

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Monday, May 30, 1983 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF VISITORS**

MR. SHABEN: Mr. Speaker, in your gallery today are visitors from our sister province of Saskatchewan. I'd like them each to rise as I introduce them. First, I'd like to introduce the Hon. Neal Hardy, Minister of the Environment for the province of Saskatchewan, who also has responsibility for the Saskatchewan Housing Corporation. Mr. Hardy is here to have meetings with our Minister of the Environment and the Minister of Housing. I look forward to those meetings. Accompanying Mr. Hardy are special assistants Darryl Binkley and Fay Brunning.

Thank you very much.

head: **INTRODUCTION OF BILLS****Bill 67****Legislative Assembly Act**

MR. CRAWFORD: Mr. Speaker, I ask leave to introduce Bill No. 67, the Legislative Assembly Act. This being a money Bill, His Honour the Honourable the Lieutenant-Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

What is being proposed in this new legislation is in fact a recasting and rewriting of the entire Act: all the legislation respecting the Assembly, its privileges, and the members of the Assembly. I may be permitted to say that hon. members will be relatively familiar with the contents of this particular Bill, because of the recent proceedings of the privileges and elections committee. Changes that were discussed in committee have been taken into account in preparing the Bill that is being presented today.

Mr. Speaker, perhaps I might also be allowed to say that since I think all of us look upon the Bill as one that belongs to all members, rather than as a government Bill — certainly speaking as one member of the Assembly who appreciated the proceedings of that committee — all members will therefore be aware of the changes that would be made in respect of the statutory grounds for disqualification of members and the clarification that has occurred in the way in which various formal and previously, perhaps to some extent, confusing matters have been revised in this Bill.

Mr. Speaker, it's also important that as to members' indemnities and salaries — and I refer there as well to the expense allowance — on the whole, no changes are being proposed. But there are some exceptions to that, in the way in which allowances for temporary residence will be dealt with — temporary residence in Edmonton for members who normally reside elsewhere — allowances and expenses for committee work. And the salaries of the

hon. Speaker, the Deputy Speaker, and the Deputy Chairman of Committees are the only ones that have been addressed and revised.

Another change in respect of members' services which I think is important enough to mention at the time of introduction, Mr. Speaker, is that in order to enable members of certain northern constituencies to serve constituents better, for the first time there is a new proposal with respect to air transportation for members in remote constituencies.

[Leave granted; Bill 67 read a first time]

Bill 66**Electoral Divisions Act**

MR. CRAWFORD: Mr. Speaker, I ask leave to introduce Bill No. 66, the Electoral Divisions Act.

Under the Legislative Assembly Act, which is the law of the province at the present time, the constituency boundaries all appear by way of a schedule to that Act. What is proposed is that with the passing of the new Legislative Assembly Act, that schedule be re-enacted as a separate Act. The Electoral Divisions Act would be that Act.

[Leave granted; Bill 66 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. HYNDMAN: Mr. Speaker, I wish to table the general report and audited financial statements of the Alberta Resources Railway Corporation for the calendar year ended December 31, 1982.

MR. KING: Mr. Speaker, I wish to table the government's response to Question No. 128.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. ALGER: Mr. Speaker, it's my pleasure this afternoon to introduce to you, and through you to all members of the Assembly, two very highly esteemed citizens of the constituency of Highwood: Mr. and Mrs. Ken and Ruth McCallum. They are seated in your gallery, and I ask them to rise now and accept the warm response of the Assembly.

MRS. FYFE: Mr. Speaker, this afternoon I'd like to introduce to you and to members of the Assembly four students from the St. Albert constituency. These students attend the Primeau high school in the town of Morinville, and they are accompanied by their teacher Jeannette Lucas and bus driver Lyle Johnson. I ask them to stand and be recognized by the Assembly.

MR. ALEXANDER: Mr. Speaker, I have the honor of introducing to you, and through you to members of the Assembly, 43 grade 6 students from the Steinhauer community school in the constituency of Edmonton Whitemud. They are accompanied today by group leaders Mr. R. Rix and Dianne Linden.

I'd like to add that Steinhauer school is one of the outstanding community schools in the province of Alberta, to which I had the honor of presenting a plaque and a flag at the beginning of the year for their outstanding role

of opening the school to the community and making maximum utilization. I compliment the members of Steinhauer school for coming here to study how the government works and for their activity in the community. I'd invite them to rise at this point and be welcomed by the House.

Statement by the Speaker

MR. SPEAKER: Some days ago I mentioned making a statement today to clear up some apparently persistent misunderstandings about question periods.

It is well known that most of the time in parliaments the world over is taken up with making decisions on topics that have been debated. In regard to our ordinary work of debating and deciding, we have, of course, certain rules. The first of these rules is that notice has to be given of any subject, other than a mere procedural point, that is to be debated, regardless of whether the topic is in the form of a Bill or a motion. Notice of debate is of course essential for fairness and good debate. It gives members a chance to prepare. The second requirement for fairness is that, subject to practical time limits, every member who thinks he should, will have an equal chance to take part in the debate.

A member may be asked by another member to clarify something said in debate, but there is no question period during debating periods. The opposite is equally true: there is no debate during question periods. The difference between debating time and question time is so clear that explaining it seems like stating the obvious. Apparently, for some it is not obvious.

The difference becomes even plainer when we consider the real nature of our oral question periods. Firstly, no notice is given beforehand of the questions to be asked. The person asking the questions can, and often does, prepare them beforehand, along with supplementaries; nothing wrong with that. But the person to whom the question is directed has no notice, as must be given in the case of debate. Secondly, other members of the House not only have no notice, but they aren't even permitted to debate either the question or the answer.

Opposition members may strongly disagree with some debating points that get past the Speaker and seem to praise the government in either a question or an answer. Yet they cannot debate the matter at all during the question period. Likewise, government members may strongly disagree with debating points that get past the Speaker and that are made in questions asked by opposition members. No matter how strongly any member disagrees, he must simply bite his tongue, close his lips, and remain silent.

To turn question periods back into debating time simply means cancelling the question period. There has been a suggestion that debate in question periods would be quite welcome. If that's a serious suggestion, let's have an amendment to the *Standing Orders* and cancel the question period and use the time as additional debating time, and let's be fair and require notice of what is to be debated and give all members a chance to take part in the debate.

The obvious unfairness of turning question periods into debating time, without proper debating rules, has resulted in certain practical rules being made which are special to the question period. Let us remember that in the earlier days of parliaments of our tradition, there were no oral question periods. They developed gradually, by taking time away from debate and making an exception for

questions.

In a moment, as I refer to the practical rules of fairness for the question period, it will become clear that we have gone very far indeed in this House in "stretching" those rules. There has been very, very wide latitude indeed. There are some who say we haven't gone as far as one or more other parliaments, or that we haven't gone far enough in disregarding the rules. I respectfully disagree.

The best and most recent summary of rules for oral question periods is to be found in Beauchesne's *Parliamentary Rules and Forms*, fifth edition. This seems to be the most widely used Canadian text on parliamentary procedure. It is only right that we go to a Canadian text, because the oral question period, as we know it, is very much a Canadian thing. In the United Kingdom, in the Mother of Parliaments, there are no oral questions as we have them. All questions are in writing, and notice must be given. Only supplementaries are asked without notice, but of course even they have to relate to the original question of which notice in writing has been given. Moreover, very few supplementaries are allowed there.

Referring to Canadian practice, here are some rules from pages 132 and 133 of *Beauchesne*, the textbook mentioned above. I have given these quotations new numbers in this statement, in case those numbers may provide for easy reference later on. In some cases, the quotations are followed by some added comments.

One, on page 132 of *Beauchesne*, we find this:

A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the government or of the specific Minister to whom it is addressed, is in order.

It must be a question, not an expression of opinion, representation, argumentation, nor debate.

It will immediately become apparent that countless questions are being asked in this House where an expression of opinion is included, either of the member asking the question or an opinion expressed in some report or newspaper or elsewhere.

[Dr. Buck entered the Chamber]

I hesitate about the arrival of the hon. Member for Clover Bar. I'll just interrupt for a moment.

[Mr. Speaker sat down and waited for Dr. Buck to be seated]

DR. BUCK: Were you afraid I might miss something?

MR. SPEAKER: Two, *Beauchesne* goes on to say:

The question must be brief. A preamble need not exceed one carefully drawn sentence. A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble.

There is no member of this House who will have any difficulty in remembering or finding in *Hansard* hundreds of questions that have been asked with long preambles. They may be in carefully drawn sentences, but they often combine enough matter for many sentences, and preambles are being sandwiched in parts throughout the text of the question.

Three, the next quotation from the same book reads as follows:

The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek

an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.

Again, many, many dozens of questions are being asked in this Assembly where information is being given by referring to newspaper or other reports under the guise of identifying the subject matter of the question.

Four, on the same page, the next rule is stated as follows:

It ought to be on an important matter, and not be frivolous.

Obviously, what is important and what is frivolous is a matter of opinion.

Five, next we find this rule:

The matter ought to be of some urgency. There must be some present value in seeking the information during the Question Period rather than through the Order Paper or through correspondence with the Minister or the department.

In this Assembly, there has been such latitude that very many questions are being asked by members on both sides which could be asked in discussions or correspondence with ministers or departments, or by being placed in writing on the Order Paper.

The further rules found on page 132 of *Beauchesne*, with the manner of numbering them slightly changed, are as follows. Six:

A question must be within the administrative competence of the Government. The Minister to whom the question is directed is responsible to the House for his present Ministry and not for any decisions taken in a previous portfolio.

Seven:

A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.

Eight:

A question that has previously been answered ought not to be asked again.

Nine:

A question cannot deal with a matter that is before a court.

Now this last is too strict a statement of this rule, sometimes called the sub judice convention, but *Beauchesne* states it better in citations 335 to 339, which are too lengthy to quote here. There is more on this rule in Sir Erskine May's 19th edition.

Ten:

A question ought not to refer to a statement made outside the House by a Minister.

Eleven:

A question which seeks an opinion about government policy is probably out of order in that it asks for an opinion and not information. A question asking for a general statement of government policy may be out of order in that it requires a long answer that should be made on motion or in debate. Other questions inevitably deal with government policy and the general restrictions regarding such questions have never been applied.

Twelve:

Questions should not anticipate a debate scheduled for the day, but should be reserved for the debate.

The following quotations from page 133 of *Beauchesne* are all relevant, except the reference to two Houses of Parliament, because of course each of our provinces has only one House or Assembly. Again, I have changed the

number. Thirteen:

Some further limitations seem to be generally understood. A question may not:

- (1) ask a solution of a legal question, such as the interpretation of a statute.
- (2) seek information about matters which are in their nature secret, such as decisions or proceedings of Cabinet or advice given to the Crown by the Law Officers.
- (3) seek information about proceedings in a committee which has not yet made its report to the House.
- (4) criticize decisions of the House.
- (5) reflect on the character or conduct of the Speaker or other occupants of the Chair, Members of either House of Parliament and members of the judiciary.
- (6) relate to communications alleged to have passed between a Member and a Minister.

Fourteen, there are rules about replies too. They are much more briefly stated in *Beauchesne*, probably because answers are expected to relate to the questions. Clearly, question period is not a time for ministerial announcements. The privilege of making such announcements is also said to be, like the question period, a comparatively recent development in the 700-year history of parliament. But, as we know, another time is provided for ministerial statements in our daily routine, outside the question period.

Fifteen, on page 133 of the fifth edition, *Beauchesne* has this to say about replies to questions:

- (1) A Minister may decline to answer a question without stating the reason for his refusal, and insistence on an answer is out of order, with no debate being allowed. A refusal to answer cannot be raised as a question of privilege, nor is it regular to comment on such a refusal. A Member may put a question but has no right to insist upon an answer.
- (2) An answer to a question cannot be insisted upon, if the answer be refused by the Minister on the ground of the public interest; nor can the question be replaced on the [Order] Paper. The refusal of a Minister to answer on this ground cannot be raised as a matter of privilege.

Sixteen, it has been held, and I agree, that refusal of an answer, even without stating any reason, does not give rise to a question of privilege. I know of no case in which such a refusal has been held to be even a prima facie case of privilege worth referring to a committee on privileges.

Seventeen, there is a statement about answers which is not mentioned in the fifth edition of *Beauchesne* but is found on page 153 of the fourth edition. It reads:

Questions must be answered briefly and distinctly, and be limited to the necessary explanations, though a certain latitude is permitted to Ministers of the Crown whenever they find it necessary to extend their remarks with the view of clearly explaining the matter in question.

The fourth edition of *Beauchesne* goes on to refer to expunging from *Hansard* gratuitous references in answers, but this need not be a matter of concern because there appears to be only one case in which that ever happened, and that was in the House of Commons on April 6, 1925.

Eighteen, there remains the matter of supplementary questions. On page 134 in the fifth edition, *Beauchesne* states the practice as follows:

Although there may be no debate on an answer,

further questions, as may be necessary for the elucidation of the answers that have been given, within due limits, may be addressed to a Minister. The extent to which supplementary questions may be asked is in the discretion of the Speaker.

Many of our supplementaries have not been supplementaries in the true sense, seeking, in the above words of *Beauchesne*, "elucidation of the answers that have been given". Instead, many of our supplementaries are further main questions on the same or a somewhat related topic.

Members asking supplementaries in Alberta's parliament have some substantial advantages. We have a 45-minute question period for a House of 79 members. In our federal House of Commons, there are 40 minutes for a House of 282 members. Moreover, there only two or three supplementaries are allowed. In our Assembly, on the other hand, members sometimes ask five or six or more supplementaries and, when there has been time, there have been as many as a dozen or more.

There seems to be an impression that the fewer non-government members the voters elect to a parliament, the more those members should be allowed to disregard rules and ask questions which are not in keeping with the practical rules that distinguish a question period from debating time. An opinion that that is in order does not require comments. It is obvious that apart from special functions in the House, all members, once elected, are equal and are, including the Speaker, required to respect established practical rules.

The principles mentioned above are substantially those in effect for many years. Most of them are stated in the fourth edition of *Beauchesne*, which was published in 1958.

Presumably all members, including myself, know what kind of parliament they agreed to be elected to, and came here either to change the rules by parliamentary means or to respect them as they are.

From time to time, questions or answers which are out of order get past the Speaker. Such examples do not establish good precedents and ought not to be followed. The quotations I have just read, and a reading of our *Hansard* for the past several years, will make it abundantly clear that there has indeed been a great deal of latitude in our question periods. However, that may not be generally recognized by those outside the Assembly who have not had a chance to learn what are the basic underlying principles of the question period.

I thank members for their attention, and hope that the time taken by this statement will be more than offset by time saved in question periods.

I'll be tabling two copies, and all hon. members will be receiving copies.

head: ORAL QUESTION PERIOD

Court Decision

MR. NOTLEY: Mr. Speaker, I'd like to direct the first question to the Attorney General. Is the Attorney General in a position to confirm that, subject to the release of Mr. Neustaedter's phone record by my colleague in the Legislature several weeks ago, the RCMP have reopened their investigation into the activities of the Gleichen detachment of the RCMP around the Neustaedter incident?

MR. CRAWFORD: Mr. Speaker, I think I indicated before that if at any time there would be proceedings

taken, as has since happened in this case, then that would give rise to a study of those charges as presented, and that brings with it further examination of all the available evidence. I don't think I'm in a position now to indicate to the hon. member what he asks for, in terms of confirming whether or not a specific investigation of that detachment has been undertaken.

MR. NOTLEY: Mr. Speaker, a supplementary question. Could the minister advise the Assembly whether there have been any discussions with the federal Solicitor General on this particular matter, and whether it's at the initiative of the Attorney General or the federal Solicitor General that this matter is being pursued?

MR. CRAWFORD: Mr. Speaker, I've had no discussion with the Solicitor General of Canada on this point. What has occurred is what I indicated earlier; that is, when the circumstances have been reintroduced, of all the events, which we discussed in the Assembly before, surrounding Mr. Neustaedter's case of a couple of years ago, everything that should be done in respect of gathering and assessing evidence is done.

MR. NOTLEY: Mr. Speaker, a supplementary question. Bearing that answer in mind, is the Attorney General in the position to bring the House up to date on the response of the Crown to the information sworn at Gleichen in mid-April by Mr. Neustaedter, which I take it would be additional information the Crown is now reviewing?

MR. CRAWFORD: Mr. Speaker, I don't want to approach the matter in the way of sort of giving a blow-by-blow update on what might be developing in respect of any investigation or any assessment of existing or new evidence. I can only assure the Assembly that the matter is being dealt with and that as far as the informations that have been sworn are concerned, we are certainly treating them seriously.

MR. NOTLEY: Mr. Speaker, a supplementary question. Could the minister tell the House why the Crown twice requested postponement of the court hearing, originally scheduled for May 18, of Mr. Neustaedter's concerns?

MR. CRAWFORD: Mr. Speaker, all that would have been involved there was a first date that had appeared on the first summons issued. I was aware of one postponement; the hon. leader refers to another one, which I was not aware of. The decision for taking that sort of step is normally made by the Crown agent who is present. He may indeed consult with his superiors, but there is nothing unusual about a deferment of such a case.

MR. NOTLEY: Mr. Speaker, a final supplementary question. Is the minister in a position to give the House some indication, then, as to when the Crown will be able to pursue this matter? Since there has been a deferment, do we have some indication as to what the next step will be?

MR. CRAWFORD: Mr. Speaker, I don't have in mind the date as to when the matter is scheduled to be back before the courts, but it would be within the next few weeks. At that point, given the fact that it's had to be deferred on the previous occasion, I would assume all the parties would be ready to deal with it.

National Security Service

MR. NOTLEY: Mr. Speaker, I'd like to direct the second question to the hon. Attorney General also. It's with respect to the communique issued by provincial attorneys general as a result of their meeting last week on the Canadian security intelligence service. Could the minister first of all advise the Assembly of the position of the government of Alberta with respect to the concerns underlined in the communique by other provincial attorneys general?

MR. CRAWFORD: Mr. Speaker, I have not had an opportunity to review a copy of the communique as such. I have seen newspaper reports relating to it. A couple of things come to mind. One is that, as the hon. leader would know and expect, the view of this government is that we're always willing to look at the views of others and discuss and examine them.

MR. NOTLEY: You'd better wink when you say that.

MR. CRAWFORD: My first impression of what was done in the new federal legislation is that there had been a follow-up of earlier commitments by the federal government to legislate.

We all know what a difficult area national security is and how pre-eminently it is the jurisdictional purview of the federal government to deal with it. That does not mean that provincial ministers responsible for the administration of justice would not have concerns. But my view, expressed earlier, is that what is needed is the beginning of the implementation of what is now proposed, given the unsatisfactory nature of much of what had occurred over a preceding number of years, as shown in the course of the McDonald commission of inquiry. Perhaps, Mr. Speaker, without going on too long, those concerns were ones that the police forces themselves and the government of Canada had to address and try to resolve.

My view is that the legislation which has now been proposed to Parliament is something that we should look at a little bit more, before reacting too violently to it.

MR. NOTLEY: Mr. Speaker, a supplementary question.

MR. SPEAKER: I'm just somewhat concerned about the answer, because the hon. minister, on two or three occasions, expressed his own view. Now, if hon. ministers are going to express their personal opinions in the question period, obviously that's going to lay the basis for being asked about those opinions by hon. members.

MR. NOTLEY: Mr. Speaker, I wouldn't suggest that the minister did that.

Perhaps I could ask a supplementary question, then. Is the minister telling the Assembly that the position of the government of Alberta is that his provincial colleagues jumped the gun with their criticism last week of the new Bill?

MR. SPEAKER: That clearly would have to be a matter of opinion, on which I'm sure the hon. leader's opinion would be equally as valid as that of any other member of the House.

MR. NOTLEY: I have no doubt it would be equally valid, Mr. Speaker.

I'd like to put the supplementary question to the hon.

Attorney General, and ask what steps are now being taken by this government to review the federal legislation, in light of its introduction and also the concerns of the minister's provincial counterparts.

MR. CRAWFORD: Mr. Speaker, I certainly want an opportunity to discuss those concerns with other attorneys general, and I think that opportunity will arise within the next number of weeks. In the meantime, my staff is doing an entire survey of what is proposed and an examination of the legislation.

MR. NOTLEY: Mr. Speaker, a supplementary question.

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

MR. NOTLEY: Given the findings of the Laycraft commission of 1978, citing lack of communication between the RCMP and the Attorney General as a major problem, what steps will the minister take to ensure that the new federal legislation will promote a relationship between the Canadian security intelligence service and the Attorney General in those areas identified by Mr. Justice Laycraft?

MR. CRAWFORD: Mr. Speaker, I think the steps that have been taken since 1978, both by my predecessor and myself, have resolved what were referred to as concerns at that time. I have not recently reviewed the findings of the Laycraft inquiry, it being some five years old now. The circumstances have developed and changed over the years, and I have found the relationships with the RCMP as a whole to be excellent. Naturally, the relationship with the security service is a slightly different matter.

Data Processing Study

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Economic Development is with regard to a recent study completed on the survey of the data processing community. Could I ask the minister whether this is the first such study done by the department, the reason it was not done at an earlier stage, and what the main purpose of that study was?

MR. PLANCHE: I'm not sure I understand the question well, Mr. Speaker. To go over the purpose of the study: the difficulty with assisting a growing high-technology industry such as computer software is identifying who the people are that are involved, not only because it's interesting to get a consensus from them as to what kind of assistance might be valuable, but it's also useful when people who want to invest or co-invest come from out of the province; we can identify who is available in that sector.

I'm afraid I didn't understand the rest of the question.

MR. R. SPEAKER: Mr. Speaker, I think the first part of the question was with regard to the significance. Was this the first major study undertaken by the department, or were earlier studies relative to this matter undertaken by the department?

MR. PLANCHE: I'd have to take that as notice and check it, Mr. Speaker.

Northern Alberta Children's Hospital

MR. MARTIN: Mr. Speaker, I'd like to direct my question to the Minister of Hospitals and Medical Care. Can the minister advise if he was invited to participate in the pediatric research centre telethon on the weekend, and can he outline the considerations which led to his not participating in an official capacity in that telethon?

MR. SPEAKER: I have grave doubt about the propriety of that question. Are we going to have ministers explaining in the House every time they refuse an appointment?

MR. MARTIN: Mr. Speaker, it was a major event, and it had to do with . . . Well, I'll go on to the next question rather than debate it here.

MR. SPEAKER: If the hon. member was trying to make a point that the minister wasn't there, he's made it.

MR. MARTIN: Okay, thank you. Were you there, Dave? I wasn't sure.

I understand that over \$250,000 was raised on this telethon. My question to the minister is, will the government undertake to match the funds raised from the private sector for this project?

MR. RUSSELL: Mr. Speaker, I believe the government's position with respect to a children's hospital in Edmonton in the near future is quite clear. It's not on the horizon, and I know of no existing program whereby funds could be matched.

MR. MARTIN: A supplementary question to the minister. This had to do with the research centre rather than the hospital as such. My question would be about the research centre. Will the province match the grants raised in the telethon last night for the research centre?

MR. RUSSELL: No, I don't know of any such commitment, Mr. Speaker. As far as a pediatric research centre, I think it's always been presented as phase one of a northern Alberta children's hospital. In any presentation made to me, that's the way it's been presented.

MR. MARTIN: A supplementary question to the minister, Mr. Speaker. In making the decision to postpone the children's hospital, what assessment was made of the report of the Edmonton Pediatric Society, which pointed out that Edmonton lags far behind the rest of the country as far as numbers of pediatric surgeons and, I believe, pediatric research ability are concerned?

MR. RUSSELL: Mr. Speaker, I can say that that piece of information and those opinions were one element that did go into our decision-making, along with others. The special report we commissioned was tabled in this House. I've reported on the meetings I have had with representatives of the Northern Alberta Children's Hospital Foundation, and I believe they understand why it will be very difficult for us to proceed with yet another hospital capital facility in Edmonton in the near future. Notwithstanding that, they're committed to going out and drumming up public support and a financial contribution toward the cost of a facility, so that support and those dollars will be there at such time as the facility may proceed.

MR. MARTIN: A supplementary question, Mr. Speaker. I'm almost tempted to come back to my first question after that answer, but I'll proceed. Has the minister had an opportunity to review the quality of the children's cardiac surgery facilities this year, subsequent to the departure of specialists earlier this year, I believe, and one in December last year? I guess the general question is, what initiatives does the government plan to improve children's cardiac care here in the future?

MR. RUSSELL: Mr. Speaker, like any other program, hopefully that will be a matter of ongoing improvement. At the present time the board of the University hospital is seeing if they can't move ahead in their scheduling with the intensive care unit attached to the pediatric facility that is there.

Insofar as specialists leaving, I'm told that one of them has changed his mind and is still here. So it's not all bad news. There are many provinces that wish they could do half as well as we're doing.

MR. MARTIN: Well, that brings me to another supplementary. I'm sure they'd be interested. Would the minister confirm that Edmonton — it's from this report — has 15 times fewer pediatric beds than the average in those cities which have a children's . . .

MR. SPEAKER: Order please. That is clearly a matter of private research. I've had increasing concern about the number of times ministers are being asked to confirm things which may be used as a basis for subsequent argument. It's not within any minister's public duties to confirm private research done by any of the members.

MR. MARTIN: On a point of order, Mr. Speaker. The minister made the statement that other places were looking to Alberta as having an acceptable amount. I was trying to confirm, from a report he knows about . . .

MR. SPEAKER: I realize there was some possible basis for that supplementary in what the minister had said. But let's remember this: that reply was evoked by a very argumentative question, which was intended to put the minister in a bad light. Consequently, it's not surprising that he went that far. But someplace it has to stop; otherwise, we're into a fullfledged debate between the member and the minister.

Government Ownership — Private Sector

DR. BUCK: Mr. Speaker, my question to the hon. Premier has to do with the section of *Hansard* where the hon. Premier said that he would attempt to convince any new federal Tory leader to clean house in Ottawa of public service personnel who have socialistic leanings. In light of the fact that the provincial government owns Pacific Western Airlines, can the Premier indicate if the person or persons responsible for the advice given to the Alberta government to buy that air line will be fired, or have they been terminated? In light of the fact that we want to get rid of the socialists in Ottawa, are we going to do the same in Alberta?

MR. LOUGHEED: Mr. Speaker, that would be somewhat difficult, because the advice given to the government was given from the leader of government and that would have some difficulty for him. [laughter]

DR. BUCK: Mr. Speaker, can the hon. Premier indicate to the Assembly how the sale of Pacific Western Airlines is going? Is the government going to divest itself of that company or not?

MR. LOUGHEED: Mr. Speaker, it is an important question. I'd prefer to take notice of it, though, because it is being handled under the responsibility of the Minister of Transportation, who is unable to be in the House today. I'll pass notice of the hon. Member for Clover Bar's question on to him, so he can respond.

DR. BUCK: Mr. Speaker, a supplementary question. Can the Premier indicate if the person who gave the advice to buy IPSCO is still in the employ of the provincial government, to find out if we're going to get rid of these undesirable socialist people?

MR. SPEAKER: Order please.

DR. BUCK: They're the Premier's own words, Mr. Speaker.

MR. SPEAKER: There are many words spoken by the Premier which may be fine in a speech but not in a question asked by the hon. member.

DR. BUCK: Mr. Speaker, it's in *Hansard*, if you wish to read *Hansard*.

Mr. Speaker, to the Premier: will the services of the person who gave the provincial government advice to purchase shares of IPSCO be terminated by this government?

MR. LOUGHEED: Mr. Speaker, the circumstance is the same as the first question, and again I have some difficulty with it.

DR. BUCK: Mr. Speaker, then maybe the Premier can indicate to the Assembly if the services of the person who gave the advice to get involved in Simpson Timber will be terminated by this provincial government.

MR. LOUGHEED: Mr. Speaker, that advice came from the then Deputy Premier, who is no longer part of government.

DR. BUCK: Mr. Speaker, my final supplementary. Can the Premier indicate if socialism in Ottawa is different from socialism in Alberta? [interjections]

MR. SPEAKER: Order please.

ORDERS OF THE DAY

head: GOVERNMENT BILLS AND ORDERS

(Second Reading)

Bill 44

Labour Statutes
Amendment Act, 1983

[Adjourned debate May 27: Mr. Szwender]

MR. SZWENDER: Mr. Speaker, I rise to continue debate on second reading of Bill 44, the Labour Statutes

Amendment Act, 1983.

On Friday I concluded on a somewhat charitable note, by praising the members of the Official Opposition. Today being the start of a new and beautiful week — and I might add that I'm feeling somewhat better myself — I thought I would continue to offer solace to our misguided friends.

First of all, I would like to offer some of my time to the Member for Edmonton Norwood on how to use a dictionary. On Friday he became quite excitable when I used the word "delude" to describe his empty rhetoric. I can well understand the confusion I must have created in his mind with a word of that complexity, since his vocabulary is normally limited to monosyllables or four-letter words. So I am sure he would accept my generosity as a teacher to help him expand his vocabulary. By the way, Ray, that's spelled d-e-l-u-d-e.

I'll end my remarks about the Member for Edmonton Norwood by referring to him as a rodomontade, which should leave the member thoroughly uncertain as to what he really is. [interjection]

MR. SPEAKER: Order please. It also makes the Speaker uncertain as to whether the expression is parliamentary.

MR. SZWENDER: I assure you that it is, Mr. Speaker.

Still feeling very charitable, I would like to extend some much-needed advice to the Leader of the Opposition, the Member for Spirit River-Fairview. On Friday I began to warn the member of the dangers that await governments or even official oppositions that prostitute themselves to the union bosses, Quebec being the prime example. [interjection] I can see the Member for Edmonton Norwood has had his Cheerios this morning.

MR. MARTIN: What about Imperial Oil?

MR. SZWENDER: Although I somewhat grudgingly have to admit a certain admiration for the hon. member, even at the risk of upsetting members of caucus who would be considered to be politically to my right — that is, both of them — I must admit that I even like the Member for Spirit River-Fairview. He is a hard worker and a conscientious parliamentarian, Mr. Speaker, and that is why I am worried about him. I don't really think the member believes the balderdash that he poured over us on Friday.

MR. SPEAKER: Order please. I have some difficulty. Surely once in a while a member tosses a barb at another member, and it's probably done in good sport. But I'm having some difficulty as to how these remarks are relevant to the Bill.

MR. SZWENDER: I respect that ruling, Mr. Speaker, and I promise not to pout and stomp out of the House. [interjections]

But I realize that the Leader of the Opposition . . .

MR. NOTLEY: Try to speak on the Bill, Walter.

MR. SZWENDER: Mr. Speaker, I can assure you that this is all very well connected.

I know that the Leader of the Opposition was under surveillance on Friday, and probably still is, and must appear to get his dander up over the issue. We know there are young lions waiting impatiently in the wings for his job, and the problem is that they perceive the member

of the opposition as a fat-cat social democrat. Mr. Speaker, it would be useful to put on record at this time that the Member for Spirit River-Fairview is the second highest paid member of this government.

I am getting to my point, Mr. Speaker.

MR. SPEAKER: The hon. member seems to have a long way to go.

MR. SZWENDER: Well, if that preamble is too long, Mr. Speaker, I shall go directly to the issue which, through no fault of my own, I was sidetracked from on Friday.

Returning to the main issue, I would like to review just briefly what has happened in Quebec, where the provincial government sold itself and the taxpayers of the province to union demands. Nobody is saying that public-sector employees do not deserve fair wage settlements, but when a government sells its soul to specific interest groups, they can hardly expect anything different from what occurred in Quebec. It is so ironic that the very people who, for selfish reasons, elected the Parti Québécois are the ones rebelling most vehemently. Bill 111 in Quebec need never have happened and should provide us the lessons to prevent it from ever occurring in Alberta.

What was Bill 111? The Quebec provincial government promised the unions making up the common front, which is a coalition of teachers, public service employees, and professionals — all funded by taxpayers' money — an open house on the Treasury. Their demands were unending, to the point that the Quebec government now has a deficit of \$3 billion and an annual public-sector payroll of \$10.1 billion. This is 20 to 30 per cent higher than any other province's costs. Is that responsible management? Of course it isn't, simply because the government there is in no position to pay those types of salaries.

So the PQ government had no way out. It had to introduce a series of Bills to reduce the provincial deficit. This was done in a series of steps. Last June it began with Bill 70, with wage rollbacks. As pointed out, this created a dishonest relationship, but the government had to implement wage rollbacks against the very people who elected them. The next step the government had to impose was a series of new contracts to replace previous ones. This was done through Bill 105. The government's aim was to slash \$521 million from the public payroll over the next three years. We know the natural and expected reaction from the unions, but what can a government lacking a fiscal policy do when 52 per cent of its \$19.5 billion budget goes out in salary and wage payments? When times were better, these promises were made with some degree of expectation, but they can no longer be irresponsibly made in either Quebec or Alberta with any public-sector employees' union.

The final and most drastic step was Bill 111, a Bill necessary to restore public order in that province. Certainly that Bill was drastic. It would impose severe penalties on violators who refused to comply with the law. Not only were there widespread disruptions in the province, particularly in the schools, but the whole social fabric of that province was weakened. A lack of trust exists there, and no government can be effective if it does not have the trust of its people.

But that's the situation there. The people of that province are paying dearly. Taxes are 24 per cent higher than in Ontario and 30 per cent higher than in Alberta. So the evidence is clearly before us, Mr. Speaker. We must set

out guidelines through clear fiscal policies, and that is our responsibility.

On a final note, Mr. Speaker, I would like to indicate, for the record, statements made by a couple of groups that will be affected by Bill 44. The first was made at the hearings on Wednesday, April 27, by Mr. Mitchell of the Alberta Hospital Employees Union No. 41.

If Bill 44 goes through, I can assure you that it will not be respected by our union.

The other example I would like to cite is this copy of the April issue of the United Nurses of Alberta *News Bulletin*. May I quote?

MR. NOTLEY: But don't read it, Walter.

MR. SPEAKER: If the text of a quotation is in issue, surely an hon. member should be able to quote it.

MR. SZWENDER: Thank you for that ruling, Mr. Speaker. It's very brief.

Bill 44 appears to be an indication of the immaturity and inexperience of the Lougheed government in that it needs to toy with state controls over union members.

The Lougheed government had best be prepared for great resistance from the people of Alberta and the eventual backlash against any government that uses fascist techniques to subdue members of the population.

What a pitiful threat of utter nonsense, Mr. Speaker. This was brought to me by two nurses from my constituency who were ashamed and embarrassed to be associated with these statements from their union executive. These are honest, hardworking individuals with families, and they want no part of strikes or any illegal actions proposed by their manipulative union henchmen.

These are just two very small examples, but they reflect the feelings of the great majority of citizens. In this province, the law will be respected, as it is in any civilized society.

Mr. Speaker, Bill 44 is not only necessary, but it is right. I support the Bill wholly, and urge all members in the Assembly to add their support.

MR. ALEXANDER: Mr. Speaker, I would like to rise to debate Bill 44 as well, suggesting at the beginning that I haven't had nearly as stimulating a weekend as the Member for Edmonton Belmont and have eaten no raw meat. I trust that my comments will be directly to the point, particularly having to do with the fiscal policy aspect of the discussion, and perhaps just a few comments about what kind of employer we are and ought to be.

In his comments last Friday, the hon. Leader of the Opposition described some backbenchers as pushing and pulling the minister toward this unfair piece of legislation, which I am sure is highly amusing to the minister. He commented further that some of us have no appreciation of "the delicacy of collective bargaining". I freely confess at the outset that I am one of those who has not been able to detect much "delicacy in collective bargaining", especially not much delicacy in the comments of those people who appeared before our committee or who have appeared in their roles as union leaders either on television or in the public press.

I personally am under no delusions about Bill 44. I don't believe it seeks or purports to achieve some Utopian condition; it seeks to serve the public interest, including the interests of a large number of faithful and diligent public employees who, in my view, are not being particu-

larly well served by the remarks of their leaders. It is not our job to fail the public interest in this matter, even in the face of the pounding drums of labor leaders and their political brothers. My interest is the public interest.

In that regard, I think it's interesting to note that the statistical evidence points out that this government and other governments in Canada are not just good employers, we have become the best employers in the economy. While the logic of the prevailing wage principle implies that the public sector should take its lead from private-sector compensation packages, in recent years Canada has seen the reversal of this principle, so that private-sector employees are now pointing to gains made in the public sector to justify their bargaining demands. Further, the pay advantage now enjoyed by public-sector employees arose simultaneously with the rise of public-sector unionism.

It is interesting to compare with the United States and the United Kingdom, after whose labor legislation Canada's is modelled, and the developments in the last 20 years represent a radical departure. In the United States, federal and most state government employees are prohibited from striking and are not permitted to bargain over wages. Canadian policy contrasts sharply with labor legislation in Britain, where wages in the public sector are not normally determined by bargaining but rather by strict adherence to private-sector comparability guidelines.

Professor Penny Christianson of Simon Fraser says that if we could fashion a new public-sector labor policy, we would advocate a system in which overall compensation levels were not negotiable. The overall level of compensation for each job type would be determined in each jurisdiction by independent continuing wage boards, whose decisions would be based on strict private-sector comparability guidelines. It is my suggestion that our arbitration process seeks to approximate just such a comparison. It is the situation in Alberta, as far as we can determine and, in the public interest, it should be. Public-sector employees should receive no more and no less than comparable private-sector employees.

I said my main concern in this debate is fiscal policy as a guideline to our arbitrators. I think to myself: how could these guidelines to arbitrators have been published without fiscal policy? I don't know how that oversight happened, and it doesn't matter. It needs to be put back in the Act.

Objections, however, are raised, and such objections. Comments have been made that this is wage control through indirect and devious means, without the accompanying political flak — what objections.

Mr. Speaker, I request permission to read from *Hansard* some of the remarks that have been made by people who objected to this policy. Mr. Kostiuk, speaking on behalf of the AFL, pointed to the insertion of the section in the Labour Relations Act and the Public Service Employee Relations Act of that which deals with fiscal policies of the government as requiring

an arbitrator to take into account government fiscal policy and thereby . . . impose a system of informal wage restraint.

I respectfully point out that a guideline doesn't impose anything. He goes on to say:

To the extent that an arbitrator is bound by government fiscal policy, he will have ceased to be an independent and impartial judge of an appropriate level of wages and working conditions. Instead, he will have become a mere instrument to implement the government's policy of wage restraint. The provi-

sion requires a supposedly impartial tribunal to make a finding which implements the bargaining position of one of the parties to the dispute. An arbitrator acting under the statutory criteria set out in Bill 44 is not free to be impartial.

Mr. Speaker, I'd like to go on and examine how he can be impartial under the present circumstances. Mr. Kostiuk does go on, however, to invoke the prescriptions of the Freedom of Association Committee of the Governing Body of the ILO for such circumstances. It says that when such restrictions, such as no strike, are imposed, they should be "accompanied by adequate, impartial and speedy conciliation and arbitration procedures . . .". There is emphasis here on the matter of impartiality. Mr. Kostiuk says:

It is clear that the Bill is designed to make arbitrators partial to government fiscal policy. It is therefore in violation of [the ILO] . . . It is dishonorable for the government to withdraw the right to strike and then impose a system of binding arbitration that is not even apparently impartial. And that is certainly the effect of the imposition of the criteria . . . of government imposition in Bill 44.

He is joined by the presentation of the Alberta Union of Public Employees, who asked counsel Mr. Christian to comment. Mr. Christian's comments are:

. . . that the particular requirement that an arbitrator take into account the fiscal policy of the government will have no effect . . .

But there's a second view, Mr. Chairman, and that is that these criteria are inserted for some purpose; that particularly the criterion which requires an arbitrator to take into account government fiscal policy, is inserted precisely because it is the intention of the government that an arbitrator shall not impartially determine a dispute between the parties but shall, in fact, be bound by the government's fiscal policies . . .

I think the point is that it is fundamentally unfair for this government to ask an . . . neutral arbitrator to give overriding consideration to the statement of economic policy of one of the parties to the dispute.

He fails to distinguish here between fiscal and economic policy, which is unfortunate.

In my submission, what it is really designed to do is have an ostensibly impartial adjudication which in fact is not impartial . . . but an adjudication in which the arbitrator is bound to give overriding importance to the government's own statement of economic policy.

I emphasize again that there is obviously a concern among public-sector unions about impartiality. Then on what information, in front of the arbitrators, could this treasured impartiality be based? It's important to keep in mind all the parties in the process. Arbitrators themselves have remarked that their legislation fails to identify which factors are important and that it does not give them adequate guidance on fiscal policy of the government. They seem, in the process, to be looking for somewhat more clarity and direction. Some arbitrators, of course, are not.

What fiscal policy direction have the arbitrators had? Has it in fact been considered by the arbitrators? Strange enough, it has indeed. It has been conveyed to them by the union's representatives. Let us have a look at their version of government fiscal policy. For those members who have had the required rock-ribbed endurance to wade through some of the submissions presented to us before the Bill 44 hearings, if you got as far as the

submissions for divisions 4 and 11 of AUPE, you might have found some rather interesting impressions of this government's fiscal policy.

I take some examples from the submission made under Division 4, February 14 and 15, 1983, by Mr. Ed McCrae, union representative. Mr. McCrae rejects the suggestion that pay restraint of the type proposed in this arbitration has become a fiscal necessity for the government of Alberta. Thus perhaps there isn't quite as much mystery about fiscal policy as people would have liked to have conveyed to us.

Similar concerns have most often been expressed by spokesmen for financially-troubled corporations or government jurisdictions who have sought lower labour costs as a means of retaining solvency or balancing their budgets.

Imagine considering those things to retain your solvency.

This Government is not at all in the same financial position as, for example, General Motors of Canada, the Government of Canada, or the City of Windsor.

Should we be?

He goes on to point out that the \$700 million deficit, actually from early '82

might appear to provide a possible basis for pay restraint were it not for several considerations . . .

What are those considerations? They're fiscal policy considerations. The first one he points to is:

labour costs have not risen disproportionately as a percentage of total expenditure.

Are they supposed to? If this government undertakes a large capital expenditure program, are we to keep wages proportionate? That may be their view of fiscal policy but, in the public interest, it certainly couldn't be mine.

His second point is that

revenues would have been projected to increase even more rapidly in 1982-83 were it not for certain negative factors . . .

The negative factors he cites are

lower projected corporate income tax, projected to decrease from \$407 million . . . to \$359 million . . . a decrease of 11.8%.

An awareness of an important factor is shown there.

Making matters even worse, another sharp reduction in corporate-based provincial tax revenue, was brought about by the announcement in May, 1982 of the Economic Resurgence Program. A program combining royalty-forgiveness with a variety of other incentives to the oil industry projected to cost \$5.4 billion over three years . . . With this, the projected . . . budgetary deficit jumped to \$2.5 billion . . . This type of corporate giveaway directed toward the oil industry, added as it was to the generous grants and tax reduction programs . . .

Just as an aside, Mr. Speaker, I'm sure the oil industry will be interested to discover that Mr. McCrae feels that the PGRT and 10RT are tax-reduction programs. None the less, he quotes them, saying that they are already in place and have helped substantially reduce

the Alberta Governments ability to generate revenues, and if nothing else, makes any proposals for spending restraint grossly out-of-place.

Anyone else reading that would have been forgiven for coming to precisely the opposite conclusion. It seems to say that spending in deficit is not a reason not to spend more.

Mr. McCrae further cites the lower transfer payments . . .

MR. SPEAKER: Order please. I hesitate to interrupt the hon. member, but I'm becoming increasingly uneasy about the kind of precedent we may be establishing if hon. members quote at length from statements made by people who are not members. There are certain quotations which are totally in order, such as statements involving a lot of detail which it's hard to remember, especially statistics. But it has often been said that in this Assembly members are expected to debate on the basis of their own thoughts and that people who are not elected to this Assembly are not entitled to debate in the Assembly, even through the means of elected members.

Of course, some of that is in order, but we're getting a lot of debate, some for and some against, read into the proceedings this afternoon. It would seem to me that if points against are paraphrased, that would be adequate; they could then be countered. As far as points in favor of the member's point of view are concerned, I would respectfully suggest that they could be expressed in his own words just as authoritatively, and maybe more so, than points made in textbooks on political science or whatever.

MR. ALEXANDER: Thank you, Mr. Speaker. I think I've made the error here of interspersing some of my own comments with briefer comments of Mr. McCrae, that I have read. I apologize for that. I'll try to be short on what he says and a little longer on what I say.

However, I would point out, not so much as a point of order but perhaps for background, that what I am reading is from the appearance of this particular group before our select committee. These are quotations from *Hansard*, and they deal with fiscal policy, which has been made one of the crucial distinctions in Bill 44 by members of the opposition and the whole labor movement since the hearings. Thus my concern was to be as accurate as possible with what the people who are opposing the imposition, as they call it, or introduction of these fiscal policy matters before arbitrators — I will certainly refrain from quoting at length and try to make clear which remarks are Mr. McCrae's and which are mine.

I want to use one more quote here as shortly as I can. In his presentation before this House, Mr. McCrae said:

The final consideration which [must] be taken into account in analyzing the estimated Provincial deficit are the sharply increased capital cost estimates which are provided [by the] Provincial Treasurer . . .

Here I will lapse into my own figures, Mr. Speaker. The point was made that in last year's budget, some \$2.143 billion was devoted to capital works projects. Whether or not these are efficacious measures as matters of stimulation in our economy, the comment was made that this matter of

generosity to the construction industry is clearly inconsistent with the restraints that are proposed for government employees.

As an aside, Mr. Speaker, I thought it was interesting that one of the hon. members recently said that nothing has done anything to unite the trade union movement quite as much as Bill 44. I wonder whether some members of the building trades have read these submissions. I'm not so sure that people working in the construction industry would be all that gratified to learn that their public employee brethren had suggested that the capital works by the government, which kept them working, was constituted as generosity to the construction industry.

They might be further interested to refer to this year's

budget. Because in that same budget, capital works has been reduced to \$1.9 billion. Mr. Speaker, that represents about a \$200 million transfer from capital works into the public accounts of the province of Alberta, by far the largest part, of course, going to pay salaries and wages of the union of public employees.

The representative of the union further represented before the arbitrators such matters as the hiring and compensation of management personnel. He called this House inconsistent because the members of our Legislative Assembly had voted themselves a pay increase of 47 per cent. What he failed to mention, of course, was that there was no term or details attached, that this pay raise in fact came out of a 1979 Miller commission, and that that raise was dated from 1975. It was considered in 1979, went in place in 1980 and, subsequent to that point in time, members had been reimbursed at the lower of inflation or 5 per cent, whichever may be the case. However, there's no sense mentioning before arbitrators what doesn't help your case.

It criticized the contracting out of work to consultants, massive commitments to huge capital projects such as Kananaskis park, the Legislature Grounds, the Walter C. Mackenzie hospital, Universiade '83, and Capital City Park as not indicating ways in which a government would employ a restraint policy. One might reasonably have thought that all of these projects were started many years ago and simply had to be finished.

The representative went on to decry the government's offer for economic stimulation of the \$14 billion Alsands consortium, saying that this kind of economic stimulation is decidedly inflationary, never mind the number of jobs it supplies or employment for other sectors of the economy. They also quote numerous examples of waste and profligacy as evidence to counter the claim that our government has any general program of restraint. Coming from the union of public employees, one might count this as a case of true confessions.

Mr. Speaker, by all these remarks from the presentations made by the union of public employees who, along with all their brethren and members of the opposition, are so vehemently objecting that such dire straits as fiscal policy should not be imposed on arbitrators, I simply want to make the point — well, I wonder how they could possibly argue that, having themselves done such a thoroughgoing hatchet job on our fiscal policy before the arbitrators. It strikes me as being extremely inconsistent.

The truth of the matter, as far as I can see it, is that it reduces what the real interest is. The real interest is that into this distorted economy, collective bargaining comes as a countervailing power. Mr. Speaker, I find it refreshing that this union representative put it on the table, albeit only in one sentence. But that's what it's all about: countervailing power. I'd like to ask, countervailing what? Countervailing elected representatives and their representing the public interest, that's what. No such countervailing power can rationally exist with the public interest. We're elected to make the rules. I suggest to any union leaders who want countervailing power that they run in the next election.

I would like to suggest that the submission does not suggest to me at all the solidarity of the union movement. In fact, it may not be forever, as the song says, at least not if certain members of the building trades council decide to take time to read some of these submissions. Some of the submissions are very illustrative of the fractured viewpoints that I presented. It says that the proposition that a group of government employees should

somehow feel compelled to exercise self-sacrifice and restraint as a way to assist less fortunate members of the labor force and other sectors is ludicrous, especially in the absence of evidence that workers will get the benefits. There are a lot of construction workers out there who would like to get the benefits that certain members of other unions, namely the Alberta union of public employees, have been granted. If this Bill has united the trade union movement as never before, I can't say much for the unity of the trade union movement. I would like to know from those building trades people whether they could confirm that remark. But that really isn't the point. It's clear from the ...

MR. MARTIN: On a point of order.

MR. SPEAKER: Order please. The hon. Member for Edmonton Norwood has risen on a point of order.

MR. MARTIN: The hon. Member for Edmonton Whitemud was quoting Mr. McRae, and he explained it to you. But I wonder if he could explain to me where he got that reference he was talking about before.

MR. SPEAKER: With respect, that's really a question; it's not a point of order. But of course it is in order to ask questions of a member who is speaking, and it's up to the member then to decide whether he wants to deal with it.

MR. ALEXANDER: Yes, I'd be glad to give it to him, Mr. Speaker. It's in the Division 4 submission, the green book provided to us all by the Alberta union of public employees. The page number is C17.

MR. MARTIN: I have a supplementary on that. I believe you said something to the Speaker about *Hansard*. That's what confused me, and I went back to look.

MR. ALEXANDER: Mr. Speaker, that particular point is not in *Hansard*. It's in Division 4 on page C17 of the submission.

Mr. Speaker, I just want to conclude by saying that it's clear from this extensive presentation, which I have quoted from with some difficulty to you, to me, and obviously to some other members, that the matter of fiscal policy is already being represented before arbitrators — I suggest being misrepresented to some extent — and that it is necessary to redress that balance. If the ILO terms which have been so frequently quoted to us by other members in this House are relevant and the ILO says that impartiality is a value, pray tell, how can an arbitrator be impartial with the union presenting its view of government's fiscal policy but the government not? The need for balance here, in my view, would be apparent to any impartial observer.

In the public interest, we in this House cannot transfer effective taxing authority, such as arbitrators now have, without comprehensive direction. That comprehensive direction must include fiscal policy. That's a matter of fiscal responsibility. That's why I'm elected for, and that's what I'm committed to. Mr. Speaker, the fiscal policy clause in Bill 44 may be late in coming, but it is certainly not too early. There is nothing to gain by prolonging the issue, by moving it ahead six months. Bill 44 must be passed as soon as possible.

MR. RUSSELL: Mr. Speaker, I'd like to enter this debate and speak primarily to the principle in the Bill

that deals with the matter of hospital workers and the opportunity to strike. Before I start, I want to say that I've waited many years to stand in this place and make these remarks. I believe very sincerely that what we are doing in this Bill is clearly the right thing to do on behalf of our constituents.

Today I had a very interesting discussion over lunch at the Medic Canada exhibition at the new Edmonton Convention Centre. I was speaking with one of the out-of-province visitors about current events in Canada and North America. He made what I thought was an extremely interesting observation when he spoke of the way events and circumstances relentlessly but surely swing from one extreme to the other but the pendulums of history are self-balancing.

I believe we're at the point today in the labor union area where perhaps, in some instances, the pendulum has swung too far one way and it's time to bring it back the other way. I say that because I look at the three strikes that occurred in the hospital field in Alberta between 1978 and 1982 and the incredibly needless misery, inconvenience, and anxiety those strikes brought about. In considering those circumstances, I had to say to myself, as well as to many of the workers involved in those work stoppages: surely there's a better way of solving this kind of dispute.

I think all members in this House are aware of the growth of the labor union movement, the unfairness on the side of owners and managers in the late 19th and early 20th centuries, and the great strides made by some outstanding labor union leaders on behalf of workers who were being unfairly treated. The opportunity to withdraw services was an important and hard-won tool that rested in the hands of the unions. But to be absolutely fair, that opportunity to withdraw services on the part of the workers always had to be balanced by the right of management to impose a lockout. Could anybody in this House tell me how the Alberta Hospital Association could conceivably bring about a lockout in the 1980s in Alberta? They couldn't. In a textbook sense, perhaps they could. But in a realistic sense, there's no way that the managers and directors of the hospitals in Alberta could impose a lockout in order to balance the right of workers to withdraw services. So those work stoppages in that essential service were really a very one-sided armament or tool.

Secondly, those strikes were not real strikes. The whole system didn't close down, and they couldn't have gone on for one day unless thousands of beds were kept in operation by way of the Crown hospitals and out-of-scope workers keeping some emergency beds open in a very high-tension situation. So they weren't real strikes because there wasn't total withdrawal of services. A large segment of the system never was out on strike but was simply left on the sidelines waiting to see what would happen. Because of the nature of that situation, it wasn't a strike that could resolve itself. Both sides knew that there had to be a term to it and that if they hung on long enough, some third party — usually the government — would step in and end the strike. So they weren't real strikes, because everybody wasn't involved, it wasn't balanced by a lockout on behalf of management, and it had a finite term.

When you look at that and the fact that you know such a situation can only end in one way — and that is by binding, third-party arbitration — one has to ask the question: what's it all about? Is it worth having this strike in the first place if you know what the end is going to be?

Why put all those innocent third parties to such inconvenience, misery, and suffering? If you ask yourself that question, I think you have to do some real soul-searching, and you come up with some interesting answers.

The major thing I want to mention in these remarks, Mr. Speaker, is that those strikes hurt the very people we say we'll help when we seek election to this Assembly; that is, our constituents. We go around every four years seeking their support, knocking on their doors, saying, vote me and I'll help you. Yet, with that in mind, we still permit these hospital strikes to occur. There are some elements that would say that the workers in those institutions have the right to strike. I would rather use the term "opportunity" to strike. I believe it's well accepted today that in essential services, with the potential to hurt thousands of innocent, third parties, you can't use the term "right"; it is an opportunity.

Frankly, Mr. Speaker, I found it exceptionally offensive to sit here and listen to the representatives sit at that table and say that the only people inconvenienced by a strike were administrative people who had to get their hands dusty and get a bit warm by going down into a boiler room. I think that's probably one of the most offensive statements I've heard any citizen of Alberta present to this Legislature. Those spokesmen are obviously out of touch with the members of the unions they're supposed to be representing. Those strikes were extremely damaging and worrisome to our constituents, and it doesn't matter which constituency we represent.

Let us look at what happens in a hospital strike. First of all, there is the gearing down, which has to start at least two weeks before a strike commences. You have to start decanting all the hospitals, stop allowing new admissions, because you don't know what services are going to be available. You have to start transporting those in chronic situations, along with the attached equipment, and find other places for them to stay. Particularly for the aged who are ill and in a chronic situation, that's a very distressing situation. In both of the last strikes, in 1980 and '82, on the first day of the strike, one of the first phone calls I received was from survivors of elderly citizens who had been moved and who had died at home on the first day of the strike. Those people didn't say the strike caused their relatives' deaths, but they did ask the question: would the death have occurred had that transfer and distress not been imposed upon that person? It's a question I couldn't answer and probably nobody in this room could. But it's the kind of situation that developed in two successive strikes.

There is obviously discomfort and distress. Emergency cases have to be dealt with by hospitals that are trying to keep some kind of emergency service going, usually under high-stress situations involving out-of-scope workers, probably working 12- and 16-hour shifts, seven days at a stretch, trying to keep the system going; from time to time taking the offer of the union, going out to the picket line, and asking a worker to come in and help — that has happened. You can imagine the tensions and distress that causes people who are in cases of emergency.

For those who are not in cases of emergency but are waiting for the system to get going again, it's an extremely distressing and painful situation. As the strike goes on, they look for alternatives: whether or not to travel to other provinces to seek medical attention, considering how much longer they should try to get along with home care for their mother who has a dislocated hip. The cancer patients who are waiting for biopsies and other kinds of non-emergent services are undergoing all kinds

of stress and anxiety. Mr. Speaker, I submit that in the 1980s in Alberta, we should find a more civilized way of dealing with that kind of situation than the traditional strike or work stoppage.

Aside from the circumstances I've described that are going on in the hospital system, there's the back-up outside. I mentioned earlier that you have to stop admissions, and of course these stack up, day after day, in a relentless fashion. At some point you have to ask yourself: is the health and safety of Alberta citizens being damaged by this work stoppage? In the last two strikes, we've asked experts in the field, the College of Physicians and Surgeons, to give us that assessment. They did that by getting reports everyday from the chiefs of medical staffs of hospitals throughout the province. So all those doctors reported on a daily basis what they believed was the medical situation in their hospital communities. Based on that collective information, which was put together by the college on a daily basis, advice was given to the government: yes, we think the strike could possibly go on another week; you should try to make every effort to get the strike ended by this next weekend; we're starting to get some unfortunate incidents, staff is working under undue stress, et cetera.

For those of you who perhaps had the time to visit hospitals in your own constituency that were in a strike-bound situation, it's a pretty scary situation. One of the scenes I'll never forget is the intensive care unit for newborns at the Foothills hospital in Calgary, which was running at about 120 per cent capacity: a one-on-one nursing situation; all these little babies, most under the weight of two or three pounds, in incubators with a registered nurse beside them, plus the attached equipment; the overcrowding and tension in that room; those nurses trying to make sure that IC unit could cope with that situation building up increasingly like a dam. For those of us who are in government, it's a very difficult situation to meet around the cabinet table everyday, assess the situation, and say, yes, it can go on another day or, no, we think it's reached a limit, because at some point you know something unfortunate is going to happen; that's just a fact. Those two strikes that occurred during my term as minister of the department and the earlier one, when I wasn't the minister but was involved in Executive Council, were probably the hardest days I've had as a member of government. I'm glad we're taking legislative steps to put an end to it.

Furthermore, Mr. Speaker, I believe the majority of workers involved in those situations are glad we're taking that step too. Since Bill 44 was introduced, I haven't heard any comment, pro or con, directly or indirectly, from one nurse, other than Mrs. Ethier, about the withdrawal of the opportunity to strike for hospital workers. I certainly have had many comments from my constituents. They say two things: you're doing the right thing by putting an end to those strikes, but you have to find a way to treat those workers fairly, a way that recognizes the economic facts of life in Alberta. That's why I'm pleased to get up and speak in support of this Bill. I think it's necessary, and I think it's humane.

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

HON. MEMBERS: Agreed.

MR. YOUNG: In concluding the debate, Mr. Speaker, first of all I'd like to express appreciation to those who

have spoken in support of Bill 44. It is a very challenging kind of decision being made here. I want to thank those who have expressed the various viewpoints, particularly on the difficult issues of the capacity to strike and fiscal policy.

If I could sort of enumerate or summarize, I would say this about the question of fiscal policy and the directions or criteria which the Bill contains for arbitrators: we are in a search for equity between employees working for government and those who are not working for government. In much debate, we have gone into the differences between the private and the public sectors as far as collective bargaining is concerned, and there are very substantial differences. As a matter of fact, the comparison cannot be fairly made in almost any respect. There is also on this Assembly and on government the responsibility to provide leadership in a fiscal sense. That, too, is an objective of Bill 44.

In short, with respect to that particular aspect of the Bill, I think we have now come to realize — and the Bill tries to do this — that we are searching for both equity and fiscal leadership and responsibility in combination. As I mentioned last day, our failure to achieve that objective will lead us to wage controls or some other variety of government intervention, as has happened in other provinces and at the federal level, which is even more changing in its impact on collective bargaining, because wage controls effectively wipe out collective bargaining.

Mr. Speaker, in terms of the removal of the capacity to strike, I want to say that my colleague the Minister of Hospitals and Medical Care, who has just spoken, has put very eloquently the difficult decisions he in particular went through — and I with him on two occasions — in terms of the advice we were called upon to give to Executive Council. It's not very comfortable knowing that at any time an unpredictable difficulty could develop and it might later be said that that difficulty caused someone's life to be lost.

In terms of the public hearings, I was very pleased that a number of the representations made to us reflected the responsibility that I think is inherent in and must be a part of collective bargaining. In his report of the Royal Commission Inquiry into Labour Disputes in Ontario, Justice Rand stated:

Our society is built within a structure of interwoven trust, credit and obligation; good faith and reliability are essential to its mode of living; and when these obligations are repudiated confusion may be the harbinger of social disintegration.

Mr. Speaker, during our hearings, the Alberta Association of Registered Nursing Assistants made one statement which I call to the memory of hon. members.

Our philosophy in Labour Relations is to demonstrate union responsibility as well as rights.

We did not stretch the system to its limit. We would not leave the bedside of our patients to further our economic standing in life.

And the firefighters, in their submission before the Assembly, went on to say:

Firefighters and police officers are perhaps in a unique situation, in the sense that historically they have accepted that given the critical nature of the type of services they provide and the disastrous consequences should they exercise the economic sanction of a strike, it is a necessary corollary to the type of employment they engage in that they not exercise the right to strike. Historically, firefighters in this

province have not exercised the right to strike, even prior to the time when it became a matter of law that they were prohibited from doing so.

I believe those two statements by two strong unions and their leadership illustrate well the acceptance of responsibility that some union leaders and many union members have. It is a tribute to them that they would come here to make those statements, which are not shared by all union leaders. It is a tribute to them that in their collective bargaining, they have conducted themselves in a manner which has demonstrated throughout time their recognition of those special responsibilities that go with their particular kind of employment.

I wish to reflect upon another element which needs to be discussed briefly. The Alberta Hospital Association made a representation on an earlier occasion to the Assembly and to all members that they would have at one time preferred an essential position designation. Mr. Speaker, I think I should express the evaluation I made of that suggestion after a number of discussions with the Alberta Hospital Association. I came to the conclusion that their suggestion would have effectively created a second type of dispute. The second dispute would have surrounded who would have been designated essential. It was critical to their proposal that the question of essential position be such as to provide for all the unforeseeable but potential needs of the hospital system. If one could do that and have a strike at the same time, it would seem to me that there would be a considerable amount of dispute over what was truly an essential position.

In our evaluation, that proposal was found to be faulted on two points: first, it might lead to a second type of dispute, quite apart from the substantive element that should be at issue, which would be the wage package and the working conditions; and, secondly, it may very well prolong a dispute. So even with the hospitals operating, they might well be operating at less than full capacity, and they certainly would be operating in an employment relationship mode that would be counterproductive and that could not in any way lead to a positive relationship.

Finally, on that particular suggestion, it's well for us to note that through court decisions, at the request of the federal government, the air traffic controllers, who had a somewhat similar type of designation possibility, have since lost any ability to have a strike. I think that in itself is a major watershed for the notion that we have had put before us.

I would like to comment, as well, on the question of collective bargaining for the police. The police representatives made a very eloquent and well-reasoned presentation to us on the occasion of the public hearings, and as well as have had several meetings since that time. It was the decision to recommend that they not be included in Bill 44 but have their own particular legislation which we would look forward to enacting in the fall of 1983. I make these particular distinctions as far as the police are concerned in contrast to other employees. First of all, police are not allowed to join a union, and they have never been allowed to call themselves a union or to affiliate with a union. They function through an association. When sworn in as police officers, they acquire a very distinctive responsibility as peace officers, and they have a very special and unique role in company with others in maintaining all laws and court orders. Thirdly, when they are on and off duty, their actions are subject to a very special rigorous code of discipline which is unlike that required or exacted of any other type of employee.

Mr. Speaker, perhaps I could touch briefly on one of

the proposed amendments to Bill 44 relating to firefighters, which will provide firefighters with a continuation of their special recognition of the bargaining unit; that is, that all firefighters except the chief and deputy chief remain within the bargaining unit. However, it will bring them completely within the Labour Relations Act and, in so doing, makes available to them in all other respects all of the provisions of the Labour Relations Act. In some meetings with them, I have had confirmed that that is one of the objectives they were seeking.

Mr. Speaker, I have found the debate both interesting and informative and, in concluding second reading, commend Bill 44 to the support of all members.

[Motion carried; Bill 44 read a second time]

Bill 6

Architects Amendment Act, 1983

MR. CHAMBERS: Mr. Speaker, I move second reading of Bill No. 6, the Architects Amendment Act, 1983.

This Act provides for a continuing refinement of the government's policy on future legislation governing the professions and occupations. Amendments will be made providing for the dismissal of a complaint if there is insufficient evidence to substantiate the complaint. The Act will also retain the right of a complainant to appeal the decision to dismiss the complaint. Because of the costs involved in recording all disciplinary proceedings, amendments will provide that a transcript of disciplinary proceedings only be produced when an appeal to the court is made.

The Architects Act originally provided for a dual appeal by an investigated person, either to the Court of Queen's Bench or to the Court of Appeal. Amendments will improve the appeal process and provide greater certainty by giving an investigated person the right of appeal directly to the Court of Appeal. Amendments will also permit the Court of Appeal to make a decision on the matter, refer it to the association, or order that a rehearing be held before the Court of Queen's Bench. Mr. Speaker, other amendments are of a minor nature improving the drafting.

[Motion carried; Bill 6 read a second time]

Bill 48

Universities Amendment Act, 1983

MR. STROMBERG: Mr. Speaker, on April 25 I introduced Bill No. 48, the Universities Amendment Act, 1983. At that time I stated the general purpose of this Bill. I'd like to repeat it. It is to provide a mechanism whereby a private college which has met certain criteria, could obtain the right to grant an academic degree. The Bill establishes the private college's accreditation board as a non-incorporated body whose membership is appointed by the Minister of Advanced Education. The accreditation board is empowered to inquire into any matters relating to the approval of programs of study leading to an academic degree which might be granted by a private college.

Mr. Speaker, I might add that this amendment has a rather interesting history and some very major implications for the city of Camrose and the province. The Bill provides for and will allow the Camrose Lutheran College and other private colleges within the province to become degree-granting universities, if they meet certain

criteria. The concept of this amendment started some years ago with the board of regents of CLC. Their president, Rev. Glen Johnson, first approached me and the Minister of Advanced Education with a proposal for a university at Camrose, eventually. There was really no problem with the minister or his department, Mr. Speaker, but to get the senate of the University of Alberta and other universities in the province to agree was like trying to halter-break a wild cow.

As to who shall grant baccalaureates, the universities guard their autonomy very jealously, and rightfully so. They were especially concerned that a degree granted by a private college would be as good as or better than those currently offered at universities in Alberta. There were numerous meetings among the senate, CLC, and Dr. Henry Anderson of the Department of Advanced Education. Henry was former president of Grande Prairie College, a former teacher in the county of Camrose, and was also born and took his schooling in New Norway. Mr. Anderson was responsible for drafting the Universities Amendment Act, 1983, which, by the way, took something like eight drafts before it was presented.

For clarification, it should be noted that Bill 48 does not include any budgetary expenditures for capital requirements, such as library and new buildings, to CLC or any other such college. However, speaking in consideration of CLC in Camrose, this college is well along the way to raising \$12 million from private subscriptions for new buildings, et cetera. If funding is in place, the college could offer third- and fourth-year courses toward a degree in arts and science this fall. The plans of the CLC board of regents are that the college will soon be granting degrees to an eventual enrolment of 1,000 students. The granting of degree-granting status to colleges, particularly to the Camrose Lutheran College, will be a great asset to east-central Alberta.

Mr. Speaker, I would like to move second reading of Bill 48.

MR. MARTIN: Mr. Speaker, I'd like to rise on this particular Bill and say that generally I agree with it. I know the institutions that will be affected quite well: Camrose, in the hon. member's riding, and Concordia. My understanding is that King's College will fall into this realm too. Generally I agree with it. I think they're excellent institutions and, from what I've seen in them, the quality of education is certainly the equivalent of a university and, in some cases, even better.

I'm sure the hon. member is aware of the concerns expressed by Dr. Horowitz, president of the University of Alberta. I don't know whether we want to deal with this here or in committee; I just put in a notice. It's my understanding that while he agrees with the basic concept of what's happening here, he is somewhat concerned about the extra members, basically members of the public, that were added to this since he talked about it.

I guess I will proceed and ask the hon. member if any discussions with President Horowitz have occurred, because there was some publicity about it. I believe his concern is that while there are excellent standards in these institutions now, if you do not have academic people basically setting the curriculum and making sure it is rigorous enough for university work, eventually it could be watered down and we'd get into what happened in the United States: colleges, junior colleges, and universities issuing degrees worth about the paper they're printed on. I believe his worry is that if you take away the voting from academic staff, there could be some concerns with

this in the future. I would not want to say he was insinuating that the government would just elect Conservatives to the board or anything like that, Mr. Speaker, but I think he does have some legitimate concerns. I ask the hon. Member for Camrose first of all to tell us, in Committee of Supply or at this time, what's happened in terms of discussions with Dr. Horowitz and, if there haven't been any, how he answers the specific criticisms from the president.

MR. SPEAKER: With regard to the matter the hon. member was just suggesting he might ask of the hon. member sponsoring the Bill, I would respectfully suggest that a question to a member in second reading debate is intended to ask a member to clarify something he has said rather than to add to his speech, and I would suggest that perhaps the question might be asked at committee stage.

MR. NOTLEY: Mr. Speaker, I would hope, however, that when the hon. Member for Camrose concludes debate, he will take into account in the normal way the concerns that have been raised during the course of debate on second reading and will respond to them. Otherwise there's not much point in having the right to conclude the debate.

Mr. Speaker, I'd like to say at the outset that I share my colleague's willingness to support the principle of Bill 48. I want to make it clear that I for one have a great deal of respect for the work of Camrose Lutheran College particularly, having had the opportunity to be there on a number of occasions and having had an opportunity over the years to know and, in a different capacity, work with one of the most distinguished Albertans, a former principal of Camrose Lutheran College, Dr. Chester Ronning. I certainly value the contribution of that institution to the educational advancement of this province.

MR. MARTIN: He's one of those dangerous socialists they're worried about.

MR. NOTLEY: Yes, one of those dangerous socialists they're trying to root out, but a distinguished Canadian in the process, I might say. I suspect the hon. Member for Camrose would be the first to agree. Not all Tories are quite as paranoid as the hon. Member for Edmonton Belmont.

Mr. Speaker, I'd like to deal with the concern that has been brought to our attention about the membership of this board which is going to be deciding which of these institutions will have accreditation as far as granting degrees. I don't think any member of this House would want us to attempt to have the same situation you find in parts of the United States where a number of institutions are only vaguely related to an acceptable set of academic standards. The United States has some of the finest universities in the world, and it has institutions that are a sham, a complete discredit to the name "college" or "university". I don't want to see us get into that kind of situation in Alberta. In saying that, I want to make it clear that the very example the hon. Member for Camrose raised is an exception to any suggestion that it is anything other than a college of the highest possible standards.

Mr. Speaker, when we pass legislation it not only will affect Camrose Lutheran College, Concordia, or several other institutions that have some reputation — I've had an opportunity, for example, to go through Union Col-

lege in Lacombe. We're not only setting standards for that type of institution; we're setting standards across the board for other institutions which may apply for accreditation down the road. The concern Dr. Horowitz has brought forward, as I understand it, is that the board that determines accreditation must not water down in any way the professional standards, curriculum standards, library standards — the whole array, the potpourri of qualities necessary in an institution that is going to have the right to confer a degree.

Mr. Speaker, quite frankly one of the concerns I had about this Bill is not the four academic staff of universities nominated by the Universities Co-ordinating Council — I know that these people will be in favor of strong professional standards — nor the four academic staff of higher colleges. If we get some of the representatives from places like Camrose Lutheran, they're going to be just as concerned as their colleagues from the universities, if not more so, especially when we get this concept started. But how are we going to choose the four members of the public? On what criteria are we going to choose those four members? It seems to me that before we pass legislation of this nature, we should have some idea.

Is the Minister of Advanced Education going to be plucking these names from the Conservative membership roster? It always delights me to hear this government talk about the members of the public, and then I end up seeing these names cropping up on membership lists, delegate lists, campaign manager lists. Then we have the new director of industrial development, who's chosen without competition. Mr. Speaker, I see the hon. Member for Edmonton Glengarry is pounding his desk with enthusiasm as a person who someday hopes for this type of job . . .

MR. MARTIN: After the next election.

MR. NOTLEY: . . . after the next election. I can well appreciate his interest.

Mr. Speaker, we're talking about a board which is going to have a very significant responsibility. While it is easy enough for the board to look at some of the institutions that will be applying and say, no problem at all; right now in this province we have certain institutions that could apply for the accreditation under this Bill, and I would have to say honestly, because I question the value of the educational programs certain institutions in this province are providing, that I'd be very concerned if they had the right to grant degrees.

MR. COOK: Fairview College.

MR. NOTLEY: Mr. Speaker, Fairview College has not applied for the right to grant degrees. If you know anything about Fairview College, you will know that it would not be appropriate for them to ask, and they wouldn't choose to. But there are other colleges that very well might. If the hon. member is interested in information and if he read the report of the Advanced Education Department this year, he'd know it is a public college and not a private college. Nevertheless, Mr. Speaker, I just don't have the time to try to educate the hon. Member for Edmonton Glengarry.

I want to make it clear that in terms of this board, there are going to be some tricky choices and tricky decisions to make on who has accreditation and who doesn't. I say with the greatest respect to the hon. Member for Camrose that the composition of the board

and the way we select the board is one of the things we have to evaluate in second reading of this particular piece of legislation. Mr. Speaker, we have seen a government in Alberta that, as far as the public school system is concerned, has turned the other way on the issue of Category 4 schools which don't have qualified instructors — wink, wink — because there are no public funds. And so we have this special category instead of asking for a legal interpretation of the implications of the human rights Act and the Alberta School Act — we chose not to do that. It is that kind of precedent in the public school system that has a lot of people worried about what may be in store in the area of advanced education.

If this government had been clearer and more consistent in its defence of the public school system, or even where you're looking at schools that are primarily not only religious schools in a traditional sense, excepting the public requirements, but the specialized types of schools we saw, for example, in Linden and other parts of the province — had we a clear policy on the part of the government on that issue, then I would say to hon. members who are heckling in the background that there would be less concern on the part of educators about what is proposed in the area of giving colleges and institutions the right to grant a degree.

Mr. Speaker, we should not take lightly the right of an institution to grant a degree. If we're serious about the standing these institutions have in the public mind and the standing our entire system of advanced education has in the country, we have to ensure that those institutions be evaluated objectively.

In concluding my observations, I certainly would concur in the observations of the Member for Camrose. He is laudatory in his comments about Camrose Lutheran College. Obviously it is an institution that should have degree-granting privileges. Others have been named that frankly I would have no difficulty with at all. But before we pass legislation of this magnitude — and it is not the kind of Bill we should sort of shuffle aside; it is one of the more important Bills presented in the spring session of the House. For the first time, we are taking a slightly different route in the whole area of degree-granting institutions. That being the case, I would simply say to the members of government that a very important responsibility is to clearly delineate how these other members of this all-important college accreditation board will be chosen, what the yardstick is, what the criteria will be. That, I think, is an important enough concern that I would invite the hon. Member for Camrose to be fairly specific in his response.

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

HON. MEMBERS: Agreed.

MR. STROMBERG: Mr. Speaker, I would like to point out that I have had no discussions with the president of the U of A. I have had correspondence though. The Member for Spirit River-Fairview requested that I be a little specific. Perhaps if he looked at the Bill quite closely, he would notice that the intent and object of the amendment is to amend section 53 to allow a private college, which has met certain criteria, to grant an academic degree. I underline the words "which has met certain criteria". That's section 53 of the Act.

Mr. Speaker, I would like to take time to explain the criteria. In order to begin a designation for a college to

become degree granting, the college has to go through about six steps. Number one, a private college must be incorporated under its own private Act of the Legislature. This excludes private colleges incorporated under general status, such as the Societies Act or the Business Corporations Act, and also excludes all private colleges. So first — the safety step, if you would — a college has to come before this Legislature to be approved by this Legislature with its own Act before it could ever ask to become degree granting.

Two, a private college must submit each program of study in which it intends to grant a degree to the scrutiny and the approval of the private colleges accreditation board established under this Act. So every course they are going to offer has to go before this accreditation board. Three, the accreditation board must recommend to the minister that the college be granted the power to grant a baccalaureate. That's another safety step. They make the recommendation to the minister, and the minister has the authority to approve or disapprove.

Four, the program of study then proceeds in accordance with Advanced Education program co-ordination policy, and to obtain ministerial approval. Five, if the minister approves, he recommends to the Lieutenant Governor in Council that, by order, the private college is designated as an institution that may grant a baccalaureate in respect of an approved program of study. I underline "approved program of study". Finally, degree-granting status applies to each program of study separately, with the order in council designating the program.

There were some questions raised by two members of the opposition as to the make-up of the private colleges accreditation board. This board is established as a non-incorporated body receiving its administrative support from the Department of Advanced Education. Its membership, including the chairman, is appointed by the minister. A member of the department staff may be designated as an observer and is entitled to attend all meetings. Four members are nominated by the Universities Co-ordinating Council; four members by the private colleges, which have at least one or two years or an affiliate agreement with a university, or have been designated to grant a baccalaureate; and [there are] four public members in addition to the chairman. So you have four outsiders, in a sense.

Powers: if you check through the Act, the accreditation board has the right to inquire into any matter that relates to a program of study. It prescribes minimum conditions for the approval of a program of study. Periodically it evaluates any approved program of study which has been previously designated, and it can withdraw its approval and recommend to the minister that the designation be removed. So it's an all-powerful board. In other words, it can recommend that a college lose its university status.

I would like to point out what private colleges have to offer to the citizens of Alberta. In the CLC in Camrose, 65 per cent of the full-time faculty have their PhDs. I believe that's a higher percentage than at the U of A or the U of C. I would just like to mention that their total staff is 100. Mr. Speaker, if I am so fortunate that my two children graduate from high school and want to continue a career at the university level — perhaps they will graduate at seventeen and a half years of age. At that time, if their only avenue is to hit the big time across the river here, on a campus of 20,000 students, I believe I'd be very concerned that for the first couple of years perhaps my two children — I'm not speaking of all the students in Alberta — would not be mature enough to hit

that scene. However, they would have the opportunity to spend two, three, or four years at Camrose. They could be home on weekends and every evening.

I think it's very unfair to the students in the far north, such as Fairview, who do not have the opportunity to have a university of the north and have to come down as far as the U of C or the U of A. In my tour of Fairview College, I was quite impressed with it. It would make a great university someday.

I suppose what is really bugging the opposition is who appoints the four members at large to this accreditation board. Fortunately the opposition does not appoint them. The minister appoints them. I can assure them that the minister will appoint very capable, able-bodied men or women, just as the minister and the cabinet at one time appointed an outstanding Albertan, a former secretary of the Alberta Federation of Labour, as chairman of the Workers' Compensation Board. They did not appoint him because he had run once or twice as an NDP candidate and got whipped quite substantially. They appointed him because of his ability. Mr. Speaker, I think the minister will use the same good judgment and appoint outstanding Albertans to these positions.

[Motion carried; Bill 48 read a second time]

Bill 37

Department of Public Works, Supply and Services Act

MR. CHAMBERS: Mr. Speaker, I move second reading of Bill No. 37, the Department of Public Works, Supply and Services Act.

This legislation will combine the provisions of the Department of Public Works Act and the Department of Government Services Act in order to define the role and responsibilities of the newly created Department of Public Works, Supply and Services.

[Motion carried; Bill 37 read a second time]

Bill 62

Land Surface Conservation and Reclamation Amendment Act, 1983

MR. BRADLEY: Mr. Speaker, I move second reading of Bill 62, the Land Surface Conservation and Reclamation Amendment Act, 1983.

This Bill provides for a number of changes. First, the Bill adds the definition of "contamination" to the meaning of "surface disturbance" with regard to the legislation. Another amendment in the Bill provides for further additions to those types of operations which may be designated by the Lieutenant Governor in Council as regulated surface operations, particularly in the construction, operation, or abandonment of a plant. It lists a number of different industrial operations which could be included in this definition of a regulated surface operation in the legislation.

Also, with regard to reclamation orders which may be issued by the Land Conservation and Reclamation Council, the Act provides for the addition two sections: with regard to the removal and conservation of topsoil, a recommendation of the select committee on surface rights report; and provides for the prevention, containment, control, removal, or remedy of any contamination, degradation, or deterioration of the surface of land. This is another important amendment with regard to reclama-

tion orders which the council may issue. There are other amendments which are basically administrative in nature, Mr. Speaker.

[Motion carried; Bill 62 read a second time]

Bill 51

Occupational Health and Safety Amendment Act, 1983

MR. DIACHUK: Mr. Speaker, I move second reading of Bill 51, the Occupational Health and Safety Amendment Act, 1983.

The Occupational Health and Safety Act was passed in this House in [1976]. It came about following the recommendations of the Gale commission that a single government body be responsible for Alberta's occupational health and safety. Under the Hon. Neil Crawford, then Minister of Labour, most of the legislative provisions within Alberta dealing with industrial safety and health were consolidated under the Occupational Health and Safety Act. Under this Act, a large number of safety regulations previously administered by the Workers' Compensation Board became a responsibility of the occupational health and safety division.

In the late '70s, in keeping with the Gale commission recommendation, the administration of the Coal Mines Safety Act and the Quarries Regulation Act was transferred to the occupational health and safety division from the Energy Resources Conservation Board. These two statutes will soon become a new regulation under the Occupational Health and Safety Act. This will virtually complete the consolidation process.

In order for legislation and regulations to continue to be meaningful, they must be under constant scrutiny and review. They must continue to be relevant to today. The changes being presented in the House are primarily directed toward ensuring that the provisions of the Coal Mines Safety Act and the Quarries Regulation Act will become new regulations under the existing Occupational Health and Safety Act. However, a number of additional amendments are being presented. These will both clarify the intent of the legislation and continue to safeguard the health and safety of Alberta workers.

Mr. Speaker, in presenting these amendments, I'm confident that despite what the hon. Member for Edmonton Norwood might believe, current legislation safeguarding the health and safety of Alberta workers will be greatly improved. In amending the Occupational Health and Safety Act, greater flexibility in achieving the objective of occupational health and safety is being introduced. Proposed amendments to the Act will allow employers to propose acceptable alternatives for equipment, work processes, or industrial safety codes which offer equal or greater protection for workers than those prescribed in the regulations. This would complement the use of performance standards being developed in the new safety regulations.

Mr. Speaker, amendments will also provide guidance to both employers and employees with regard to refusal of unsafe work. Under the present Act, workers are required to refuse unsafe work assignments. However, the Act does not clearly address what action should follow a refusal. Changes to section 27 of the Act will clarify the intention of this important provision. The changes will also provide practical guidance on how to proceed under the legislation. This guidance is necessary for both workers who refuse unsafe work and their employers or super-

visors. This amendment will make it an obligation of the worker to refuse to carry out work he believes would place him or fellow workers in imminent danger. The section 27 amendment goes on to outline the procedure to follow if work is refused under this section of the Act. The refusal might be reported by the worker to his supervisor; the worker may then be reassigned to other duties without loss of pay while corrective action is taken.

The provisions of the Act that protect persons from unfair disciplinary action will also be expanded. This will ensure that an appropriate mechanism is in place to provide an unfairly dismissed worker with some means of restitution. The proposed mechanism, based upon clear legislative authority through changes to section 7 and a new section 28(1), would see an occupational health and safety officer (a) investigate a complaint, (b) submit his report to his director, the employer, and the worker, and (c) write an appropriate order if necessary.

As with other orders, a person who receives an order may appeal it to the Occupational Health and Safety Council under section 11 of the Act. In this way, an impartial tribunal will be able to evaluate the circumstances which led to the complaint and provide a suitable forum for a full hearing. I would like to add, Mr. Speaker, that the phrasing used throughout the revised section will be in keeping with recognized international standards for refusing unsafe work assignments and their resolution. These proposed changes are fully supported by the Labour Relations Board and the Alberta Labour employment standards branch. It is our feeling that clarification of these sections of the Act should bring major benefits to labor, industry, and government through a saving of time and money.

Reviewing other amendments, principal contractors or employers designated by regulation will be required under the Act to prepare safety policies and procedures, inform their workers of them, and implement the procedures. This will be a new provision in the Act. After six years' experience in administering and enforcing the Occupational Health and Safety Act, it has become clear that companies with successful occupational health and safety programs have been effective largely because they have clearly demonstrated their commitment to industrial health and safety by preparing management occupational health and safety policies and bringing these policies and procedures to the attention of their workers.

This new section, Mr. Speaker, will be used to identify by regulation those worksites where such information would assist both workers and employers in achieving a higher level of responsibility in preventing health and safety problems. The division will prepare a guideline for those designated employers and principal contractors who will be required to prepare these statements. We feel the benefit to industry and labor alike will be a clearer assignment of responsibility for, and a greater understanding of, health and safety within the employer's organization. The result we hope to see is improved injury prevention initiatives and associated savings in workers' compensation and other costs.

Generally we see many of the proposed changes in the legislation as necessary for clarification of intent. In many instances, during our own review and from input outside the government, we have found both ambiguity and unnecessary duplication. These areas are being addressed in Bill 51. Amendments before you will clarify certain items such as early notification by contractors of large, hazardous projects; licensing of workers using explosives and involved in certain underground mining operations;

workers' awareness of their duties and responsibilities; the reporting systems for serious injuries or accidents; and, last, ensuring the confidentiality of workers' medical records.

Mr. Speaker, I'm also pleased to announce expansion of the process of appeal to the Occupational Health and Safety Council. This will ensure that there's a higher authority to which workers may appeal if they have had their licences suspended or cancelled in accordance with regulations under the Act.

The current requirements under section 26 of the Act for preparing codes of practice will be supplemented to include their production through the provision of certain specific regulations. Codes of practice are prepared by employers and provide practical guidance to workers and their supervisors with respect to safe work practices and procedures. For the most part, codes will be required in the mine safety regulation and industrial explosive regulation, which are now in the development stage. This change is in keeping with the government's policy of eliminating unnecessary regulations and encouraging self-regulation by industry. The development of these codes will reduce the need for volumes of detailed regulatory provisions in particular industries, most notably mining and construction. Officers of the division may refer to these codes in formulating an opinion regarding unhealthy or unsafe conditions in exercising their authority under sections 7 and 8 of the Act.

Under the existing Occupational Health and Safety Act, there are a number of provisions which allow for preparation of regulations. Changes to section 31 of the Act ensure that sufficient regulation-making authority will be provided. Although it may seem like a paradox, many of these amendments will reduce the requirement for volumes of detailed regulation. This reduction in regulation will be accomplished through the introduction of codes of practice and the use of performance standards. Changes to section 31 will ensure there is sufficient authority to consolidate five current safety regulations into the proposed general safety regulation. The authority will also allow for the development of new mine safety regulation and revised industrial explosive safety regulation under this Act.

In considering these amendments, Mr. Speaker, it should be mentioned that the proposed regulations are based upon existing legislation. They will not go beyond the general intention of the current legislation. We are confident that the proposed regulations will be a significant improvement over the current legislation. Much of this improvement will be obtained through extensive use of performance standards and the codes of practice.

During the current comprehensive review of the regulations, the occupational health and safety division has attempted to identify and clearly document in legal terms the fundamental principles of industrial injury and accident prevention. The division has attempted to eliminate from the requirement of Alberta health and safety laws those provisions that are purely informational or merely provided as guidelines to industry. These informational provisions are not suited to be enforceable legal requirements. It is the belief of the division that the new safety regulations, coupled with the proposed changes to the Occupational Health and Safety Act contained in Bill 51, represent a significant movement towards applying the principles of regulatory reform that have received considerable attention throughout North America during the past five years.

In conclusion, Mr. Speaker, I am pleased to say, par-

ticularly in this time of restraint, that the amendments I bring before the House today will not result in any negative financial impact on Alberta businesses. In fact we in the division are confident that through the co-operative efforts of officers, employers, and workers, industry will save dollars through reduction in costly accidents.

Thank you, Mr. Speaker.

MR. MARTIN: Mr. Speaker, I'd like to rise on this particular Bill and say to the minister — even though he was prejudging what I might say — that I think it's a good step in the right direction. Having said that, that doesn't mean that when we've taken a step in the right direction, we can't improve that step. I believe the minister indicated there would be a sort of ongoing perusal of the Bill from time to time to see where he can strengthen it, that this isn't the be-all and end-all. In that spirit, I would like to make just a couple of suggestions that may even improve the Bill. I'm sure the minister would be prepared to look at them, knowing him to be the fair-minded person he is.

As I said, I agree with most things in the Bill. But the point that should be noted — it may seem that we don't need this, but from most labor Acts I've looked at, I think we do — is that nowhere in the Act, or in the hon. Member for Beverly's proposed amendments, are there definitions of "health" and "safety". I'm sure the hon. member knows what I'm talking about. There will be quite a controversy on what is health and what is safety in this area, depending on whether you're the employer or the employee. It seems to me, Mr. Speaker, that clear definitions would have enhanced the Bill, so that both the employer and employee are well aware of what is considered. I hope the hon. minister would take a look at that.

What I believe is another flaw, Mr. Speaker, is that there is a scarcity of formal committees. The minister knows what I'm talking about. Basically it still leaves to ministerial order the establishment of committees that look into health and safety on the worksite. Mr. Minister, if there were complaints by workers, this might be the main one they would give. We suggested in a private member's Bill — and I'm sure the minister has spent days studying the Bill — that we establish such a committee at every place of employment where 10 or more workers are employed. This is moving in the direction, if you like, of co-operation, industrial democracy, where you have supposedly formal committees set up and the employers and employees work very closely together. If not in this Bill, I wish the minister look at that as a possibility in upcoming Bills.

The minister has made a crucial alteration in section 27, whereby a worker will now be able to refuse to work. I compliment the minister on that, because I think it is important. Anybody who's worked on a worksite understands that the pressure, especially in times of economic recession, can still be very heavy on a worker. The basic problem remains that in the Bill the worker's refusal to work is still an obligation, not a right. A worker is obligated not to work in a dangerous situation rather than given the right to refuse such work. I recognize that to some the difference might be semantic, but I believe the difference is important. It's where we're coming from. I appreciate that in times of recession the minister is trying not to throw a lot of extra money on the employer, but surely it must be an important right of a worker not to work in an unsafe place. I think that obligation should be clear.

Mr. Speaker, I think there should be a section unequivocally requiring the provision by employers of a safe and healthy work place. There is a responsibility there. Surely the minister is saying the main purpose of the bill is to improve injury prevention, and I agree. If we improve injury prevention, we save costs for the employer at the same time. So I think a section dealing with the employer's responsibility to provide a safe work place would enhance the Bill.

Another area that concerns me, Mr. Speaker, has come up many times. I'm sure the minister will comment in Committee of Supply, when he adjourns debate, if not now. It seems to me there should be a requirement that employers maintain accurate health and safety records for their employees, and that these employees have free access to those records. For example, an employee may think that a certain type of work he or she has been doing could cause cancer. If no records are kept, it's very hard to prove one way or another whether that had to do with the person's work place. If you would take a look, Mr. Minister, it seems to me only reasonable that especially in industries where there are some claims that certain things happen to people, we maintain accurate health and safety records so we know for sure or not. And let employees have access to those records. Only by having those records can we have an adequate work place.

One other thing, Mr. Speaker, perhaps not as important as the last. The procedure to be followed in the event that an employee believes himself to be discriminated against because of the employee's refusal to work, which the minister recognized in this particular Bill, should be set out more clearly. I think there should be a clear procedure there, because what can happen — and many times the employee or employer could be wrong here. If that employee, because he thought it was unsafe to work — and he has the right under this Bill, and I compliment that — feels the employer is discriminating against him because of his right to refuse, a clear procedure should be laid that would be fair to both the employer and the employee. It seems reasonable to me, Mr. Speaker, that that be followed, especially because the minister, and correctly so, brought in the refusal to work.

In saying those things, Mr. Speaker, I believe generally the Bill is going in the right direction. It may surprise the minister, but I am going to support it as a good first step. If he would take a look at some of the other ideas I have thrown out, and at private member's Bill 231, perhaps at some future date the minister might find some things we were saying worth while.

Thank you, Mr. Speaker.

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

SOME HON. MEMBERS: Agreed.

MR. DIACHUK: Mr. Speaker, I just want to welcome the support from the hon. Member for Edmonton Norwood, with a little bit of concern, particularly when he said it's where we're coming from. When his support comes from that side of this Legislature, I'll have to re-read Bill 51 for fear that I've done too much.

No doubt we expect that the definitions are always referred to as what is in the dictionary. We looked at the proposal in Bill 231, but we would hope . . .

The continuing of a formal committee — Mr. Speaker, if I've said this once, I've said it twice: as the Minister of Workers' Health, Safety and Compensation, I have yet to

receive a request for a mandatory worksite committee to be established. I know for a fact that many have been established voluntarily. I would rather have a voluntary, co-operative approach than provide a shotgun approach and compel two parties, an employer and a worker. As a matter of fact, some of our record in the mandatory worksite committees is poorer than what would be expected on this. I hope that one of these days my socialist friends will move off this socialized approach of mandatory worksite committees for 10 workers or more.

The support the hon. member has provided with regard to a safer work place. I believe that when, in practice, the refusal to work by a worker is tested in an appeal to the Occupational Health and Safety Council, which over the last few years has had very few appeals — but this is a new approach, the quasi-judicial approach that the Occupational Health and Safety Council has had in this province since the Bill was proclaimed in 1976. I want to assure the members of this Assembly that I'm confident a worker would be dealt with fairly but also expeditiously.

With that, I want to thank hon. members for their support, particularly the hon. Member for Edmonton Norwood.

[Motion carried; Bill 51 read a second time]

Bill 1

Department of Manpower Act

MR. ISLEY: Mr. Speaker, on behalf of the hon. Premier, I'd like to make a couple of very brief comments with respect to the principle of the Bill. The purpose of the Bill is to establish the Department of Manpower and to give certain responsibilities, powers, and duties to the minister. The Bill is basically similar to all other departmental Acts.

With those comments, I move second reading of Bill No. 1.

MR. MARTIN: Mr. Speaker, a short question. I wonder what happens to the minister's job if the Assembly votes this down. [laughter]

MR. SPEAKER: I'm sure that hypothetical question could well be asked over a glass of beer sometime.

[Motion carried; Bill 1 read a second time]

Bill 61

Appropriation Act, 1983

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 61, the Appropriation Act, 1983.

My remarks on this Bill will be brief, although their brevity in no way reflects on the importance of the Bill or the amount of money involved, some \$9.489 billion, less the amounts voted by interim supply. The Bill in effect is a summary of the 25 days of estimates, and I commend it to the Assembly.

MR. MARTIN: That was closure, wasn't it?

[Motion carried; Bill 61 read a second time]

Bill 63
Real Property Statutes
Amendment Act, 1983 (No. 2)

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill No. 63.

There are three principles dealt with in the Bill. One is for the purpose of putting potential defendants in foreclosure actions, who have become liable in certain circumstances where they would not otherwise have become liable, in the same protected position as had existed for many years in respect to foreclosure of properties owned by individuals as distinct from corporations. The proposal is that in a foreclosure where the individual is liable only because the mortgage was taken out in the first place by a borrower that was a corporation, in those circumstances the individual who would have taken an assignment and have assumed all the obligations would not be held liable.

The other points are perhaps of less import. One provides that in payments made out of the assurance fund of the Land Titles Office, claims below a certain figure, \$5,000, can be paid out upon the direction of the Attorney General to a successful claimant and would not require an order in council as is the present requirement. The present requirement for an order in council would be continued in claims above that sum.

There is a third provision, which clarifies the situation in respect to the obligation of a mortgagee which purports to charge for statements provided to borrowers. That was dealt with in an amendment a year or so ago, but at that time it was not provided that in the event of failure to comply with that section, a penalty might be levied after a charge and conviction against the mortgagee. That is looked after in this Bill, Mr. Speaker.

[Motion carried; Bill 63 read a second time]

Bill 202
An Act to Amend the
Blind Persons' Rights Act

[Adjourned debate March 17: Mrs. Koper]

MRS. KOPER: Mr. Speaker, I wish to move second reading of Bill 202, An Act to Amend the Blind Persons' Rights Act.

As members of the Assembly know, this Bill was introduced on March 17 by the hon. Member for Edmonton Belmont, and the debate is recorded starting on page 134 of *Hansard*. The Bill is designed to provide for deaf persons with hearing dogs the same right of access and accommodation as is presently accorded blind people under the Blind Persons' Rights Act. It forbids discrimination against deaf persons normally accompanied by qualified hearing dogs in the provision of any services, or the use of facilities or accommodation due to the presence of the dog.

I believe this motion is timely. It was mentioned in the debate that the recent Klufas report has recommended that hearing dogs be provided as personal support for deaf persons. As well as providing that, it provides a legal recourse and a sense of security that will enable a small group of people to meet an objective that I think all members of this Assembly hold dear: to make the people self-sufficient, self-supporting, and as independent as possible.

Mr. Speaker, I hope the Assembly will support this Bill.

[Motion carried; Bill 202 read a second time]

MR. CRAWFORD: Mr. Speaker, I had indicated that this evening we would be dealing with Bills 52, 56, and 58 for second reading. I believe those are all the Bills available for second reading today, so the proposal is that unless there is some request on the part of the opposition to hold any portion of it, to look at supplementary estimates, except those of the Department of Energy and Natural Resources.

[The House recessed at 5:28 p.m. and resumed at 8 p.m.]

Bill 52
Optometry Profession Act

MR. KING: Mr. Speaker, I would like to move second reading and approval in principle of Bill No. 52, the Optometry Profession Act.

I would like to begin by recognizing the presence in the gallery of a number of interested observers, including Dr. McQueen, who is the current president of the Alberta Optometric Association; Dr. Rooney, who is the past-president; and Dr. Brisbane, who is the chairman of the legislative affairs committee. As we can see, they are accompanied by other interested optometrists. Their presence in the gallery gives me the opportunity to express my appreciation to the association for the co-operation I have received, particularly in their providing the benefit of their expertise and experience. They have also been very patient and, most important, they have demonstrated a dedication to the idea that legislation such as this must be drafted in the public interest. Indeed, Mr. Speaker, this Bill is drafted in the public interest. This is a substantial new Bill, not only for the optometrists but for the provincial community. It is an exemplar of government policy in the area of professions and occupations.

There are four features of the Act that I would particularly like to draw to the attention of hon. members. First of all, section 2 provides a definition of an exclusive field of practice, and that exclusive field of practice is established for optometrists in the province. Secondly, the Alberta Association of Optometrists is continued, and the whole range of services and the history and tradition that has benefited individual optometrists in the province is continued.

Thirdly, there is a procedure provided for professional control of competence and discipline proceedings on a basis that is consistent with the principles enunciated in the policy on professions and occupations, and on a basis that provides for natural justice and equitable treatment for complainants and professionals who are complained against. The outcomes of the procedure can include prohibition against practice, suspension, fines, and the requirement to accept counselling. In this context, Mr. Speaker, I might say it is my intention to move, at committee stage, a minor amendment that will have the effect of including students within the purview of the disciplinary and competency proceedings. Fourthly, Mr. Speaker, we provide for the establishment by the profes-

sion of the educational standards for the profession, subject to approval of the Lieutenant Governor in Council.

I'd like to take just a moment to comment on the definition of the exclusive field of practice. I would like to draw to the attention of hon. members the reality that this was the most complex aspect of the Bill in the course of drafting. It was the intention of the government to provide for a field of practice which, given their educational standards and methods of practice, would be best provided on a competent and cost-effective basis by the optometrists of the province. In the course of this, contrary views were expressed by some. I would like to say that although not all of their views are reflected in the final decision, these were thoughtful concerns. We benefited from sincere and expert advice, even though in the final analysis we made a judgment which differed somewhat from the advice offered to us.

Mr. Speaker, the Bill provides further model provisions in the field of professions and occupations, which provisions will have special relevance to the health professions. The Bill reflects the modern contract between the profession and the public. It is, as I said to begin my remarks, legislation that is in the public interest. I am pleased to be the sponsor of the legislation.

Thank you, Mr. Speaker.

MR. FISCHER: Mr. Speaker, I rise to support this Bill. I won't go into a section-by-section analysis of this legislation, as that's already been done by our hon. Minister of Education, but I would like to briefly outline why I support this Bill. We can talk of modern medical research using the most advanced technology that's available, and yet we've handicapped this profession with an obsolete Act. The Optometry Profession Act is long overdue.

Optometry is a profession that has earned the right to license, review, and discipline its own members, as provided in this Bill. The Optometry Profession Act will repeal the current Optometry Act, which is quite frankly outdated and found to be very lacking. Bill 52 will correct much of what is wrong with the old legislation and will help to ensure that a desirable set of standards is met to protect both the optometry profession and the general public. By passing this Act, the public will be better served.

The Alberta association of optometrists will be free to maintain standards, license practising optometrists, issue by-laws, and review its peers and, when necessary, take disciplinary action. Alberta's optometrists have continually proven themselves responsible professionals in the past and will continue to work at this high level of excellence.

I urge members of the Assembly to support this Bill, which helps to further the principle of giving greater autonomy to the optometry profession, a profession that has proven itself more than worthy.

Thank you.

MR. GOGO: Mr. Speaker, I want to make some comments relative to Bill 52 as well. At the outset, it would indeed be wise to point out that this was not an Act that came about in a very easy way. I think the co-operation between somewhat, say, opposing groups of professionals in the province — the ophthalmologists or oculists on one hand and the optometrists on the other — is ample proof, within the parameters of the professions and occupations dealt with by a member of this Assembly some eight or nine years ago, that when people work together in the public interest, they can come up with a meaningful and worth-while piece of legislation.

I am pleased as well to see that within the Act, as has already been mentioned, the association has by statute a discipline committee, that they in effect will look after or discipline their own. This Legislature will of course review how that is done each year when they table their annual report in this House within 15 days of a sitting each year.

Mr. Speaker, the only other comment I want to make is that I see they benefit under the Alberta Health Care Insurance Act, and one would therefore assume that they will comply with that Act. As I recall, that Act indicates that if they wish to extra bill, all practitioners under the Act must not post a notice in their office but indeed advise the client, prior to any service being given, that the client or patient must accept that and will pay the charge prior to the service being given.

So I support the Bill, certainly at the principle stage, and would indicate to members that we should be proud of an association that has worked closely with not only the sponsoring minister but a sister association, the ophthalmologists of the province.

[Motion carried; Bill 52 read a second time]

Bill 56 Registered Dietitians Act

MR. KING: Mr. Speaker, for at least a few minutes this evening, I have the direction of the House almost to myself, but I'll try to keep it moving in the same progressive direction.

I would like to move second reading of Bill No. 56, the Registered Dietitians Act and, in so doing, would like to acknowledge the presence in the gallery of Ms Lynn Fester, the chairman of the legislation committee of the Alberta Registered Dietitians Association, and Ms Susan Arnold, the new president of the association. Mr. Speaker, this legislation is another piece of progress in putting into place the structure that is derived from the government's policy on professions and occupations.

Unlike the Bill the House just approved, the optometrists' Act, the Registered Dietitians Act does not provide for an exclusive field of practice; rather, it provides for an exclusive use of name and for professional self-control on the basis of controlling the use of the name and carefully restricting the use of the name to professionals trained, competent in the field, and prepared to associate themselves with the standards and ethics of the Alberta Registered Dietitians Association.

Other than the fact that the basis of the legislation is in the exclusive use of name rather than in the exclusive use of field of practice, the Bill otherwise conforms to the government's policy on professions and occupations. It provides for a practice review and for control by the members of the profession of questions of discipline, competence, and unskilled or unprofessional practice. It provides for public input and for a close and constructive relationship between the members of the association and the provincial government.

Again, Mr. Speaker, I am pleased to be associated with this Bill. I am pleased with the progress that both Bills represent with respect to our putting into place the policy on professions and occupations, and I am pleased to move second reading.

[Motion carried; Bill 56 read a second time]

Bill 58
Northland School Division Act

MR. KING: Mr. Speaker, I would like to move second reading of Bill No. 58, the Northland School Division Act.

Essentially, the Bill is a reconstruction of existing features of the Northland School Division Act. There is a major exception. I am particularly pleased that the effect of this Bill is to provide for election of the board of trustees of the Northland School Division, which election of their trustees has not been a feature of self-government ever previously available to the residents of the Northland School Division. In a sense, we can say that for school purposes, tonight we are going to enfranchise the residents of almost one-fifth of the area of the province.

In addition to that, Mr. Speaker, we are taking the opportunity to extend, on an optional basis, the franchise for school purposes to status Indians living in northern Alberta. It is important to add that the initiative will reside with the band, the residents of the reserve. But for the part of the province of Alberta, the government and the people of Alberta, the franchise is being extended to our Indian population for school elections in northern Alberta. I think that is a significant accomplishment.

Northland School Division is just over 20 years of age. It was established to recognize the unusual, if not unique, circumstances of that part of northern Alberta which is sparsely settled and marginally served by conventional transportation and communications links. It is a school division which throughout its life has suffered with problems of communication and problems of motivation on the part of students, staff, and administration. It has been the subject of much study, not only recently but historically. Many new ideas have been advanced as the means to improve the educational opportunity in Northland School Division. Some of them have been very innovative. Some of them have been tried with the best will and greatest effort of the participants. None of them has ever made the change that was expected of them in anticipation. Today, we look at Northland School Division and wonder what more might be done.

Mr. Speaker, this Bill represents the conclusion of the government that there will never be substantial, constructive change in the educational opportunity provided by Northland or received by its students, until such time as the community has the opportunity to be directly involved in the governance of the school division. Mr. Speaker, the conclusion is inescapable: unless the people have the conviction that they have their future in their hands, unless they have the conviction that they have a meaningful role to play, and unless they have the conviction that they must accept responsibility for the outcomes, there will be no significant change in education in the Northland School Division.

It is for that reason we have first of all provided for the election of a local board in each community surrounding each school. We have provided that each board will elect a chairman. We have provided that each chairman, by virtue of his election as chairman of the board of the school committee, will become a member of the board of trustees of the Northland School Division. We provide what we hope will be the basis for a constructive relationship between the board of trustees of the Northland School Division and the school boards surrounding, responsible for, each school.

Mr. Speaker, we can only put the process in place. It will be operable for the elections this October. As with all

other Albertans, and particularly as with the residents of the Northland School Division, we will watch the outcome with great interest. I do have great expectations.

MR. NOTLEY: Mr. Speaker, I would like to make several comments about the Bill before the House tonight. It will be the intention of my colleague and myself to vote in favor of Bill 58. However, I would say that when one reviews the history of the Northland School Division, there have been a number of ongoing problems. Over the last few years, Mr. Speaker, on a number of occasions I have had some opportunity to visit schools within the division, and recognize some of the special difficulties of that particular division. In 1981 I also had occasion to meet with the former board of the Northland division, after having had an opportunity to see a number of the schools and observe first-hand some of the difficulties the staff faces, as well as some of the special problems for students in that area.

As I understand it, Mr. Speaker, there are two basic principles. One is the decision to move toward the election of local school councils or committees. I understand that provision is already in the School Act for other divisions within the province. A number of divisions I know, particularly in relatively isolated areas of the division, have gone the route of a locally elected school committee. Certainly in a division as large and far-flung as the Northland division, it does make a good deal of sense that we have, community by community, the election of a local committee.

I like the idea as well that the chairmen of these local committees will constitute the board. However, I note that the local board committees have limited powers. They may request religious instruction, request instruction in another language, nominate but not hire a teacher, recommend holidays, school times, and school policy, and advise the board in different areas. But having had at least some occasion to deal with Northland over the last dozen years that I've been a member of this Assembly, I would say to the minister that while he tells us he is putting in place a new approach to Northland and sitting back and waiting for the results, may I also suggest that at least a major part of the success of this move will depend on the way in which the government responds to the initiatives of not only the local school committees but the newly constituted board of Northland.

Mr. Speaker, I mentioned that a number of times I had occasion to visit schools in Northland, and I have to tell you and the members of the Assembly that some of the schools I saw were absolutely scandalous in terms of the physical condition of the plants. We all know of one particular incident that received headlines throughout the province in 1980. But having gone to a number of schools, in my judgment there were many of the kinds of problems that I think characterize much of the school building program of the late '50s and early '60s. To stay within the so-called approved budget of the school buildings branch, we have short-circuited the process of construction in not only Northland but other divisions in northern Alberta as well. I've had trustee after trustee bring back to my attention — and certainly when those of us who have the privilege of representing northern Alberta meet with the Division 1 trustees of the Alberta School Trustees' Association, almost without exception in the last dozen years that I've been a member, these trustees have said to us: one of the difficulties with the construction program has been that to stay within the budget, we have short-changed ourselves in the construction process

and, in the long run, we end up having to pay more in maintenance. As I looked at some of the schools in Northland, that came to my attention very dramatically, particularly with respect to several of the ones that received a good deal of publicity but, for that matter, the same sort of general comment could be made in places like Peavine or Wabasca. That being the case, the burden of my observation to the minister is that we are dealing with an important experiment here. To be fair to that newly chosen board this fall, I hope we could recognize the special funding requirements of the Northland division.

I remember meeting with the board of the Northland School Division in February 1981. Mr. McKinnon was still chairman of the board at that time, and Mr. Penrice, who I'm sure is well known to most of the government members, was a member of the board. Both were quite vocal, especially Mr. Penrice, about the difficulties of making ends meet in the Northland School Division. I simply say to the minister that with the added costs of operation in these remote northern areas, very high utility rates, and the difficulties of attracting and retaining staff, in the challenge before us we have a very important responsibility. So while it's fine to say we are embarking upon a new course, we give best wishes to the newly chosen board this fall, in second reading I just want to underscore my very firm belief that this experiment will be only as successful as the generous hand of assistance that's made available by the provincial government.

Mr. Speaker, the second major principle in this Bill is to enable treaty Indians on reserves to vote for school boards if tuition agreements have been reached between the Northland division and the federal Department of Indian Affairs and Northern Development. Perhaps the minister, in responding to various comments that I hope will be made by other members as well during second reading of this important Bill, would bring us up to date on just where things now stand on this question. We know the thorny jurisdictional questions. I hearken back to that meeting in 1981 with the board of trustees of the then Northland division. I put the question to the board members about the issue of treaty Indians on reserves voting and the whole process of electing board members instead of choosing them by ministerial order. As I recall, the burden of the argument at the time was that because of thorny jurisdictional difficulties beyond the power of the board, this wasn't very practical. I strongly think that Albertans of treaty Indian origin on reserves should be able to select members for local boards. I think it would strengthen the school system immeasurably. But because of the difficulties we've had on this issue over the last number of years, and the supplying of provincial services to treaty Indians in Alberta, perhaps in his concluding comments the minister might want to be a little more definitive as to how many bands he sees participating, whether he sees all the bands participating, and what obstacles, if any, there are to the full participation of treaty Indians on reserves with respect to selecting local school committees.

Having made those comments, Mr. Speaker, I conclude by saying that I think Bill 58 represents an important step forward. Certainly we support it in principle and have called upon the government to move in this direction for some time. The idea of the delegation is a slight variation from other proposals; that is, that we elect local school committees, and from the school committee we see the selection of the board. I don't think that represents an overwhelming obstacle, particularly when one looks at

the geographic problems of dealing with a board that represents a very significant portion of the land area of the province where, quite frankly, there just aren't roads. There are incredible difficulties one has to surmount in terms of travelling from one part of the Northland division to the other. I don't know whether members are fully aware of how difficult it was to get around that division, unless you were going to charter an airplane. Even when you look at the normal avenues of commercial flights — I remember when Northland's head office was moved from Edmonton to Peace River. That made some practical sense, except that in terms of the flights it didn't at all, unless you wanted to get into the charter aircraft business, because the Northland division was such a huge geographical area. I know this may seem a little difficult, especially for members from Edmonton and Calgary, who are used to air buses every hour between the two cities. Unfortunately, when you get something as challenging as the geographical area comprising Northland, to even headquarter an office becomes a pretty big problem.

Keeping all those things in mind, Mr. Speaker, it seems to me that the intimidating challenges of geography probably make the approach of the locally elected school committee immeasurably more practical. People in Wabasca can look at the school in Wabasca even though it's 300 or 400 miles to other parts of the division.

Mr. Speaker, I want to conclude my comments on second reading by saying that if we find that this particular division, with its special problems, with the challenges of cultural differences yet the desire to improve and strive for excellence that I see, especially among both status and non-status Indian people in the area — I say to the government quite frankly that a very important component of Bill 58 is the outstretched hand of friendship with the necessary funds in order to be able to do the job properly and give this new division board the kind of tool to carry out their very onerous responsibilities.

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

HON. MEMBERS: Agreed.

MR. KING: Mr. Speaker, I will begin by responding to the word "experiment". I have some hesitation about doing this, because perhaps it is a word I used in my remarks, in which case I would like to retract on my own behalf. What we are proposing is not an experiment in the sense that we're just going to let it happen and stand aside and watch. In my view, this is a step we are committed to. It is an evolutionary step necessary for the development of the Northland School Division.

The realities of life are that in any given situation, there are a number of options which are workable or can be made workable depending upon the will, the opportunities, and the resources of the people involved. This is an opportunity that I believe can and will be made workable for Northland, not only workable for them but really productive in many imaginative ways and perhaps instructive to other school divisions in the province. But I want to make the point that I don't approach this from the point of view of it being an experiment which we will set in motion and then stand aside to watch.

I want to go on record as associating myself very closely with the future of the Northland School Division. If the question about support is asked, Northland has the support of the Minister of Education. The proof of that

in our recent experience is that we have acted on the recommendations made to us by Dr. MacNeil, Mr. Jonson — who was not then a member of this House — and Evelyn Norberg, the third member of the committee of inquiry. Some things are acted on in the short term, some in the medium term, and some in the longer term, but we are acting on those recommendations. The question of governance was a question whose time had come as we anticipated the fall school board elections. Now is the time to do it; now is the time we are acting.

If any study is going to be of value, it has to lead to action. I think Dr. MacNeil and the other members of the committee can take some satisfaction from the fact that the report they presented to this government led to action not only in the field of governance but also in terms of improvements to the administration and the programs of the school division — and I might say, notably, there have been notable improvements in the conditions of the school.

The hon. member referred to some of the schools he visited at some time in the past, and he described conditions which were more or less prevalent in the division at some time in the past. There has been substantial change in the last two or three years, and substantial change is anticipated in the next year or two. The division has a capital program in place, by which they will have replaced, in 1984, all the schools in the division that are judged to be inadequate. I think that's a notable accomplishment. It is the result of an initiative that lay with the Northland School Division, but it was an initiative supported by the Department of Education.

So, for example, we have had new schools in the last year at Trout Lake, Loon Lake, and Mistassiniy. In terms of going ahead for the good of the people in the community, I might point out that we proceeded with all three of those construction projects even though we did not have a capital agreement with the federal government. We proceeded on faith. Our faith in the federal government — one of those rare examples — was justified. The capital agreement came later, but we went ahead without waiting for the capital agreement to be signed.

I might add that our faith in the communities has been justified in the very high degree of community labor and other resources that were involved in the construction of those three schools. While I don't have the names of the schools in front of me, the capital plan envisages that by next year construction will have started on the last of the replacement schools for those which have been identified as substandard in the division.

Aside from our support for the capital project, historically we have demonstrated support for the operating budget of the Northland School Division, with the incremental grants program that has recognized special funding requirements. I can only repeat that with this government, that assistance will continue to be available to the Northland School Division.

The question of extending the franchise undoubtedly poses some thorny problems. We have had a number of them identified for us. The fact of the matter is that this Bill doesn't resolve all the problems that have been identified. It is important that I make that acknowledgment to the House. But again, my attitude is that if we're going to study our problems until we have resolved them all to our satisfaction on paper, in anticipation and abstractly, then we will never do anything in Northland School Division. There are going to be some problems related to the implementation of this legislation. We are confident that

those problems will be overcome because of the good will that is shared by the community, the administration, and the Department of Education. In all that activity, the community is going to have our support.

The fact is that whether or not it is done perfectly, the means must be extended to the people of the community to share in the decision-making process. The basic premise that underlies the legislation is that the Indian people of those communities who send their children to the Northland schools must have the opportunity to participate in the process on the same basis as do the other residents of the community.

It is true that in setting out the functions of the local school boards, the list is limited and the functions are described in advisory terms. With the passage of time, we may agree that that is not sufficient. We may have to make more moves in that area. I would prefer to think that given the fact that the Northland School Division board is created from the chairmen of each of the 27 school committees, there will be a very close working relationship between the board and the individual school committees, on the basis of their very closely shared sense about where the future of education in Northland lies. It was our judgment that we did not need to be prescriptive in those sections of the Act, that we could leave it to the trustees and the local school committees to work these things out in the way that would be most useful to the communities and the jurisdiction.

It should be Peerless Lake, not Loon Lake. I thank whichever of my advisers sent me the note.

Thank you, Mr. Speaker.

[Motion carried; Bill 58 read a second time]

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

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

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Would the committee please come to order. We have a number of Bills to study.

Bill 2 **Aerial Photographic Survey** **Repeal Act**

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

[Title and preamble agreed to]

MR. SPARROW: Mr. Chairman, I move that Bill No. 2 be reported.

[Motion carried]

Bill 8 **Professional Statutes** **Amendment Act, 1983**

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

[Title and preamble agreed to]

MRS. FYFE: Mr. Chairman, I move that Bill No. 8 be reported.

[Motion carried]

Bill 9
Consumer and Corporate Affairs
Statutes Amendment Act, 1983

MR. CHAIRMAN: An amendment has been circulated. Are there any questions or comments regarding the amendment?

[Motion on amendment carried]

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill No. 9, the Consumer and Corporate Affairs Statutes Amendment Act, be reported as amended.

[Motion carried]

Bill 4
Planning Amendment Act, 1983

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

[Title and preamble agreed to]

MR. MUSGROVE: Mr. Chairman, I move that Bill No. 4, the Planning Amendment Act, 1983, be reported.

[Motion carried]

Bill 13
Water Resources Commission Act

MR. CHAIRMAN: Are there any questions or comments?

MR. NOTLEY: I'd like to make a few observations on Bill No. 13 at committee stage. At the outset, Mr. Chairman, I'd like to indicate that as far as my colleague and I are concerned, there is some merit in the concept of a water resources commission in Alberta. Certainly one of the most valuable resources we have in the province is our water. But having said that, there are several caveats I'd like to express during committee stage of the Bill. Unfortunately, I was not able to be present during second reading of Bill No. 13.

The first caveat is that it seems to me that while there is an unimpeachable case for long-term water resources planning, we must ensure that there is the most extensive public input into that process, that all reports prepared are in fact made available to the public, and that we don't get into a situation where we have a hidden agenda. I think it's critical, Mr. Chairman, especially when we're dealing with an issue that not only has the practical import of water but also the very emotional aspect as well, that there be not only the most extensive consultation and information gathering but full disclosure of all the data that are made available. I think that's a very crucial first point.

Secondly, Mr. Chairman, I certainly recognize the

importance of monitoring intergovernmental departments. One of the difficulties with any kind of approach on something like water resource management is that we have different branches of different departments, all of which have some authority, all of which jealously guard their purview. But while it's important to bring, if you like, the co-ordination of these various departments doing specialized assessment in different areas under one roof, as it were, in my judgment that has to be done not within the context of a small, closed group that can advise the cabinet behind closed doors but on the basis of clearly outlining for Albertans what the options are.

The third point is just reasserting some of the observations I made during estimate study; nevertheless it's quite important. I was pleased to see the Minister of the Environment rule out any kind of massive interbasin transfer of water. My personal view is that while there's a strong case for utilization on a basin-by-basin basis for water in Alberta, interbasin transfer on a major scale is simply wrong. It's wrong, number one, because of the principle. I think northern Albertans do not want to see their region of the province being literally the hewers of wood and the drawers of water. The general consensus is that we should be bringing people north, not shipping water south. That's the first point: the question of what our vision of northern Alberta is. I would say, Mr. Chairman, that while I recognize there is some additional arable land in the Palliser Triangle, the fact is that northerners would prefer to see the water of the north used as an important trump card in a deliberate program to strengthen the development of the northern part of the province.

But in addition to the question of principle, I think there is a very practical consideration as well. I know the PRIME project has been mentioned before. I mention it again without any apology. When I see some of these dams that have been built in the context of the planning for PRIME in 1969-70, I say bluntly to the minister who's sponsoring this Bill and the hon. Member for Chinook, who is the chairman of the water commission, that the cost of getting into massive interbasin transfer is going to be so horrendous as to render such notions totally impractical. I'm somewhat at ease after raising this matter in the estimates of the Department of the Environment and having the minister advise us that as far as he is concerned, interbasin transfer is totally out. I hope, however, that at some point he's able to convince Mr. Melnychuk and certain other people that it's not on the agenda as far as this government is concerned.

No one is saying that we should not be utilizing our water resources to expand agricultural production. But I have yet to be convinced that we are not able to do that by proper management of basin-by-basin river systems in the province. We don't need to get ourselves into the dream of some of the dam builders or the megaprojects which created so much public attention a few years back. I remember when NAWPA was first mentioned, and people were suggesting that we might even be able to have water transportation in Edmonton because of this massive scheme. However, the costs have rendered that an unrealistic dream.

Mr. Chairman, I wanted to make those comments during the consideration of Bill No. 13 in committee stage, because the support that at least the Official Opposition is prepared to give to the Water Resources Commission Act is certainly contingent on a recognition that if we're planning for everybody's water resource heritage, then (a) there has to be public input, (b) there has

to be full disclosure of the information obtained, and (c) we as a caucus take the position today that we've taken consistently as a party for some time, and that is that we are opposed to massive interbasin transfer of water.

I conclude by saying to the new chairman and to the minister who is sponsoring the Bill — who for some reason appears to be the minister in charge of public affairs, public relations. That worries me a bit, because it seems to me that the hon. Member for Chinook — this is no discredit to the hon. Member for Calgary Fish Creek — would have been perfectly capable of introducing the Bill himself. It's a little bit disturbing to some of us on the opposition side that it's the minister in charge of propaganda who is introducing this Bill. I don't know what that means.

Two years ago we had quite a little to-do about certain documents, about how we're going to convince the children in high schools and create a demand for what the government wants to eventually do, and all kinds of things. Now we have the minister in charge of public affairs, public relations — call it what you will — introducing this Bill. It is a bit disconcerting, Mr. Chairman. No disrespect to the hon. minister, but I think I would have been a little happier if it had been the Member for Chinook, who is going to be chairman of this commission, who had undertaken the responsibility of carrying the Bill through its various stages in the House.

Having said that, Mr. Chairman, and hoping that in the process I have not twisted the tail of the government back bench too much to engender a debate that will keep us going all night, I do want to say that the concept of a water resources commission has a good deal of merit. Let me conclude by telling the members of the committee that if the Member for Chinook is as fair-minded a chairman of the commission as he was a fair-minded Minister of Transportation, then I for one am pleased to support the Bill.

MR. PAYNE: Mr. Chairman, before moving that Bill 13 be reported, I'd like to take advantage of this opportunity to respond to a couple of questions raised during second reading of Bill 13. One was raised by the hon. Member for Edmonton Glengarry who, as members will recall, raised his concerns that the commission might not attach a sufficiently high priority to the environmental factors of the projects they review. I would like to assure the Member for Edmonton Glengarry and other members in the House this evening that I have met at length with members of the commission, and they have assured me that they are now and will continue to be seriously concerned about the environmental factors that affect water resources management. Additionally, they reported to me that the commission is already receiving input from the private sector on specific water quality concerns and will be considering these issues very carefully.

Members might also recall that the hon. Member for Little Bow asked a budgetary question, the projected costs of the commission over the five-year period. As near as I can determine, the projected budget for the commission for 1983 is \$255,000. It's expected that a similar level of funding will be required in each of the five years established for the commission, but of course will finally be based on approved initiatives and in line with the economic conditions of the province over the period.

I was somewhat assured to receive the Leader of the Opposition's indication that he found some merit in the proposed concept, and I listened carefully to the caveats that he summarized tonight. I note that the hon. Member

for Chinook, the chairman of the commission, has been either in or near the House through our deliberations tonight. I know that he will of course take due note of the observations made by all the members, not the least of whom is the Leader of the Opposition.

Perhaps I could conclude simply by reassuring the hon. Leader of the Opposition that there is absolutely nothing sinister about my involvement with this legislation, and I know that over time he will come to understand that as well. With those few remarks, Mr. Chairman, I'd like to . . .

MR. R. SPEAKER: Mr. Chairman, before the hon. minister moves it, I would like to make some remarks on the Bill.

MR. CHAIRMAN: We haven't approved the Bill yet.

MR. R. SPEAKER: I understand that. I stand because I want to put some remarks on record as to my own personal position with regard to the Water Resources Commission and certainly with regard to water management in the province. I have said in this Legislature that I am in support of water transfer across this province. I want that put on the record, because I support that concept. I believe that water is a natural resource that is going to become more important than ever with the coming years. Its importance will not diminish. Demand, not only from Albertans and Canadians, will be there. I think the biggest demand will be with regard to food production for the world. We here in Alberta, in western Canada, have the capability with our soil, our knowledge, our technology, to produce the food from that water.

The concern that is often raised in this Legislature is that every time water transfer from one part of the province to another is mentioned, someone says, oh, we're going to export it to the United States. Well, maybe at some time when the conditions are right, and we know that we've documented well the quantity of water we have, that we have built dams on various rivers, that we have control of that resource as human beings living on this part of the land, we may do that. Possibly that can be part of the plan. But for politicians — and I say this to the Conservative government and the NDP opposition. Every time we raise the question of water transfer, it becomes a political issue. The logic is removed from the issue. I think that's wrong, because we have technology, we have engineers, we have people that can make the transfer on a logical, deliberate, controlled basis.

There are times when, like any other place, in northern Alberta — and I haven't quantified this — we do have surpluses of water that could be used in other parts of the province. We should try to build toward that capability. For example, seven, eight, nine, 10 years ago in the irrigation districts, we did not have the capability of transferring water from one area to another through fabricated pipelines. Today, through our Heritage Savings Trust Fund, we are doing just that: underground pipes carrying water through the district. As you drive through the district, you don't even know water transfer is going on; no seepage, no loss, complete control.

From northern Alberta, as technology changes and we are able to meet the demand, who knows? Rather than running it through some open ditches from one place to another, there are other techniques and ways of transferring the water on a controlled, rational, and logical basis. As people in this Legislature, I think we should look at that on a broader base, on the basis of managing what is

happening. Certainly this Water Resources Commission, as I understand it, will attempt to put that type of rationale into the system.

On that basis I support what the government is doing in this area. I support the hon. Mr. Kroeger as chairman of that group. I think he has some common sense, some business sense that can recognize some of the potential problems, recognize these political bogey men who are often thrown into the system. Hopefully, we as Albertans will own the resource, control the resource, and determine how it is used in the future. Under the present ground rules we have established, where there is no logic to the system of how we are going to use the water in the future, I don't think that can happen. As one Albertan, I'm certainly depending on this Water Resources Commission and the people they use to determine what happens in the future. I think that's the right way.

I just want to put my position on the record, Mr. Chairman. As politicians, I think it's time we stood up and said some of these things and quit playing politics with a great natural resource, that is going to be very important in the future growth and determination of this province.

[Title and preamble agreed to]

MR. PAYNE: Mr. Chairman, I move that Bill 13, the Water Resources Commission Act, be reported.

[Motion carried]

Bill 16
Companies Amendment Act, 1983

MR. CHAIRMAN: There is an amendment to this Act. Are there any questions or comments regarding the amendment?

MR. MARTIN: Just a question to the hon. Member for Edmonton Whitemud. There must have been a need for this Bill. I can see it's a fairly complicated Bill. What does the hon. member see as the need to bring in this particular Bill? What was happening that caused the Bill to be brought in?

MR. CHAIRMAN: We're dealing with the amendment.

MR. MARTIN: I'm sorry.

[Motion on amendment carried]

MR. CHAIRMAN: We go now to the Bill itself. The question has been raised. Perhaps the hon. member wishes to respond.

MR. ALEXANDER: Mr. Chairman, on second reading of the Bill, I think I described it as house cleaning. I was taken up on that and corrected that it should have been housekeeping.

As many members will know, the Alberta Business Corporations Act provides for the registration of new companies of their continuance. As of the time of introduction of this Bill, there were some 130,000 companies incorporated, of which only one-quarter had in fact registered continuance under the Business Corporations Act. Consequently, the Companies Act is still in force for many of them. In the process of introducing the new Bill, many sections were either left out or introduced requiring

companies and, in some cases, people reporting under the Securities Act to either duplicate or leave out certain essential operations.

So I think it's best simply to describe the Bill as housekeeping: adding things that shouldn't have been taken out, putting in a couple of things that should have been left in. Aside from discussing it clause by clause, that's a broad description of what's happening. It's fundamentally just details. I wish it were more exciting, Mr. Chairman, but there is nothing much to it.

[Title and preamble agreed to]

MR. ALEXANDER: I move that Bill 16, the Companies Amendment Act, 1983, be reported as amended.

[Motion carried]

Bill 17
Health Occupations Amendment Act, 1983

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

[Title and preamble agreed to]

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

[Motion carried]

Bill 19
Department of Social Services
and Community Health Amendment Act, 1983

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

[Title and preamble agreed to]

MRS. KOPER: Mr. Chairman, I move that Bill No. 19, the Department of Social Services and Community Health Amendment Act, 1983, be reported.

[Motion carried]

Bill 21
Alberta Games Council
Amendment Act, 1983

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

[Title and preamble agreed to]

MR. TRYNCHY: Mr. Chairman, I move that Bill 21 be reported.

[Motion carried]

Bill 29
Business Corporations
Amendment Act, 1983

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

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill No. 29, the Business Corporations Amendment Act, 1983, be reported.

[Motion carried]

Bill 30
Alberta Heritage Savings Trust Fund
Amendment Act, 1983 (No. 2)

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill 30 be reported.

[Motion carried]

Bill 31
Energy Resources Conservation
Amendment Act, 1983

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

[Title and preamble agreed to]

MR. LEE: Mr. Chairman, I move that Bill 31, the Energy Resources Conservation Amendment Act, 1983, be reported.

[Motion carried]

Bill 34
Provincial Court Amendment Act, 1983

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

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill No. 34 be reported.

[Motion carried]

Bill 40
Alberta Corporate Income Tax
Amendment Act, 1983

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill No. 40 be reported.

[Motion carried]

Bill 41
Alberta Income Tax
Amendment Act, 1983

MR. CHAIRMAN: This Bill has an amendment, which has been circulated. Are there any questions or comments regarding the amendment?

[Motion on amendment carried]

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill No. 41 as amended be reported.

[Motion carried]

Bill 42
Tobacco Tax Act

MR. CHAIRMAN: We also have an amendment for this one, which has been circulated to committee members.

[Motion on amendment carried]

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill No. 42 as amended be reported.

[Motion carried]

Bill 46
Department of Housing Act

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

[Title and preamble agreed to]

MR. SHABEN: Mr. Chairman, I move that Bill No. 46 be reported.

[Motion carried]

Bill 49
Petroleum Marketing Amendment Act, 1983

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

[Title and preamble agreed to]

MR. KOWALSKI: Mr. Chairman, I move that Bill 49, the Petroleum Marketing Amendment Act, 1983, be reported.

[Motion carried]

Bill 53
Franchises Amendment Act, 1983

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

[Title and preamble agreed to]

DR. CARTER: Mr. Chairman, I move that Bill 53 be reported.

head: **COMMITTEE OF SUPPLY**

[Mr. Appleby in the Chair]

[Motion carried]

MR. CHAIRMAN: Would the Committee of Supply please come to order.

Bill 55
Real Property Statutes
Amendment Act, 1983

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

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill No. 55 be reported.

[Motion carried]

Bill 50
Alberta Energy Company
Amendment Act, 1983

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill 50 be reported.

[Motion carried]

Bill 54
Financial Administration
Amendment Act, 1983

MR. CHAIRMAN: There is an amendment to this Bill which has been circulated to the committee. Are there any questions or comments regarding the amendment?

[Motion on amendment carried]

[Title and preamble agreed to]

MR. HYNDMAN: I move, Mr. Chairman, that Bill No. 54 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 has had under consideration and reports the following Bills: 2, 8, 4, 13, 17, 19, 21, 29, 30, 31, 34, 40, 46, 49, 53, 55, and 50; also, with some amendments, Bills 9, 16, 41, 42, and 54.

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

HON. MEMBERS: Agreed.

Supplementary Estimates of
Expenditure (A) 1983-84

Department of Manpower

MR. CHAIRMAN: Vote 3, are there any comments?

Agreed to:	
3.01 — Special Employment Programs	\$26,975,000
3.02 — Employment Programs	
Administration	\$425,000
Total Vote 3(a) - Special Employment Programs	\$27,400,000

MR. ISLEY: Mr. Chairman, I move that the vote be reported.

[Motion carried]

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

[Mr. Speaker in the Chair]

MR. APPLEBY: Mr. Speaker, the Committee of Supply has had under consideration and reports the following resolution, and requests leave to sit again:

Resolved that a further sum not exceeding \$27,400,000 be granted to Her Majesty for the fiscal year ending March 31, 1984, for the special employment program vote under the Department of Manpower.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, tomorrow the Assembly may, with unanimous consent, sit beyond the first hour on government business in the afternoon. It's also proposed that the Assembly sit in the evening. I know there has been some discussion with respect to the first point, and before adjourning I would indicate the business for tomorrow. If there is consent to the continuation beyond the one hour tomorrow, perhaps that could be signified at the same time.

Depending upon the availability of the Minister of Economic Development, we would look to the supplementary estimates with respect to the Heritage Savings Trust Fund. With respect to other business, some of the Bills that have been read a second time would be available for study in Committee of the Whole, and possibly some third readings. I haven't had an opportunity yet to indicate to the hon. members of the opposition the specific Bills that may not be proceeded with tomorrow, and that may have to wait until tomorrow morning.

Mr. Speaker, I am wondering if you will help me with respect to the unanimous consent suggestion.

MR. NOTLEY: Mr. Speaker, perhaps I could help the hon. Government House Leader and indicate that my colleagues in the opposition are quite prepared to give unanimous consent to government business tomorrow.

[At 9:34 p.m., on motion, the House adjourned to Tuesday at 2:30 p.m.]

