

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Monday, March 15, 1982 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 17****Criminal Injuries Compensation
Amendment Act, 1982**

MR. LITTLE: Mr. Speaker, I beg leave to introduce Bill No. 17, the Criminal Injuries Compensation Amendment Act, 1982.

The purpose of this Bill is to clarify a definition and to expand and improve the scope and terms of the Act. One of the main features of this Bill is to permit compensation to be paid to a person, other than an offender, whose property is destroyed or damaged as a result of an act performed by a peace officer engaged in stopping a crime or an offender who has committed a crime of the type set out in the schedule to the Criminal Injuries Compensation Act. Under this provision, the total amount that may be paid to any one person shall not exceed \$10,000.

[Leave granted; Bill 17 read a first time]

MR. CRAWFORD: Mr. Speaker, I move that Bill No. 17 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

Bill 218**Alberta Agricultural Research
Foundation Act**

MR. COOK: Mr. Speaker, I beg leave to introduce Bill No. 218, being the Alberta Agricultural Research Foundation Act.

Basically the Bill is enabling legislation, to provide increased funding for agricultural research. It would complement the Farming for the Future program. To be quite honest, the idea has been borrowed from Dr. Horner's recent study on the red meat industry in Alberta.

[Leave granted; Bill 218 read a first time]

Bill 219**Alberta Scientific Research
Foundation Act**

MR. COOK: Mr. Speaker, I beg leave to introduce Bill No. 219, the Alberta Scientific Research Foundation Act.

It is similar to the agricultural research foundation, Mr. Speaker. Its purpose is to provide funding for the pure sciences, if you like. The Bill contemplates providing research in the areas of physics, chemistry, biology, and

the applied sciences. Again, it is enabling legislation. It would allow the Assembly to create a foundation whereby we could increase the amount of scientific research being done in those areas in this province.

[Leave granted; Bill 219 read a first time]

Bill 224**Home Energy Conservation Act**

MR. COOK: Mr. Speaker, this is my last one. I beg leave to introduce Bill 224, the Home Energy Conservation Act.

Mr. Speaker, this is a repeat of legislation I have introduced in this House several times. It provides incentives for homeowners in Alberta to upgrade the level of insulation and home energy efficiency. It does that by providing grants and loans to Albertans. It provides for an auditor to assist homeowners in Alberta to identify where they can get the maximum return for a dollar invested. Given the rise in utility costs that Albertans are experiencing today, this seems like a very timely piece of legislation.

MR. SPEAKER: Order please. I think the hon. member has already started the debate.

[Leave granted; Bill 224 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. COOKSON: Mr. Speaker, I wish to table a very comprehensive summary by our department with regard to Suncor, which deals with the wastewater treatment system performance from June 1978 to the present. It reviews the operations, monthly reports, also events leading to the water quality control order. Included are the licence, the summary of monthly emissions, and the results of effluent monitoring. I commend this to the hon. member of the NDP, to read very carefully when he makes comments to the public.

MR. NOTLEY: I will, Jack.

head: **INTRODUCTION OF SPECIAL GUESTS**

MRS. LeMESSURIER: Mr. Speaker, 75 years ago today, on March 25, 1882, the Alberta Legislative Assembly assented to an Act of Legislature, Chapter 40, creating the YMCA of Edmonton. Throughout the last 75 years, the YMCA of Edmonton has concerned itself with the development of the whole person, providing programs and activities that contribute to the growth of the spirit, mind, and body. As their statement of purpose describes, the YMCA of Edmonton is addressing the real needs of the human community.

Mr. Speaker, it is a pleasure for me to introduce to you and to members of this Assembly Mr. Stanley Clark, who joined the YMCA of Edmonton 55 years ago, after encouragement from his uncle. Mr. Clark is the only member in the history of the YMCA of Edmonton to have served on the YMCA board for half a century. It is also his 76th birthday today. Mr. Reg Berry, president, has 23 years of active involvement with the YMCA. Mr. Bill Rees, past president, has also had 23 years of active involvement. And Mr. George Singleton, the chief execu-

tive officer of the YMCA of Edmonton, has given 42 years of service to the Canadian YMCA. I ask them to rise and receive the warm welcome of this Assembly.

MR. DIACHUK: Mr. Speaker, it is my pleasure today to introduce to you and to members of the Assembly 28 grade 6 students from Anne Fitzgerald elementary school in the constituency of Edmonton Beverly. The school is named after a pioneer educator in the school system. This class of students is accompanied by their teacher Diane Pidhirniah and bus driver Austin Thomas. I ask them to rise and receive the usual welcome of the Assembly.

MR. PURDY: Mr. Speaker, it's my pleasure to introduce to you and hon. members of the Assembly a group of 26 students from Brookwood elementary school in the town of Spruce Grove. They are accompanied by their teacher Mr. Broda; parents Joan Struthers, Dolores Watson, and Dave Holmes; and their very capable bus driver Mr. Ivan Jespersen. They're in the members gallery, and I ask them to rise and receive the welcome of the Assembly.

MR. YOUNG: Mr. Speaker, it's my privilege today to introduce to you and to all other members of the Assembly 26 grade 6 students from Youngstown elementary school. They are accompanied by their teacher Mr. Bill Hetherington and parent Margaret Jadischke. I ask that they rise and receive the warm welcome of the Assembly.

MR. KING: Mr. Speaker, I am pleased to have as many school children in the galleries as there are this afternoon. It gives me great pleasure to introduce to you, and through you to the Members of the Legislative Assembly, Dr. Reno Bosetti, who will become Deputy Minister of Education on April 1, 1982. Dr. Bosetti succeeds Dr. Earl Hawkesworth, who retires March 31, after serving as Deputy Minister of Alberta Education since 1971.

Dr. Bosetti's appointment assures that the strong leadership and guidance shown by Alberta Education through the years will be continued. It assures that the school boards and teachers of this province — the people responsible for the delivery of educational services to our young people — will continue to get strong support from the department, as well as from the government itself.

Dr. Bosetti is devoted to education. He knows education in Alberta from the classroom to the boardroom. After working in the collieries of the Crowsnest Pass for five years, Dr. Bosetti began as a teacher in 1956. He subsequently became a school superintendent and an inspector of high schools. He is in his sixth year as assistant deputy minister of the administrative services division of Advanced Education and Manpower.

He is Alberta-born, a Roman Catholic, and Alberta-educated, earning a Bachelor of Education from the University of Calgary and a masters degree and doctorate from the University of Alberta. I am confident that Dr. Bosetti will provide dynamic leadership in education in Alberta, working with the excellent talent in Alberta Education. Welcome, Dr. Bosetti. Would you please rise to receive the welcome of the Assembly.

head: ORAL QUESTION PERIOD

Heritage Savings Trust Fund Loans

MR. R. SPEAKER: Mr. Speaker, my question is to the Premier. It's a question in the minds of many Albertans

at the present time. Could the Premier indicate when the province of Alberta will discontinue making loans from the Heritage Savings Trust Fund to other provinces of Canada?

MR. LOUGHEED: Mr. Speaker, that's certainly a subject we have been assessing for some time. A number of aspects to it are involved. As you know, there has been a reduction in the loans made to other provinces. We believe that the Heritage Savings Trust Fund funds must, as their first priority, be directed to Albertans and to assisting Albertans. That's particularly important in a period in which we are assessing required economic measures. So although I can't give the hon. Leader of the Opposition a precise answer at this time, I can assure him that the matter is being very actively assessed. Within not too many weeks, we'd be able to make an announcement in that regard.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier. It's with regard to loans to other provinces, which are on fixed terms and interest rates. They're both fixed, whether low or high. Could the Premier indicate what considerations are being given to loans to Albertans on the very same terms of fixed interest rates at fixed terms?

MR. LOUGHEED: Again it's part of the same point, Mr. Speaker. It's an assessment of the situation with regard to the projections of interest rates within the province, and is being assessed and considered over the course of the months ahead. Perhaps in conjunction with the response to the first question, in due course we may be able to respond to the second one as well.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier. Could the response be part of the budget? At this point, could the Premier indicate any previews with regard to that matter?

MR. LOUGHEED: Mr. Speaker, I don't want to get into difficulty with the Provincial Treasurer. The budget measures have been developed over the past number of months, as the hon. Leader of the Opposition would obviously know. The two questions he raised with me are obviously questions of decision in terms of the future, which is implicit in the answers I gave. I'm sure he can take from that answer what the result would be, that it would not be involved in the budget.

Prison System

MR. R. SPEAKER: Mr. Speaker, my second question is to the Solicitor General. It's with regard to the matter I raised last Friday, the criminal presently at large within the province. Could the Solicitor General report to the Legislature what actions are being taken by the enforcement officers of this province? Have any results occurred?

MR. HARLE: Mr. Speaker, the RCMP and Edmonton and Calgary city police have all been alerted, as have police forces across Canada and the United States. I'm satisfied that they're taking every step to find and apprehend the individual.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Has he planned any meetings with the federal government, with regard to security proce-

dures at the maximum penitentiary located next to Edmonton?

MR. HARLE: I have not, Mr. Speaker, as the institutions fall within the purview of the federal Solicitor General.

School Act Review

MR. ZAOZIRNY: Mr. Speaker, my question to the hon. Minister of Education arises from remarks attributed to the minister, emanating from the city of Calgary last week. Can the minister unequivocally assure the Assembly that the government has no present intention whatsoever of removing the requirement of mandatory education in Alberta?

MR. KING: Yes, Mr. Speaker, and I appreciate the opportunity to say that. There is some confusion about one paragraph in the Speech from the Throne. I would like to put that confusion to an end immediately.

The Speech from the Throne commits the government to spending the next year in the development of a process that would involve all major interested groups in the province in a subsequent re-evaluation of the School Act. In my view, the School Act is one of the most important pieces of legislation in the province. Any review of it will be undertaken in such a way as to involve the Alberta Teachers' Association, the Alberta School Trustees' Association, and others. The only reference to the upcoming year's activity was with respect to the development of a process for reviewing the School Act. The government has given no consideration whatsoever to any of the substantive issues that would be addressed in a review of the School Act.

Ambulance Service

MR. NOTLEY: Mr. Speaker, I'd like to address this question to the hon. Minister of Hospitals and Medical Care. Is the minister in a position to outline to the Assembly this afternoon the present status of the much-discussed ambulance program for Alberta? Are we any closer to getting around the corner that program has been rounding for some seven years now?

MR. RUSSELL: Mr. Speaker, I have nothing further to report on that matter at this time.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister in a position to advise the Assembly whether, in a meeting with the Alberta Medical Association last fall, the government — or at least the minister on behalf of the government — indicated that action could be expected shortly on a provincial ambulance program?

MR. RUSSELL: Mr. Speaker, I've met with many interested groups on the matter of ambulance service for the province. I've discussed with them the considerable progress made toward developing some kind of overall provincial ambulance program. It is quite possible that I did indicate to one or more groups that there was some hope we could proceed with that program without too much further delay. But at this time, I have nothing further to report.

MR. NOTLEY: Mr. Speaker, a supplementary question with respect to the meeting between the minister and the Alberta Medical Association. At that meeting, were assurances given by the minister that early action would be taken by this government on a province-wide ambulance system and program?

MR. RUSSELL: Mr. Speaker, I think I answered that question in the hon. member's first supplementary. I indicated to many groups that I was hopeful progress would soon be forthcoming with respect to the introduction of some kind of program.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister in a position to outline to the Assembly the obstacles at this point in time to the introduction of a province-wide ambulance scheme, in view of the comments made over some seven years by not only this minister but his predecessor?

MR. RUSSELL: Mr. Speaker, for the third time today I'll repeat that I have nothing further to report on that matter today than what I've already said on many occasions in this House.

MR. NOTLEY: A supplementary question. Could the minister advise the Assembly what the problem is, in terms of the assurances not being translated into action?

MR. SPEAKER: Order please. It would appear that the hon. member is pursuing a question which has already been asked at least once. The minister has given an answer which would seem to preclude supplementaries.

MR. NOTLEY: Mr. Speaker, perhaps I could rephrase the question and ask the hon. minister whether there have been any updated studies since the study on the advanced life support system, which indicated that a number of Albertans were dying needlessly because of an inadequate ambulance service. What updated assessment has been undertaken by the department on that particular study?

MR. SPEAKER: I realize the question is out now; it's on the floor. Sometimes the Chair has a dilemma as to whether to intervene and risk to be seen doing so too quickly or to let the thing out, and then of course the situation is changed. When he puts his questions, I respectfully ask the hon. member not to embellish them with or bury them under something which is really out-and-out debate. However, the question having gotten past the Chair, in fairness there would be absolutely no way the minister could be prohibited from replying in kind, if he's so minded.

MR. RUSSELL: Mr. Speaker, the facts of the matter today are that ambulance service is a municipal responsibility. If there are flaws in the system, it is the responsibility of the municipalities to attend to those flaws. The subject matter the hon. member has been addressing is whether the province intends to get involved in some kind of ambulance program. It's very possible that it might, but I have nothing further to report on that issue at this time, other than to repeat that today the law is as it always has been: ambulance service is a municipal government responsibility.

MR. NOTLEY: Mr. Speaker, my question to the minister was not whether it was a municipal responsibility. Those

questions have been asked, and the minister has responded on a number of occasions. I don't want to entice a debate.

My question very simply to the minister: has there been any updated study on the advanced life support system study, which indicated serious problems . . .

MR. SPEAKER: Order please. The hon. member is clearly repeating a question previously asked.

MRS. EMBURY: Mr. Speaker, a supplementary question to the Minister of Hospitals and Medical Care. While there is general concern throughout the province regarding ambulance service on a provincial basis, has the minister had any representation from the acute care facilities in Calgary — and I'm thinking primarily of the Foothills Provincial hospital — regarding a service needed for people coming into the hospital from southern Alberta. These are high-risk maternity patients. Whereas they may not need an ambulance service, they do need some form of transportation. Could the minister indicate if this concern has come to his attention before, please?

MR. RUSSELL: Mr. Speaker, I can't recall that specific concern, but members will recall that about a year ago, in response to similar concerns, we changed the regulations, which now establish interhospital transfer from any institution to another within the province as a completely paid hospital benefit. That was of great assistance to many Albertans, particularly those in rural areas.

MRS. EMBURY: A supplementary question, Mr. Speaker. Would the minister please give consideration to this special type of request, which is not actually transfer from hospital to hospital but members within the communities travelling to the services in the city?

MR. RUSSELL: Mr. Speaker, I'd be pleased to add that item to the ever-growing list of requests for expanded health care services.

MR. CLARK: A supplementary, Mr. Speaker. Has the minister assessed the total cost to the taxpayers of the province, of implementing a province-wide ambulance service program?

MR. RUSSELL: That estimate was done, Mr. Speaker. I can't recall the figure from memory, but I know it has been done.

Farm Foreclosures

MR. KESLER: Mr. Speaker, I have a question for the Government House Leader, as the Minister of Agriculture is absent today. Can the minister please tell this Assembly the number of farm foreclosures today and the percentage increase over last year at this time?

MR. COOKSON: Mr. Speaker, as Acting Minister of Agriculture, perhaps I could take the question as notice and report back.

Hazardous Waste Disposal

MR. MANDEVILLE: Mr. Speaker, my question is a follow-up to the hon. Minister of the Environment, with regard to the hazardous waste plant in the county of Beaver. Will the minister be meeting with the protection

association set up to deal with the hazardous waste problems in Beaver?

MR. COOKSON: Mr. Speaker, I haven't been asked for a meeting with the group, but I'd be happy to set up a meeting if they so request.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Could the minister indicate how much land is involved in setting up this facility in Beaver to handle hazardous wastes?

MR. COOKSON: At the present time, we are assessing three different properties in the county of Beaver. The one the county is most supportive of is a full section of land. However, the actual requirements for a special waste plant wouldn't be more than perhaps a quarter section at the most, and less than that for the actual construction of the plant. The plant itself would be of a highly technical nature, with a substantially high assessment value. The balance of the land would serve as a buffer, which we often require with most industries.

MR. KESLER: A supplementary question to the Minister of the Environment, concerning the injection program for the waste disposal area. Can the hon. minister guarantee this Assembly that there will be guarantees that toxic wastes will not be disposed of by the injection method, as they may contaminate ground water and water sources for the communities in the area?

MR. COOKSON: Mr. Speaker, in Working with the county of Beaver and other municipalities, we've asked them to include certain conditions in their support of the program. If I remember the county of Beaver request, one of the conditions is to have an individual or individuals on any committee which, in a sense, would administer such an operation. So in that respect, the conditions are already there.

Insofar as deep-well injection is concerned, one of our main responsibilities at present is to check very closely the water table itself, the ground water situation, and the surface water situation on all three of the sites, along with other sites we've been looking at. Once we are satisfied that our standards are met in that respect, we will also look at the procedure for disposal. A lot of the material we're talking about — which is probably in everybody's medicine cabinet in varying degrees — will be neutralized simply by blending. Other materials will be incinerated, and others will be permanently stored.

Insofar as the ground water conditions are concerned, if we're satisfied that we can deep-well inject — which is not an uncommon practice in other parts of the province — then subject to our approval process and standards laid down by the Energy Resources Conservation Board, that might be considered. However, it's not a consideration at present.

MR. KESLER: A supplementary question. Are guidelines in place now to control deep-well injection of those wastes?

MR. COOKSON: Perhaps I should ask the Minister of Energy and Natural Resources either to supplement or respond in that respect, since it comes under the jurisdiction of the ERCB.

From my own point of view in terms of the environment, there are guidelines. Only certain materials are

permitted to go into the deep wells. They must be only in certain parts of the province, and they must be in deep wells, as such, in such a way that we can be assured there will be no danger of contamination of the shallower water infrastructures.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister, if I may. It is a follow-up to a question the hon. Member for Olds-Didsbury raised on March 12, with respect to the 600 names on the petition requesting the plebiscite. Just for clarification, in terms of its planning, will the government respect whatever decision is made — either yea or nay — as a consequence of a vote by ratepayers of Beaver county?

MR. COOKSON: Mr. Speaker, that's a difficult question to answer, in this respect: the request for a plebiscite contained a worded by-law which, in my understanding, is now being questioned as to its drafting. Secondly, the county is questioning very closely the procedures that took place at that particular meeting, insofar as being requested to prepare a document for a plebiscite. I think it will be easier to answer that kind of question once those two issues are resolved.

Crowsnest Pass Freight Rates

MR. NOTLEY: Mr. Speaker, could I put a question to the hon. Minister of Federal and Intergovernmental Affairs, a follow-up to a question I asked the Premier a little over a week ago on the Crow rate and the decision of the federal government to proceed with the Pepin plan, bypassing the three provincial governments. In light of the obvious impact on our provincial budget, as well as the economic outlook for the province, has any representation been made or is any representation planned to be made to Mr. Pepin or to any official of the federal government, with respect to the unilateral nature of this action?

MR. JOHNSTON: Mr. Speaker, since the hon. ministers of Agriculture and Economic Development are both away today, and since those gentlemen are responsible for the Crow rate and development of the provincial policy in interaction with the federal government, I will simply take that as notice and have either one or both of those gentlemen reply to you when they return.

MR. NOTLEY: A further supplementary question, this time to the hon. Minister of Transportation. Has the Department of Transportation undertaken any assessment on the impact of the Pepin proposal on the highways budget of the province of Alberta, similar to the estimates already compiled by the Saskatchewan department of transportation, particularly as it relates to the equal rates for equal distance concept and the impact that may have on branch line abandonment and, from branch line abandonment, future construction of roads which otherwise would not have to be built? Have we any estimates prepared, as Saskatchewan already has?

MR. KROEGER: Mr. Speaker, I doubt that we have estimates I could just walk up to and say, there they are. I know, though, that we have ongoing processes of assessing this sort of thing. As recently as a week ago, I attended a meeting to discuss that very thing with some municipal councils in an area where a rail line was in the

process of being abandoned. So we have ongoing assessments, as well as conversations with the federal people.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Can he give the House any indication as to whether or not a specific review as to the budgetary implications of the Pepin plan for the Department of Transportation will be launched? Mr. Speaker, I raise that because this has already been undertaken by our neighboring province, and the cost is rather substantial. Will the minister assure the House that our Department of Transportation will undertake a similar review?

MR. KROEGER: Mr. Speaker, I will certainly assure the House that if we deem it necessary, we will do that. I have not had a direct discussion as a result of what's occurred on the policy of the federal government on the Crow rate, although we are certainly fully aware and keeping ourselves informed. I suggest that a discussion with the Minister of Economic Development, who shares a responsibility on the rail side, would be useful. I'm prepared to have that discussion and report back.

MR. SPEAKER: The hon. Minister of Culture would like to deal further with a topic dealt with earlier.

MRS. LeMESSURIER: Thank you, Mr. Speaker. In announcing the date of the 75th anniversary of the YMCA, I said "1882" instead of "1907".

ORDERS OF THE DAY

MR. SPEAKER: Hon. members may recall that on Friday, a point of order was raised by the hon. Leader of the Opposition, concerning proposals by the hon. Government House Leader contained in Government Motion No. 1 of this session. As we know, the more important of those proposals, the ones that are more far-reaching, would have the effect of changing certain present rules and practices in our House in regard to limits on debate and the manner of applying closure.

At the outset, I think it should be acknowledged that it is not for a Speaker to tell a parliament how to proceed, unless the proposed procedure is clearly contrary to *Standing Orders* or to some solidly established custom. Here we do have to consider custom, because our *Standing Orders* don't tell us of a fixed method by which those *Standing Orders* may be amended. In fact, *Standing Order 2* says:

In all contingencies unprovided for, the question will be decided by Mr. Speaker and, in making his ruling, Mr. Speaker shall base his decision on the usages and precedents of this Assembly and on parliamentary tradition.

As I think became apparent in the observations made by hon. members on Friday, parliamentary tradition isn't exactly a single, solid, monolithic rule. There's certainly some variation between the practice followed in the House of Commons in Ottawa and the practice followed in the House of Commons at Westminster. There seems to be a custom in Ottawa that

changes in the *Standing Orders* are generally made after study and a recommendation by the *Standing Committee on Procedure and Organization*.

But that same reference in *Beauchesne*, which I've just quoted, continues with a mention that there's nothing to prevent any member or minister from introducing a motion to amend the *Standing Orders*.

We've checked the minutes of our Assembly. As you know, in a parliament of the Westminster tradition the minutes are called the Votes and Proceedings. We've checked those in the *Journals* back to 1914 and 1916. I must say that sometimes some of the references in the *Journals* of years gone by are not totally clear; certainly some of the page references aren't. Perhaps some future generations of parliamentarians may find some fault with ours as well; I don't know.

In any case, it appears that the first *Standing Orders* of this Assembly — and I have a copy of those — were adopted in 1916, as a result of having asked the Clerk of the House to prepare draft *Standing Orders*, then instructing the Speaker to appoint a committee to deal with them. That happened again in 1925, I believe. The Speaker was instructed to appoint a committee to deal with the apparently fairly extensive revision of the *Standing Orders*.

Over the years, we have had a number of instances in which proposed changes to the *Standing Orders* were referred to a committee by the Assembly. I think that's the important question here. The reference was made by the Assembly. In other words, someone on the floor moved that the matter go to a committee. The Assembly no doubt debated or considered that motion, then arrived at a conclusion by means of a vote. In those instances, the matter was referred to a committee. The latest one of those was in our own Assembly in 1973 and '74, when a committee, on which I had the privilege of serving, made some fairly substantial revisions, although they didn't really deal extensively with the rights of members, certainly not with regard to the rights of members in relation to debate, except to change the ordinary time limits from 40 minutes to 30 minutes.

There have been other occasions in which fairly important matters have been dealt with, changes in the *Standing Orders*, without reference to a committee. Without wishing to prolong dealing with this point, I think I would have to say that I am unable to find any compelling reason the Speaker should be in a position to say to the Assembly, look, you've got to do it this way or that way. The way the Assembly decides to proceed is in the hands of the Assembly, and that is the present situation.

I am unable to say that, even though the contents of the proposal are of the utmost importance — you might say that debate is of the very guts of parliament, if that's a good expression. But as pointed out in *Erskine May*, that does not necessarily mean totally uninhibited and unrestricted debate. If I might add something in passing, it would seem that when there is opportunity for all seriously held points of view in the Assembly to be expressed, then one would have to conclude that there is adequate opportunity for debate. However, that's just an aside.

To come back to what I said a moment ago, we're in the realm of custom or precedent. Going back to the beginning, I'm unable to find anything in the precedents which would say that the Speaker may intervene on an occasion of this kind and say, look, you may not go on with this motion; you first must refer it to committee. That would not seem to be the case in regard to this particular situation.

MR. NOTLEY: Mr. Speaker, with respect to your point of order, I think it's probably in a sense inappropriate to negotiate, but I wonder if, in view of the ruling you've given, sir, the Government House Leader would consider holding the matter over until tomorrow. Then, perhaps collectively, both the opposition and the government sides could review the Speaker's ruling, rather than acting upon it today.

MR. CRAWFORD: Mr. Speaker, I have a slightly different suggestion. I certainly have no objection to discussing with hon. members of the opposition how the matter might be proceeded with throughout the length of time it will undoubtedly take to deal with it, one way or another, in the Assembly. Mr. Speaker, in addressing all hon. members — and I suppose in particular members of the opposition, because of the point raised — I think I should first note that as I understand the observations you have made, sir, it leads us to the conclusion that in any event, the point of order has not been upheld. Since that is the way in which it was first addressed, I think it leaves us with a clean slate at the moment, I having been some 25 or 30 words into my remarks in moving the motion by the time that matter came up.

Mr. Speaker, subject to any interventions which might be upheld, I think I do have the floor to continue my remarks in moving the motion, up to a certain maximum number of minutes. However, I want to say to hon. members and to the members of the opposition — and in fact without yielding the floor would be interested in the response, if hon. members care to make the response here — that I would certainly think in terms that if I make the remarks I propose to make this afternoon and conclude the moving of it, I perceive that in any event it will not be voted upon right away, and that maybe the Leader of the Opposition or some other member of the opposition may wish to make some remarks as well.

In other words, I think the question of whether any referral should be made — and I am not yet persuaded that that should be done, for the very reason that the opportunity of discussing it in the presence of all members, although it's not strictly a committee, is here in any event. So I have no settled view in regard to the possibility of a committee. But I would think there would be ample time to discuss that before the matter could likely be called again. It's that sort of observation I wanted to make to the hon. members, having heard the representation of the hon. Member for Spirit River-Fairview.

MR. SPEAKER: Just to deal briefly with the point raised by the hon. Government House Leader, it would seem to me to be only fair that we consider that we have been on a point of order, and the time taken by any members who have contributed to that discussion would not be counted against their speaking time.

MR. R. SPEAKER: Mr. Speaker, on the point of order. If the present circumstances are that the House leader proceed on the government side of the House, I would be moving a motion of referral at a later time and not at this point.

I'm speaking to your point of order at the moment, Mr. Speaker. The reason I'm not doing it at this point is that it may be considered. I note from *Alberta Hansard* that the motion before us is printed in *Hansard*. It wasn't read fully by the hon. minister at the time of introduction, as I recall. There were only a few words of the hon. minister, saying "Motion No. 1 proposes that certain

changes be made ..." I'm not sure that constitutes the actual motion being moved onto the floor of the Legislative Assembly.

If it does, however, I would like to say that if I move the motion of referral now, that would constitute my speaking time. I'm not prepared to give that up. So I think it would be incumbent upon you, Mr. Speaker, to rule on that as well. Is the motion really before us or not? Has it been formally moved by the House leader? As I read his comments, I don't believe it has been officially placed on the floor. If it has been, I will hold my referral motion until it is my turn to speak. If it has not, I think we should move to that item on the agenda.

MR. NOTLEY: Mr. Speaker, I wonder if we could look at the point of order this way: if perhaps we had the Government House Leader, who is introducing the motion, outline the reasons for the rule changes, then presumably the first person to speak would be the Leader of the Opposition. If the government would agree to let the Leader of the Opposition adjourn the debate before making any motion — because obviously a motion on this side of the House might well be to refer it to the committee — members would collectively have an opportunity to review that option over the next few hours before we come back and meet again.

MR. CRAWFORD: Mr. Speaker, I don't know the precedents for this type of negotiation to take place on the floor of the Assembly. But other hon. members have already remarked upon that, and I certainly have no objection to the discussion, because every point raised is of some importance.

Between the hon. Member for Spirit River-Fairview and myself, I would not try to determine or even speculate upon what the Leader of the Opposition should do. But I feel there is a lot to be said for the proposal that if I make some remarks — which in a lot of ways, since the hon. members haven't heard them yet, they may find more persuasive than they imagine. They would even be able to look at them, in the sense of *Hansard* or the Blues being published, and take into account anything I might have said.

Mr. Speaker, if it should transpire that the next member to get your attention is a member of the opposition, and if any member then wanted to adjourn debate in order that the House deal with some other matters for the balance of the afternoon, that would be all right with the government members. I don't know what that means about the prospect — this leads me to the question of tonight, in those circumstances. I don't know whether or not the intervening hours are sufficient to do the other aspect of what I suggested; that is, maybe some discussion about our attitude towards the referral motion could also be held when the House was not sitting at that moment. So those are some observations, Mr. Speaker.

MR. SPEAKER: May I just point out that if an hon. member moves adjournment of the debate, for whatever purpose, unless there be unanimous consent in the Assembly, that constitutes that hon. member's speech. He has spoken in the debate.

MR. CRAWFORD: Mr. Speaker, my belief has always been that a majority could agree to an hon. member adjourning debate, and that it need not be unanimous. I was trying to indicate to the hon. leader that if he did move to adjourn debate, at least the government mem-

bers would agree to it, and that would constitute a majority.

MR. SPEAKER: That's the essential. If the motion is agreed to, then of course the debate is adjourned, and the hon. member is first up when it's called again. But if the motion is defeated, he has spoken, and his opportunity to speak further is gone. I agree with the hon. Government House Leader that a majority vote is adequate.

MR. R. SPEAKER: Mr. Speaker, on the point of order of negotiations. This will affect me very directly, because I feel I have a few moments of thought I'd like to add to the Legislative Assembly. Is it the intention of the Government House Leader to give unanimous consent to continuation of debate by the Leader of the Opposition after the adjournment of debate? I think I have to have that assurance, or we're going to go on and on.

MR. CRAWFORD: Once again, Mr. Speaker, my view of the rule is that having adjourned debate, so long as the hon. member who adjourns debate hasn't used all of his time, he can still pick it up and use it. The hon. Leader of the Opposition has a rather generous allotment, as I recall.

MR. R. SPEAKER: Mr. Speaker, on the point of order and with regard to the rule just cited by the hon. House leader. The time limit for the Leader of the Opposition is unlimited, which means that the consent to proceed after an adjournment by myself would be given by the House leader. So time limits really don't enter the matter at the moment.

MR. SPEAKER: It depends on the outcome of the vote on the motion to adjourn.

MR. NOTLEY: Mr. Speaker, as I understand the Government House Leader, he has already given the assurance that government members would agree to let the hon. Leader of the Opposition adjourn debate upon the Government House Leader's finishing his speech, should the opposition leader be given the floor.

MR. CRAWFORD: Yes.

MR. SPEAKER: Now, as I understand it, we're debating the motion.

MR. CRAWFORD: In passing, Mr. Speaker, I might note that a further point raised by the hon. leader was whether I should read the entire motion in order to get it properly before, but in my view it's not necessary.

MR. R. SPEAKER: It was printed in *Hansard*.

MR. CRAWFORD: Oh, I see. We'll take under advisement the question of whether *Hansard* needs to be revised in any way. But I won't direct my remarks to that at this time, Mr. Speaker.

In continuing the remarks, and having moved Government Motion No. 1 on Friday, I want to observe that what is being proposed is really in about three major areas. One area would set some strictures upon the length of time that would be available for debating supply. Another would introduce new and innovative ideas offering the Leader of the Opposition a unique role, not previously enjoyed, in the debate of the estimates. A third

one would change the rule as it exists in regard to unlimited speaking time for the Premier and the Leader of the Opposition, and set that time at 90 minutes.

Now I suggest that the last point of the three is neutral as far as the members of the opposition are concerned. The question of whether it's 90 minutes or unlimited is neutral, because it applies to both sides. Opinions can certainly be expressed on whether the figure chosen is the right one, but in any event it applies equally to both sides of the Assembly. I don't intend to say very much more on that point.

The second is the one that I have indicated is a clear and novel — for Alberta procedures — advantage to the Leader of the Opposition. While estimates are being considered, it assures that each Monday the departments to be brought before the Committee of Supply are the choice of the Leader of the Opposition. We have not previously done that. I noticed that Ontario has a system whereby they do it by what their rules refer to as rounds. The Leader of the Opposition, the leader of a third party, if any, and the Government House Leader take turns in specifying departments for as many days as the estimates are before the Assembly. That is an interesting procedure, perhaps an alternative to what is being proposed in the motion I'm now speaking to.

In the House of Commons, of course, it's done slightly differently again. Six days are allowed for the presentation of motions in regard to supply. They are considered to be primarily motions with respect to confidence in the overall budget, as distinct from discussion of specific estimates. Those are the motions of confidence that can be made twice in any debate segment, because the 25 days provided in the House of Commons are divided into three segments. It's interesting that in the House of Commons, the Speaker has the choice of which of those motions are called, once the motions are filed. That's just a gratuitous or unnecessary additional remark, because that strikes me as being not well suited to what we are proposing for Alberta.

Then, Mr. Speaker, we come to the question of the proposed limitations on the time frames: whether it should be done at all, whether it's consistent with parliamentary precedent and, if it should be done and if it is consistent, whether the proposed time frames are the right ones. That raises the question of whether comparisons with other legislatures and parliaments are appropriate. I suggest to hon. members that they are. What we know as the whole stream of parliamentary tradition and lore, and everything that relates to the development of a parliamentary institution over a period which is now approaching almost 1,000 years in the British system, no matter where you are in the world, in Commonwealth countries — in Australia, New Zealand, or the like; in Canada, in one of the provinces of Canada; in Westminster itself — there is a stream of tradition and development over the years, all of which is relevant. We have noted that certain aspects of it may not be adopted in one legislature or another at a particular time. But that does not argue the point as to whether those other considerations are relevant.

I think one of the issues then becomes — and it was certainly well outlined in the reference to *Erskine May* that I used the other day in speaking to the point of order. Perhaps it need not be stated again, but can be very briefly again. The "chief characteristic" of the *Standing Orders*

is that they are intended to expedite the progress of business ...

That's not even a complete sentence. The rest of it:

by reducing the opportunities for debate and checking its luxuriance.

Mr. Speaker, that is surely a powerful statement as to what the *Standing Orders* have stood for over the years, what it is they should stand for in the continued development of the parliamentary system, and whether it is ever correct and proper, other than in the usage of closure, that the Assembly should have rules limiting speaking time and the length of time a particular item can take.

Mr. Speaker, the *Standing Orders* of any parliament abound with examples where the rules put down some form of stricture and apply it to all members. It does so over and over again; for example, with the length of time a member may speak. It does it with rules such as that a matter that's been disposed of cannot be brought up again. It does that to economize on the time of the Assembly in order that things won't be talked about just for the sake of talking about them and having the same issues brought back all the time, even though the minds of the members have already been addressed to it. But it's clear that that is another example of an occasion where the rules say, you must stop talking about the item at this point.

Hon. members would think of any number of standing orders which have for many years provided, and still provide, that certain things shall be decided without debate; clearly a device for saving time. Another type of provision in the *Standing Orders* disallows the possibility of amendment of a certain type of motion in certain cases, once again because experience has shown over the years that that is necessary. Mr. Speaker, I have tried to make the point that whatever we may think of the conduct of some other parliaments, including the one in Ottawa, no one has ever suggested that this is not part of a legitimate parliamentary tradition, in the sense of the *Standing Orders* and the content of them.

How could we suggest that? We refer almost daily to what is known as the Bible of the House of Commons, *Beauchesne*. Occasionally we refer to some other matters in the House of Commons by way of rulings of their speakers. We argue them here. We have done so, and hon. members of the opposition have done so. Occasionally we refer to *Bourinot*. If we want to go to the imperial Parliament at Westminster, we are always referring to *Erskine May*. So are they, to the extent required in discussions in the House of Commons in Ottawa. The statement that because from time to time we don't like what they do there, that that means there is something unparliamentary or something the matter with their traditions, in the flow of many centuries of total parliamentary tradition and development, is an argument that simply cannot be made.

Mr. Speaker, this resolution doesn't propose simply to adopt what is done in Ottawa. I don't think it would be suitable in many cases, although it is obviously suitable in many others. Our *Standing Orders* reflect over and over again, word for word, the provisions of the *Standing Orders* of the House of Commons. But that doesn't make the argument that in every case it is suitable to copy it slavishly. That is not what's proposed here. It's referred to as something that has gone before and is part of parliamentary development. We are now at the point where we in Alberta are with a proposal to continue the development of the rules we have.

Mr. Speaker, I believe the time comparisons are relevant. I don't know why they wouldn't be. If the desire of

hon. members is that debate proceed and be free and open, which is the tradition of parliament and the desire of every member, and that the opportunity to speak always be there, which is certainly taken for granted by any person I ever knew who had any interest in the parliamentary system, ever sought public office, or ever served in public office, that is the essence and nature of parliament. It is a place where people not only may discuss but are entitled to discuss the issues of the day and to make decisions.

When you have along with that the need, which I believe can't truly be argued against, that at some point public business must take another step — it's not a business in the usual sense. It's not a business like somebody running his own enterprise, where he is making his decisions and moving ahead. But if you talk to a person who runs his own enterprise, one of the things that worries him about government is that sometimes it seems to show an inability to decide, and he'd say: I wish I was in there so I could make decisions, move things along, and do this thing efficiently.

Those of us who are in a parliament or legislature know that it's not that simple. We know that the real thing parliament is all about is discussion and debate. We have no desire to bring into it procedures which are there merely because they appear to increase efficiency. So what does that mean? That means that priority number one remains the opportunity for full and fair discussion on the important issues, over and over again as may be required. Bring them back, talk about them, and debate them. But there comes a point where I believe the man in the street would finally say: you have had your talk, as good as it all is, but you must now proceed. That is all that is being proposed with respect to supply.

The allotment of time, the comparisons I have referred to on other occasions, certainly in the last session, are legitimate. A great, worldwide power like Great Britain, with all its massive defence and space budgets, and the like, and 600-odd Members of Parliament representing 55 million people, has 29 days available. The government of British Columbia, I can't tell you right off. I noticed that they recently revised their rule, and I'm not sure what it says now. But for many years, it was at 45 days. The government of Ontario provides 90 sittings, but a sitting is a not a day; it is a portion of a day. Also, if any matter is referred to a committee, such as we have occasionally done here in referring not to the Committee of Supply but to subcommittees of supply, four sittings are taken off the 90 sittings for every department referred. So they have systems like this, and they utilize them.

A number of the other legislatures simply rely upon closure. The Legislature of Manitoba relies upon a rule which allows a minister to move a resolution in committee that the matter not be further discussed after the following day and that all matters necessary be resolved in a single vote. That would be a form of closure. I honestly don't know whether it's ever been used, Mr. Speaker. But we look at the brother and sister provinces to see what they do. They have their own variety of ways, and that's as it should be. All of them are in accordance with the full flow and tradition and development of the parliamentary system over the centuries.

Mr. Speaker, in defining the time frames involved and making the comparisons that have been made, I think the total of 41 days which are provided for matters of supply is a very good, very reasonable, and very sensible type of proposal. I would be the first to agree that matters of public taxation and expenditure of funds are increasingly

important in our Assembly. The Heritage Savings Trust Fund, which does not exist in other provinces, adds a reason for being sure that the opportunity for examination and debate is there.

Under the present system in Alberta, even with the lengthy debate on the trust fund which took place last year and has often been referred to in and out of the House, over the last six years the average has been 26 days for all this very important business of supply. We are proposing 41. Again, against a background where the Parliament in Westminster is able to do its business in 29 days, and the House of Commons in Ottawa looks at 25, with a budget, I would say, roughly 10 times the size of ours — I have lumped a portion of the trust fund estimates that must be considered each year, to use that rough figure of about 10 times — with an Assembly that has not 79 members but 282, who presumably must make their views known. . . . I have never heard anyone suggest that was unreasonable.

Of course they quarrel about whether the government is doing the right thing at a given moment, and we expect those quarrels here. When I say we, I am referring to many people who have looked at recent activities in Parliament and have not been overly impressed — for example, with the recent budget — and think it may be one that should be tied up forever. But they don't allow it there. They have the opportunity of dealing with it in 25 days, and there is a reason.

I mentioned some of the other provinces. Mr. Speaker, I didn't happen to mention Saskatchewan. I'm just going from memory now, but it seems to me their system doesn't stipulate days but does allow a motion simply to be made that the matter be pretty well forthwith disposed of. I guess it's true we could use closure that way here as well. But I don't think there's any advantage to either the government or opposition members in that.

I think the concluding thing, Mr. Speaker — and in raising this, I would not attribute it to my hon. friends in the opposition today or in reference to events in the last session. If I may, I speak entirely in the abstract, though as one who has observed the legislative processes whether they be in Parliament, Congress, or over the years in the sense of reading and study with respect to them, whether it be yesterday's news in regard to how it's being handled in a certain Parliament or Legislature, or whether they used closure in a particular province and whether they have rules similar to ours. There must be a point at which the difference between opposition and obstruction is meaningful.

There must be a point where going further into matters of policy, proposed in the messages from the Governor General or Lieutenant-Governor, which constitute the matters of confidence upon which a government is prepared to stand or fall in the Assembly and which a government knows it carries with it into the next election campaign before the people — there has to come a time when you acknowledge the desirability of saying everything that can be said on the subject, acknowledge the desirability of having the fullest and fairest discussion, acknowledge not simply the desire but the absolute necessity of having that full discussion, input and opposition, the absolute necessity of having opposition to deal with those matters. There is still a time — and people probably differ on just when that point is — but there is a point at which opposition passes into obstruction.

I believe that the proposals made here, consistent with parliamentary tradition as they are, would also be in keeping with what I hope would be the generally ac-

corded with, acknowledged, and accepted view that opposition must have every bit of its fair play, but that there comes a time when the business must be done. It may be, Mr. Speaker, that I made that argument last fall. I'm trying to make it in new context today. I'm trying to make it in a context which I said, most sincerely, that I put forward only in the abstract, and on this occasion not attributing anything to hon. members in the opposition in that respect.

So, Mr. Speaker, I've completed my remarks and hope that the result is that it leads us to an improvement in our *Standing Orders* and, more than acceptable, a fully satisfactory code of operation for all hon. members.

MR. R. SPEAKER: Mr. Speaker, I beg leave to adjourn debate, on the agreed basis that I can resume my comments following discussions with the House leader.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

MR. CRAWFORD: Mr. Speaker, as to business for the balance of the afternoon, because somebody was standing here talking I didn't have the opportunity of sending the Clerk a note, and simply ask that second readings of Bills be called. I haven't had a request to hold any of those. But should there be any representations on that, that could also be considered. In any event, No. 10 is proposed to be held this afternoon. I would ask the Clerk to call the Bills in the order: 5, 13, 1, and 8. I see the Minister of Housing and Public Works will have to be sent for. We might proceed with Bill No. 13.

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

Bill 13 **Alberta Municipal Financing Corporation** **Amendment Act, 1982**

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 13, the Alberta Municipal Financing Corporation Amendment Act, 1982. As indicated on first reading, this Bill is very simple and straightforward. In fact, it contains only one line. It amends Section 29(1) of the Alberta Municipal Financing Corporation Act, which has been in existence for many years, by increasing the total cumulative amount which municipalities in the province may borrow to \$5.8 billion from \$4.3 billion. "Municipality" includes not only municipal entities such as cities, towns, villages, municipal districts, and counties, but as members know, includes as well school divisions and hospital boards, although the largest bulk of the moneys are borrowed from the corporation by municipalities.

The last occasion on which amendments of a similar nature were made was about a year ago. Members will recall that at that time, the total cumulative amount which could be borrowed by municipalities was increased to the present figure of \$4.5 billion from \$3.5 billion, an increase of \$1 billion. Of course that reflected the very significant degree of borrowing during the last 12 months or so, most of it at a highly subsidized rate of 11 per cent, thereby significantly benefiting the property tax payers around the province — borrowing which reflects the fast

growth around the province in the previous 18 months and the capital improvements that municipalities felt were necessary as a result.

By this amendment, the amount increases by a larger amount. It increases by \$1.3 billion. That is the estimate which the Alberta Municipal Financing Corporation feels is the amount municipalities will probably request they would like to borrow for roads, streets, bridges, and fire halls around the province up to December 1983. There's no guarantee that that will be the case. The figure may well vary. However, that is the estimated amount, bearing in mind the informal intentions indicated to the corporation over recent months by municipalities, school boards, and hospitals.

Members are well aware of the many capital projects which are funded through the borrowings. Members are aware that borrowings with respect to utilities are not shielded by the corporation or by the budget of the Department of Municipal Affairs. The shielding, the benefits which essentially translate into lower taxes for the typical taxpayer, are in excess of \$80 million this year. So that subsidy, which is unique in the country — no other province has this kind of money pool available for its municipalities — is proposed to be continued for the coming year.

I would end second reading debate with those remarks, Mr. Speaker, and urge the Assembly to pass the Bill, to enable municipalities to continue to borrow until December 31 of next year.

[Motion carried; Bill 13 read a second time]

Bill 5 **Alberta Home Mortgage Corporation** **Amendment Act, 1982**

MR. CHAMBERS: Mr. Speaker, I move second reading of Bill No. 5, the Alberta Home Mortgage Corporation Amendment Act, 1982.

In speaking briefly on second reading, I'd like to point out to hon. members that the Alberta Home Mortgage Corporation Act was first passed in 1976. No amendments have been made to the legislation since that date. As members are aware, in the intervening six years, the corporation has become a major lending force in the province, with in excess of \$2 billion in mortgage loans outstanding.

I'd like to bring the important aspects of the amendments to the attention of all members. The amendments to sections 4 and 5 represent clarification of the general conduct and operation of the corporation, and are intended to update the authority and responsibilities of the members of the corporation as well as the authority of the members to delegate responsibility.

A further amendment would allow the corporation to sell mortgages, if and when such circumstances should warrant. A final significant amendment would authorize the corporation to invest its mortgage insurance fund surplus money in securities, loans, or in currencies the Provincial Treasurer is permitted to invest in, or purchase or sell under the Financial Administration Act. At present the range of investments the corporation can make are more restrictive than what is allowed under the Financial Administration Act. Expanding the range of investments the corporation can make might result in increased earnings for the mortgage insurance fund. It should also facilitate the investment process, since Treasury Department facilities are being utilized to invest the

corporation's mortgage insurance fund surplus.

With those remarks, Mr. Speaker, I encourage all members to support second reading of Bill No. 5.

[Motion carried; Bill 5 read a second time]

Bill 1
Hail and Crop Insurance
Amendment Act, 1982

MR. LOUGHEED: Mr. Speaker, I move second reading of Bill No. 1, the Hail and Crop Insurance Amendment Act, 1982, standing in my name on the Order Paper.

Basically it has two administrative changes. The first is to change it so the affairs of the corporation are conducted by a board of directors without limiting the maximum number to seven. The second is an administrative change which involves how the corporation shall prepare its report and when the report shall be presented.

[Motion carried; Bill 1 read a second time]

MR. CRAWFORD: Mr. Speaker, I believe the Minister of Municipal Affairs can be with us in a few minutes. We'd like to proceed next with Bill No. 8, if the House can wait for a few minutes.

I keep getting updates. The hon. Member for Edmonton Norwood is here now. Although we indicated that that Bill would be held, if hon. members don't object it could be called next.

HON. MEMBERS: Agreed.

Bill 10
Law of Property Amendment Act, 1982

MRS. CHICHAK: Mr. Speaker, I move second reading of Bill No. 10, the Law of Property Amendment Act, 1982.

As I indicated on introduction, I believe the principle of this legislation will be of significant benefit to the consumer. The Bill provides some changes of economic benefit from current legislation. At such times as may be necessary in any year, or at a time of sale or purchase of a property, when statements are required as to the standing of mortgages or amounts owing to vendors, such statements would be calculated to provide information with respect to the principal outstanding against a property or asset, the calculation of interest, and any other charges levied against a property. As well, from year to year where the mortgagee or a vendor has retained or been given the responsibility of paying the property tax charges against the property and collecting that amount from the mortgagor or the purchaser, the requirement for provision of the standing of such a tax account would be given at such times as a mortgagee or a purchaser might require to do his or her accounting through each year.

In the past, there was not a requirement to provide without charge such accounting or statement to the consumer. From time to time, those charges were rather exorbitant. In these inflationary times, and times of high interest and costs faced by home and property owners that they had not anticipated the sudden changes taking place, the requirement of up to two statements a year — the facing of such costs might not have to be borne by the consumer, in this case a mortgagor or property owner.

With regard to the amendments brought forward, there is clarification, under another section, of what rights exist

with respect to the mortgagee or a vendor when there is a vesting order by a court. Under a situation of legal action brought forward with respect to the payment or extension of extensive charges due under mortgages or other documents, a vesting order will then of course bring forward direction on what the responsibilities are.

An item that has been a concern for many years is the obtaining of discharge documents where a mortgage or an agreement for sale has been paid out, and the difficulty that consumers, or the mortgagor or purchaser, have had in obtaining the necessary documents to discharge such documentation that existed. The amendments under this Bill would make mandatory to provide without cost such discharge documents and the relevant documents to enable the registrar to carry out the direction of discharge of any such indebtedness as is being dealt with.

Mr. Speaker, this Bill covers some problems the consumer has had to face in three areas. Hopefully the Bill will correct and put in place a mechanism that will minimize the costs that may be faced by the consumer in such circumstances. I urge all members to support the Bill.

Thank you, Mr. Speaker.

[Motion carried; Bill 10 read a second time]

Bill 8
Transportation of Dangerous Goods
Control Act

MR. MOORE: Mr. Speaker, I move second reading of Bill No. 8, the Transportation of Dangerous Goods Control Act.

Members will recall that this Bill was introduced last fall, in very close to the same form that it now appears. Since that time, we've had an opportunity to have wide public discussion throughout Alberta, and indeed across Canada, with respect to the various provisions of the Bill. We've had an opportunity for not only government officials but industry as well to review the Bill, and the operational procedures we outlined during the course of the debate last fall and the discussion we had at that time. The result of all that review has been very few changes in the legislation itself; mostly technical changes that I intend to dwell upon at perhaps some greater length during committee study, when we're reviewing the Bill clause by clause.

However, I would like to take a moment to report upon the progress we've made with respect to the development of a transportation of dangerous goods control system within Alberta, with respect to both federal modes of transport and those modes that are the responsibility of the government of Alberta. Members will recall that I said last fall it was our intention to enter into an agreement with the government of Canada that would see the government of Alberta provide inspection on federal modes of transport in Alberta under the terms of the federal Transportation of Dangerous Goods Act. I'm pleased to advise that at the present time, the second draft of the transportation of dangerous goods agreement between the province of Alberta and the federal government has been prepared and is about to go to Canadian officials for discussion. I expect there will be several more drafts before that agreement is finalized. That might take some months to do, but I expect that agreement to be completed during 1982.

Mr. Speaker, in review, the agreement covers a number

of things, including the application of the federal Act to rail, air, and water transportation in Alberta. However, the federal Act will not apply to pipelines governed by Alberta law, local railway undertakings, and local water transport undertakings. The Alberta Act will apply to the road mode of transportation and, as I outlined earlier, the Alberta regulations will parallel the Canadian regulations in almost every phase. In terms of the draft agreement we have, I should advise that the Alberta Act would apply on Indian reservations and in national parks in Alberta, with the Canadian government responsible for reimbursing the province of Alberta for response costs related to any release of dangerous goods on Indian reservations or national parks.

As well, I should advise that the government of Canada, at least in the tentative agreement we've reached, has agreed to appoint Alberta officials as federal inspectors under the Act. The draft agreement also requires that reports are released from time to time by either federal or provincial inspectors, whoever they might be, to the Alberta Department of the Environment, on any matters that might be pertinent in that regard. I should also advise that in the finalization of our regulations, the Department of the Environment will be responsible for administering a special manifest system, which will relate to the transportation of dangerous wastes that will be under the responsibility of the Minister of the Environment.

Insofar as Alberta is concerned, our progress in establishing a dangerous goods control office and an administration is proceeding well. We are presently advertising for a director, to be responsible for the entire program. We expect offices to be open in Edmonton, Calgary, Grande Prairie, Red Deer, and Lethbridge within the next three to four months. We do not yet have in place a federal inspection training program, but expect that will be developed and in place over the course of 1982 as well. Highway patrol, weigh scale operators, Environment, Labour, and other officials are expected to participate in an awareness program and a training program as that's developed later this year. A technical information office will be opened for industry to liaison with. It will be important that we assist in developing trained employees for industry as well, so that they might have an opportunity to properly carry out their responsibilities in the handling and transporting of dangerous goods. By and large the balance of this year, while we won't be lacking in terms of our activity in the actual control and co-ordination of the handling of dangerous goods, will indeed be an organizational and development year in terms of putting the whole program in place and training people.

Since Bill 80 was introduced last fall, we've conducted a couple of seminars in Edmonton and Calgary on various provisions of the Bill, with about 100 people, largely from industry, in attendance at each seminar. There have been interdepartmental consultations with all departments of the provincial government that might be affected by such legislation, and discussions with officials of some of the larger corporations in this province who will be bound by the legislation in terms of their transportation of various commodities, and with some of the larger carriers involved, particularly in the truck mode of transportation. We have had discussions with several cities, in particular the cities of Edmonton and Calgary, regarding dangerous goods routes by-laws and how the Bill might come into play in terms of the transition period it provides with respect to their existing by-laws.

In conclusion, Mr. Speaker, from my point of view at least, I can say that while progress is often slow when you're breaking new ground, I feel confident that the progress made thus far by officials in Disaster Services, other departments of government in Alberta, and with federal government officials and industry officials is moving at a pace that a year from now will see us with a fairly complete system in place that will govern, as it appropriately should, the transportation of dangerous goods throughout Alberta and Canada.

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

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

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Will the Committee of the Whole please come to order. We have a number of Bills for consideration this afternoon.

Bill 7

Planning Amendment Act, 1982

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

MR. THOMPSON: Mr. Chairman, Subsection (3.1) says: "has direct access or a lawful means of access to a public roadway". Does that mean an existing access, or is it one that could be made? I have real problems. The way it is written, it could be interpreted as an existing access to a public roadway.

MR. MOORE: Mr. Chairman, that is a good question, and I thank the member for asking it. In fact the legislation does not refer to an existing road allowance or existing roadway. If a subdivision were created by this method and an individual could show that he had secured title to a right of way on which he could construct a road, even though it may have been secured very, very recently, that would suffice in terms of direct access. In that event, the development officer of the municipality would be required to provide a certificate showing that the property in question had direct access to a public roadway. There are many cases where individuals, because they desire to subdivide a piece of property and have access to it, will go to the expense of purchasing deeded property from someone else to get that access to the nearest public roadway.

MR. THOMPSON: Supplemental on that point. I'd like to use an example. Say there is a road allowance running past this piece that is being subdivided, but there isn't any access at present. All it would take would be a field to take it over to it. You still would have to get the municipality to agree ahead of time that they would put that access to that piece of land before you would be able to register the subdivision. Is that right?

MR. MOORE: This Bill has nothing to do with providing a culvert, say, in an entryway from a road allowance to a piece of property. By "direct access" we mean, is the property adjoining or does it have access to a public roadway? A public roadway is a road allowance running

by a quarter section. There isn't a requirement in that particular case that a culvert be in place. Under the term "lawful means of access", however, one has to recognize that a piece of property may be split by a primary or secondary highway and the Minister of Transportation, under his responsibilities, has not allowed for access to that primary or secondary highway, because it's on a curve or a hill or some other problem associated with safety. Then the individual would be required to provide direct access to another public roadway, which might be the nearest road allowance in some other direction. Generally speaking, I think that one would be able to obtain access to most, if not all, road allowances that are not classed as being primary or secondary highways.

However, the possibility exists that some natural impediments, such as muskeg, lakes, creeks, or something, that are on existing road allowances throughout the province might result in a situation — and quite often, I suppose, would result in a situation — where the individual did not have direct access, because you can't walk on water, so to speak. So it really means exactly what it says, and there is no prohibition with respect to requiring that somebody put in the culvert. As long as you're adjoining a public roadway that has access from it, that is all that is required.

MR. WOLSTENHOLME: Mr. Chairman, to give an example, on a parcel of land that is on a curve of a highway and a railroad goes by on another side, there is only about 200 feet of a side road from the major intersection. Would this Bill allow a relaxation that an entryway to a side road must be so far from the major highway, like Highway No. 2? Would this Bill allow for that, or do they still have to go through the Department of Transportation to get that special . . . [inaudible].

MR. MOORE: Mr. Chairman, this change in legislation requires that a person who is applying to the registrar — in this case, of the Land Titles Office — for a separate title to a parcel of land which has been severed by means of a natural or man-made barrier, as outlined in Section 86 of the Planning Act, now provide to the registrar evidence showing that there is a direct access or lawful means of access to a public roadway from that property. "Lawful" means, as provided for in Subsection (3.2), that the individual must provide a certificate, and it shall be given:

(a) by a development officer of the municipality if the parcel to be subdivided is located in a city, town, new town, village or summer village, or
by the Minister of Transportation if it's located in a rural area outside of that.

So the answer to the member's question is that if the Minister of Transportation will not provide a certificate showing that the parcel has either direct or both direct and lawful access to a public roadway, the registrar shall not accept the instrument for separate title. Then the individual has no recourse but to go to the planning commission and try to get a subdivision through that route. Obviously that route would not be successful if there's no access. The sole intent of this Bill is to prevent the registrar of Land Titles from giving a separate title to a parcel of land, under Section 86 of the Act, that has direct access or lawful means of access to a public roadway.

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

[Title and preamble agreed to]

MR. MOORE: Mr. Chairman, I move that Bill No. 7, the Planning Amendment Act, 1982, be reported.

[Motion carried]

**Bill 2
Legislative Offices Statutes
Amendment Act, 1982**

MR. McCRAE: Mr. Chairman, I move that Bill No. 2, the Legislative Offices Statutes Amendment Act, 1982, be reported.

MR. CHAIRMAN: Are there any questions or comments on any sections of the Act?

[Title and preamble agreed to]

MR. CHAIRMAN: We have the motion that it be reported. Are you all agreed?

[Motion carried]

**Bill 3
Department of Government Services
Amendment Act, 1982**

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

[Title and preamble agreed to]

MR. McCRAE: Mr. Chairman, I move that Bill No. 3, Department of Government Services Amendment Act, 1982, be reported.

[Motion carried]

**Bill 12
Hydro and Electric Energy
Amendment Act, 1982**

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

[Title and preamble agreed to]

MRS. CRIPPS: I move that Bill No. 12, the Hydro and Electric Energy Amendment Act, 1982, be reported.

[Motion carried]

**Bill 6
Public Lands Amendment Act, 1982**

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

[Title and preamble agreed to]

MR. MILLER: Mr. Chairman, I move that Bill No. 6, the Public Lands Amendment Act, 1982, be reported.

[Motion carried]

**Bill 9
Cancer Treatment and Prevention
Amendment Act, 1982**

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

[Title and preamble agreed to]

MRS. EMBURY: Mr. Chairman, I move that Bill 9, Cancer Treatment and Prevention Amendment Act, 1982, be reported.

[Motion carried]

MR. CRAWFORD: Mr. Chairman, I move that 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 Bills 2, 3, 6, 7, 9, and 12.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, it's nice to see an occasion when the Order Paper is exhausted before the members are. There is no further business to propose for today.

I indicated to the Leader of the Opposition a little while ago, and would indicate to other members now, that it is not proposed that the Assembly sit tomorrow evening. I now move that the Assembly adjourn until tomorrow afternoon at 2:30.

MR. SPEAKER: Having heard the motion by the hon. Government House Leader, do you all agree?

HON. MEMBERS: Agreed.

[At 4:36 p.m., the House adjourned to Tuesday at 2:30 p.m.]