker, but the Minister of Economic Development might like to comment.

MR. PLANCHE: Mr. Speaker, we've been working on this for some time. It's our understanding that the verbal agreement we have is that on abandonment they will be ceded to the province to do with as is suitable, depending on where the abandoned right of way is — between two farmers' land, or a variety of other possible uses. Once that contract is signed and concluded, I'll be working with my colleague the Associate Minister of Public Lands and Wildlife to conclude the provincial participation in the disposal of the lands.

MR. MANDEVILLE: A final supplementary question to the Minister of Economic Development with regard to many of these rail lines that have been abandoned for a long while. Some of our farmers are waiting patiently to see what to do with them. Could the minister indicate when this agreement will be signed or when the policy will be coming out, so our farmers will know what to do with the rail beds?

MR. PLANCHE: We're anxious to have it cleaned up too, Mr. Speaker. I hope it's imminent. We also have a backlog of requests waiting to be handled. We would expect it momentarily.

St. Michael's Hospital

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Hospitals and Medical Care is with regard to the status of St. Michael's hospital in Lethbridge. I wonder if the minister could bring us up to date as to the recent decisions made with regard to its status.

MR. RUSSELL: Mr. Speaker, I think hon. members are aware that the matter of hospital facilities upgrading in Lethbridge is an issue of some long standing. There's been difficulty finding a solution that pleases all the demands of all the parties involved. Currently the ball is in the court of the St. Michael's hospital board. As of last July they were to respond with respect to the programs they would like to see, the bed allocation, and the building program that had been approved by the government.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Could the minister indicate the reasons the board hasn't responded? I am asking a question that may be out of his jurisdiction, but is the minister

looking at some specific date by which the group can respond and a final decision made with regard to the hospital?

MR. RUSSELL: Mr. Speaker, the only communication I've had with the board of St. Michael's since that meeting last July is a letter from their board chairman saying they'd referred the matter to the Catholic Hospital [Conference] of Alberta, seeking their advice on the matter. I'm just waiting to see what the next step will be.

MR. R. SPEAKER: Mr. Speaker, a final supplementary. I understand one of my colleagues submitted a petition of 18,000 names today. I was wondering if the minister will take the opportunity of looking at that, and what impact that would have on his decision-making. That's a lot of votes.

MR. RUSSELL: Mr. Speaker, the petitions were gathered by a group of citizens called the Committee for Two Viable [Active Treatment] Hospitals. I met with their representatives in the city of Lethbridge last month and went over their concerns again. I knew they were going to deliver their petition in the manner it was, so I've been expecting to receive it. Certainly their concerns and viewpoints are being considered. I think the record shows that a real honest attempt has been made to bring the wide-ranging objectives of the two hospital boards together in a reasonable building program. In the eyes of the Committee for Two Hospitals, we have not achieved that.

RITE System

DR. C. ANDERSON: Mr. Speaker, my question to the Minister of Government Services deals with the ministerial statement concerning the RITE system. The RITE system has had a fair amount of congestion. I wonder if the minister could assure the Assembly that this announcement will ease some of this present congestion.

MR. McCRAE: Mr. Speaker, that's a very good question. I guess any program as ambitious as the RITE system project, which is handling such a tremendously large number of calls — something like 8 million or more — is bound to have some frustrations and problems.

I think the difficulty the hon. Member for St. Paul is referring to is with a piece of equipment — I think it's called SGI — that works something like this. It's made available to us by Alberta Government Telephones, and apparently will receive only a limited number of calls. Beyond that, it doesn't signal busy; nothing happens. It doesn't go through to the operator, so even though the RITE operators are industriously taking calls in their usual polite and expeditious fashion, when you reach an excess number nothing is happening. So there is frustration in some of the centres. I've had a similar concern expressed by the Member for Red Deer. We are working to correct that, Mr. Speaker, and through either the installation of new equipment or the addition of new operators, if that is necessary, hope to resolve the difficulty that I think the member is adverting to.

The other problem of congestion between Edmonton and Calgary and the southern Alberta centres should be resolved by the extension of new lines into the Calgary/Edmonton system.

MRS. CRIPPS: A supplementary, Mr. Speaker. I noted that the minister set a time frame of "soon". Could the minister be more explicit?

MR. McCRAE: Yes, Mr. Speaker. We're looking to January 1. If we can do it before that, we shall.

MR. L. CLARK: A supplementary, Mr. Speaker. Could the minister inform the Assembly if irrigation districts will now be included under the RITE system?

MR. McCRAE: Mr. Speaker, that's a question I wish I had the answer to. The extension of the system will apply to volunteer community organizations. I'm not entirely sure that an irrigation district would fall within that definition, but we'll look into that and get a better definition of the different types of organization, by name and characteristics, that will be able to use the expanded toll-free system. We'll have that statement out very shortly.

Federal Budget — Development Fund

MR. COOK: Mr. Speaker, I wonder if I could pose a question to the Minister of Economic Development. Has the minister had any consultation with the federal government with regard to the proposed western development fund, the \$4 billion proposal in the federal budget?

MR. PLANCHE: No I haven't, Mr. Speaker, but I would like to comment on that. On July 25, along with our energy package, the federal government was offered \$2 billion in unconditional grants of provincial funds to help finance the rail infrastructure for our products to salt water. At that time part of the offer was that the federal government would have some input in that. I see the federal government has now doubled the ante, again with this province's money. So I hope they would give us the courtesy of some input in that. I don't know about the western development corporation, Mr. Speaker. It probably should be more fondly referred to as a refund on a confiscation. [interjections]

MR. COOK: Mr. Speaker, I wonder if the minister could outline the consultation that took place in the development of that \$2 billion that was in the Alberta government oil-pricing package. What consultation on that package was there with other provincial governments? Could you contrast that?

MR. PLANCHE: In that the Premier was the one who presented that, I'd refer that to him.

MR. LOUGHEED: Mr. Speaker, I had conversations with the premiers of British Columbia, Saskatchewan, and Manitoba prior to making that presentation to the Prime Minister on July 25.

MR. COOK: Mr. Speaker, a final supplementary. Could the minister characterize this as another example of Liberal arrogance, simply invading the field of western responsibility with no consultation?

MR. SPEAKER: I am sure the minister would not wish to improve on the comments of the hon. member.

Shape-Up Alberta Program

MR. R. CLARK: Mr. Speaker, we spent much of the

House yesterday shaping up Ottawa, if I might use the term rather literally. Hopefully today we might shape up Alberta.

My question would be to the Minister of Recreation and Parks with regard to the Shape-Up Alberta program. Is the minister in a position to indicate whether the funding for that very worth-while program — I think some \$80,000, which was handled primarily through the YMCAs across the province with a large number of volunteers — has been wiped out?

MR. TRYNCHY: Mr. Speaker, the program is under review at the present time. I am hoping to come back with an assessment of it. In the meantime I'm trying to put together a better package to shape up Alberta better.

MR. R. CLARK: Mr. Speaker, a supplementary question to the minister. Will the minister assure the Assembly that in the course of doing the assessment of that program, the minister will have officials of his department check with each of the communities — I believe close to 12 — this program operated very, very successfully in across the province? Will those communities be guaranteed some input to the minister prior to a decision being made?

MR. TRYNCHY: Mr. Speaker, I am very interested in the 12 communities that had the service in the past. But I'd like to point out to the hon. member that the communities in the province number considerably more than 12, and those are the ones I'm looking at too. So when we review the program, it's my hope we would cover more than 12 communities, and try to cover the whole province.

MR. R. CLARK: Mr. Speaker, to the minister. In the course of doing this assessment, and hopefully involving those 12 communities, is it the minister's intention to continue to have a very large volunteer component in the expansion of this program, now that we've learned that the program is not to be wiped out?

MR. TRYNCHY: Mr. Speaker, I think the hon. member is presuming something that might not be correct, in that the program might or might not be wiped out. I can't vouch for that today. But certainly our programs across the province entail very, very many volunteers, and I hope they'll continue in the future.

MR. R. CLARK: Mr. Speaker, to the minister. I take it from that comment that in fact the minister has virtually made the decision to wind down this program. Why has the minister made that decision — indicated to some groups that the \$80,000 will not be included in the B budget for this year, will not be available this year, given the tremendous support that program has had in the communities where it was started on a trial basis?

MR. TRYNCHY: Again, Mr. Speaker, the hon. member is saying something that isn't factual. The program is not winding down, not shelved, so to speak. I am still reviewing it, and I hope to get back to him with an answer. But certainly the program we've had in the past that covered just a small portion of Alberta, is not the kind of program we will want to carry on in the future. So as we go forward we'll look at all aspects of recreation and Shape-Up, and try to cover as many communities as we can. I'd like to see us cover the whole province.

head: **ORDERS OF THE DAY**

MR. CRAWFORD: Mr. Speaker, I think the questions and motions for returns could be dealt with first, and then we would call government designated business. Before asking that be done, I did want to see if there was an indication of unanimous consent to deal with government designated business for the balance of the day, beyond the first hour, and would so ask.

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

HON. MEMBERS: Agreed.

MR. HORSMAN: Mr. Speaker, in view of the absence of the mover of Question 137 and motions for returns 134 and 138, I move that those particular matters stand and retain their place.

MR. R. CLARK: Mr. Speaker, if I might speak to that motion, sir. I find myself in a somewhat unusual situation here, speaking for the Member for Spirit River-Fairview, but clearly as a matter of courtesy to a fellow member of the House — and no member should read any other motive into the situation. My office was approached by the Member for Spirit River-Fairview. If the question and the motions for returns in the member's name are basically agreeable to the government, I'm prepared to move them on the member's behalf.

MR. HORSMAN: Mr. Speaker, I don't know how much this is in order. In view of those circumstances perhaps I could withdraw my motion if that were acceptable, and replace it with another motion.

MR. SPEAKER: There's no procedural problem. The motion hasn't been debated.

head: **MOTIONS FOR RETURNS**

MR. HORSMAN: Very well, Mr. Speaker. I withdraw that motion and move instead that Motion for a Return No. 138 stand and retain its place on the Order Paper.

[Motion carried]

head: **WRITTEN QUESTIONS**

137. On behalf of Mr. Notley, Mr. R. Clark asked the government the following question.

What is the government's best estimate of the cost to the Alberta taxpayer, in terms of foregone revenue and direct payments to the oil industry, of the Alberta petroleum exploration plan of December 1974 as follows

- (a) from January 1, 1975, to March 31, 1975,
- (b) for the 1975-76 fiscal year,
- (c) for the 1976-77 fiscal year,
- (d) for the 1977-78 fiscal year,
- (e) for the 1978-79 fiscal year,
- (f) for the 1979-80 fiscal year,
- (g) for the 1980-81 fiscal year,

such estimate to be itemized as per the response of Alberta Treasury to Question No. 101 in Sessional Paper No. 101/75, dated 11 December 1975.

HON. MEMBERS: Agreed.

head: **MOTIONS FOR RETURNS**

(continued)

130. Mr. R. Speaker moved that an order of the Assembly do issue for a return showing:
- (1) the results of all surveys and studies conducted by the ERCB, Department of Environment, Department of Agriculture into the presence or effects of sulphur emissions from the Esso Resources gas conservation plant at Joffre for the past five years;
 - (2) copies of all correspondence between the ERCB, departments of Environment and Agriculture and Joffre area farmers regarding the impact of that plant's emissions for the same period;
 - (3) all correspondence between the ERCB and Esso Resources regarding the plant's emission levels for the same period;
 - (4) the dates and times when the government monitors indicate that emission standards were exceeded by the plant.

MR. LEITCH: Motion 130 is acceptable to us, Mr. Speaker, providing it is on the usual condition that the correspondence referred to in (2) and (3) of that motion be produced only with the concurrence of those who received or sent the correspondence, outside the government departments or agencies referred to in the motion.

MR. R. SPEAKER: Mr. Speaker, that's agreeable.

[Motion as amended carried]

134. On behalf of Mr. Notley, Mr. R. Clark moved that an order of the Assembly do issue for a return showing any and all reports and statistical abstracts dealing with the location and distribution of students of the Alberta Correspondence School received by the Minister of Education or his department since January 1, 1978, and specifically including any such material originally prepared by or for staff or officers of the school.

MR. KING: Mr. Speaker, I would like to move an amendment to Motion for a Return No. 134, which I discussed with the hon. member in whose name the motion stands on the Order Paper. It is to add the word "primarily" to the first line, and to delete the last clause and replace it with "except such reports and abstracts as express the opinion, advice, or recommendations of the public service". I have copies of the amendment for you, Mr. Speaker, and the Leader of the Opposition.

[Motion as amended carried]

head: **GOVERNMENT DESIGNATED BUSINESS**

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

GOVERNMENT BILLS AND ORDERS (Committee of the Whole)

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Will the committee come to order.

Bill 77

The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1980

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill No. 77 be reported.

[Motion carried]

Bill 78

The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Supplementary Act, 1980

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move Bill No. 78 be reported.

[Motion carried]

MR. CRAWFORD: Mr. Chairman, I had indicated to the Clerk an order that the Bills might be called in, but I think my colleague the Leader of the Opposition wanted a little more time on Bill 84, so I would ask that the order revert to Bills 33 and 74.

Bill 33

The Medical Services Research Foundation Amendment Act, 1980

MR. CHAIRMAN: An amendment to this Act has been circulated to all members. Are there any questions or comments regarding the amendment?

Are there any questions or comments regarding Bill No. 33 as amended?

[Title and preamble agreed to]

MR. ISLEY: Mr. Chairman, I would move that Bill 33 [as amended] be reported.

[Motion carried]

Bill 74

The Planning Amendment Act, 1980

MR. CHAIRMAN: We have an amendment for this Act, which has been circulated. Are there any questions or comments regarding the amendment?

MR. GOGO: Mr. Chairman, I wanted to ask the Minister of Municipal Affairs if, since the Bill was introduced — I know that he has had a great many discussions not only with the planning board but planning commissions — if he has had any specific requests from planning commissions in the province on the Bill in general and any suggestions for amendments. I guess my concern is that the planning commissions and those elected people in Alberta who compose the boards of the planning commissions have had an opportunity to respond to the minister with regard to any of the detail in the Bill.

MR. MOORE: Mr. Chairman, there were a few requests from planning commissions and planning departments of various municipalities. To a large extent they were questions of concern with respect to provisions of the Bill that may have been misunderstood by them. But there were indeed some comments with respect to the policy that is contained, which I spoke about on second reading, with respect to municipal councillors being able to vote on a by-law which was a subject of a public hearing, even though they may not have attended the entire public hearing. In addition, some concerns were with respect to the matter which is the subject of an amendment which will be resolved by the amendment to some extent.

MR. PURDY: I may have to apologize to the member for bringing this up, because he may have covered it in second reading and I wasn't present in the House that night and haven't had an opportunity to look at *Hansard*. It's regarding the change in the Act where a developer, or a municipality if a development went into that municipality, had to notify all landowners in writing. I understand some concern is being voiced by individuals in my constituency and others that this is now being changed to where it only has to be advertised in the local papers. I would just ask the minister if he could comment on that for me, so that I would have a clearer understanding of what's actually taking place.

MR. MOORE: Mr. Chairman, I've had a number of comments directed to me in that regard as well. For the most part I have been responding by sending individuals a copy of my remarks on second reading of this Bill, which fully explain my views with respect to the matter under consideration.

But I can add for the information of the House that up until a year ago, when I introduced amendments to The Planning Act, there were no provisions whatever for an adjacent landowner to be heard or to be able to appeal a subdivision approval. I introduced those provisions in a way I thought would be extremely fair to adjacent landowners in terms of their being able to receive notice, but ran into the problem of very extensive delays because of the method of receiving notice, which I explained on second reading.

What we have here is an amendment to the manner in which notices are received, but the right of appeal is still there. So for those individuals who are concerned about individual rights in terms of adjoining landowners, we're still a great deal better off than we were on any occasion that I can recall under earlier planning legislation that the province of Alberta has.

MR. GOGO: Mr. Chairman, I don't want to prolong it, but I'd ask the minister on 12(b)(4), with regard to the subdivision approving authority, once it's approved and then publishing it within 14 days. I think it follows on the

question of the Member for Stony Plain. I'm thinking now in terms of legal holidays and so on. Just for clarification, would that affect the time period of 14 days at all? For example, if the decision were made on a Friday and couldn't be published, say, until the following Tuesday, would the 14 days be inclusive or exclusive? It sounds like a fine point, but I think it is important to those people affected.

MR. MOORE: Mr. Chairman, I'm sorry. I'm not following which section of the Act the member is referring to. I wonder if he could again refer to the page and the section.

MR. GOGO: Yes, Mr. Chairman. It's on page 4; Section 90 is amended, and under (b)(4). That refers to the publication within 14 days. My question really was: if it were a holiday, would that be inclusive of the holiday, or would it be a clear 14-day period? It sounds somewhat technical, but I would think that those affected may be interested in whether it's 14 days from the date of official approval, or 14 working days.

MR. MOORE: Mr. Chairman, the hon. member is referring to the requirement that a subdivision approving authority must, after having made a decision, publish the results of that decision in a newspaper within 14 days. It's 14 clear days; nothing to do with working days whatever. One could quite easily suggest that that should even be a shorter time frame. It is not in any way related to the rights of anybody to appeal, but rather a requirement that the authority which has approved the subdivision publish their notice within 14 days. If that weren't in the Act, they might well be able to wait several weeks.

[Title and preamble agreed to]

MR. MOORE: Mr. Chairman, I move that Bill No. 74, The Planning Amendment Act, 1980, as amended, be reported.

[Motion carried]

head: **PRIVATE BILLS**
(Committee of the Whole)

Bill Pr. 3
The Alberta Wheat Pool
Amendment Act, 1980

MR. CHAIRMAN: Are there any questions or comments regarding Bill Pr. 3?

[Title and preamble agreed to]

MR. LYSONS: Mr. Chairman, I move that Bill Pr. 3, The Alberta Wheat Pool Amendment Act, 1980, be reported.

[Motion carried]

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

Bill 84
The Health Occupations Act

MR. CHAIRMAN: A number of amendments have been circulated. Are there any questions or comments regarding the amendments?

MR. R. SPEAKER: I'm sorry. Mine was on the Bill generally, Mr. Chairman.

MR. CHAIRMAN: Probably we could deal with the amendments and then go to the Bill as amended.

MR. R. SPEAKER: I think it would most likely fit under the amendment, too, Mr. Chairman.

With regard to Bill 84, I've had a number of representations from southern Alberta with regard to the practising of therapists and masseurs. The general concern of the letters as I read them is that, number one, therapists and masseurs will not be able to continue their operations in the province because of Bill 84. I was wondering if the minister could clarify that and confirm that the Bill really will not limit their services at the present time.

MR. BOGLE: Mr. Chairman, there is provision in the Act whereby a health occupation must meet certain criteria in order to qualify for designation under the Bill. One of the things we've tried very hard to spell out is that, in addition to an education that may be acquired through an educational institution, in those unique situations where a health proficiency has been self-taught or acquired through experience or practice, those factors would also be taken into consideration in the designation. Therefore, it's not possible for me to give a blanket reassurance to masseurs and all types of physiotherapists that they would not be affected by the legislation. On the other hand, very clearly, an individual practitioner who is now operating a business and has been self-taught could certainly come under this Bill in an acceptable way and would not be forced to close his or her doors.

MR. R. SPEAKER: Mr. Chairman, to the minister. The one I was referring to was Mr. Cowie who has a therapy centre at Barons in my constituency and has been in practice for quite a number of years. I have many constituents who are taking treatments and feel they have had some excellent success. I was wondering if that would be kind of service that would come under the grounds of being acceptable.

MR. BOGLE: Mr. Chairman, I went through a number of steps that would be followed by the health occupations board in designating a health occupation. In the course of their examination as to the level or degree of service provided by a health occupation practitioner, a number of criteria come into play.

I cannot give Mr. Cowie an assurance today, any more than I can any other individual who is practicing a health occupation, that he or they will or will not be affected by this legislation. I can certainly give the assurance, through you as the MLA, that we have attempted to define the terms of reference in such a way that those individuals — and I'm aware of some members of Hutterite brethren societies who provide a service and do not have a skill

that is a result of educational courses they have taken at an accredited university, college, technical school, or so on, but have a skill in the health-related area acquired either through their own talents or with the assistance of some other person in an unregulated, unprofessional way. There is provision for them to continue to operate and to conduct their business under the umbrella of this legislation.

MR. R. SPEAKER: Mr. Chairman, to the hon. minister. This relates to the amendment. The amendment we're bringing into the Legislature at this point in time — groups such as that could make submissions to the Legislature for approval of their work, profession, or practice as such. Is that correct?

MR. BOGLE: One of the amendments I'm proposing today is a result of the discussions we had in committee stage last Friday. Basically the proposal is that we move the final step, the designation step, from regulation to legislation, so that any health occupation the government proposes to regulate under the health occupations Bill would be brought forward in the form of a legislative amendment to this Act. In so doing, that particular health occupation group or individual might then make whatever concerns he or she has, if they haven't already done so, through either their respective MLAs, the department, or the minister.

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

MR. R. CLARK: Mr. Chairman, I have to ask if we are dealing first with the minister's amendments or with mine. Perhaps if the House thought it were dealing with the minister's amendments instead of mine I might have more success.

MR. CHAIRMAN: I only have the government amendments before me.

MR. R. CLARK: I'd be pleased to help you out, sir. Or if you want to deal with the minister's amendments first, that's quite . . .

MR. CHAIRMAN: Let's deal with the government amendment. Then if some more are floating around, maybe I can get hold of one.

MR. NOTLEY: Mr. Chairman, on the government amendment. I'm in the unusual position of finding I fully support the amendment. There are still going to be some concerns, but I think this will go some distance to assure some of the groups that have talked to me on the process here. If they have some real difficulties with whether they should come under Bill 84, they'll have the opportunity to contact all the members of the Legislature, and there'll be an open debate in the House. Frankly, I think that's a step in the right direction.

MR. R. CLARK: Mr. Chairman, I find myself on more than one occasion having been somewhat critical of this particular minister in the past, but I'd be less than fair in this case if I didn't say that I appreciate very much that the minister has been prepared to reconsider this particular section. The amendment the minister's brought in takes the designation out of regulation and puts it here in the Legislative Assembly. Especially in the early stages of

the operation of this particular Act, I think that's a very healthy situation. I frankly commend the minister for showing the kind of flexibility he did.

MR. CHAIRMAN: We'll deal with the government amendment to start with, because that was the first one presented. Then we'll consider the other one. All those in favor of the amendments to Bill 84 as presented please say "aye".

HON. MEMBERS: Aye.

MR. CHAIRMAN: Those opposed please say, "no". The amendments are carried. Now we have the amendment presented by the hon. Leader of the Opposition. At this time are there any questions or comments regarding this amendment?

MR. BOGLE: Mr. Chairman, I have some concerns with the amendment put forward by the hon. Leader of the Opposition. First of all, I have a concern with the basic principle as listed under A, 22.1(a), whereby one member designated by the College of Physicians and Surgeons would be a member of a professional appeal committee.

In terms of the make-up of the health occupations board, the principle we're following in Bill 84 is that of the nine-member board at least one but not more than three be members of the College of Physicians and Surgeons. But I want to make it very clear, Mr. Chairman, that the college will not name the members of the College of Physicians and Surgeons who will be on the board. We would invite the college to nominate members. I tried to make it clear in the Assembly last Friday that we would welcome nominations from other health occupation groups as to which members of the College of Physicians and Surgeons they feel should be on that board. There should be no misunderstanding by members of the Assembly as the legislation is currently worded. In terms of the selection of the members, that responsibility will rest with Executive Council.

I have concerns as well, Mr. Chairman, with the thrust proposed in the concept of the professional appeal committees. I would suggest we might wish to give further consideration to this matter. Due to the amendments which were just accepted by this Assembly, before any health occupations are designated, a further amendment will have to come back. I assume that would be either next spring or fall. This matter could be given further consideration between now and that time.

MR. R. CLARK: This amendment was prepared before the minister brought forward the previous amendment. In light of those comments, I'd be prepared to withdraw the amendment after making two comments.

Mr. Chairman, in the amendment when we talk about "designated by the College of Physicians and Surgeons," the practice I would suggest there is that government would perhaps ask the college to recommend a number of members of the college who the college would feel could meet the responsibilities of the board, and the minister would then select one person out of that group. That's really the idea involved there.

But in light of the amendment the minister brought forward, and as the minister says, the fact that now we will have to come back and look at this Act the first time there is a need to designate professions under the Act; that being the situation, I'm quite prepared to withdraw the amendment. Perhaps it may resurface at that time.

[Title and preamble agreed to]

MR. BOGLE: Mr. Chairman, I move that Bill 84, The Health Occupations Act, [as amended] be reported.

[Motion carried]

MR. CRAWFORD: Mr. Chairman, I move the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of the Whole has had under consideration and reports the following: Bills 77, 78, and Pr. 3.

The committee also reports the following with some amendments: Bills 33, 74, and 84.

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

HON. MEMBERS: Agreed.

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

Bill 88 **The Election Act**

[Adjourned debate November 20: Mr. Crawford]

MR. CRAWFORD: Mr. Speaker, just very briefly, when the Bill was last before the Assembly I made a few remarks relative to concerns expressed by some hon. members that the Bill was perhaps being advanced too rapidly. On that occasion, I adjourned debate only in order that it might stand over until this week and other members who required or wished to have further opportunity to consider remarks with respect to the principle of the Bill would then be able to do so.

Mr. Speaker, just a final thought perhaps on the question of the rapidity with which the Bill is being advanced. In reference to arguments made in that regard by some hon. members, I simply want to say that I really think the judgment I would like to see the hon. members come to perhaps relates more to my work as House Leader than anything else; that is, there are a number of Bills standing over for various reasons. Some have stood over from spring, and several will be left on the Order Paper.

It's just not too helpful, perhaps, to the process to have a large number in that position, particularly a large number of relatively important ones. So it has been the wish of the government to see The Election Act passed in this winter sitting rather than next spring. There is no particularly inscrutable reason for that. I don't think I would use that reference in respect to it because of some of the wonderings aloud that hon. members engaged in last time it was there.

I would say that if further consideration and discussions with constituents and so on, even after the Bill had been finally passed by the Legislature, say during next year, brought to the attention of hon. members specific concerns they wished to bring forward, then I think the government's view would be that it would be perfectly fair and reasonable to have a further discussion of those

and consider incorporating them at that time. But the wish was not to delay the matter at present simply on that basis.

[Motion carried; Bill 88 read a second time]

Bill 90
The Architects Act, 1980

MR. CHAMBERS: Mr. Speaker, it gives me great pleasure to speak briefly to Bill 90, The Architects Act, 1980. I think it's a Bill that will be looked to not only by Albertans but by other Canadians. Along with Bill 84, The Health Occupations Act, this Bill is the first step in the implementation of the government policy on professions and occupations. As such, it's the forerunner for future legislation for self-governing associations. In its framework and a number of its provisions, the Act will be the standard to which I think other professions will look.

This Bill is also the first piece of legislation in Canada to embody a joint memorandum of agreement which has been signed by both the architectural and engineering associations. Thus other provinces might be expected to look to this Alberta legislation as a model upon which to fashion their own. There is already indication that that's the case.

After being introduced in the spring of 1979, The Architects Act, then called Bill 31, was allowed to die on the Order Paper. During the months since, The Architects Act has been revised and redrafted. This Bill serves as an illustration of government working with an association to establish legislation to protect the public interest.

We have received much valuable input from the architects' association with regard to the draft legislation. Explanations of the day-to-day of the association and the particular needs for processes unique to the association has led to the Act which, while complying with the policy on professions and occupations, also fulfils the need of the association. Both through its critical questioning and positive attitude, the association has been able to make a significant contribution to its legislation.

I think the association is to be applauded for its innovative approach in dealing with policy and its own internal matters. For example, in dealing with complaints, this Act provides for an informal mediator. This mediator would attempt to resolve a dispute before a full hearing would occur. Further, at the association's suggestion provisions dealing with professional corporations were amended to provide for diversity in firms.

I cannot neglect to mention the work of other associations. After the release of Bill 31, The Architects Act, 1979, many groups made deputations and submissions. These groups must also be commended for interest and public spirit in seeing that we accomplished the goal of protecting the public of Alberta from unskilled and incompetent practitioners. In particular, I must single out the engineers for the efforts their association has put forward to reach the joint memorandum of agreement.

This memorandum of agreement is the result of meetings, deliberations, and hard work. This Act, which embodies that memorandum, will go a long way in resolving the disputes that have had a divisive effect on the two professions in the past, not so much in Alberta perhaps but certainly in other jurisdictions. This new spirit of co-operation will help to protect the public of Alberta and to ensure the continued growth of Alberta.

In those sections dealing with the joint memorandum, Bill 90 sets out those criteria that a proposed engineers'

and architects' firm must meet before a certificate of authorization is granted. A joint board will examine the candidates and issue certificates upon the recommendation of either the architects' or the engineers' council. In resolving the contentious matters that occur where the two disciplines interface or overlap, the associations demonstrate that, in spite of what at times may appear to be insurmountable difficulties, hurdles can be overcome if dealt with in the spirit co-operation.

I'd now like to outline just a few of the alterations that have been made. First, an important feature of this legislation is public representation on the practice review committee in council. The benefits of having such representations on association bodies are twofold: first, the public member can give the association a point of view that may vary from that of the practitioner; second and most important, through its representative, the general public can view the operation of the association.

Second, a practice review board is established to ensure continuing competence on the part of practitioners. This board has general advisory powers relating to educational and experiential admission and continuing membership standards. Third, initial decisions relating to registration are subject to an internal review at a second level. This serves the cause of natural justice. Fourth, the appeal procedures in the registration, complaints, and practice review areas have been altered to ensure that all the available routes of justice have been provided to a practitioner who may be deprived of a source of income. Fifth, a complainant may appeal to council when a complaint has been dismissed after a preliminary investigation. Sixth, the building definitions have been changed from a unit to an area description in order to provide a more specific definition.

Being mindful of the time, Mr. Speaker, let me conclude by stating that our foremost priority in drafting this piece of legislation has of course been the safety of the citizens of Alberta and the need to inform the public of the mechanisms provided for their protection. With its incorporation of the joint agreement, this Act recognizes the complexities of modern construction and the interrelationships of the architects with various other professions. I might add that the principles of the policy have not varied, but flexibility has been built into certain aspects of this Act.

MR. HORSMAN: Mr. Speaker, in rising to participate in second reading of Bill 90, The Architects Act, 1980, I thought it would be useful to make some remarks since this particular piece of legislation forms part of the government policy with regard to professions and occupations. As part of my responsibilities, I have the duty to co-ordinate that policy with respect to the implementation of the various Bills that will flow from that policy.

As hon. members of the Assembly are well aware, this matter has been a priority over the past few years. We have gone through a number of steps. I think it's fair to say that it had been the intention of the previous government to commence a study of this matter through a select committee process, and that indeed was followed up by the present government. A select committee was established under the chairmanship of the hon. Member for Edmonton Norwood, and then the matter was studied for a considerable time. A white paper was put forward in 1978 by my predecessor, followed by the predecessor to this Bill, which was given first reading on June 28, 1979. Since that date the government has devoted a great deal of time in committee, in caucus, and at the cabinet level.

to the specifics involved in implementation of the policy and to incorporate representations made to the government by professional organizations in the province.

I could touch on a number of aspects, but I want to keep my remarks relatively brief today. As I would remind members, we have concern for the public risk involved with the provision of professional and occupational services to the public in this province. Through this policy and some revisions of it, which are shown in the legislation itself, we are trying to meet the concerns expressed to us by the professional bodies, as well as by members of the public.

First, we believe this policy represents a balance. On one side of the scale of course, we have the interest of the government in ensuring the public interest is protected, while on the other is the recognition by the government of the benefits of having self-governing associations. In these highly complex disciplines practised by the exclusive area of practise professions, the various associations subject to certain procedures and requirements are really best equipped to govern themselves. Therefore this legislation does a number of things: it provides for public protection and information and for a limited and carefully defined involvement by government to ensure the public interest is protected.

We have made every effort to circulate information pertaining to this policy. As I indicated, the policy document itself was extensively circulated in 1978. Following the introduction last year of Bill 31, the predecessor of this Act, I made it my personal priority to circulate copies to dozens of professional associations, various interest groups, and concerned individuals. While we have not varied from the principles contained in the policy, we have had very valuable input, and we indeed appreciate that. Therefore we modified some of the provisions of the original Bill and considered how some of the model approaches to the Act might be varied slightly to suit individual association needs. I certainly hope this high level of discussion and interest will continue.

I won't deal with aspects of the legislation unique to The Architects Act, but I want to indicate that some aspects of the internal review are important. In addition to the internal review, it is a matter of interest that this legislation will contain, for the first time for this profession, public representation on the governing board or council. This window into the profession is not unique in professional legislation; it is found in The Medical Profession Act. As a government, we recognized that as a formal mechanism that was worth while adopting and following in other professional legislation.

Therefore, it has been adopted in this Act, and it is now the policy of the government to permit the window into the profession to be done in one of two ways. One is to permit the public to be represented on the governing body: one member of the public for each group of 10 professional members. So if a body has 30 professional members, at least three members of the public would be appointed.

On the other hand, if the profession itself opted for the manner of review outlined in the 1978 white paper, it would be up to them to decide whether they wished to permit the complainants from the public to become parties to a legal form of action. Members will recognize that there were strong objections to that particular aspect of the previous legislation, and it is now the policy of the government to permit an option to the professional body. I think that is important.

In terms of the legislation with regard to discipline of

practitioners, a concern which I wish to deal with has been raised by at least one other professional body. We had to consider the rights, not only of the public but indeed the members of the profession, to make sure that they had a fair, just, and equitable method of dealing with complaints brought against them either by members of the public or by the profession itself.

Therefore, it has been determined that members of a profession who are disciplined and brought to task by their professional association and if, after the hearing and disciplinary processes a profession may conduct, they are not satisfied that they have received a satisfactory hearing, it will be of course possible for that practitioner, under this legislation and others which we intend to follow, to bring the matter before the courts, in terms of fact or law.

Of course that has given rise to a concern by the engineers, which many members have received today or in recent days. I want to deal with that now, if I may. The government decided to include the legislation in its present form so there would be the option on the part of a disciplined practitioner to have a trial *de novo*, a new hearing of the entire complaint procedure, which would entail an appeal to the Court of Queen's Bench; or, if it were a matter solely of law or procedure on behalf of the disciplinary body of the profession, to permit an appeal to the Court of Appeal on that basis, commonly referred to as an appeal on law alone.

However, I want to point out quite clearly that the Act provides — and this is the policy — that while a disciplined person is under any form of suspension by the professional body, it will not be possible for that person to continue carrying on the practice of the profession until either the court permits the practice to continue or otherwise determines the appeal procedure in favor of the practitioner.

I would point out that under the legislation governing the legal profession in the province, an appeal from the disciplinary procedures now exists so that the practitioner may appeal the decision of his peers to the Court of Appeal. As well, it is quite clear that while a suspension, or a disbarment by the Law Society, is in effect, the practitioner cannot continue to practise unless the Court of Appeal permits that to take place pending termination of the legal proceedings. That same principle is embodied in The Architects Act now before the Assembly. Therefore, I think the concerns which had been expressed that it would be detrimental to the health and safety of the public are unwarranted, because the individual would not be able to carry on such practice while under suspension or disbarment, as in the case of the legal profession.

The other concern relates to the lengthy time it may take to determine the matter by a complete rehearing of the entire facts of the case, as well as arguments with respect to the legality of the action by the disciplinary bodies. While it's true that it may add considerable expense not only to the association but to the practitioners, we feel it is important that the individual be given every opportunity to make sure that an independent assessment of the operation of the profession is available to the individual practitioner. Therefore, it is the policy to permit the practitioner to have two routes of appeal: one on the matter of fact and law; the other on the matter of law alone. That is embodied in this legislation.

We recognize that this may not find universal favor with every profession, yet it is important that justice not only be done but be seen to be done. While it is important and true that they do carry a high prestige in society,

professional associations must also be prepared to demonstrate to society at large that they are responsible and their procedures for discipline within their professional bodies are in fact fair and open to review by the courts of the land.

So, Mr. Speaker, with those comments, I would like to conclude my participation in the debate and indicate that we hope this legislation will serve as a model for others that follow, indeed that the policy paper we put forward in 1978 with suitable options now available to the professions from which to choose when they look at The Architects Act, will provide the flexibility and balance required to make sure that the public interest is being protected, that the professions themselves are carrying out their important self-governing responsibilities, and that the public can be assured there is a public window into the professions either through public representation on the governing boards or councils, or if the profession itself so chooses, by permitting the public complainants to be part of the disciplinary proceedings as parties, which was part of the previous legislation. That's their option now, and other options are open to the profession.

So we believe that in reasonable balance this legislation represents a very important step forward after — as the hon. Leader of the Opposition and others have pointed out — several years of review, public debate, and having a policy before the public for their consideration and comment.

We feel that this legislation reflects a reasonable balance which will serve the people of Alberta, the professional bodies, and the individual practitioners: a very satisfactory way of finding a place in today's society for professional individuals and organizations.

Thank you, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, to take part in second reading of Bill No. 90, The Architects Act, 1980, I want to make basically three points in the course of my rather brief remarks.

The first comment is that the hon. Minister of Advanced Education and Manpower, who I gather is responsible for the co-ordination of all professional legislation, is accurate when he indicates that it's been some seven or eight years since this matter was first raised under this government, and I know the previous administration spent some time on the idea of a select legislative committee to look at the matter.

I'm not critical of the time it's taken. Where I would be very critical, though, is that this piece of legislation, The Architects Act, 1980, which is supposedly model legislation other provinces are looking at, if my memory is correct, a week today. We are giving it second reading today, in the rather waning hours of this session. I know the point can be made that the matter has been before the public for some years, but this morning my office phoned seven individuals who are involved in professions affected by this legislation, and only one of those groups had copies of the legislation.

Now if this legislation is as important as the Minister of Housing and Public Works indicates and it's model legislation not only for Alberta but for other provinces looking at it, I would suggest to the ladies and gentlemen on the government side of the House that we're becoming somewhat slack in the way we are getting major pieces of legislation in, even though this piece was in before. Members will recall last spring that considerable concern was expressed by a number of groups, and that was the reason the government took the action it did.

Frankly, Mr. Speaker, I have no difficulty with the basic concepts in the legislation, but I'd be less than honest to the minister and to the minister responsible for the overall area of professional legislation, that in the future let's get the legislation in — it would seem to me two weeks is not an unreasonable period of time. I'd be very interested in hearing from the Minister of Housing and Public Works why the legislation couldn't have been brought in earlier this fall session, now that we learn it was the top priority of the Minister of Advanced Education and Manpower during the past summer.

That's the first point I want to make. Clearly understand, Mr. Speaker, that it's not a question of the principle of the Bill. Rather, with this being the first legislation, the model legislation we're going to use, it's no model to bring it in late and put it through in the course of a week's time, like we're doing.

The second comment I'd like to make, Mr. Speaker, deals with the idea the minister used of a public window, of the public's being represented with professional groups. That's commendable. I note that representatives of the architectural profession are here in the gallery today. I hope they and other professions take seriously that my office and I'm sure other MLAs in the Assembly are increasingly getting questions from our constituents about the ways professional organizations handle their responsibilities.

Mr. Speaker, I want to make it very clear that at this time I have no particular complaints on my agenda as far as the architectural profession is concerned. But I want to make very clear that the way the architectural profession and others handle this question of disciplining their own members when it is warranted and doing that with some dispatch will have considerable impact on the way in which the public views professions' handling their professional responsibility as far as disciplining their own members.

I think the principle outlined here in this legislation, leaving that to the profession with public representation on the board, is the direction to go. But members of the architectural profession and the next groups who come along with this kind of legislation should clearly recognize that they are going to be the people to determine whether dealing with complaints can be best handled this way. I trust it can be; I believe it can be, because frankly, I for one would not want us to see it move in some other direction. But to the members of the House and the members of the profession, we would be foolish not to keep in mind that the public is becoming increasingly skeptical of — while I wouldn't say other professions as much as it is of us involved in public life, but perhaps they are catching up in that area, and we would be foolish not to recognize that point.

The third comment that I want to make, Mr. Speaker, is to ask the minister if he would outline, either at the conclusion of second reading or in committee, what basic portions of the Bill the government expects to have be the basic framework for other pieces of legislation dealing with professions. Secondly, do the amendments which have been passed out this afternoon deal with the concerns raised by the interior design people? My information was that amendments would be forthcoming which would go some distance to allay the concerns they had expressed to members of the Assembly.

I conclude my remarks, Mr. Speaker, by saying that I take from the remarks of the Minister of Advanced Education and Manpower that the concerns expressed to members by the engineers and their group, that those

fears have been somewhat removed by the comments made by the Minister of Advanced Education and Manpower. I took from the minister's comments that once the profession dealt with a member of that profession on a disciplinary matter and found that that person, in the judgment of the profession, should not have the right to continue to practise, during the time of appeal, if an appeal is lodged, that individual would not be able to practise unless so ordered by a court. If that's the interpretation, that satisfies me that the major concern has been dealt with.

MR. NOTLEY: Mr. Speaker, I want to address two matters concerning Bill 90. The first is to echo some of the concerns the Leader of the Opposition has already expressed about the timing of the legislation. I think it has been pointed out that the legislation has been before the House at an earlier time and was held over, dropped, and then held over again. So, one might argue that this Bill has gone through a considerable gestation period.

But the point has been made, and I think properly, Mr. Speaker, that with respect to Bill 90 it's just a matter of a few days ago — I am advised that the interior designers didn't receive a copy of it until five or six days ago. It seems to me that the government has to advise the House why it is prepared to introduce a major piece of legislation in the last stages of the Assembly.

I gather we're not going ahead with Bill 60, but holy cow, Mr. Speaker, we had Bill 60 introduced with great fanfare the very first day of the Assembly. Frankly, that's the way we should be dealing with major pieces of legislation, so that they are properly introduced, so that members on both sides of the House have an opportunity to consult and get some feedback from constituents and to contact or at least hear representation from the various groups involved. In view of the importance this matter was given by the Minister of Housing and Public Works when he introduced it, as well as by the Minister of Advanced Education, it seems to me important that the Assembly know why the Act was not introduced until the latter part of last week.

We've gone through this before. Last week we got into a bit of a flurry of activity in this Legislature over The Election Act. One day an Act of more than a hundred pages was dropped on our desks, and two days later we got into second reading. At the risk of repeating arguments made when The Election Act debate took place, I believe on Thursday night of last week, Mr. Speaker, it is not reasonable that we have this sort of procedure in dealing with major pieces of legislation, especially when we have ministers standing in their places and telling us this is going to be hallmark legislation the rest of the country will look to. Well, that may be, and I hope it is, but if it's going to be hallmark legislation, it would be much stronger if there were an opportunity for better public input with respect to the details of the legislation itself.

Second, I want to underline some of the concerns recently brought to my attention by the interior design people. Simply put, their concern — I think hon. members on both sides of the House have probably received the letter from the counsel for the Registered Interior Designers Institute of Alberta. Without going into the three specific concerns expressed, I would just underline that those concerns are there. Since all hon. members have received the letter, perhaps the minister would respond specifically to those concerns. As one interior designer put it, summarizing it more simply, her concern

was that if passed without substantial amendments — and we've just had these amendments distributed today — "The Architects Act will allow architects to 'pass regulations' regarding interior designers." Her concern was:

They can define our scope of practice without any consultation with us whatsoever. It allows one profession to have full control over the activities of another profession.

Mr. Speaker, I think that may be overstating the case somewhat, nevertheless it's the concern that this individual writes. I would simply say to the members that if we're going to alleviate some of these concerns, the best way to do that is to have legislation presented so we have an opportunity to consider the implications of the legislation, and if the government is proposing amendments, as they are today, that the amendments are proposed well enough ahead of time so we're in a position to assess their impact.

So while the principle of the Bill itself has a good deal of merit, Mr. Speaker — I don't think there's any quarrel about that — I have to stand in my place and say that we've now gone through another in a series of Bills presented to us in a way that in my view just isn't good enough. I would hope that, if we're going to be dealing with legislative changes in the spring session, at the very least we're given the kind of opportunity to undertake consultation with groups and constituents and not find that one week a major Bill is introduced and the next week we're asked to give it second reading, committee stage, and third reading.

MR. RUSSELL: Mr. Speaker, I'd like to make a few comments in response to the point about timing raised by some members of the House, because I think it leaves a wrong impression. I'm a member of the profession this Bill will govern, and I'm aware of how long it's been in the works. The hon. Leader of the Opposition said several years. I believe there's a reasonable limit to how long a legislative body can keep a profession hanging with an outmoded piece of legislation at a time when it requires upgrading, the economy is booming, and that profession has a direct and very active role in society.

I said earlier that it's an old Act. I think the original Act was passed in 1907 or 1908. It was one of the first pieces of legislation passed by the Alberta Legislature. They've had difficulty for some years in having it upgraded and having the professional Act opened. I won't go over the history again of our bringing in the Bill, after considerable public hearings and committee work on the professions and occupations. I really think the time has come for us to make a decision. It's not engraved in stone. What I think supports the Bill in its present form is an agreement between the professional engineers and the architects insofar as rules of practice and joint practice are concerned. That has been under way for many, many years, and has been very difficult to determine not only in Alberta but in provinces across Canada.

So as an architect, I'm rather relieved to see the Legislature finally dealing with what I believe is "the Bill". Certainly it's going to allow the profession, which has grown incredibly in membership over the last four- or five-year period, to deal effectively with its members insofar as setting standards for admission, dealing with disciplinary matters, and making a contribution to the growth that's going on in a proper and professional way with the other profession of engineering.

The interior designers were concerned and caught up in

this. Mr. Speaker, they are in the unfortunate position of not having a Bill of their own, of practising in a field whereby they do work that at times overlaps the field of architecture. It's very hard to draw a clear-cut line. Over the weekend I spoke to many of them, who are my friends and constituents, with respect to their concerns about the Bill. I know they met with the Deputy Minister of Public Works last night. I've since had a written response from at least one of them. She is very appreciative of that meeting, and they are very happy with the amendments and procedures proposed by the deputy and what has been incorporated in the Bill. So I think that professional group is happy to see some guidelines insofar as not only bringing some kind of order to their own profession but giving them a base on which to start developing their own by-laws and, hopefully, their own Act and professional association.

I think it's a good piece of legislation. I don't see anything at all wrong with the amount of time that elapsed during this session before the thing was introduced. There have been discussions, drafting, meetings, and consultation with the professional groups involved right to the very last moment. I think that was the proper and right way to do it. I don't know what the engineering association has spent by way of legal fees, time, and meetings of their members in developing these pieces of legislation, but I know that on the part of individual architects in the province it has been very, very considerable.

I say we've proceeded properly; we've taken much longer than we should have, but it's here. I for one want to argue very strenuously against any suggestion that we're rushing this Bill through or that people haven't had a proper opportunity to discuss it. I'm satisfied that the people who had concerns — there was still some concern on behalf of the engineers. There was a flurry of, I think, real concern with respect to some interior designers, not all of them. Those concerns have been alleviated. I certainly give my full support to this piece of legislation.

MRS. CHICHAK: Mr. Speaker, I wanted to make just a very few brief remarks with respect to this legislation and perhaps make a correction respecting a statement of the hon. Minister of Hospitals and Medical Care with respect to whether the registered interior designers have legislation of their own. I believe, if my record is correct, at the time when a special committee of the Legislative Assembly carried out its study on professions and occupations, I have listed in there The Registered Interior Designers Institute of Alberta Act. I'm sure that was simply an error on the part of the hon. minister in being aware of that matter.

Just briefly, insofar as time lines that are continually being brought forward with respect to the date of the introduction of the current Bill. I'd just like to say very quickly that in 1973, when the numerous professional and occupational groups had made representations to the committee — I believe well over 70 groups made representation — and when the study had been concluded and a report written and presented to this Assembly with recommendations, I believe that it was a bit early at that time for the professional organizations to recognize and perhaps accept some of the recommendations being put forward. I think that many of them felt somewhat threatened with some of the recommendations. During the course of a number of years, I think that many of the professions have come to recognize that there was a real need to update and perhaps a change of direction in the

matter of legislation and processes that needed to be put in place, with respect particularly to new organizations that were being developed, were coming into being, and wished to be recognized and registered.

As well, a number of groups had their own legislation which perhaps was minimal and really needed a lot of updating and changes. Before this could take place, it was necessary for this government to come to grips with the recommendations. Mr. Speaker, although some minor changes are now being expressed in the new legislation, it really didn't move very far from the basic policy put before the public by this government in 1978.

But to say that the current legislation before us really didn't give the opportunity for those concerned to digest its impact fully, I find rather difficult to accept entirely. Some clauses may have been changed, rewritten, since the introduction of Bill 31 in 1979 in this Assembly. The current Bill before us is almost identical to the legislation introduced in 1979. In introducing Bill 31, it was initially held back intentionally to allow an opportunity for the two professions to resolve their differences and to be able to recognize the scope of their authority or jurisdiction. That has been resolved, as the hon. Minister of Housing and Public Works has advised us.

Mr. Speaker, I believe we will always have some differences of view and some difficulties that we will not be able to satisfy every professional group or occupation in every aspect, but we must strive to come as close as possible to provide the ability for these various organizations to meet their aspirations. At the same time we must keep in mind that we must also put in place a mechanism to provide the protection for the public that is so necessary.

So with respect to this legislation, Mr. Speaker, I would just like to say that unless we move ahead at this time and give an opportunity to the professional groups for whom we are now embarking on this new legislation to commence their work, to put in place the mechanism, and to have an experience so that where there are difficulties that need to be resolved — the only way we will reach a time when we can take those steps to resolve them is after we have had some experience.

I would like to urge hon. members to support this legislation rather than delay it, to put it into practise as early as possible, and realistically to give the opportunity for the professional organizations to experience and sincerely to make an effort to make this thing work, to move in this forward direction, and let it be a model for groups in other parts of Canada and for other provinces. If they are looking at what we are doing here and waiting to see what success we will have, I think it would be a real recognition of pride for the organizations, for the professionals in this province to be able to show the rest of Canada that we can work together, that we can take this bold step, that jointly, in the best interests of the public and for their own pride, ability, and incentive, they can move forward in giving the kind of service they want to give to the public, that they can do it here in this province, and that we can lead in this whole area.

Thank you, Mr. Speaker.

MR. KUSHNER: Mr. Speaker, I wasn't going to make any comments on this Bill until Thursday, yesterday — not yesterday, but last week. I have a problem with my calendar: Ukrainian time — I can say that.

I'm concerned. I just don't want this government to get too carried away with patting itself on the back with good legislation. I can admit that Bill 90 is a good Bill, but as

long as we can hear what's happening out there — and I'm addressing myself in particular to the interior designers. I'm getting telegrams saying:

PUTTING THE FREE PRACTICE OF INTERIOR DESIGN UNDER DIRECT CONTROL OF ARCHITECTS WILL PUT ME AND OVER 150 INDEPENDENT INTERIOR DESIGN CONSULTANTS OUT OF BUSINESS.

This is from the legal counsel of the registered interior designers:

Lastly, and most importantly, the membership of the R.I.D.I.A. wants to be assured that their association will be closely consulted with, and involved in developing the regulation referred to herein as this matter is of such vital concern to them.

Another interior designer:

I AM CONCERNED BILL 90 WILL SERIOUSLY JEOPARDIZE MY LIVELIHOOD AS AN INTERIOR DESIGNER.

Let's face it; if there weren't a problem, we wouldn't be getting these kinds of representations. I know that the hon. minister is concerned with those sorts of things. It's just that we have to be concerned about people giving representations like that. I know that a meeting was held last evening with some 60 interior designers. Unfortunately I was unable to attend. Apparently the results of that meeting were favorable. But I really want to get on the record as saying that I'm sure the minister will not proceed with Bill 90 as long as he knows that concerns have not been properly addressed, and I'm sure that he will ensure that everyone does have the opportunity for input, as he did with that meeting last evening.

Thank you.

DR. BUCK: Mr. Speaker, I'd like to make a comment or two. I'd like to apologize to hon. members of the Assembly for missing the first part of the debate, but I was at a funeral. Therefore, I'd just like to say that some of the points that I make may have been covered, but I would still like to make them.

First of all, I would just like to bring to the attention of the government that we have two similar situations here. Last spring when we brought Bill 30 to this Assembly and were discussing the engineering and architects Acts, they were held over the summer. In fairness, the government said, we will hold these two Bills over until the fall so we can have representation.

Mr. Speaker, I sat on that side of the House, and I know the subtle mechanisms we use when we want to put something through that may not be too popular. When the pressure is there to hold the Bill and all the antis are well organized, you withdraw the Bill. Then you bring it back in very, very smoothly under a new number. By the time the forces get all their members together to fight big government to hold the Bill until the spring so they have further representation, you bring the Bill in very quickly and slip it through. If I've learned anything in this Assembly, sitting on the government side and then on this side, it is that when a minister comes to caucus or to the Assembly and tells you it's a very subtle, small change: beware.

MR. NOTLEY: Watch out.

DR. BUCK: Watch out.

So Mr. Speaker, I'm accusing the government of . . . [interjection] The government, Eric. Don't you know that

you're a government member? [interjections] I realize the caucus doesn't have much input, Mr. Speaker.

MR. NOTLEY: Even though they're a government of 73, Walt.

DR. BUCK: I realize that. The Bill has just been in for such a short time. Even the hon. Member for Calgary Mountain View says, hold the Bill, maybe there is a problem. There's nothing that pressing in this Legislature.

MR. KUSHNER: Point of order. I didn't relate that I wanted to hold the Bill. I just mentioned that I knew the minister would be concerned and would be addressing the problems of the interior designers. I didn't say I would like to have the Bill held.

DR. BUCK: Well, Mr. Speaker, that's typical of Tory backbenchers; they get a little heat on and they start backing off. That's not the first instance in this Assembly where backbenchers have had representation made to them. I don't have 35 minutes, but I could go on for the whole 35 minutes saying where representations were made to both sides of the House, and the government members didn't have the jam to stand up and oppose the legislation. So let's not get into that argument.

Mr. Speaker, the representation I am making to the Assembly is that we shouldn't put this Bill through, because at this time many ramifications are not popular. The point was brought up by the interior design people, the architects themselves, and the engineers' representation. I would like to know, what is the big hurry? What is the difference of four months?

I know this government likes to have everything nice and tidy, because there may be an opportunity for other people to make representations and say, hold the Bill. But if we can ram it through in basically three days, that's neat and tidy all right. Then we have the gall to talk about unilateral action that goes on in Ottawa . . . That's different; that's arrogant when they do it in Ottawa. When we do it here, that's fine; we have strong government.

The case I'm making to the Assembly is to hold the Bill and bring it back in the spring. If it's that good, there'll be no problem. We all know that when the weather starts getting 30 below zero and Christmas is coming, nothing is going to happen for the next three months anyway. I'm saying to the hon. Minister of Housing and Public Works, hold the Bill until spring. It's just that simple. Then the people who have questions to ask of this Assembly and of the minister can ask them. I'm saying to the hon. members of the Assembly, hold the Bill until the spring session.

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

HON. MEMBERS: Agreed.

MR. CHAMBERS: Thank you, Mr. Speaker. I'll try to respond to some of the comments made, presuming I can read my handwriting well enough.

I would point out that the Member for Edmonton Norwood and the legislative committee worked on that report for some years, and it was tabled in the Legislative Assembly. In the spring of '78, a policy document with respect to professions and occupations was tabled. Then in the spring of '79, The Architects Act, 1979, Bill 31, was

introduced. It was intended to be allowed to hang over the summer. Eventually it was allowed to die on the Order Paper, with the idea that we would get input and everybody would have a chance to look at it. Everybody did. We had many representations from many different organizations, and they were all considered at great length. Therefore, I think Bill 90 today really is the end point of many, many years of effort in this regard.

I and some of my friends in the architectural profession aren't getting any younger, and if we keep holding this Bill over, they may retire and no longer be able to practise. I think after all these years — 1909 or 1908, whenever the original Act — I think they really deserve new legislation. Frankly, I think an awful lot of effort, work, and thought has gone into this legislation. It sat for a very long time; it's had input from many sources and many people. I really think it actually is in good form today. Two or three minor amendments will be introduced in committee. If we find anything that needs to be amended in the future, we can always amend it. That's what this Legislature is all about. So I would really urge members to recognize that the time has finally come to give the architects their new legislation.

With regard to the interior designers, the problem there was really communication. I think they really hadn't fully understood what we're trying to achieve. I'm sorry, the Member for Edmonton Norwood just stepped out, but they really don't have their own legislation as such. They operate under a private Act, not responsible to a minister, so they don't have professional legislation as such. They perform a terrific service. They still should and, I think, want to have their own Act and their own definition of their profession in the future.

You know, the term is broadly used. It can range from people with perhaps very little formal training at all who do a very good job in the area of furniture layout or something, all the way to significant interior renovations. It is a broad area. I'm sure the educational backgrounds range from very little formal education to four-year degrees and so forth. I think they're also very deserving of their own legislation. But given that they don't have legislation responsible to a minister in this House, it was felt the proper way to assist the interior designers and to protect the public — we have to remember the protection of the public, the integrity of structures — was therefore to define a scope of practice for the interior designers.

We thought this should best be done through regulations of the Association of Architects. They very generously agreed to take on the effort to meet with the interior designers, work out areas of practice, and then bring forth in the regulations what these areas of practice would be. I would remind the House that these regulations are subject to approval by the minister. Furthermore, there are consequential changes to regulations, if you like, from the building standards Act, that again require approval by the Minister of Labour. So there's a lot of protection built in there. Once this was all explained to the interior designers last night by my deputy minister — I'm quoting from memory here, but I think of 130 registered designers in town, some 65 attended the meeting. Having had the situation explained to them, they found this very acceptable. I received a letter from their association today endorsing what we are doing, saying they were completely satisfied with it. I think members can rest assured that the interior designers are supportive of this Act and what we're doing in this area.

I don't know if there are any other concerns I didn't address. I hadn't really appreciated the — I wouldn't say

devious — but the process outlined by my good friend from Clover Bar about holding something to the last minute, then letting it slip through. I learned a lot from that. I thought that was great. I'll try to use that in the future.

DR. BUCK: You must have been sleeping through cabinet, Tom.

MR. CHAMBERS: That must have been the way it used to be done, Walter. Mr. Speaker, I appreciate getting that advice anyway . . .

I really hope I have answered all the questions of the members. Should I have missed any, I'm sure we can cover them at the committee stage.

Thank you.

[Motion carried; Bill 90 read a second time]

Point of Privilege

MR. SPEAKER: If I might just interrupt for a moment, a point of privilege has been raised by the hon. Member for Clover Bar — I noticed he was prevented from being here earlier this afternoon — with regard to some statements made in a leaflet dealing with the Farmers' Advocate, indicating he had been appointed by the Legislative Assembly. I didn't look into the statements to see whether they were true nor inquire whether the point of privilege had been raised at the first opportunity, as required. But the pamphlet has been amended, and I assume that disposes of the matter.

Bill 93 The Workers' Compensation Amendment Act, 1980

MR. DIACHUK: Mr. Speaker, I move second reading of Bill 93, The Workers' Compensation Amendment Act, 1980. In moving second reading, I wish to review some history of the review process and to assure all members of the Assembly that immediately on Friday, the first day my staff was able to, we mailed a copy of Bill 93 to all individuals and groups who made submissions to the select committee and subsequent to the tabling of the select committee report this spring.

Yes, during the moving of Motion 12 on May 22, some brief comments were made in answer to my position. I said I was interested in comments from many of my colleagues because I hope to be able to bring forth amendments to The Workers' Compensation Act in the fall sitting. We are still doing this.

I also want to recognize some of the support given to me by two members who managed to speak on Motion No. 12. Mr. Speaker, at this time I hope members of the Assembly appreciate that Motion No. 12 was not given an opportunity to be debated further, but I would welcome any comments at this time during debate on Bill No. 93.

The hon. Member for Clover Bar said that evening, if I may reflect from *Hansard*:

It will be the responsibility of the government to listen to the submissions this summer, and out of those submissions the government, in its wisdom, will decide which of the recommendations we have presented to the Assembly will be implemented.

It was good to receive the support from the loyal opposition because that was what I have been doing over the

summer with my staff.

The hon. Member for Spirit River-Fairview indicated, and I repeat from *Hansard*:

I want to say that I think the hon. minister did a really first-rate job chairing the select committee over the almost one year . . .

He did add a little more in there, something about a Beverly nomination or election, but I won't worry about it at this time. However, of interest in his closing remarks that evening was:

I think one of the most important recommendations we've made — and I hope hon. members, especially from the rural areas, will make an effort to sit down with their constituents over the summer — is that we asked all farm organizations in this province to consider this question of compensation before September 1, 1981 — not in an abstract sense, but come to grips with it — and get back to the minister with some recommendations on how they see us moving forward with a voluntary compensation plan.

If that was acceptable to the hon. Member for Spirit River-Fairview, it should be acceptable to the rest of the industry that has been meeting with me over the summer. Because of that input we are only proceeding with the monetary items this fall; I still have some appointments to meet with groups later this fall on the select committee recommendations.

To date, since the tabling of the report on April 14, I've held 21 meetings and numerous correspondence. Many of the pieces of correspondence I received did not request an opportunity to meet with me, but my staff immediately proceeded to invite the writers to come and review their concerns in a discussion.

The review of the benefits has been ongoing in this Legislature previous to our government. But the review made in 1973 was carried out by this government in order to provide the recipients of income in lieu of work-related injury or disability. This has been done on a yearly basis in order to keep pace with inflation and monetary needs. The recommendations in Bill 93 are to be in effect as of January 1, 1981. The last increase was July 1, 1979: much overdue, but I believe still in sufficient time to provide the workers of Alberta with suitable income to replace their loss of income because of injuries.

I want to share something with members of the Assembly. Reviews on compensation are ongoing in Canada. Just today I received a summary of a report tabled in Ontario on their workers' compensation. They have recommended in that province to make some really drastic and major changes, major in that they are recommending the ceiling average industrial wage be increased, really moving the maximum to \$40,000 a year; however, at the same time, what I would say is regressive step in the structure of the decision-making in workers' compensation. They have recommended a new independent and tripartite set-up which would deal with all claims, really what we saw in Britain. I hope that, when we get copies of that report and when anybody is interested they would take an interest in that report. Some of the changes of that province are dramatic but some are questionable.

The other matter I would like to just touch on here was the Speech from the Throne in the United Kingdom. A brief summary: government will propose measures to improve pensions, war pensions, and other social security benefits will be increased on November 24 and reviewed again next year. Legislation will be brought forward to place a duty on employers to provide sick pay for their employees during the early weeks of sickness. We were

advised when we were in Britain that they were looking at a program where a worker would receive either sick pay or compensation in lieu of injury or disability, for the first 26 months; in other words, a 26-month waiting period. Our select committee report has received a lot of attention because of the recommendation of a three-day continuation of income by the employer.

Mr. Speaker, in Bill 93 the first proposal, compensation for dependants of a deceased worker, is really part of the recommendation of the select committee. If I may just reflect on the wording:

Where the worker dies as the result of an accident leaving no dependent spouse or where the dependent spouse subsequently dies, the pension contemplated . . . shall be paid to the estate of the deceased worker, or deceased dependent spouse, until such time that the youngest child reaches the age of eighteen years whereupon the termination lump sums outlined in (i)(c) shall be paid.

It's a new approach that would provide the dependent underage child with the same benefits from a one-parent household. Under the present legislation, we do not have any benefit for a child other than the child's allowance. This amendment would provide for the child to the estate until the child reaches the age of majority, the same as if the child's other parent would have been living.

Another area I wanted to touch on in the amendment would be the supplement for pensioners with 50 per cent or greater disability. That is out of recommendation 7 and would bring to the 1980 level many of the pensioners who are receiving 50 per cent disability or more. It was worded:

That where a worker is in receipt of a permanent disability award of 50 per cent of total or greater a supplement shall be paid to age 65 years which, together with the pension award, shall provide a monthly amount equal to that which would have been payable had the scale of compensation in force in the year 1980 been in effect during the year of occurrence of the accident in regard to which the pension was awarded. The cost of this amendment to be charged to industry and amortized over a ten year period.

I'm advised that to fund that supplement to the workers would cost approximately 1 per cent of the present assessment.

Mr. Speaker, I believe many of the recommendations would be debated more appropriately item by item in the committee stage.

Thank you very much.

MR. NOTLEY: Mr. Speaker, I want to make several observations with respect to Bill 93 before the House. First of all, I enjoyed the hon. minister's reference to *Hansard*, where he drew from both the comments of hon. Member for Clover Bar and my comments. Might I just repeat again for the record that during the course of almost a year, I guess it was, I think the hon. minister did an excellent job in chairing the special Select Committee on Workers' Compensation. He's to be commended for that.

However, the issue before us today is not the commendable work he did as chairman of the special select committee, but rather the pace at which we're going to see some positive response on the numerous recommendations contained in the committee report. Mr. Speaker, when I see the undue haste this government uses in dealing with certain types of legislation, changes we've

seen, for example, in both the Labour Act and The Employment Standards Act. I contrast that with the rather leisurely approach we're taking to the recommendations of the special select committee. I just have to draw to the members' attention that there seems to be a definite difference in approach between some legislation which is pressed ahead with a damn the torpedoes approach, and other legislation where we go back and discuss and discuss and discuss. I'm not sure whether we can take the example of the Scott poem about Mackenzie King, that he would pile a parliamentary committee on top of a royal commission to deal with this case. We already have, if not the parliamentary committee, at least the legislative committee. I hope we're not now going to appoint a royal commission to examine further the select committee report before we do anything about it.

Mr. Speaker, I want to deal with four aspects. First of all, starting with the point that the minister closed with and that's the new Section 53.1:

Notwithstanding Section 53 . . . after January 1, 1981, an injured person receiving compensation for

- (a) permanent disability, or
- (b) permanent partial disability, if the degree of disability in aggregate is at least 50%,

shall, until he reaches the age of 65 years be granted an additional supplement . . .

I am pleased to see the government move on that recommendation.

Now three other brief comments. The first is that while members may be patting themselves on the back for a 20 per cent increase in benefits, I think we have to put this in context. The last time we adjusted benefits, it was not for a period of a year but for 18 months. The increase in benefits at that time was only 10 per cent. So in fact if you computed that increase over a yearly basis, you're not looking at a significant amount at all, but a 6.7 per cent increase which would not have kept pace with inflation. While the increase here has been given a good deal of publicity, it has to be examined in the context of a rather parsimonious increase the last time the Legislature dealt with the issue.

The second area I want to deal with . . .

MR. COOK: Mr. Speaker, on a point of order. Would the hon. member care to offer the Assembly some arithmetic on that 6.7 per cent summary of his . . . [interjections]

MR. NOTLEY: I would love to be able to educate the hon. member in a number of areas, including mathematics and arithmetic, but I don't think I have the time this afternoon even to begin that process. However if he wants to do his own arithmetic, I am sure that if he gets out his little slide rule, he'll come to the same conclusion I do.

DR. BUCK: He's the constitutional expert, no?

MR. NOTLEY: I think he's the campaign expert for Jimmy Carter. As a matter of fact, Mr. Speaker, all three opposition parties would like to see the hon. Member for Edmonton Glengarry manage the Progressive Conservative campaign in the next provincial election. [interjections]

Mr. Speaker, to get back with the issue at hand here, the question that really . . .

MR. COOK: Mr. Speaker, if the hon. member would like me to volunteer to manage his campaign, I'd be glad to manage it.

MR. NOTLEY: Mr. Speaker, getting back to the issue at hand here, the principle contained in this Bill is to increase the ceilings to \$22,000, which on the basis of the pension is going to be an improvement but not anything like the recommendation contained in the special select committee report. I'd just like to draw hon. members' attention to that recommendation:

That the basis of compensation payable for temporary and permanent injury and for death be based on 90% of net wages. That net wages be defined as gross earnings less deductions for federal and provincial income tax, Canada Pension Plan, Unemployment Insurance and Alberta Health Care Insurance.

We have the hon. minister advising us that Ontario was suggesting a new ceiling of \$40,000. Mr. Speaker, the special select committee gave some considerable time to discussing this business of the net income approach as opposed to a modest increase in ceilings. I think the argument was made that workers' compensation is basically a bargain. It's a contract, if you like: on one hand, the worker gives up the right to sue, so the employer doesn't face the possibility of suit in the courts; on the other hand, in return for giving up that right of suit, compensation is paid on the basis of, as much as is possible, a reasonable remuneration to pick up wages or salary lost as a consequence of injury.

Now, Mr. Speaker, what has happened — and members well know this — is that we've seen wage increases in the last few years where earnings are substantially above \$22,000, especially in our skilled trades. I'm sure that's one of the reasons the Ontario committee is moving to the recommendation of \$40,000 earnings. Twenty-two thousand dollars is at best a stop-gap approach.

I would hope that when the hon. minister takes the opportunity to conclude debate we would at this point in time have some review by him of where the government sits with respect to recommendation 2. Is this \$22,000 ceiling an indication that we're going to drop recommendation 2? Mr. Speaker, there's no question that there is pressure on the part of some people. I've certainly had representation made to me about recommendation 2. I happen to think recommendation 2 is a good one and that it's consistent with the principle of workers' compensation. I would hate to see the government caving in to pressure on that score, because in my judgment that recommendation is one of the more important ones.

I notice that burial expenses are increased. But again, Mr. Speaker, the recommendation of the special select committee was that we put this sort of thing in regulation. Normally I think we should be specifying things in legislation, but when it comes to costs that are going to rise, I don't think it's practical to come forward with an amendment in the Legislature with respect to burial expenses. While the increase is from \$600 to \$1,200, as I recall some of the submissions made to the committee, I don't think \$1,200 is going to be an adequate amount.

But in any event I would ask the minister why the government didn't take what was a relatively simple proposal of the select committee and say, all right, this is the sort of thing we will determine by regulation. While the role of the Legislature is very clearly to set out basic principles, the question of whether burial expenses are \$1,200, \$1,300, or \$1,500 is clearly the sort of thing that

should be done by regulation. As I recall, that was one of the unanimous recommendations of the select committee. So perhaps the minister, in concluding the debate, could advise us on just where the government stands on that aspect.

Finally, I applaud the action to prepare a position paper on compensation with respect to rural Alberta. There's no question, Mr. Speaker, that as farmers begin to realize that they are now in a position where they can be sued and that their net worth is sufficient that a suit could very well cripple them, I think it's time to begin making more clearly than we have before the case for the application of workers' compensation. I think we have to look at the rate. At this stage the rate is too high. I think the rate is based on the experience of a very small number of high-risk farmers. It seems to me if that were spread over a larger number, we would be able to look at a much more reasonable rate. But we have gotten to the point where there are very few farmers, especially those who've been in business for even the last five years, who don't have assets on paper that would make them eminently sueable, should there be a farm accident and an employee injured during the course of his work.

So it just isn't good enough to pass this by, as I think we have in the past. One of the recommendations of the select committee, Mr. Speaker, was very strongly supported by all members; that is, that we underline the importance to rural Albertans generally, but the farm organizations specifically, to address this question of a system of voluntary compensation for farmers.

MR. PAHL: Mr. Speaker, in rising to speak on second reading of this Bill, I would like to have the minister address one specific question in his closing remarks. I noted amongst the select committee a lot of congratulations for the hard work they've done; I just don't think there was quite enough congratulations for the bureaucrat who did the spoon-feeding of this committee. With great respect to all members in the House, I just think they perhaps swallowed a little more than they should have of what the bureaucrat put in front of them.

Mr. Speaker, I think the hon. Member for Spirit River-Fairview, in true socialist tradition, is just very good at spending someone else's money. I think we all should remember that The Workers' Compensation Act is supported by the employers. Granted, workers rescind their right to lawsuit, and that presents some special obligations for this Assembly, but I think when members of this Assembly are criticizing the government for perhaps less than the measure of haste they would like, I think that principle of who pays the bill should somehow be brought to mind.

In making that comment, Mr. Speaker, with Bill 93, the amendment before this House — I support completely the concept of providing more funds to the casualties of the industrial activity in our province and some merit in extending those to casualties in the rural area, but I think we should keep in mind that there is a fiscal responsibility and that it should be addressed.

To that extent I would perhaps ask the minister if in his summary remarks he might just indicate what the 1 per cent average cost is per employer or per claimant, or in terms of the total absolute numbers that would be developed in the course of responding to these and other proposed amendments.

Thank you.

MR. COOK: Mr. Speaker, I wonder if I might also rise and participate in the debate on second reading. I'd like to make two points.

First of all I'd like to respond to the remarks of my colleague from Edmonton Mill Woods. I promise to be very brief. Hon. member, I don't think it's fair to say that, for example, the members for MacLeod, Edson, Hinton, or St. Albert were spoon-fed by a bureaucrat. I think the report was created after a lot of concern and research. I think the minister, the board members, and the committee of which I was honored to be a member did a lot of hard work and soul-searching before they had the recommendations brought forward.

Mr. Speaker, I think as well that the Member for Spirit River-Fairview does a disservice in trying to raise the spectre that the report will not be dealt with in good faith. I can appreciate that he's trying to relate to a particular constituency, hold himself up as the defender of the faith, and that the members on the government side of the House are not going to respond unless he forces us to. That's further from the truth than I care to mention.

I think it's fair to say that in this government caucus we have a lot of very concerned and articulate spokesmen for this report. A lot of people have a lot of emotional investment in the report changes. There are some philosophy changes in there. We are putting much more emphasis on rehabilitation than compensation, and I think that's a good move. We're also recognizing that industry contributions — and the Member for Edmonton Mill Woods should recognize this — are passed on to the consumer and as such are a charge on society and not on industry in particular. We all pay for it when we go into the shopping centre.

So I'd like to support the Bill and point out that there will be some policy changes next spring. I'd like to conclude my comments with the suggestion that the hon. Member for Spirit River-Fairview does a disservice and, I think, is somewhat dishonest in doing that. [interjections]

DR. REID: Mr. Speaker, I wasn't going to say very much about this Bill, but I remember adjourning debate on the hon. minister's motion at the end of the spring sitting. I realize I'm going to be a little short on time again, and I would suggest we adjourn the debate at this time.

[The House recessed at 5:30 p.m. and resumed at 8 p.m.]

[Mr. Appleby in the Chair]

MR. CRAWFORD: Mr. Speaker, I wonder if I might have the leave of the Assembly to revert to Notices of Motions?

HON. MEMBERS: Agreed.

head: NOTICES OF MOTIONS

MR. CRAWFORD: Thank you. Mr. Speaker, I'd like to give oral notice of a motion as follows:

Be it resolved that

1. A select special committee of this Assembly be estab-

lished to explore constitutional and related issues with members of other provincial Legislatures, to gain knowledge of the points of view in other jurisdictions and help convey the position taken by this Legislative Assembly as reflected in the resolution on Government Motion No. 24 dated November 24, 1980, to other parts of Canada.

2. The committee shall consist of the following members:
 Hon. G. Amerongen, Chairman
 D. Anderson
 F. Bradley
 R. Clark
 Dr. I. Reid
 C. Stewart
3. Members of the committee shall be paid in accordance with Section 59(1) of The Legislative Assembly Act.
4. Reasonable disbursements by the committee for staff assistance, equipment and supplies, public information needs, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chairman.
5. In carrying out its responsibilities, the committee may, with the concurrence of the head of a department, utilize the services of members of the public service employed in that department or of the staff employed by the Assembly.
6. The committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued.
7. When its work has been completed, the committee shall report to the Assembly if it is then sitting, and may release its report during a period when the Assembly is adjourned or prorogued by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

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

Bill 93
The Workers' Compensation
Amendment Act, 1980
(continued)

DR. REID: Mr. Speaker, maybe this time around the batting order will enable me to complete my remarks and take an active part rather than just stand up and adjourn the debate.

Before making some remarks on Bill 93 and indirectly on Motion No. 12, by the hon. Minister responsible for Workers' Health, Safety and Compensation, I'd like to make some comments on the matters introduced into the debate by the Member for Edmonton Mill Woods. During the intermission I remarked to him that some attitudes might be regarded as Neanderthal, but I wouldn't like that to go into the record, Mr. Speaker.

The concept of workers' compensation as we have it was introduced into modern society during the Industrial Revolution by that eminent politician, Bismarck. The whole concept was based on no fault, liability, legal fees, or litigation. It involved some loss of the normal legal rights of both the employee and the employer. Along with those losses went the concept I have mentioned.

The system has been developed by an evolutionary process over some 100 years. Having studied, in the course of the Select Committee on Workers' Compensation, the alternatives to the Bismarck type of approach in

the United States of America and in Great Britain, I wholeheartedly approve of the system that has been developed with the passage of time, based on those initial concepts.

I also have to make some remarks about where the eventual costs hit somebody's pocketbook. Inevitably, the eventual consumer of the product is the one who is going to pay the bill. They can either pay it via their workers' compensation system and the dues paid by the employer to the compensation board, or via the tort system of legal action. If neither of these is available, of course they can pay it via the social services programs. But it doesn't matter; eventually it comes out of the pocket of a consumer.

A further point I would like to make is that having visited Germany, Sweden, and Great Britain with the committee and having looked into the whole operation of workers' compensation, I am reasonably well convinced that those employers who for whatever reason run a good accident prevention and health maintenance program seem also, by some chance, to run efficient organizations in other ways, and seem to benefit themselves as well as the eventual consumer who would pay the cost of the accidents or illnesses that are avoided.

To get back to the Bill, the motion, and the report of the select committee. Mr. Speaker, on the select committee we worked hard. We had a lot of education. Most of us ended up knowing much more about the total system than before. We also had some play when we were abroad, usually led by the hon. minister, who seemed to be able to find some Ukrainian group in every community we went to. I think the members for Spirit River-Fairview and Clover Bar enjoyed themselves as well. They also contributed just as much as anybody else. I know I ended up with much more respect for the members of this Assembly, the way they can work together for the common good of the people we represent in this Assembly.

The report of the select committee was a major document. It had some rather innovative recommendations. It made some recommendations for major change in the system as it is applied in this province. From my standpoint as a doctor who has looked after injured workers and has had a great interest in pulmonary disease associated with dusty environments, the greatest benefit of the report I can see is that when it is implemented it will address rehabilitation rather than the straight handing out of dollars and compensation, and in particular will address the problem of the prevention of accidents and occupational disease wherever possible.

Therefore some of the recommendations require considerable consideration before they can be legally implemented by enabling legislation in this Legislature. I am sure the hon. Member for Spirit River-Fairview would not want his work and input wasted by inadequate legislation subsequent to the report.

The other factor that comes into this is the amount of input received subsequent to publication of the report: the responses of employers, employees, their union groups, safety officers, and others. This indicates a tremendous amount of interest engendered by the report when it was issued. Those responses may very well raise valid points that in some cases outweigh the information we based our recommendations upon. Perhaps the problem is that the report was so major and innovative that we got more response than we had anticipated. Perhaps it is to some extent the committee's fault for having done such a good job that we have had so much response.

Mr. Speaker, I would like to address just a few more remarks. Some of the recommendations of the report are included in the Bill presented by the hon. minister. For instance, Section 4 follows Recommendation 5 of the report almost word for word. Section 11 of the amendment Act follows Recommendation No. 7. I'm not going into the details of the sections and recommendations, because they are already on record.

Like the hon. Member for Spirit River-Fairview, I would like to see more of our recommendations implemented at this time, but I'm prepared to wait and have the minister and his department complete the follow-up so the implementation of the recommendations that are accepted and can be introduced into legislation will be done with the same thoroughness and will embody the same philosophies that went into the report.

My interest is personal, as a doctor who has looked after patients who were injured or became ill as a result of industrial exposure. My constituency of Edson is highly industrialized, with coal mines, a pulp mill, railroad workers, bush workers, and oil and gas exploration and development. Because of the oil, gas, and coal industries, there is possibly a greater interest in industrial health and occupational disease than in many other constituencies. I'm sure I can persuade the constituents of Edson that it is going to be worth waiting for the eventual total implementation of as many as possible of the recommendations in that select committee report, to do the job properly and complete what we started in a thorough manner.

Thank you.

MR. LITTLE: Mr. Speaker, I had not planned to make any remarks on this Bill, but I too was persuaded to respond to the minister for Edmonton Mill Woods.

I would like to congratulate the minister for the excellent manner in which he chaired this committee, and I would also like to thank the bureaucrats who gave us a great deal of information. I found it a most meaningful experience and a great education. Mr. Speaker, if being persuaded is being conned, I've got to plead guilty to being conned. I was conned on a number of occasions when I visited rehabilitation centres. I was conned by seeing young men in the prime of life minus a limb, a hand, an arm, a leg, or suffering from disfiguring burns. I remember a few years ago, Mr. Speaker, being conned by a blind man who had lost his sight in an industrial accident and who was trying to get by, raising a family of five on a meager workers' compensation pension of just over \$500.

I'm extremely happy to find that by virtue of Section 53 of the new amendments, he will have his income raised to \$1,143 per month. Possibly he will find it a little easier to raise that family. I am happy to see the substantial increases in a good number of these areas. I appreciate that there are always persons who try to beat the system — I've met them. There are people who try to beat the system, and there are people who beat the system successfully. But that can never excuse not looking after the genuine properly.

Mr. Speaker, I would suggest that money alone can never compensate for some of the injuries this committee witnessed in these rehabilitation centres. We're bound to face criticisms. In fact I've heard remarks that the report is tinged with socialism. But I'm persuaded the changes will not only benefit the worker but ultimately result in a safer, happier, and therefore more productive work place.

I congratulate the minister for the efforts he has put into this.

MRS. FYFE: Mr. Speaker, I also could perhaps have waited until committee study, but after the comments this afternoon I felt it would be important for the members of the committee, who did work very many hours together, to participate in second reading.

I found it interesting this afternoon when, on a previous Bill, it was suggested that perhaps we should wait until spring. Don't pass the Bill now; wait until later on; get more input. On the other hand, when we're talking about this one, don't wait for spring; don't get more input; let's pass it now. So it's six of one and half a dozen of the other when you're trying to wait for the maximum amount of input from the public.

I think what this committee did under the Minister responsible for Workers' Health, Safety and Compensation was to gather information from all segments of our work force and the workplace. We listened to many, many submissions from employer groups, labor groups. We listened to professionals. We invited professionals to come to this province to meet with them. We sent the members of our committee to literally all corners of the world to look at systems that were in place. In England we visited with representatives of the Pearson commission that had done an extensive study into workers' compensation and worker's safety programs throughout the world. We feel that by this very extensive program we were able to gather an enormous amount of information. To take all this information and come up with some meaningful recommendations was not an easy process. In fact it was a very difficult process. I think members of the committee appreciated the help given to them by professionals who work within the Workers' Compensation Board, the section that falls under the minister.

But I can assure the Member for Edmonton Mill Woods that we were not spoon-fed. I really take that as an insult, because I think we all come here with a certain amount of background and expertise. In areas where perhaps we did not have the personal background, we looked to many other areas. We did an enormous amount of reading and sifted through an enormous amount of input from all sorts of groups with vested interests.

As the Member for Calgary McCall has suggested, you can't help but be moved to see a 19-year-old boy with one leg sitting and waiting to go into rehabilitation. Waiting, waiting, waiting. Maybe that's the key. Waiting for something to happen in his life, something that will never make him the same as he was before his accident. What did he give up? What does the worker give up? In the very first session we had, and it was repeated over and over and over again throughout all our sessions, what does the worker give up? I think it's very important to realize what the worker gives up. He gives up his right to litigation. Even though there was no fault on his part that there was an accident and it was someone else's fault, he does not have that right to seek compensation in the courts. We've taken something very great away from the worker.

What about the employer, the employer who has to pay? Yes, each one of us recognizes that the employer does have to pay for this program. I think it is less costly in the long run compared to programs that exist in other parts of the world. But what the employer gets is protection; protection from suit, protection from high insurance costs he would have to pay out.

As a committee we looked at a system that would provide the maximum amount of coverage to the worker

and compensation for injuries that occur, whether they are small, large, or a fatality, to try to provide some form of compensation. We as a committee don't come back and say we have all the answers for what a life is worth. We don't come back with moral kinds of judgments. What we tried to do was to take this massive amount of information and make recommendations that we thought were fair.

I believe the key word in this is "balance". Maybe that's a key word in life. There's always a balance between the extremities on either side of the argument. We tried to come forward with an argument that was fair for both sides. I hope the members will review the recommendations in light of that balance, not just of what may be profits on one side or only the rights of the worker on the other, but within a climate.

When I was speaking yesterday, I mentioned that climate is very important. Climate's important for investment and also important in the workplace. If we don't have a climate that has motivation for the worker and employer, motivation for safety in that workplace, then maybe we will continue on the same road as we have in Alberta, which has been a rather high percentage of accidents in the workplace. Through our recommendations we are trying to improve that safety standard, to provide some incentives for those who are injured to be rehabilitated, and to get the dependents of workers who have been fatally injured motivated so they will become meaningful participants in our society and not totally dependent.

With those brief words, Mr. Speaker, I would also like to commend the minister. I say very sincerely that I enjoyed serving on this committee. I learned far more than I brought to it, but I hope I was able to participate and perhaps provide a point of view none of the other members could, simply from the point of view of gender. It was a very meaningful year's work, and I think our minister, who chaired the committee, did an admirable job in providing us with all the information we needed and with leadership. I hope that all members of the Assembly will very seriously consider the report and the recommendations in this Bill tonight.

Thank you, Mr. Speaker.

MR. FJORDBOTTEN: Mr. Speaker, I am pleased to rise in my place today and support this Bill also. I would like to concur with the hon. members who spoke before me, in saying what a terrific job the hon. minister did in chairing the select committee. I agree with the Member for Edson, who said he did find a Ukrainian in every community, and it was great. Because of that we learned words when we were in Germany like *berufsgenossenschaften*, which is double the number of letters my name has, and it has to be a good word when it's that big.

I have to say the hon. Member for Edmonton Mill Woods disturbed me a bit when he talked about being spoon-fed. I had no interest in workers' compensation at all; it wasn't a high priority item with me, and I knew nothing about it. At the beginning the experts who went over the Bill with us and explained all the problems there were in different areas — okay, I suppose I was spoon-fed on that. But I am an adult quite capable of making up my own mind, and I didn't appreciate the putdown. Because I think that when this Bill comes up it's a start on the select committee report, and a pretty significant step. All the members of the committee worked hard. I commend the Member for Spirit River-Fairview and the hon. Dr. Buck. I think they did a tremendous job and gave a lot to

the report that was brought out.

When we talk about workers and what's happening, I think the trip to Europe showed up in some of the good recommendations that were made. Because in Europe I learned more of what we shouldn't do than what we should. I think we have the capability in this province, with all the industrial — it could be like an industrial revolution going ahead in Alberta. The workers who are going to be working here deserve the very best. In Germany we saw that environmental control, medical facilities, many of the products they are working with, their accident prevention services, and everything they're doing there focusses in on trying to provide safe working conditions for the workers.

I think industry always benefits if the workers are happy, are working in safe conditions, and feel good about going to work. We can talk about a lot of things, and we wonder how important they are. Dollars are important to workers — really important to a worker who has been injured and lies there wondering what's going to happen. Under the compensation system, that's taken care of.

There's a more important factor in there, and I don't think anyone should miss it; that is, the rehabilitation of workers. Get them back on their feet; get them into another line of work if they're not capable of going back to the work they were in initially.

I'd like to support the Bill, and ask all members of the House to do so.

MR. MUSGREAVE: Mr. Speaker, I'm not a member of the committee, but I would like to support the Bill. I do it for perhaps a different reason. The other night I was walking downtown on Jasper Avenue at about 6 o'clock. There was a new building under construction. A young worker about 20 feet up in the air had a long hose that he was doing some sandblasting with. It was dark. In my opinion, the safety railing was inadequate, and there was a wind blowing. To me that was unsafe, and potentially a place where an accident could happen. I think anything we can do to improve working conditions . . . I'm still not convinced they're as good as they could be. I think we have a long way to go.

In the city of Calgary we get quite upset when a fireman or policeman is killed on duty. If you take the number of construction workers killed, I would suggest it probably averages about 10 times the number of people killed who serve in the police or fire departments.

I think we should support anything we can do in this regard. I think this Bill is a step in that direction. But I urge the minister not to rest on his laurels. The committee members said he did a fine job of chairing it. I agree, but I think there's still a lot of work to be done. I hope he will make sure it is done.

Thank you.

MR. GOGO: Mr. Speaker, I too am one of those who had no intention of speaking on Bill 93. I'm prompted to make some remarks when I hear some of the comments made in the House. I think we all know, as a result of Bill 75 going through committee without so much as a murmur, that really the motive of the Member for Edmonton Mill Woods was simply in some small way to generate a little interest in Bill 93. I don't believe for one moment he is of the opinion that his colleagues in this House were spoon-fed by any bureaucrat. I suggest he had the best of motives in that he said it to generate a little interest in the Assembly. I say that in all good

conscience.

Very quickly, Mr. Speaker, when I look at some of the work the committee has done and reported in their report . . . I think of just a couple. I think of the three pages of organizations they either had briefs from or talked to. I think that alone was a tremendous amount of work, and I see some of that is reflected in Bill 93. Secondly, when I consider that at least \$33 million or \$34 million is spent in health costs for workers' compensation which could be absorbed somewhere else, perhaps that should be reviewed. Instead of workers' compensation covering that, it could come under the normal medical care program of the province.

Finally, Mr. Speaker — and the Member for Macleod touched on it and the Member for Edson certainly mentioned it — the thrust of the Bill is really one of a positive nature; that is, it is directed toward the rehabilitation of those who have the great misfortune of being injured. In no way is it in intent that one should be a freeloader on our system. On the basis of the rehabilitation nature of the Bill and the positive encouragement toward those it affects, I would strongly support it.

Thank you.

DR. BUCK: Mr. Speaker, I did intend to get up. [interjections] I would like to say to the hon. minister who is piloting the Bill through the House that I hope this is just a small, first step in some legislation that is to be brought in as a result of the report that was tabled in the Legislature.

On the comment about the hon. Member for Edmonton Mill Woods — and I believe the member Mr. Little said "the minister". I would just like to say it's maybe a man who is polishing enough apples who wants to be a minister. [interjections] But what disturbs me is that this government caucus did not have the jam, the intestinal fortitude, to take the recommendation the committee came up with on the upper limits of compensation. To me, Mr. Speaker and Mr. Minister, it does not seem reasonable when a man who is a tradesman, making between \$30,000 and \$50,000 income at his job, gets only \$22,000 if he's totally disabled for any length of time. It seems that all of us, regardless of what walk of life we come from, are able to spend as much or more than we make. This applies to the tradesman who is making \$50,000 to \$60,000. He has most of those funds committed in one way or another, and it places him in great financial jeopardy if he is limited to \$22,000. When we listened to the hon. Member for Edmonton Mill Woods, maybe that gave us a window to what went on in caucus . . .

MR. NOTLEY: That's right. The truth will out, Milt.

DR. BUCK: . . . where we thought the bureaucrats were trying to lead the legislators. I'm saying that the caucus should have had some jam and gone with the recommendations of the committee.

First of all, nobody wants to get hurt. No laborer wants to lose a finger or a hand or be incapacitated. At the same time, nobody in management who is running a business wants to see an employee hurt. With Fort Saskatchewan being the petrochemical centre of the province, I know the interest the people in those plants have in workers' safety. They do not want to have their employees hurt, not because of the penalty that comes on them because of their premiums for workmen's compensation going up, but because they have a genuine interest

in the productivity of their employees and a moral concern not to have their employees hurt. Mr. Speaker, any time we think that people intentionally want to get hurt so they can collect compensation, as a committee we found that was not a fact.

We all know that there are slackers. We have them in all walks of life. We know people collect welfare who are not entitled to it. We know that very, very few people collect compensation who should not be entitled to it. But on the other hand, members of the healing arts, there's just no way you can prove if a man has a bad back or doesn't have a bad back. If the person can't go to work, I guess he has to be compensated. There are those borderline cases, and the members of the committee saw those.

Mr. Speaker, one area concerns me. I know we had quite an interesting discussion on this in our committee work. That is where a single person with no dependents becomes a fatality.

I was in contact with a mother and father of a young man. They said, you know, it's not that we want money. Our son was killed; it was an accident. It's not that we want money, but would the committee give some consideration to setting up a fund or something, just in memory of these young men and women who die in industrial accidents, and maybe make it for research or further research into the causes of fatalities. I think that would be an area we could look at. We realize it would be nothing more than token, but at least it would make us, as people and as parents, think that maybe our sons or daughters who did not have dependents were worth something to our society. I would just like to bring that to the attention of the minister.

In conclusion, Mr. Speaker and members of the Assembly: in our studies labor thinks management has too much clout, and management thinks labor has too much clout. In the recommendations labor says they should have more representation on the board; management says they should have more representation because they think labor has too much. But in fairness to the members of the board, I would like to say that they are dedicated people. I don't think they should stay on that long without our review. That was one of the recommendations too. I would like to think that it shouldn't be a sort of lifetime appointment, because if you're on five years and you get a five year extension, that's a pretty long stretch. Not that I am disagreeing with the appointments, because I certainly endorse the appointments of the people on the board. But that recommendation was made to us and I thought it merited some consideration, because the minister and Executive Council in their wisdom can make the recommendations. They know how politically sensitive an area it is, and they make recommendations of people they think can do the job. I know that once in a while they could be accused of some political bias, but I would never want to say that.

AN HON. MEMBER: Oh, no. Perish the thought.

DR. BUCK: Most of the time we pick people because we think they can do the job.

The last point I want to touch on and bring to the attention of members of the Assembly — I was mentioning petrochemical projects. You know, we sort of feel important in Alberta, that we're going to be the petrochemical centre of Canada and the world. But you feel a little bit humble when you go to the Bayer plant in Germany — you know, Bayer that used to make the aspirin until the Americans thought, well, we won the

war; we'll take the patent. There were 45,000 employees in that one plant. Within a mile, 15,000 others were associated with that plant. I believe 60,000 employees is probably more than we have in the entire petrochemical industry in this country.

So we thought we must feel a little humble. When the Premier gets carried away with his enthusiasm about making this the petrochemical centre of the world — one of the members, I forget who it was, said, you know, I think maybe we'll get as large as the Germans and the Japanese would like us to get. But they have tremendous petrochemical complexes over there. They are very efficient, very safety conscious. If I learned anything on that committee, members of the Assembly and Mr. Speaker, it is that we on that committee — and I'm sure members of this Assembly — are concerned about the safety of the worker in industrial job sites. The employer doesn't want to see anyone hurt, and the employee does not want to get hurt.

Mr. Speaker, I would like to say I support the Bill at this time, but I would certainly encourage the minister and the government to move more expeditiously in the spring session to implement some more of the recommendations of the committee report.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Does the hon. minister have leave to close the debate?

HON. MEMBERS: Agreed.

MR. DIACHUK: Mr. Speaker, some people might think I got my colleague from Edmonton Mill Woods to stir up the debate. Even if I didn't, I welcome the participation and want to thank the hon. member for his ability to get everybody to come out with their gloves on and spar with him for a moment.

I do want to make one correction. I believe when I spoke I referred to the British Speech from the Throne and commented that the proposal was to be 26 months. I should have said 26 weeks. Just for clarification, that worker under that proposed legislation would receive the minimum compensation for 26 weeks, after which time, if he is still disabled, he would be under a different program of social services and compensation in the United Kingdom.

Mr. Speaker, before I reflect on some of the comments, if I may I would like to recognize the chairman of the Workers' Compensation Board for Alberta, and two of his staff members, who are seated in the members gallery observing and listening in on the debate. I would invite members to give those distinguished and dedicated members of the system in Alberta the usual welcome to the Assembly.

The hon. Member for Spirit River-Fairview has raised a valid concern. I want to assure him that there is no intention for a royal commission to review the select committee recommendations. Definitely not. We feel we now have a report that must be dealt with and, as I indicated, give an opportunity to the employers and all parties interested to reflect on and review with me.

The percentages he referred to — really, it's the old story. My colleague from Edmonton Glengarry brought his mathematics to his attention. As a person who at one time was in social services, I reflect on it. The percentages aren't as important. It is what the worker takes home in take-home pay. I believe that Bill 93 will bring the workers to a more equitable compensation. I concede

that it isn't yet what I agreed and endorsed. As a member of the select committee, I still feel we will be giving every consideration possible to the recommendation to remove the ceiling and set a milestone in compensation in this country.

I think it is good also to review the report and with that, this is what has taken place tonight. If we had moved with the complete Workers' Compensation Act, the question of the bureau expense to be transferred to regulations would have happened. I can assure the hon. member that this is still the intention. With a complete new Bill in the spring session, my hope would be to transfer, as recommended in the select committee, some of those expenditures that need review more often than annually because of circumstances, and give the board flexibility. This would still be my hope and intention.

It was also interesting that the hon. Member for Spirit River-Fairview applauded the action that we want the agricultural section to provide some input in their participation. As I mentioned earlier in this Assembly, all organizations involved in agriculture, the lists provided to me from Alberta Agriculture or the Workers' Compensation Board, were mailed the position paper for discussions. I would encourage all members of the Assembly, as they come in contact with members of these organizations over the winter months, to encourage them to take that position paper seriously, and even would welcome the involvement of the members of this Assembly throughout Alberta as these organizations are reflecting.

My own background is from a farm in Two Hills, and I do share that we on the select committee were troubled that we couldn't come up with a solution for the greater participation of the agricultural community. Some were troubled even more than others. I would hope we can come up with a solution later in 1981. But as we felt we must give them more time, it isn't feasible to see it happen in time for the major Bill of 1981 that I still look forward to bringing forward.

As I indicated, the reflection of the hon. Member for Mill Woods on the bureaucrats spoon-feeding — I will just leave it that he brought the members to their feet here. I know that deep down he is a good supporter of good compensation programs, unless he surprises me by voting against any of the workers' compensation legislation. I doubt it. I am quite confident he will be supporting the legislation. [interjections]

In the excellent review the hon. Member for Edson made, recapping and reflecting the history of compensation back to the Bismarck era, it is true that whatever system we have is still shouldered by the consumer, whether it is from direct government revenues or social services. Because I know he was thinking about it and we've shared it many times, I just want to add that a disabled worker looks at his income being replaced through a workers' compensation program much more honorably than he does through a social services payment. We found that some of the unhappiness in the United Kingdom was reflected on that, because a lot of their programs are intertwined with social services. As a matter of fact, the proposed legislation in the Speech from the Throne was exactly that, that they would be now, for up to 26 weeks, on social services in the United Kingdom. I hope we never come to that. I know the hon. Member for Edson looked at this, even though he reflected on the fact that most systems are eventually shouldered by the consumer. I am confident that he shares with all of us that the injured worker would rather get his cheque under a title of the worker's compensation

cheque.

I do want to say that it appears the contact we made, particularly in West Germany, the Federal Republic of Germany, with the Ukrainian community — I want to share that on one occasion one gentleman was talking to me in Ukrainian and to Dr. Reid in German. That is one thing we found. Dr. Reid's fluency in German is very, very good. The hon. minister Mr. Horst Schmid is not here, but if he ever needs a Scotsman with a real fluency in German, I can always recommend Dr. Reid.

I know the hon. Member for Calgary McCall held back in some of his comments today. He was sincerely hopeful that we would be able to come up with a program of participation for the agricultural community and a program for the injured, disabled farm youth. In his involvement with the Canada Safety Council, he has so often shared with me, and I keep this in mind and hope he will continue to provide some input to members of this Assembly, that that sector of the population of Alberta, injured youths on farms, is not really getting a fair shake in rehabilitation.

We referred to the Member for St. Albert as "Mother Fyfe". That was a compliment because she often had a different approach. She reflected on it. When she was offended by the accusation of the hon. Member for Edmonton Mill Woods that she was being spoon-fed, I'll let those two resolve that after the sitting of the House tonight. I don't think I want to get in the middle of that. The emphasis and role of women in the work force was of interest to her in her participation. I want to say that we look forward to further review, possibly even in time, as she and I have shared, that if the board in Alberta is expanded, a female member would be added to that board. I'm sure the present three members would welcome that with an appointment. But that is something to consider for the future. I'm not suggesting that she resign to take on that job, because we'd miss her here.

In the comments from the hon. Member for Macleod, I thought he would get up and tell us about the tomahawk citizen on a 1929 De Soto. We used to enjoy that very much.

However, it was interesting to have him reflect on how a new member on a committee is properly briefed. Some people might wonder about that approach, but we took close to three days totally reviewing the present legislation, the regulations, and the operation of the board. That was done way before we took any hearings from the public. I was glad the hon. Member for Macleod touched on that, because it made everybody equally knowledgeable about the legislation.

I have to say that if the hon. Member for Calgary McKnight ever has another occasion where he questions the safe practice of a worker, as a citizen of Alberta he has some responsibility to let my officials know, because we don't want to have that worker injured. We might even create some award for citizens who would bring an unsafe practice to attention. I would like to say that it would be a pleasure to give that to the hon. Member for Calgary McKnight, because if he went past that construction site and didn't do anything about the unsafe practice, I would hope that next time he wouldn't by-pass an unsafe practice.

I don't want to by-pass the hon. Member for Lethbridge West because he sat in on a conference in Lethbridge that I participated in. A couple of the 21 groups I met since the tabling of the report were one of the Lethbridge Rotary clubs and the Lethbridge Chamber of Commerce. It was the beginning of some good discus-

sions, very good participation. I know that in his few words he mentioned we would welcome further input from the Lethbridge community. The Lethbridge Chamber of Commerce, rather than wait, was a mover and invited me down to have a workshop with them, and the discussion was excellent.

I don't know why my good friend from Clover Bar got so antagonistic when I paid a compliment to him in the early stages of my address, but I hope he doesn't really feel that the government caucus couldn't have the fortitude to move with the whole report. Unless he missed a point, in the spring he asked me to make sure that I listened to all the submissions. I don't want to repeat it, but I hope he looks at his own words, which I reflected on this afternoon. I just think it's unfortunate that he felt we still would have had enough time to move with a complete piece of legislation this fall.

I do welcome the reaffirming he presented here, that employers do not want to see workers getting injured. The example he used, where both employers and employees in his constituency are interested in the compensation program, is welcome. I hope that in further discussions he will be as positive as he was in the latter part of his presentation tonight.

With regard to setting up research in lieu of paying out a claim because there were no dependents, that was discussed. There are so many difficulties in how you would scale an award. I think the recent announcement I made with regard to the \$10 million fund would be exactly what he had in mind. I hope some contribution from all members of the Assembly toward some programs of research in education would offset his proposal that this would be accepted as an alternative in lieu of no pension because there were no dependents.

Mr. Speaker, before I get any more notes from my good colleagues, I want to say thank you for the participation. I look forward to further debate in committee and third reading.

[Motion carried; Bill 93 read a second time]

MR. DEPUTY SPEAKER: Before we proceed to the next order of business, I believe the hon. Member for Calgary Currie wishes to make an introduction. I don't know if his guests are still here.

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

MR. D. ANDERSON: Thank you very much, Mr. Speaker. I have the pleasure this evening of introducing to you and to members of this Legislature a gentleman I had the pleasure of having in my home some time ago. I might say he and the Young Progressive Conservative president managed to contribute significantly to the coffers of the Alberta Liquor Control Board through my particular cabinet. We are happy to have this gentleman back in the province today. He is Mr. Stewart Braddick, president of the British Columbia Young Progressive Conservative Association. He's accompanied by Randy Dawson, the Alberta Progressive Conservative Association president. They're both in the public gallery, and I'd ask them to rise and receive the welcome of the Assembly.

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

Bill 95
The Interpretation Act, 1980

MR. WOLSTENHOLME: Mr. Speaker, I move second reading of Bill No. 95, The Interpretation Act, 1980.

[Motion carried; Bill 95 read a second time]

Bill 96
The Engineering and Related
Professions Amendment Act, 1980

MR. CHAMBERS: Mr. Speaker, earlier this afternoon I had the opportunity to say a few words on Bill 90, The Architects Act, 1980. Again, I get a chance to stand before the House to speak briefly to the amendments to Bill 96, The Engineering and Related Professions Amendment Act, 1980. It's an enactment of the joint memorandum of agreement reached by the architects and engineers, and is really a mirror reflection of the provision for the joint agreement in The Architects Act, 1980. Being a mirror reflection, this Act provides for the establishment in The Department of Housing and Public Works Act of a joint board of practice to co-ordinate the areas of practice where there is some mutuality between architecture and engineering. Subject to the approval of the joint board, joint firms of architects and engineers may be established. Where a registered architect has historically and competently provided engineering services, permission may be granted to allow that professional to practise engineering with a restricted scope of practice, as recommended by the joint board and approved by the council of the association.

These are the major provisions of that memorandum. I think it would be unnecessarily redundant to go on at any great length about the importance of this agreement, but it is important to both the association and the people of Alberta.

Before closing, let me state that it is the government's intention to bring forward a new engineers, geologists, and geophysicists Act in the spring session of this House. In the meantime, as required, I bring forward this amendment.

MR. DEPUTY SPEAKER: I don't know if the hon. minister moved second reading of the Bill.

MR. CHAMBERS: I apologize, Mr. Speaker. I move second reading of Bill 96.

[Motion carried; Bill 96 read a second time]

Bill 97
The Police Amendment Act, 1980

MR. HARLE: Mr. Speaker, I move second reading of Bill 97, The Police Amendment Act, 1980.

As I indicated when introducing this Bill, the purpose is to be able to extend the eligibility of the present members of the Law Enforcement Appeal Board who have now completed the initial terms under Section 4(2). In view of the work that board has done, I think it's essential that it continue its work. The present chairman is of course a member of the judiciary, and as this board

performs a quasi-judicial function and judges serve for a considerable number of years, I see no reason why the limit in the present legislation should continue to exist.

The other amendment relates to a request I had from the chairman of the police commission in Calgary, who asked that the number who can be appointed to police commissions be increased. Of course the citizens who serve on this commission are doing a lot of voluntary work. With the demands placed on policemen today, and the interfacing necessary between a police force and a community, which is provided for by the police commissions, I think the option of the city council should be made available to increase the size of the police commissions so they can divide the work, appoint committees, and thereby extend the effectiveness of police forces in their respective communities.

[Motion carried; Bill 97 read a second time]

Bill 89
The Legislative Assembly
Amendment Act, 1980

MR. CRAWFORD: Mr. Speaker, I think all hon. members will agree that the recent changes made in The Legislative Assembly Act with, I believe, general concurrence among all members in regard to constituency offices, space, and service, have been useful indeed to hon. members, and advance the ability members have to serve their constituents in a very useful way. In making that comment, it's perhaps still topical to note that those recommendations came to us in their original form from the review board established under the chairmanship of Mr. Justice Miller last year, and that the Assembly acted upon the recommendations in the manner described.

Proposed now are basically changes making the original manner of describing the services available to members in this way a little more flexible and usable. The changes are not extensive, but they are important. At the time of introduction I mentioned that for urban members the possibility of having a constituency office that was not in the constituency was important. Because with as many constituencies as there are in Calgary and Edmonton, it may well be that members would want to share, in which case one would have to be outside his constituency; or even traffic patterns or the like might be such that it makes sense for a member to be, for example, across the street from his constituency. The previous wording of the Act wouldn't have allowed that, although the intention was the same.

There's a little more flexibility in the result as well, Mr. Speaker, in regard to the way in which services can be contracted for. All of this is for the purpose of making it more likely that members who choose to use this type of service now available to them will find it of more help in serving their constituents.

Mr. Speaker, I take pleasure in moving second reading of Bill No. 89, The Legislative Assembly Amendment Act, 1980.

MR. GOGO: Mr. Speaker, in speaking to Bill 89, I'd like to make one or two points. First, there is a select committee of this Legislature that deals with members' services, the Speaker of this House being the chairman. On behalf of members, they've reviewed sections of this Act and have found that in the recent time it's been in, as alluded and spoken to by the hon. House leader, the constituency offices as they are have been of great assist-

ance to members of this Assembly. After a year's trial it's not been found wanting as much as perhaps requiring some fine-tuning. For that reason, Section 2 of the amendment now spells out where members may be able to adjust that balance between the amount allowed for rental space with that of wages, but the aggregate hasn't changed.

The other point, and I think it's very significant, is that under no circumstances are contracts or arrangements entered into between a member of this Assembly and either a landlord or an employee. In fact that is all dealt with between the landlord of a premises or an employee who shall work for and on behalf of the member. But that's dealt with between the Clerk of the Legislative Assembly and the individual or the landlord. I think it's very important in understanding this Act that in no way is there a conflict between the member of the Assembly and either the employee or the landlord. Again, that's been clarified in this Act.

Thanks very much.

[Motion carried; Bill 89 read a second time]

head: **PRIVATE BILLS**
(Second Reading)

Bill Pr. 1
The La Fondation de l'Association
Canadienne-Francaise de l'Alberta Act

MR. COOK: Mr. Speaker, I'd like to move second reading of Bill Pr. 1. I won't repeat the Clerk's pronunciation; it was tremendous. Just by way of a brief explanation . . . [interjection] I think we're getting cabin fever and we want to get out of here.

The French Canadian association in Alberta sold a parcel of land in Mill Woods. They would like to set up a trust fund. They would like to keep the money in a trust account and remove it from the day to day activities of the association, and so protect it from association politics. The Private Bills Committee has given its approval, and I think all hon. members can support it without any real problem.

[Motion carried; Bill Pr. 1 read a second time]

MR. CRAWFORD: Mr. Speaker, I move that you now leave the Chair and the Assembly resolve into Committee of the Whole in order to consider certain Bills on the Order Paper.

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

[Mr. Purdy in the Chair]

MR. DEPUTY CHAIRMAN: The Committee of the Whole Assembly will please come to order for certain Bills on the Order Paper.

Bill 92
The Mines and Minerals
Amendment Act, 1980 (No. 3)

MR. DEPUTY CHAIRMAN: Are there any comments,

questions, or amendments to be offered with respect to any section of this Act?

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill No. 92, The Mines and Minerals Amendment Act, 1980 (No. 3), be reported.

[Motion carried]

Bill 94
The Alberta Health Care
Insurance Amendment Act, 1980

MR. DEPUTY CHAIRMAN: Bill No. 94, The Alberta Health Care Insurance Amendment Act, 1980. Are there any comments, questions, or amendments to be offered for any section of this Act?

MR. RUSSELL: Mr. Chairman, I have had the proposed final draft of the regulations pursuant to this Act prepared. They're ready for distribution if they would be of assistance to hon. members during the discussion.

MR. NOTLEY: Mr. Chairman, I think that would be helpful, but there are four or five points I want to raise in the form of questions. I think we've discussed the principle of the Bill. I have expressed my opposition to the principle of this approach. But, Mr. Chairman and Mr. Minister, I want to get into the details of Section 5. If this is covered by the regulations, I would appreciate knowing it. I think perhaps it would be useful if I just went through the various subsections, because I have questions dealing with each one. Mr. Minister, I'm talking about Section 5(2) of the Act:

Notwithstanding any agreement between a physician and a resident or registrant, a resident or registrant who receives a bill, account or claim for goods or services provided by a physician, or the Minister, or the College may have the bill, account or claim assessed by a committee.

The question I would have at this point is why some provision was not contained in Subsection (2) to require the consent of the patient, where we're dealing with the minister or college. Obviously in the case of the patient, that's a fairly straightforward position. He or she is requesting an assessment of the fairness of the bill. But with respect to the minister or college requiring that this bill be assessed as to its fairness, why was there no provision that we require the consent of the patient?

It seems to me that's a fairly important point, because it raises the issue of whether we're going to be using this as a collection agency, or the minister is going to be referring — I don't even think the minister should be able to refer another person's bill without the consent of the patient. That's obviously a hypothetical case, because in most instances that's not going to happen. What's going to happen is that somebody complains to the minister, and he refers it. The point I want to leave with the minister, and specifically request in the form of a response: why not a provision with respect to the minister or college which requires consent of the patient?

The second question is with respect to Section 5(4):

Any person who in the opinion of the committee is required shall submit to examination by the committee in respect of the bill, account or claim being assessed, and shall produce any book, record or

document within his possession or control that may be requested by the committee.

Again, I can understand that obviously certain information is going to be required if the committee is going to assess the fairness of the bill. But what disturbs me is that we're not constraining the committee at all . . .

MR. DEPUTY CHAIRMAN: Excuse me. Could we have some order in the Assembly please. It's very difficult for the Chair to hear the member who's speaking, and I'm sure the minister is having difficulty too.

MR. NOTLEY: Thank you, Mr. Chairman. There are no limits of any kind. We're saying here:

Any person who in the opinion of the committee is required shall submit to examination . . . in respect of the bill, account or claim being assessed, and shall produce any book, record, or document within his possession or control that may be requested by the committee.

Mr. Minister, I say this with some degree of caution. We're providing the committee with the kind of power that I'm not convinced a court would normally allow: the opportunity to go on a very wide-ranging fishing expedition. I say to the minister: why no limits in that provision?

I want to deal with Subsection (5):

A person who gives evidence relating to the bill, account or claim being assessed shall, if the committee thinks fit, be examined on oath or affirmation and for the purposes of an assessment any member of the committee is conferred with the power of a commissioner for oaths under *The Commissioners for Oaths Act*.

Again, I can understand that if you're going to get to the bottom of this question of fairness, it may well be necessary to put people under oath. But what disturbs me about Subsection (5) is that we're going to leave to the good sense and judgment of the committee what kind of information they're going to request. It could be information directly pertinent to the bill, or in fact it could be a fishing expedition. For example, what kind of question could be posed under oath? A question that could well be put is, what is your combined family income? And the information would be required under oath. I'm saying to the minister that it seems to me we are providing rather extensive authority with a minimum of constraint. I really question whether that's wise.

I want to deal with Subsection (7):

The costs of the assessment and determination under subsection (6) are in the discretion of the committee, and it may direct to and by whom and in what manner the costs or any part of them shall be paid.

If this system the minister is talking about is going to work, the one thing that can't happen is for excessive costs to be levied. I don't know what the costs would be, Mr. Minister, but I would expect that if we have a session of a committee of this kind, there could be considerable costs. If there aren't, I'd be interested to know that. But again, no ceiling is placed on the attributable costs, what the assessment would be. Again, that is totally up to the committee.

I go back to the case of Mrs. Jones, who might be worried about a \$10 second bill she feels is unreasonable. If the committee finds that the second bill is reasonable, the cost could be substantially more than that. Is that not going to significantly deter people from using this route? What I am saying to the minister is: why was at least no

ceiling placed on the costs? Obviously there's some concern about frivolous use of the system. I think the counter-balancing problem is that if you're not going to put a ceiling on what the excessive costs could be, you are going to make it highly unlikely that most people who feel they have a balance bill or a second bill that is unreasonable are going to appeal because of the costs.

Perhaps if the minister has information as to discussions he has held with the college on this matter, so we have some indication of what we're looking at, it would be useful to have that on record. If the costs are not going to be substantial, I think it's important that that point be made. In terms of the legislation, there doesn't seem to me to be any protection.

When we discussed this matter in second reading, the Member for Edmonton Whitemud disagreed with me. But as I read Subsection (8):

The costs of the assessment and determination under subsection (6) made by the committee is final and binding and shall not be questioned or reviewed by any court:

I don't pretend to be a lawyer, but it seems to me that the Member for Edmonton Whitemud would be correct. In common law, a person would have the right to settle the matter in court. But the common law is superseded by legislation. When we say in Subsection (8) that the determination made by the committee is binding and shall not be questioned or reviewed by any court, are we not foreclosing the right to appeal the matter to court?

Mr. Chairman, there is one other question I would put forward. Where in this procedure is there a right for either the patient or the doctor to have legal counsel? Is that anticipated at all? Would there be any right on either the part of the doctor or the patient to have legal counsel?

I want to deal with one other section, Mr. Chairman. That is Section 7:

The Minister or a person employed in the administration of this Act and authorized by the Minister may disclose or communicate information pertaining to the date on which health services were provided, a description of those services, any diagnosis given by a person who provided the services, the name and address of the person who provided the services, the benefits paid for those services and the person to whom they were paid, the name and address of the person to whom the services were provided and any other information pertaining to the nature of the health services provided, to a committee as defined in section 22.3, if a member of the committee makes a written request for it stating that the information is required for the purposes of [the] assessment . . .

Mr. Minister, the question is simply this: the minister or a person employed in the administration of this Act is "authorized . . . may disclose or communicate" all this information. What happens to the confidentiality of the doctor/patient relationship? When the original debate took place in Saskatchewan 18 years ago, that was a very crucial issue. One of the major arguments against medicare was the concern over doctor/patient confidentiality. If for the purpose of this Act we are . . . The minister may authorize — again, I don't see the patient's consent. If the patient consented, that would be a different thing. But the minister may authorize, may disclose, may communicate information. I ask you, Mr. Minister, are we not in this particular Section 7 significantly interfering with the confidentiality? At least as a Legislature what we are doing is hoping that confidentiality will not be breached. But as I read the legislation, we are not saying

"with the consent of the patient".

Those are the questions I would pose to the minister in looking over the details of how this committee is going to work. I haven't had the opportunity to look over the regulations. I see I just got a copy of the regulations now. Perhaps it may be covered there. But if not, I think the questions I would ask the minister to respond to still stand. In my judgment, it is important that we clarify the extent of the power the minister is asking the committee to authorize.

MR. RUSSELL: Mr. Chairman, I would like to respond to the hon. member's questions in two ways: first, by referring to what the situation is today; secondly, by referring to what the intent and spirit of this legislation is and why it's written the way it is.

First of all, the situation today. Extra billing is legal today. It's specifically provided for in the Act. The College of Physicians and Surgeons is trying to deal with complaints it gets about excess extra billing under their existing Act. They have only one clause that enables them to do that, and that's the part that refers to conduct unbecoming a member of the profession. So if a doctor over-bills, they have to prove at a hearing that that's conduct unbecoming a member of the profession, and then assess him, punish him, or carry out such corrective action as they can. I think you can see the sort of fragility of that particular kind of legal arrangement.

The only other arrangement there is to deal with this presently legal extra billing is the one the AMA tried to organize voluntarily about a year ago. As far as I know, it hasn't been very successful. I don't know how widely it was publicized, but they made an effort during their campaign about a year ago, during the billing and opting out and extra billing debate, to get that system going; again, with no legislative authority.

In this legislation we've been examining the easiest possible way for a patient who is concerned about the amount of his extra bill, or the college, if it comes to their attention and they're aware that one of their own members is abusing the privilege of extra billing, or the minister through complaints he gets and bills that are mailed to his office — for those three parties to be able in the simplest way to place that complaint in front of the college's committee that will be set up under this Act. Now the easiest way is for the complainant, one of the three parties I mentioned, simply to submit an affidavit along with the request that the bill be assessed. It's not intended that there be costs to the complainant. We don't know yet if the system is going to require that costs be attached to the defendant, if I can use that term. But in any event, this system is supposed to work essentially that easily.

I'll go down the points the hon. member raised and try to deal with them. I think it's important to remember that if the system is going to work that easily, it follows, in almost a Catch 22 situation, that the legislation has to be worded this way; that is, as openly as possible so the records, the evidence, the oath, the minimal legal restraints . . . I mean legal restraints in the sense of expensive court proceedings or necessity to get involved in a long procedure with legal counsel at your side. This is meant to be as convenient as possible for Joe Citizen to get the bill he's concerned about in front of the college and assessed in the simplest possible way as to its fairness.

I think I've already dealt with the question raised by the member in subclause (2): why no mandatory consent

of the patient. Very often this will be taken against a doctor in the case of his entire practice, with no specific reference to any particular patient. Judging by the experience I've had over the last 18 months, I suspect that in many cases I am either going to be asked to do it on behalf of the patient, or patients will bring matters to my attention which I should act on, notwithstanding the fact that they haven't asked that it be done or necessarily given their consent.

In Clause 4, the question was asked: why is it so open? I think my comments have explained that. I want to go back, though, to the first subclause in Section 22(3), which is really the essential meat of this Act, and look at the definition of committee; that is, "a committee appointed . . . for the purpose of carrying out assessments". An assessment means "a physician's bill, account or claim". As you go through the Act, I think it's important to remember what the limitations of the committee are. It's strictly for assessing a physician's bill; no other purpose. The documents that are referred to must be documents that tie in directly with that assessment procedure. So I don't believe it's really as wide open as the hon. member believes it is or asks if it was.

Why such extensive authority in Section 5? I believe, and the people who wrote this Bill were in agreement, that it may be necessary at times to put people under oath. We considered that an important and integral part of the Act.

In number 7: how to control costs? Again, I can say in the House and I want it on the record that I don't believe there will be substantial costs relating to these matters. Certainly in the beginning months of the practice of the committee, we're not expecting any costs to be registered against complainants, other than in cases where you might get mischievous complaints. We don't yet know whether those will be received, but in fairness to making the system work or trying to make it work, I believe that ability has to be there. Mr. Chairman, that isn't in the Act, but I want to put on the record that that is the spirit of the Act. That's my understanding of the way the college will make it work.

Insofar as the question with respect to the right to go to court or the right to legal counsel, again the advice I have from law officers of the Crown is that that right is not interfered with by anything in this Act. It is simply the matter of the assessment that cannot be appealed. That is, if a doctor's bill is to be reduced by \$50, left where it is, or reduced to zero, that decision is final and binding. The other important part of this section is number (9), whereby the enforcement part of that decision comes by way of an attachment to a judge in the Court of Queen's Bench. Of course if a doctor doesn't follow the instructions of that court, he's liable for contempt of court proceedings.

In the matter of confidentiality, I think that section is very specific about what kinds of information can be transmitted via the minister's office with respect to that particular transaction. Again, Mr. Chairman, if you go back to the original Bill, Section 25 dealing with secrecy of information is two pages long, and it's laid out in detail as to what the conditions are and what kind of information can be given in this very important matter of confidentiality of patient/doctor relationships. There are instances when it will be necessary to give certain kinds of information, and that is laid out specifically in the amendment in this Bill. I think it's obvious that it has to be in there to allow the committee to verify whether on a certain day a doctor did in fact give a certain diagnosis

for a certain Alberta citizen and request a certain fee; also whether he was paid additionally for that through the Alberta health care insurance plan. That's the reason for that section.

While I'm on my feet, I think all members now have the regulations. You'll see that they're proposed, but as far as I know they're in about as final form as they will be. They're in very simple form. On page 2 we have an estimated date of January 1, '81, for these coming into effect. You'll notice that Bill 94, which is in front of you, also comes into force on date of proclamation. It's the intent to fix the date of proclamation and the coming in of the regulations on the same day. I hope to get this system working for the new calendar year.

We've suggested committees shall consist of five members, three of which shall be physicians. That's in Section (5) of the regulations. I don't know if that's enough members. I believe it's enough; I believe it's the right ratio. But that number is in the regulations so it can be quickly changed if events warrant changing.

MR. KNAACK: Mr. Chairman, I should just clarify comments I made the previous day on the legal position. I wasn't quite as clear as I might have been. The minister partly explained the point. It's clear that the laws affect it, that if in fact the medical doctor and the patient had agreed to a fee, and the fee turns out to be excessive before the assessment committee, it will be reduced. To that extent, it affects the contract.

The point I was trying to make: every other element of the common law or the law of contract, or in terms of enforcing payment of the debt, is not affected. I want to give you an example. Assume a patient wants to have a bill challenged, in fact has the bill challenged and the bill is reduced. Subsequent to that, the patient obtains legal counsel, and the point is made that the medical doctor committed a trespass; in other words, an unauthorized operation. The suit should be for trespass to the individual. Not only would he claim damage; he would also claim that no fee should be paid at all. And that procedure would follow.

On the other hand, if an assessment had been made with respect to the fee by the assessment committee and the patient doesn't pay, you don't go back to the assessment committee. The doctor would sue for damages or for a non-paid bill on the assessed amount, then follow the normal court procedure of enforcing that particular account.

Thank you.

[Title and preamble agreed to]

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

[Motion carried]

head: **PRIVATE BILLS**
(Committee of the Whole)
(continued)

Bill Pr. 5
The Alberta Foundation Act

MR. DEPUTY CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any section of this Act?

MR. KNAACK: Mr. Chairman, I have an amendment to propose. I'll read the amendment to Bill Pr. 5, The Alberta Foundation Act. The Act is hereby amended as follows: the title is struck out and "The Charitable Foundation of Alberta Act" is substituted. The second amendment: Section 1 is amended by striking out "The Alberta Foundation" and substituting "The Charitable Foundation of Alberta". The third amendment: Section 4(f) is amended by adding "persons who are not trustees as" after "employ and pay such". The fourth amendment: Section 60 is amended by adding "persons who are not trustees as" after "employ and pay such".

Just to explain the amendments, Mr. Chairman. The name of the proposed Bill, The Alberta Foundation Act, which would set up the Alberta Foundation, was felt to be too general. The Private Bills committee therefore recommended the amendment, The Charitable Foundation of Alberta Act.

With respect to the other amendments, it was felt that since the employees would be paid for their services to the foundation, and the foundation is itself a charitable non-profit organization, the trustees should not be employees at the same time.

[Title and preamble agreed to]

MR. KNAACK: Mr. Chairman, I move that Bill Pr. 5 as amended be reported.

[Motion carried]

MR. CRAWFORD: Mr. Chairman, I move the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

MR. PURDY: Mr. Speaker, the Committee of the Whole Assembly has under consideration Bills 92 and 94, and Bill Pr. 5 with some amendments.

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

HON. MEMBERS: Agreed.

head: **PRIVATE BILLS**
(Second Reading)
(continued)

Bill Pr. 4
The Keith Dial Adoption Termination Act

MR. MUSGREAVE: Mr. Speaker, I move second reading of Bill Pr. 4, The Keith Dial Adoption Termination Act.

[Motion carried; Bill Pr. 4 read a second time]

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

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

No.	Title	Moved by
8	The Service of Documents During Postal Interruptions Act	Kushner
62	The Petroleum Marketing Amendment Act, 1980	Leitch
63	The Natural Gas Price Administration Amendment Act, 1980	Leitch
72	The Department of Transportation Amendment Act, 1980	Kroeger

Bill 75

The Liquor Control Act, 1980

MR. HARLE: Mr. Speaker, I move third reading of Bill No. 75, The Liquor Control Act, 1980.

DR. BUCK: Mr. Speaker, I was not able to be here in committee stage of Bill 75. I don't think I could sit in this Legislature and vote without saying a word or two on the Bill. I guess all the so-called liberals will think I'm 'agin' drinks. But I think we have to take a very, very serious look at what is happening to our society, especially a society that's very rapidly becoming industrialized and urbanized.

Looking at an article in one of the local papers here, November 16, by Dr. Gilbert who was speaking on some problems we have with alcohol, I'll just quote a section of that to illustrate what my concerns are. They're talking about drinking:

The problem is so serious in Edmonton, he added, that one of every four patients in the Royal Alexandra hospital is there because of a drinking problem.

It goes on to say that

... alcoholism may soon become the number one killer in Canada — outstripping coronary disease and cancer.

The concluding statement is:

"We have to reduce the amount of liquor available to people," Gilbert warned.

Mr. Speaker, I go to football and hockey games and I know people take their thermoses and so on. But I find the argument very fallacious when they say that the more available it will be in the stadiums, the less drinking there will be.

Mr. Speaker, I'd like to indicate to the members a couple of interesting articles that came out of *Sports Illustrated*, an American sports magazine, illustrating what happens in some of those mammoth football stadia down in the United States. This has to do with Monday night football, which has become quite an institution in the United States. This was after the 1976 football game. The chief of police says that he hopes and prays there will be no more night football games in Schaefer Stadium in Foxboro, Massachusetts. He said that after the '76 football game police began the practice of frisking fans entering Patriot games in an effort to keep out liquor, but beer was still sold inside the stadium. It goes on and talks about what happened at the game about three or four weeks ago. An elderly man was killed on his way to the stadium by a drunk football fan; police were going into the stands to haul away limp bodies. The police were booed and doused with beer and mustard. It talks about

a heart attack victim. When the paramedic was administering first aid, the fans were walking by, spilling beer and urinating on him. It goes on to say that we seem to have become hardened to what is going on in our stadia. Mr. Speaker, it may end up some day, as we've seen in the World Cup soccer matches, where they are seriously considering playing the game without any fans. I feel that I have a right as a citizen to go to a sporting event and not have to worry about people spilling beer or drinks on me.

I just have a great amount of difficulty, in my own mind, seeing how liquor and beer in the stadia will solve the problem. I'm no prude, Mr. Speaker. I think I've seen my share of life, and I try to be objective and broad-minded. But there's one rule that's infallible: the more outlets, the more drinking. Nobody can argue with that.

I'd like to say in closing that this government can hide as much as it wants to, but it was this government, without any debate in this Legislature, that brought in the regulations allowing for advertising on radio and television. I would like to say that I am going on record as opposing the Bill because the more outlets, the more availability, the more problems.

I thank you, Mr. Speaker.

MR. LITTLE: Mr. Speaker, I am supporting the Bill. However, I've received a great number of calls from Calgary citizens, and I think it's my responsibility to bring this before the Legislature.

I believe that liquor is a real problem in our society. There's no question in my mind that it is connected with most of the violence in our society. There's no doubt whatsoever that it's at the root of most, if not all, the domestic problems we have.

The area I'd like express some interest in is the dispensing of beer and wine at sporting events. I do favor this change, Mr. Speaker, providing we are able to eliminate the drinking going on at the present time at sporting events, because a plastic cup can do a lot less damage than a thrown bottle. I think we could have some advantage there. But I'm totally disgusted by the conduct at some sporting events. I'll mention in particular McMahon Stadium in Calgary. I've quit going to games because of the unfavorable scenes. A year ago my own daughter was the victim of a very ugly scene at McMahon Stadium.

To the minister: if we can be assured that the present regulations — that is, no drinking at games other than beer and wine — could be strictly enforced, I would say this would be a step forward. I do have some reservations about increased outlets, but I suppose this is a trend of the time. But I am concerned, Mr. Speaker.

MR. R. CLARK: Mr. Speaker, I wasn't in the Assembly when second reading of the Bill was called, so there are two comments I'd like to make. I've had no representation from my constituency on the matter. But I did have an opportunity to be in the Chamber when the Member for Lethbridge West, who is chairman of AADAC, spoke. As the hon. member was speaking, I couldn't help but think that a contract researcher, whom AADAC has engaged to look at the problem of how we come to grips with the question of alcohol among teen-agers, had been in one of the towns in my constituency about two weeks previously. The topic of discussion was: how do we come to grips with the problems of alcohol in the hands of young people at very tender ages? On one hand, I find us paying a researcher from AADAC to try to look at the problem of alcohol consumption of youngsters who are

14, 15, 16, and 17 years of age . . .

Quite frankly, I for one have no hesitation in saying I think we made a mistake in 1969, '70, '71, or whenever it was when we lowered the age for alcohol consumption to 18. I think it should be at least 19 and likely higher. I know that's not the matter before the House now. But I find myself in the situation where I can speak pretty bluntly on occasions — as of next Friday — and I think that's one mistake we've made. It's a question we've all pussyfooted around in this Assembly.

On the question of the legislation going through the House, I commend the minister on how he's been able to do it without any public uprising across the province, if I can use that term. But let's call a spade a spade. The result is that next year we're going to see more liquor sold by the ALCB. I take a drink socially, as members in this Assembly know. I'm not one of those who don't. But I think we should understand very clearly what we're doing here. Let's not try to kid the troops.

The last comment I'd make is that I've argued many times in the Assembly on the question of local autonomy and letting government make decisions closest to the people. This is what we're doing on this occasion, isn't it, as far as the situation on drinking at sporting events is concerned. Members in this Assembly who've been on city council, like the Member for Calgary North, the Member for Calgary McKnight, the hon. Government House Leader, the Minister of Hospitals and Medical Care, and others who've been on local governments, know very well that on an issue like this it's going to be very difficult for the city councils in Calgary and Edmonton, once this Assembly has passed this legislation, to say no on a very long-term basis to the pressure which will come in the cities of Calgary and Edmonton as far as alcoholic beverages at football games are concerned.

I too happen to have season's tickets for football games in a certain city in the southern part of the province.

Perhaps we don't sit in quite as rowdy a section as the hon. member from Calgary, Mr. Little, referred to just a minute ago. But it is. Let no members kid themselves. Once we do it there, then it's not very long before it's going to start at professional hockey games in Calgary and Edmonton. It's going to be much harder for city council to say, "no, we can't do this", because we've made this change that the final decision is to be made by the ALCB or the government itself.

[Motion carried; Bill 75 read a third time]

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

No.	Title	Moved by
65	The Rural Electrification Revolving Fund Amendment Act, 1980	Shaben
71	The Natural Gas Rebates Amendment Act, 1980	Shaben

MR. CRAWFORD: Mr. Speaker, I'm getting less and less to say, although it may not seem that way, in regard to what the next day's business will be. I think the hon. members would anticipate that we would be in Committee of the Whole in regard to Bills that were read a second time today. If there is additional time, Mr. Speaker, there are two or three motions on the Order Paper, in particular, 17, 18, and 25, that could be dealt with. In respect of the oral notice I gave tonight, we wouldn't plan on proceeding with that until Thursday.

[At 10:03 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]