

**LEGISLATIVE ASSEMBLY OF ALBERTA**Title: **Thursday, June 2, 1983 2:30 p.m.**

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

**PRAYERS**

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 64****Appropriation (Supplementary  
Supply) Act, 1983**

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill No. 64, the Appropriation (Supplementary Supply) Act, 1983.

The purpose of this Bill is simply to provide supplementary dollars for the Department of Energy and Natural Resources and the Department of Manpower, both of which items were debated recently.

[Leave granted; Bill 64 read a first time]

**Bill 65****Appropriation (Alberta Heritage  
Savings Trust Fund, Capital Projects  
Division) Act, 1983 (No. 2)**

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill No. 65, the Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1983 (No. 2). 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.

Mr. Speaker, I might mention that the previous Bill, No. 64, was a money Bill. In that regard, I overlooked indicating that that was a money Bill and that His Honour the Honourable the Lieutenant-Governor, having been informed of the contents of Bill 64, recommended the same to the Assembly.

Bill 65 provides moneys from the Alberta Heritage Savings Trust Fund for the new venture capital corporation.

MR. SPEAKER: Having heard the further motion by the hon. Provincial Treasurer and the amendment of the preceding motion, do you all agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: The motion is adopted and the preceding one is amended accordingly.

**Bill 70****Appropriation (Alberta Heritage  
Savings Trust Fund, Capital Projects  
Division) Amendment Act, 1983**

MR. HYNDMAN: Mr. Speaker, I request leave to introduce Bill No. 70, the Appropriation (Alberta Heritage

Savings Trust Fund, Capital Projects Division) Amendment Act, 1983. This being a money Bill, His Honour the Honourable the Lieutenant-Governor, having been informed of the contents of the Bill, recommends the same to the Assembly.

This Bill is very short, Mr. Speaker, and simply corrects an arithmetic error in Bill 25, previously passed in this Assembly. It in no way changes any of the amounts voted by the Assembly in committee.

[Leave granted; Bill 70 read a first time]

**Bill 239****An Act to Amend  
the Motor Vehicle Administration Act**

MR. PURDY: Mr. Speaker, I beg leave to introduce Bill 239, An Act to Amend the Motor Vehicle Administration Act.

Over the past number of months, in my conversations with a number of insurance agents, it appears that a number of people in the province are driving without financial responsibility insurance. People are making down payments on insurance policies, receiving pink cards, and then cancelling the policy. People are still in possession of financial responsibility cards . . .

MR. SPEAKER: Order please. I have difficulty distinguishing — and I say this with respect — the hon. member's remarks from what might be the opening of debate on second reading. Perhaps we could go directly to the principles of the Bill for a brief statement.

MR. PURDY: Mr. Speaker, I was just coming to that; I was right on the principle of it. I had to give the preamble so that members would know what I'm trying to put forth. Where was I at, now?

What I was saying was that people were still in possession of the financial responsibility cards. The amendment to the Bill would enable the insurance agent to notify the local police, and the police would then add these names to CPIC. Therefore, when people are stopped, the police would have the authority to find out if they actually have financial responsibility cards that are still valid.

[Leave granted; Bill 239 read a first time]

**Bill 232****Alberta College of Art Autonomy Act**

MR. MARTIN: Mr. Speaker, I beg leave to introduce Bill No. 232, the Alberta College of Art Autonomy Act.

If passed, this Bill would give autonomy to the Alberta College of Art by granting it public college status. It's meant as a gentle nudge to the Minister of Advanced Education, who says he's tilting toward autonomy.

**head: TABLING RETURNS AND REPORTS**

MR. FJORDBOTTEN: Mr. Speaker, I beg leave to table responses to motions for returns 157, 159, and 161.

MR. BRADLEY: Mr. Speaker, I'd like to file with the Assembly two copies of air quality monitoring raw data collected by Alberta Environment during the well blowout near Lodgepole in 1982. This information has been

provided to the Energy Resources Conservation Board inquiry.

MR. CHAMBERS: Mr. Speaker, pursuant to section 5 of the Architects Act, 1980, I wish to table the annual report of the Alberta Association of Architects for the year 1982.

#### head: INTRODUCTION OF SPECIAL GUESTS

MR. ADAIR: Mr. Speaker, it's a special privilege for me today to introduce to you, and through you to Members of this Legislative Assembly, two classes of grade 6 students from the Glenmary school in Peace River. They are accompanied by their teachers Mrs. Lucy DeAlmeida and Miss Cathy Palmer; parents Jim O'rielly, Marcel Fortin, Mrs. St. André, and Mrs. McGillis; and their driver George France. I would ask that they stand and be recognized by this Assembly.

DR. BUCK: Mr. Speaker, I take great pleasure this afternoon in introducing three special guests in your gallery. They are Carolyn and Donald Alexander of Cochrane, Alberta, and a guest from Ontario, Marie Thompson. I ask them to rise and receive the welcome of the Legislature.

MR. ALEXANDER: Mr. Speaker, I also have the special privilege today of introducing to you, and through you to members of the Assembly — although that may not be necessary — my predecessor as the MLA for Edmonton Whitemud, Mr. Peter Knaak, who is sitting in your gallery. From here, he looks suspiciously like he's been spending time somewhere other than Whitemud and Ardrossan. I ask him to rise and receive the recognition of the House.

MRS. CRIPPS: Mr. Speaker, it's my pleasure today to introduce to you, and through you two of my constituents, Mr. and Mrs. Maurice Rees, and Mr. and Mrs. Brian Harries, who are here from England on their honeymoon. Would they rise and receive the welcome of the House.

#### head: ORAL QUESTION PERIOD

MR. WEISS: Mr. Speaker, if I may . . .

MR. SPEAKER: The hon. Member for Edson, followed by the hon. Member for Drumheller.

DR. BUCK: Mr. Speaker, on a point of order. I thought the rule was that the person who stood first and was recognized was the one who asked the question.

MR. SPEAKER: That may be so. But I did recognize, perhaps not by standing up, the hon. Member for Edson.

#### Coal Branch Development

DR. REID: Thank you, Mr. Speaker. My question is to the Minister of Municipal Affairs. In view of the conflicting statements that have been made recently regarding the development of a new town in the Coal Branch south of Edson and Hinton, has the minister any information he could give to the House to justify this development?

MR. SPEAKER: I have some difficulty with that question because to justify something involves argument. Possibly the hon. minister knows more about the matter than I do — likely he does — and he may be able to deal with it by stating some facts.

DR. REID: Perhaps I can just take out the words "to justify", sir.

MR. KOZIAK: Mr. Speaker, I won't argue with that. There has been a report by the Energy Resources Conservation Board which has suggested setting up a satellite town or community in connection with coal developments in the Coal Branch. The position we have to make a decision on involves that report, plus advice we have received from other sources. We will also have to take into account our experience in the town of Grande Cache. I would expect that over the course of the next couple of months, I would be in a position to make a statement or give some advice on the government's position with respect to the location of developments that are necessary to accommodate any Coal Branch developments.

DR. REID: A supplementary, Mr. Speaker. In addition to considering the recent developments in Grande Cache and the work that the task force chaired by the hon. minister has been involved in, is the minister also willing to take into consideration the considerable sums of money this government has invested in the development of land in the Edson and Hinton communities for housing people who will service the resource developments in the Coal Branch area?

MR. KOZIAK: Mr. Speaker, those remarks, of course, are very useful and will have to be considered in that decision.

#### Youth Development Centre — Strathmore

MR. CLARK: Mr. Speaker, my question to the Minister of Social Services and Community Health is with regard to the youth development centre now being built in Strathmore. I am wondering if the minister could inform the Assembly whether or not this centre will continue to be under his department, or has it been turned over to the Department of the Solicitor General?

DR. WEBBER: Mr. Speaker, on April 14 the Solicitor General read in the House a ministerial statement with respect to the Department of the Solicitor General being responsible for the Young Offenders Act. As a result of that, we have officials in our department and the minister's department looking at what facilities would need to be transferred, if any, relative to accommodating the transfer.

MR. CLARK: A supplementary, Mr. Speaker. Could the minister inform the Assembly whether or not the use of the centre will be the same under the Solicitor General's Department as it would have been under the Department of Social Services and Community Health?

DR. WEBBER: Mr. Speaker, the Strathmore facility was originally designed to accommodate severely disturbed teenagers. That particular issue, with regard to the clientele, is under review by the officials of the two departments. I don't anticipate any major changes.

MR. CLARK: A supplementary, Mr. Speaker. Could the Solicitor General inform the Assembly whether or not he has made an inspection of the premises and found them suitable for the type of person that will be using this facility?

MR. HARLE: Mr. Speaker, I have not personally. However, I understand that officials in the department are carrying out the thrust of the request in the ministerial statement that was referred to by the Minister of Social Services and Community Health, to the effect that they are presently examining that facility and others in order to determine what facilities should be used for the young offender program.

MR. CLARK: A supplementary, Mr. Speaker. Could the Solicitor General inform the Assembly whether or not the agreement made between the Department of Social Services and Community Health and the board of education in the county of Wheatland for schooling these young people will continue under his department, or will he be running the school system through his department?

MR. HARLE: Mr. Speaker, it has been the policy of the Department of the Solicitor General to engage the services of the local school board in areas where we have correctional facilities for adults. From the description of the contract, I take it that it would fit in well with the existing policies.

MR. CLARK: A final supplementary, Mr. Speaker. Could either of the hon. ministers inform the Assembly when this facility will come into operation?

DR. WEBBER: Mr. Speaker, January 1, 1984, is still the goal we're shooting for.

#### **Hospital User Fees**

MR. SZWENDER: Mr. Speaker, my question is directed to the Minister of Hospitals and Medical Care, and it relates to hospital user fees. Could the minister inform the Assembly how many hospitals in the province have indicated an interest in implementing user fees, come October?

MR. RUSSELL: Mr. Speaker, a number of hospital boards have been in touch with me. We're now trying to get factual information about the program back to them, through working with the Alberta Hospital Association. So there's been general interest in the matter, I think, but to date I know of only one hospital that's specifically thinking of going into the system this fall, the Misericordia hospital. But my understanding is that they're holding a decision until some disagreement on their budget is worked out with the department, so they may or may not be doing it.

MR. SZWENDER: A supplementary, Mr. Speaker, to the minister. Have there been any requests from hospital boards to have the government impose standard user fees throughout the province?

MR. RUSSELL: Mr. Speaker, in the discussions I've had with some of the board chairmen throughout the province, the suggestion has been made that the province should impose a straight \$20 across-the-board fee for all hospitals, and then they would collect it. Frankly, I think

that would take away a very important principle and incentive that's built into the program. But that suggestion certainly seems to be widespread among the hospital board community.

MR. SZWENDER: A further supplementary. Is the minister then indicating that there could be a great variety of fees throughout provincial hospitals?

MR. RUSSELL: Yes, Mr. Speaker, that's so. That's something I believe is not clearly understood. There may be hospitals within a region that have fees varying all the way from zero to the permitted maximum of \$20 a day. Generally, we see that as a very positive and helpful thing that might happen in the hospital financing system now under way in the province.

MR. SZWENDER: A final supplementary, Mr. Speaker. Could the minister indicate whether a hospital could implement user fees if they do not foresee a deficit, in order to raise additional funds?

MR. RUSSELL: Mr. Speaker, the whole purpose of user fees is to provide hospital boards with an additional source of revenue if they see that they are going to run a deficit as a result of their determination that the provincial global funding is insufficient. So the only reason a board would be permitted to go into a user fee system would be if they did anticipate a deficit or had some extraordinary, once-in-a-lifetime expenditure they wanted to make, or for the collection of bad debts.

MR. PAPROSKI: A supplementary, Mr. Speaker.

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

MR. PAPROSKI: Thank you, Mr. Speaker. Would the minister explain what he or his department is doing to explain exemptions from hospital user fees, including taxable income levels and actual income levels, to the public?

MR. RUSSELL: Mr. Speaker, there has been a fair amount of confusion about that item, particularly relating to senior citizens, who I don't think clearly understand yet the difference in the regulations between taxable income and gross income. In the mail yesterday, I believe, I sent all MLAs a copy of a mailing that's going out to every household in Alberta, explaining what the exemptions will be and how they are based on last year's taxable income, which will give relief in not only the payment of health care premiums, in many cases, but also exemption from the payment of hospital user fees. That mailing program is being supplemented by newspaper advertising, which is now under way.

#### **Cruise Missile Testing**

MR. WEISS: Mr. Speaker, my question is to the hon. Minister of Federal and Intergovernmental Affairs. In view of the two recent cruise missile failures in Nebraska, would the minister request the Minister of National Defence to withhold approval of missile testing in Alberta?

MR. HORSMAN: Mr. Speaker, I gather the hon. member has raised a question based on recent news

reports that the cruise missile being tested presently in the U.S. has had some difficulties, including a crash. I am in the process of asking the Minister of National Defence to review that matter with U.S. officials, as part of the concern that has already been expressed by this government about the safety of the people of Alberta and the property of the people of Alberta. That communication will be sent — if it has not already gone — by way telex so that that type of occurrence can be taken into consideration in the event that Canada does ever enter into an agreement relative to cruise missile testing in Alberta.

MR. WEISS: A supplementary, Mr. Speaker. Would the minister then clarify what he said with regard to safety? And would you advise the Assembly that concerns for the safety and protection of all Albertans and Canadians were a part of the accord?

MR. HORSMAN: Mr. Speaker, as I've said in previous question periods, the government of Alberta has registered concern about the testing program, should it ever come about. That concern has been recognized by the government of Canada, through an exchange of correspondence, that Alberta would be fully consulted in the event any agreement relative to testing those missiles is ever entered into. Furthermore, in its negotiations with the government of the United States on this subject, the government of Canada has included in the accord specific provisions for dealing with matters of safety for any testing that may occur.

I emphasize the point once again: to date, no agreement for testing cruise missiles in Alberta — or in Canada, for that matter, because if it does happen it would involve other parts of Canada — has yet been entered into. But certainly what is taking place in the U.S. now should be taken under consideration by the Minister of National Defence before any final agreement is arrived at.

#### **Labor Negotiations — Brewery Workers**

MR. ZIP: Mr. Speaker, I would like to direct my question to the hon. Minister of Labour. How close are we to a settlement between the major Alberta brewers and their unions?

MR. YOUNG: Mr. Speaker, I think the best response I can make to that is that the major Alberta brewing companies have joined together and made a suggested settlement to all the unions. There are six unions. Four unions have ratified the proposal; one union has agreed to a meeting next Sunday evening; and one union has a court case, which it has won and which is subsequently being appealed. So that's the current status. I'm not sure I can give a precise time frame.

MR. ZIP: A supplementary, Mr. Speaker. What is the problem with the one union that appears to be without an agreement?

MR. YOUNG: Mr. Speaker, that union wants to have some conditions which other unions have not insisted upon. So it wants a better deal, in that sense. That's the first reason.

The second reason I believe I could advance is that all the unions have a guaranteed wage plan. This particular union knew that on May 31 there would be discussions in Ontario that might change the plan, and it had hoped to

incorporate any changes in the agreement. The discussions were held on May 31, and all parties now know that that did not lead to any changes in the guaranteed wage plan.

Finally, there is the matter of the court decision. First of all, it was an appeal to the Labour Relations Board by the union, to determine whether a collective agreement was in effect. The agreement, as generally understood, would have expired on March 31. The Labour Relations Board found that it did expire on March 31, and the board decision was appealed to the courts. The courts overturned the decision, and a further appeal of that court decision will be heard on June 10. It appears that if the most recent court decision is upheld on June 10, then there will be a continuing collective agreement to July 31. If there is a continuing collective agreement to July 31, then it would appear that the employees for that union may in fact wind up working for the terms and conditions in the current collective agreement and not have available to them the terms of any improved collective agreement, which they have now been offered. It's an interesting situation, Mr. Speaker.

#### **Water Management — Peace River**

DR. ELLIOTT: Mr. Speaker, my question is to the Minister of Utilities and Telecommunications, and it's to do with the dam on the Peace River near Dunvegan. I am wondering if the minister could provide the House with a fairly up-to-date status report on that work.

MR. BOGLE: Mr. Speaker, the proposed dam on the Peace River near Dunvegan is one of two major projects currently under consideration in the province of Alberta. The other is on the Slave River.

As indicated during my estimates, some \$300,000 has been earmarked for completion of the geotechnical studies during the current fiscal year, so we can determine whether or not it is feasible or practical to build a dam at that particular site.

#### **Crowsnest Pass Freight Rates**

MR. ALGER: Mr. Speaker, can the Minister of Agriculture advise the Legislature if he has had the opportunity to study the House of Commons Bill that relates to the Crow rate, with particular reference to its impact on the various sectors of the agricultural community within the province of Alberta, the objectives being Alberta's grain transportation policy of last September and Alberta's response to western transportation initiatives in March this year? My question is: does Bill C-155 meet these objectives?

MR. FJORDBOTTEN: Mr. Speaker, our position hasn't changed particularly since the May 2 telex to the Hon. Jean-Luc Pepin that was signed by both the Minister of Economic Development and myself, in which we stated very clearly that there was no evidence to support a belief that a revised approach would produce a rational economic approach to transportation problems facing western Canada and that it signalled a return to an *ad hoc* rather than a comprehensive solution.

I would have to say that Bill C-155 deals fairly with most of our objectives, Mr. Speaker. But there's one glaring omission in that it fails to address properly and adequately the disincentives to value-added processing. Our assessment to this point also indicates that the

payment to the farmer would be the only way to achieve the real potential we have within the province for value-added processing and, in addition to that, that would provide incentives for system efficiency.

MR. BATIUK: Mr. Speaker, I would like to direct my question to the Minister of Agriculture. The livestock industry in this province very recently advertised that the proposed Crow legislation would put a crunch on the livestock industry and also cost all Albertans a bundle. Could the minister elaborate on this position?

MR. SPEAKER: I have difficulty with that question. With great respect, the hon. member is rather inviting the minister to make a speech. If there are some specifics of factual information the hon. member would like to get about the matter, perhaps he'd like to rephrase the question.

MR. BATIUK: Thank you, Mr. Speaker. Could the Minister of Agriculture advise whether he's had any communication from the livestock industry in this province regarding the Crow rate, and whether he has any position on that?

MR. FJORDBOTTEN: Mr. Speaker, we are always having communication with our commodity organizations within this province, to make sure we are always working together. I might say that I have had some technical information given to me by people who have assessed Ottawa's numbers on what the impact might be on the livestock industry in this province and, in addition to that, I think it's important to emphasize, on the lost opportunity within the province.

I have been advised that the immediate costs resulting from higher finishing costs for hogs and beef, as well as the cow-calf production range — the costs to that particular industry could range somewhere between \$300 million and \$400 million, cumulatively, by 1991. If we carry through according to their figures, the lost opportunity costs in value-added processing and value of shipments from packing plants would range from \$400 million now to somewhere in the neighborhood of \$600 million in 1991. And following through on that, their calculations suggest a multiplier factor of 3.5 times throughout our industry, and you could look at the estimated total being in the range of roughly \$1.5 billion a year by 1991.

MR. BATIUK: A supplementary question, Mr. Speaker. Could the minister advise whether the livestock industry in this province has taken any particular stand on the Crow rate?

MR. FJORDBOTTEN: Mr. Speaker, I feel that the livestock industry in this province has tried to take a very balanced view and worked very hard throughout the Gilson discussions. Their position has always been that to remove the disincentives to their industry, the phase-in of the payment to the producer would be the only way we could achieve the opportunity that exists in this province for our livestock industry.

MR. HYLAND: Mr. Speaker, a supplementary. I wonder if the minister has been able to review the recent changes introduced in the federal House and what they will do to the grain industry in Alberta.

MR. FJORDBOTTEN: Mr. Speaker, it's difficult to assess. As I've said before in the House, it's a little bit like trying to shovel fog, because it changes with great rapidity. But one change that has now been brought in, in second reading, is the safety-net provision. I haven't had a full opportunity to assess the impact of that, but I don't think it really adequately addresses the protection of our producer. As members will recall, in our position paper we outlined very clearly that the producer's ability to pay is one of our major concerns. We also feel that the safety net, in this case, has to be strengthened. So there have to be some more modifications made, probably in addition to or on top of the modifications that have been forthcoming to this point.

#### Conference on the Economy

MR. ANDERSON: Mr. Speaker, my question is to the hon. Minister of Federal and Intergovernmental Affairs. Could the minister indicate to the House if he is in a position to tell us what topics the Premier of Ontario wants discussed at a first ministers' meeting he's called for?

MR. HORSMAN: Mr. Speaker, the Premier of Ontario apparently has called for a first ministers' meeting on the economy. I understand that the letter went from the Premier of Ontario to the Prime Minister, perhaps as a follow-up to the meeting which took place during the March constitutional conference. I'm not entirely sure whether or not it was broken down to subtopics, but I understand it was generally to be related to the economy.

MR. ANDERSON: Mr. Speaker, is the minister or the Premier in a position to, indicate whether or not this government would support a call for an immediate first ministers' meeting on the economy, or do we have other long-range plans in that regard?

MR. HORSMAN: Mr. Speaker, we are presently involved in discussing with the premiers and governments of the other provinces the agenda for a meeting of premiers which will take place in mid-August, under the chairmanship of the Premier of Ontario. At this stage it is our view that it would be appropriate to have the discussions relative to the economy and other matters take place at that premiers' conference before moving toward a federal/provincial conference, which we think would be more usefully held at a later date.

MR. ANDERSON: Mr. Speaker, another supplementary. Does the hon. minister plan to have discussions with his counterparts in Ontario, to ascertain if there are specific topics that require an urgent meeting or whether they can be built into the discussions he has just outlined?

MR. HORSMAN: Mr. Speaker, the deputy ministers of the provinces will be meeting within a relatively few days to discuss the agenda. Until that meeting takes place, it would be rather difficult to answer any more specifically than I already have, except to say that there will of course be topics that Alberta feels will be of considerable importance and which will not be directly related to the economic conference concept that I think was outlined by the government of Ontario in their Speech from the Throne, and then followed up recently with the correspondence between the Premier of Ontario and the Prime Minister.

MR. ANDERSON: Mr. Speaker, one final supplementary question. Is it the intention of the government of Alberta to request constitutional topics, such as the reform of the Canadian Senate, to be discussed at the upcoming premiers' meeting?

MR. HORSMAN: Mr. Speaker, I don't think at this stage it would be the attention to raise that as a formal topic. It's certainly not suggested by Alberta at this stage. In view of the process that's now under way at the federal government level, as I mentioned earlier in the House, we are in the process of considering methods by which to make our views as to the subject of a reformed Upper House in Canada known in a formal way.

MR. ANDERSON: Mr. Speaker, if I may . . .

MR. SPEAKER: I wonder if we might just come back to this topic if there's time. There's a considerable number of members who haven't yet asked their first question.

#### **Grain Handlers' Strike**

MR. FISCHER: Has the Minister of Agriculture assessed the impact on the grain industry in Alberta of a grain handlers' strike on the west coast?

MR. FJORDBOTTEN: Mr. Speaker, we've been following it very closely, because we consider the movement of our grain to be a vital link in the balance there is in finance in western Canada, in particular the impact on the producers' cash flow.

MR. FISCHER: A supplementary. Will the minister be making any representation to the federal government?

MR. FJORDBOTTEN: Mr. Speaker, I think that would be premature at this time, because the lockout or strike has not occurred. We will of course watch closely. We don't want any disruption or any negative effects on our producers in this province, and we will certainly make representation to federal authorities.

Members of the House might appreciate the fact that the grain shipped out of Vancouver realized 27 million tonnes, or approximately \$6 billion, last year. Without any disruption, if we can get by without a strike or lockout, we could likely export about 32 million tonnes and realize about \$8 billion return. So a significant amount of return to the producers of western Canada could be realized if we don't have a strike. Therefore it's important that it be maintained, and we'll make whatever representations that we feel are pertinent and necessary at the time.

#### **Edmonton Regional Services Commission**

MRS. FYFE: Mr. Speaker, I'd like to ask a question of the Minister of Municipal Affairs. I wonder if the minister has under consideration policy regarding the municipal service commission membership for the Edmonton region.

MR. KOZIAK: Mr. Speaker, the question of the municipal services commission is one that I have under review. I'd indicated earlier — I believe in the question that was posed to me in this House — that I hoped to be in a position to reach a final conclusion by the end of this month. As I and my colleagues the Minister of the

Environment and the Minister of Utilities and Telecommunications give consideration to this on a regular basis, I've reached the conclusion that I may have been somewhat optimistic in the suggestion that the end of this month may be a successful conclusion of the issue. There are a number of issues involving a number of regional water boards and sewer boards, and a number of political considerations, that have to be taken into account. In all these matters, I prefer that we take the time to do it correctly the first time.

In this very significant area of water/sewage, it's important that we have in place, whether through formalized regional commissions or through formalized water and sewer boards, a system that will accommodate into the next century the potential of the Edmonton area, particularly, but other areas in the province that may be affected.

MRS. FYFE: A supplementary, Mr. Speaker. I know the minister has had a number of meetings with municipalities within the Edmonton area specifically. Are there any meetings planned in the immediate future so that further input can be received, and also an indication as to when a final decision may come about?

MR. KOZIAK: Mr. Speaker, I'm of course always interested in meeting with those municipalities or water boards, sewer boards, that would be affected by this process, and I invite that type of representation they might want to make during the course of such meetings.

I don't want to set a final date as to a conclusion. I had done so earlier and, during the course of the review, found that that may have been a mistake. Rather than repeat the mistake this afternoon, I say that the energies and attention of the two ministers I have identified and myself are directed toward a successful conclusion of this issue.

#### **Crowsnest Pass Freight Rates** (continued)

MR. CAMPBELL: Mr. Speaker, my question is to the Minister of Agriculture. A recent proposal to amend Bill C-155 would allow each individual farmer to choose whether to receive the Crow benefit directly or have it paid to the railway on his behalf. Would the minister state his position regarding this proposal?

MR. FJORDBOTTEN: Mr. Speaker, I would say that no method of payment has really been developed that has gained universal acceptance in this case. However, a solution must be included in legislation, as we stated before, in order that Alberta's objectives could be met. Given that the freedom of choice is something the producers in the province of Alberta have always enjoyed and appreciated, that they should have a freedom of choice is something we support fully. In this case, it's a proposal or an amendment that's put forward to Bill C-155. That freedom of choice is there and certainly deserves further study. We feel it would have considerable merit if that study proves that it can be implemented.

MR. CAMPBELL: A supplementary, Mr. Speaker. If Bill C-155 does not deal with the Alberta government's objectives, would the minister outline our options?

MR. FJORDBOTTEN: Mr. Speaker, I would have to say that in this situation, our options on what approaches

we might take are probably rather limited. But I think I can safely say that we'll try very hard, as usual, to see that the payment goes to the producer. Looking at the freedom-of-choice option as to which way the payment should go is another option we'll certainly look at. As I stated, there are pros and cons to all sides of the issue. We will continue to work, as we always have, to try to strive for the best possible option or options for our producers as a whole, individually and collectively, in this province.

#### **Labor Negotiations — Teachers**

MR. JONSON: Mr. Speaker, I'd like to direct a question to the Minister of Labour. Could the minister advise as to the current state of teacher/board bargaining in the province?

MR. YOUNG: Mr. Speaker, the response to the hon. Member for Ponoka is that the progress of collective bargaining between the Alberta Teachers' Association and its locals and the school boards has generally been very slow, unusually slow. It does appear that there will not be a large number of settlements in the spring of 1983 unless we achieve some breakthroughs and some substantial progress very quickly. There does seem to be a very pronounced difference of view as to what is a reasonable settlement at this time.

MR. JONSON: A supplementary, Mr. Speaker. Could the minister advise as to whether or not there's been any representation to this bargaining from either side or any of their subgroups?

MR. YOUNG: If the question is whether there has been representation to my office, I can indicate that I have had very little personal contact from either party and would hope the situation could remain that way. We do in fact have mediators in a good number of the disputes. But I have to reiterate that the school boards, presumably looking at the state of the economy they're in, have taken a rather tough line in the sense that they observe, as is being reported, that in many sectors of the economy there are no increases, whereas apparently the view on the part of the teaching staff is that there should be increases.

MR. JONSON: One further supplementary, Mr. Speaker. Could the minister advise if, to his knowledge, there have been any settlements in the province during the past month and a half?

MR. YOUNG: Mr. Speaker, that's a question of detail in terms of timing. There are perhaps a half-dozen settlements in total. They are not settlements involving locals or school boards which are generally observed to be those which make the pattern for that particular round of bargaining.

#### **Municipal Powers**

MRS. KOPER: Mr. Speaker, my question is to the Minister of Municipal Affairs. I am wondering what the involvement of your department has been in the difficulties some municipalities are having with the continued hand delivery of their utility bills.

MR. KOZIAK: Mr. Speaker, my predecessor had indicated an intention to bring in provincial legislation which

would protect the right of municipalities to hand deliver their own utility bills at a saving to them. After giving the matter considerable review, the advice I received was that, unfortunately, it is not within the constitutional powers of the province to legislate in this area. Were it within our power, I would have followed up on my predecessor's suggestions.

Having concluded that it was not within our power, and on seeing the gazetted definition of a letter, I wrote to the federal minister responsible for the post office, Mr. Ouellet, expressing my concern that at a time when governments — particularly municipal governments, because of my relationship to them — are facing fiscal restraint, I find it difficult that we would impose upon them a higher cost in the delivery of utility bills. As a matter of fact, I have a copy of that letter, which I wrote to Mr. Ouellet on April 7, and I'm prepared to file that with the Assembly. I received a reply from Mr. Ouellet on May 27, and the reply was not positive.

MRS. KOPER: A supplementary, Mr. Speaker. This appears to be related to a growing municipal concern that the strength of the mayoralty in our province is not commensurate with their responsibility. I am wondering if the minister is aware of this concern and if there is anything you can do about it.

MR. KOZIAK: Mr. Speaker, I haven't received any direct representations from the Alberta Urban Municipalities Association that would suggest amendments to the Municipal Government Act which would provide greater power and authority to the mayor over what is now provided.

Generally from mayors, I believe, I have heard comments to the effect that they feel that although in many cases they are elected at large — for example, when it comes to the cities of Edmonton and Calgary, by all of the citizens of that city, whereas aldermen are elected from specific wards — the powers afforded to mayors and the responsibilities they have under the Municipal Government Act don't recognize that. However, a change in that respect would require legislation, unless the councils themselves shifted certain powers to the mayor. For example, to my understanding it's entirely within the jurisdiction of a council to delegate to the mayor the responsibility of appointment to committees, and such a move would increase the stature of the mayor. But apart from that, any further moves would require amendments to the Municipal Government Act, and I would hesitate to move in that regard without some recommendation from the affected municipalities.

MRS. KOPER: A supplementary.

MR. SPEAKER: Might this be the final supplementary.

MRS. KOPER: Mr. Speaker, to the Minister of International Trade. Some Alberta municipalities have sent their mayors on international and national trade missions. I am wondering if these efforts are co-ordinated through your department.

MR. SCHMID: Yes, Mr. Speaker. We have accepted letters from municipalities and/or cities to accompany us, especially on investment missions. The recent one to Hanover was very successful. We have had letters of appreciation from all four participants, from four cities: Lethbridge, Red Deer, Calgary, and Edmonton. We

would be very happy to accept additional letters regarding accompaniment on missions like the one we had last time.

#### Science and Research Policy

MR. COOK: Mr. Speaker, I wonder if I could direct my question to the Minister of Economic Development. Today the Premier opened the Bell-Northern labs, and he also opened the med-tech conference on the weekend. Could the minister indicate when the provincial government will have a science policy for the province?

MR. PLANCHE: I can't precisely, Mr. Speaker. The science policy that's in effect now was for a time when the diversification of the economy was not a priority that it is now, in terms of science and endeavors that are becoming more and more possible. I say that because a lot of the potential participants now in science are people who were originally in the oil and gas industry and who, for a variety of reasons, have struck out on their own. We are trying to get a policy developed that not only will allow development within our natural resources and the things that we're customarily involved in but also will encompass all the new smaller companies. It will be a range of policy initiatives that will be not only in terms of an overall policy for the province, in general terms, but in terms of specifics. We must also consider whether or not there will be a variety of precise and rifled incentives.

MR. LOUGHEED: Mr. Speaker, I wonder if I could supplement that answer given by the Minister of Economic Development. Although I've dealt with the matter outside the House and with the news media, perhaps it should be clear on the record of *Hansard* that what is being considered as part of the evaluation of a science and research policy the hon. member is referring to, is the obvious relationship to the economic strategy of the government, and to inform you, Mr. Speaker, and members of the Assembly, that over the course of the recess between the end of the spring session and the fall, there is an intention to do a reassessment of that economic strategy.

MR. COOK: A supplementary.

MR. SPEAKER: Might this be the final supplementary.

MR. COOK: Could I squeeze in two?

MR. SPEAKER: The trouble is that the Speaker has done a little bit of squeezing already, and we are just slightly over the allotted time.

MR. COOK: Maybe I'll try to string two questions together, Mr. Speaker.

MR. SPEAKER: That would be subject to objection by the Assembly.

MR. COOK: I wonder if tax incentives and grants are being considered to create an investment climate where entrepreneurship in this area would be rewarded. And secondly, there was a proposal that went to ...

MR. SPEAKER: I respectfully suggest that we deal with the first one, and perhaps we could save the next one for tomorrow.

MR. PLANCHE: Mr. Speaker, the possibility of incentives through taxes is always something we consider. For that reason, the government is collecting its own corporate tax. It's well to remember, however, that our tax is very low and, for the kind of incentives that are required, it may be something over and above that kind of encouragement. We have never taken the view that anyone who invests their money here should expect someone following them to come in with a different kind of dollar. What we'd like to do is create an environment where all could prosper relatively on their own merits. That's the trick.

#### ORDERS OF THE DAY

MR. SPEAKER: Might the hon. Attorney General revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, thank you for that. I have since discovered that they have indeed left the gallery. I thank the House for its consideration.

MR. ALEXANDER: If I may, Mr. Speaker, I request leave to rise on a point of privilege arising from the presentation in the House yesterday of a petition by the Leader of the Opposition. I would like to apologize, if I could. There's a reason for that. I should have risen yesterday, I understand, but I was unable to respond for a good reason. As the hon. Member for Spirit River-Fairview rose to present his petition from the Friends of Medicare, he turned away from his mike toward Mr. Speaker and the television cameras. As a consequence, I was unable to hear the number of names on the petition. I did catch the end of his statement and heard him say that to his knowledge it was the largest recorded petition tabled in the Alberta Legislative Assembly.

Mr. Speaker, it wasn't until I was able to check *Hansard* [Blues] today that I discovered that the number of names on the petition was 22,682. Incidentally, neither of my seat mates heard the number, as I consulted with both of them. Thus for the record, I would like to add that on March 23, I tabled in this Assembly a petition containing more than 31,000 names from the Quality of Life Council. Perhaps the hon. member would have remembered my presentation had I wheeled it up the front steps in a shopping cart — perhaps I should say a 'no shopping' cart.

MR. SPEAKER: Order please. I hope we're not going to get points of privilege delivered in a shopping cart. The hon. member might possibly — no, I don't think he'd even have a point of order. However, I suppose we might say he's made his point without really raising a point of privilege.

MR. ALEXANDER: Mr. Speaker, does that mean you don't wish me to finish?

MR. SPEAKER: If there was a note of encouragement in my voice, it was inadvertent.

#### head: WRITTEN QUESTIONS

178. Mr. Notley asked the government the following question:



What discussions or communications have there been between representatives of the government or any of its departments or agencies and representatives of Stelco Canada, concerning that company's investment in Ram Steel?

AN HON. MEMBER: Where's Grant?

MR. SPEAKER: The question needn't be moved. It's on the Order Paper, and it's my understanding that when the Clerk calls it out, it's before the House.

MR. ADAIR: Mr. Speaker, I file the answer to Question No. 178.

179. Mr. Notley asked the government the following question: In addition to the letter of April 23, 1982, from the chief executive officer of Ram Steel, Mr. Peckham, to the Minister of Economic Development, Mr. Planche, what other written communication was received by the government or any of its departments or agencies from Ram Steel officials in 1980, 1981, 1982, and 1983?

MR. ADAIR: Mr. Speaker, I file the answer to Question 179.

180. Mr. Notley asked the government the following question: What were the reasons for the 53-day delay between date of cabinet approval in principle of the \$8 million loan to Ram Steel on October 7, 1982, until the loan agreement was finally signed on November 29, 1982?

MR. ADAIR: Mr. Speaker, I file the answer to Question No. 180.

181. Mr. Notley asked the government the following question: Following the meeting with Ram Steel officials, including Mr. Foster, on November 25, 1982, attended by Mr. Adair and Mr. Planche, what communications occurred between the government and officials of the Alberta Opportunity Company?

MR. ADAIR: Mr. Speaker, I file the answer to Question 181.

182. Mr. Notley asked the government the following question: What is the government's best estimate of the total investment to date in Ram Steel, including the \$8 million loan from the Alberta Opportunity Company, the Stelco interest, and funds advanced by the Canadian Commercial Bank?

MR. ADAIR: Mr. Speaker, the information asked for in Question 182 is primarily additional information, aside from the fact that there was an \$8 million Alberta Opportunity Company loan. The balances between the company, in this case Ram Steel, and their bank, the Canadian Commercial Bank, and also the Stelco interests, are interests that are developed between the company itself and Ram Steel. We're not party to that. As a result of that, I have no alternative but to reject Question No. 182.

MR. MARTIN: Mr. Speaker, I understand that the minister is again saying that it's confidential information. But the point remains that there are public funds involved, \$8 million. There's nothing we can do about it here, but in trying to get information for the opposition to try to do

our job, we need access to this. We keep being told from time to time . . .

MR. SPEAKER: Order please. The answer to a question, or the absence of an answer, is not a matter for debate unless the hon. member wishes to put it on the Order Paper in the usual way, by means of a notice of motion.

183. Mr. Notley asked the government the following question: Given the Alberta Opportunity Company's categorization of its loan authorizations into the following three categories:

- (1) to establish a new business,
  - (2) to expand an existing business,
  - (3) to purchase an existing business,
- in which category is the \$8 million loan to Ram Steel deemed to fall by the government?

MR. ADAIR: Mr. Speaker, I'm prepared to file the answer to Question No. 183.

184. Mr. Notley asked the government the following question: At the time of cabinet approval in principle of the \$8 million loan to Ram Steel by the Alberta Opportunity Company on October 7, 1982, what was government's best estimate of the value of the land owned by Ram Steel on which its plant is situated?

MR. ADAIR: Mr. Speaker, I'm prepared to file the answer to Question No. 184.

185. Mr. Notley asked the government the following question: At the time of cabinet approval in principle of the \$8 million loan to Ram Steel by the Alberta Opportunity Company on October 7, 1982, what was government's best estimate of Ram Steel's liabilities?

MR. ADAIR: Mr. Speaker, Question No. 185 again relates to the best estimates of the liabilities of a private company. As I said on May 17, 1983, on page 1032 of *Hansard*, any information between a company, whether it's Ram Steel or any other company applying to the Alberta Opportunity Company or, basically, to any lending institution — that information is confidential between the client and that company. As a result of that, we are not prepared to accept Question No. 185.

186. Mr. Notley asked the government the following question: At the time of cabinet approval in principle of the \$8 million loan to Ram Steel by the Alberta Opportunity Company on October 7, 1982, what was government's best estimate of the value of Ram Steel's assets?

MR. ADAIR: Mr. Speaker, Question 186 relates to the value of the assets of Ram Steel. It fits into the same category as before and has been discussed and answered a number of times in this House. It's information that is confidential to the company and to the client.

I think I should point out, in addition to that, that one of the successes of the Alberta Opportunity Company has been the ability to be able to keep that basic information — whoever the applicant is, whether he's in my constituency, the constituency of Spirit River-Fairview, the Red Deer constituency, or wherever — confidential between the company and the individual. Dating back to as early as 1973, when the Alberta Opportunity Company was established, there was a debate in this Legislature that related to confidentiality and the fact that we were pre-

pared to gazette through the *Alberta Gazette* the information relating to the amount of the loan, the name of the company, and the purpose.

I again reject Question No. 186.

MR. SPEAKER: Order please. I have some concern with the hon. minister's comments. I think he's fully within his rights in rejecting the questions, but when he starts to give reasons for the rejection . . .

I wouldn't want to make any kind of definite ruling on it at the moment. I have real concern that if there is a right to give the reasons, that must in fairness give rise to a corresponding right of any other hon. member to discuss or debate those reasons. I'd be interested if any hon. member, perhaps in the next while or privately, has any ideas on the subject. In the meantime, I'll give it some further consideration and possibly some research.

187. Mr. Notley asked the government the following question:  
As of what date did the Premier become aware of Ram Steel's intention to apply for a loan to the Alberta Opportunity Company?

MR. HORSMAN: Mr. Speaker, on behalf of the hon. Premier, I accept Question 187 and table the answer.

188. Mr. Notley asked the government the following question:  
Did the Premier engage in informal discussions concerning the Ram Steel venture with Ram Steel representatives on October 6 or October 7, 1980, while in Red Deer on a cabinet tour?

If so, was Mr. Foster present at such discussions?

If so, what other members of Executive Council were present?

If so, what undertakings or commitments on the part of the government were given to Ram Steel's representatives at that time?

MR. HORSMAN: Mr. Speaker, on behalf of the hon. Premier, I accept Question 188 and table the response.

189. Mr. Notley asked the government the following question:  
In addition to discussing the Ram Steel project with the former Attorney General, Mr. Jim Foster, in July of 1982, what other discussions did the Premier have in this regard with various officers and/or directors- and/or shareholders of Ram Steel?

In each case of such discussion taking place, on what date did the discussion occur; what other members, if any, of Executive Council were present; and which persons present were representing Ram Steel?

MR. HORSMAN: Mr. Speaker, on behalf of the hon. Premier, I accept Question 189 and table the response.

190. Mr. Notley asked the government the following question:  
Subsequent to the matter of the Ram Steel loan being raised in the House on March 25, 1983, did representatives of the government or any of its departments or agencies hold discussions with representatives of the Canadian Commercial Bank concerning that firm's interest in Ram Steel?

If so, on what date or dates did such discussion occur, and who were the persons representing the government, department, or agency?

MR. ADAIR: Mr. Speaker, I accept Question 190 and file the response.

191. Mr. Notley asked the government the following question:  
Did the government or any of its departments or agencies receive representation on behalf of Ram Steel from Mr. Frank J. Pugh during the calendar years 1981 and/or 1982?

If so, on what date or dates was such representation received?

Did the government or any of its departments or agencies receive, and has it now in its possession, a written presentation prepared by Mr. Pugh on behalf of Ram Steel?

If so, when did it receive this written presentation?

MR. ADAIR: Mr. Speaker, I accept Question 191 and file the response.

192. Mr. Notley asked the government the following question:  
What specific concerns did the Alberta Opportunity Company convey to the cabinet concerning the degree of risk inherent in advancing a loan of \$8 million to Ram Steel

(a) prior to approval in principle of that loan by cabinet on October 7, 1982;

(b) prior to final approval of the loan on November 29, 1982?

MR. ADAIR: Mr. Speaker, Question 192 is rejected on the basis that they are internal documents between the Alberta Opportunity Company and the department.

193. Mr. R. Speaker asked the government the following question:

With regard to a loan from Alberta Home Mortgage Corporation to Jackie (Cunningham) Dombrowski:

(1) What was the amount and term of the loan?

(2) Was the loan approved by T.F. Fikowski, vice-president of lending operations, and/or J.M. Engelman, president?

(3) Was the loan approved during the period of time that Jackie (Cunningham) Dombrowski was employed with Alberta Home Mortgage Corporation?

(4) What is the relationship of Jackie (Cunningham) Dombrowski to T.F. Fikowski?

(5) Is it the policy of Alberta Home Mortgage Corporation to approve loans to its employees or relatives of employees?

MR. SHABEN: Mr. Speaker, I accept Question 193 and wish to table the response.

MR. MARTIN: Mr. Speaker, on a point of information. To the Minister of Tourism and Small Business, I wonder when we might get the answers to the first ones? He said he would give us the answers to 178, 179, and so forth.

MR. ADAIR: Mr. Speaker, I must have spoken softly; I filed them at the same time as I accepted them.

#### head: Motion for Rescission

MR. CRAWFORD: Mr. Speaker, I wonder if I might intrude just before the Clerk calls the next order. Bill No. 27, the Chattel Security Registries Act, is at third reading. Further consideration has given rise to a need for an amendment. Therefore, I wonder if I might have the unanimous consent of the Assembly to have Bill No. [27] recommitted to Committee of the Whole.

MR. SPEAKER: Has the hon. Government House Leader the requested consent?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

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

**Bill 67**  
**Legislative Assembly Act**

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill No. 67, the Legislative Assembly Act, and would like to make a few remarks in connection with this Legislation at this time.

As long as it has existed in our statute books, reference has often been made in the Assembly to the importance of this particular statute, being, in many respects, the constitution of the Assembly and a statute which belongs to all hon. members, outlining as it does the rights and responsibilities of the Assembly itself and of individual members. Mr. Speaker, this proposed enactment restructures and re-enacts all the major principles of the existing legislation and adds some new ones. There are a number of adjustments made in the approach to certain issues which would have to be regarded as vital to the content of a piece of legislation of this type.

This Bill attempts to resolve in a comprehensive way areas of possible conflicts of interest between members' private responsibilities and their public duties and responsibilities. For example, it clarifies for the first time that members of the Assembly are entitled to the benefit of broad, general public programs on the same basis as other citizens. It may seem remarkable that that was not always a principle of the law. But it was not and, over the years, there was much doubt with respect to many programs that citizens generally would be able to take advantage of. As well, the Bill prohibits certain types of transactions which have traditionally been considered potentially a conflict of interest, and introduces a new principle which puts the question of whether a conflict of interest exists directly in the framework of whether the member would receive any benefit or preference that would not apply to other citizens.

As well, it provides for the disclosure of persons directly associated with members — that had not been a requirement of previous legislation — and outlines how blind trusts might be used to prevent certain possible conflict situations. The Bill would also preserve, in a different form, the concept of a judicial inquiry into alleged grounds for disqualification, which could be put in motion by a private citizen, as under the existing legislation. A new principle is introduced, allowing a member to seek advice in anticipation of a transaction in which he may be in some doubt as to whether or not it could place him in conflict.

Mr. Speaker, there are a number of other provisions in the Bill that are of very considerable importance. The privileges of the Legislative Assembly itself, following from parliamentary tradition over the centuries, are restated and clarified in the new proposed legislation. A very important aspect of the Legislative Assembly Act is that our Legislative Assembly's ability to regard itself as a parliament, in all the traditional senses, is retained. Efforts have been made to see that all grounds for disquali-

fication, with perhaps one exception, are contained in this statute alone and to remove from this statute any areas which properly belong in the Election Act — and by way of consequential amendment to this legislation, that statute is also amended — which should deal with the question of eligibility to run for the Assembly and the way in which a person is declared elected or not. So there's now a proper division between the prequalifying period and the period after the person becomes a member of the Assembly.

Mr. Speaker, I think the proposed Bill will enable members to serve their constituents better than ever before. A number of adjustments have been made in respect of members' services and, at the time of introducing the Bill, I referred to those. I therefore encourage all hon. members to support second reading of this Bill.

MR. NOTLEY: Mr. Speaker, rising to address some comments to Bill No. 67, I would just like to reiterate several observations I made during committee stage. It certainly will be our intention to endorse this particular piece of legislation. By and large, I think it's quite a workable document, and there are a number of improvements. Some provisions clarify aspects of the Act which have frankly grown over the years without any particular rhyme or reason.

Along with the Bill of Rights and the Individual's Rights Protection Act, this is probably the most important piece of legislation that the Assembly itself can pass. That being the case, I would have felt that a better course to follow would have been the striking of an all-party committee which could have conducted widespread hearings throughout the province. Some may say, of course, that nobody really cares what is in the Legislative Assembly Act; it's essentially a politician's document. I don't really think that is true, Mr. Speaker. It's the set of rules by which the elected Assembly operates. It sets out as closely as anything can, a set of standards that have to be met by all members of the Assembly. So I just reiterate in the House the point I made in the committee: I think it would have been a wiser course of action to have used the white paper and the initial legislation as working documents. And through an all-party committee, perhaps even the committee that was assigned to handle the matter by the Legislature when the issue first came forward ... Had we held hearings, I think it would have been a better course.

I suspect we would have been surprised at the extent of public interest in this matter. Sometimes questions of procedure can create more interest than politicians suspect. A couple of years ago the Prime Minister of Canada felt that nobody really cared about the question of procedure, that they were more interested in bringing home a constitution than the way by which they brought it home. Politicians of all parties in Ottawa found that questions of procedure can in fact be a matter of considerable public import. So on that issue, I just want to say in the House, on second reading, what I said in committee.

With respect to the Bill itself, though, there are a number of improvements. I'm glad to see that during the course of the committee hearings, concerns were noted and in some cases — not in all cases — changes and modifications were made that I think strengthen the Act considerably. I am pleased that we dealt with the business of the right to extend the life of the Legislature if a state of emergency exists. One of the debates that took place in the committee was whether or not this kind of power is necessary. In the extreme, I suppose one could argue that

a provincial government might, in the face of an emergency, have to have the right to extend the Legislature. But I think the only way one can judge that is to look at the history of the country. To my knowledge, the only time this sort of situation ever occurred was in the province of Saskatchewan in 1943. The Liberal Party at that time very shrewdly deduced that they would be voted out of office and used the fact that the country was at war as an excuse to extend the life of the Legislature a further year, at which time they were then voted out of office.

Mr. Speaker, with all the presumed emergencies that one would think we've had provincially in 116 years of history as a country, that seems to be the only example anyone could find as to a legislature actually extending its life. But the way in which even the present Charter of Rights reads, it would be possible, using the emergency in Quebec as a yardstick, for provincial governments to extend their lifetimes. In this particular legislation, we have wisely said that five years is the term. I think that's a reasonable position to take, and one that deserves some emulation on the part of other provincial governments as they reassess their legislative assembly Acts.

I want to make just one other comment, and that is with respect to the question of selecting an Official Opposition when we have a tie. As it is worded, the legislation essentially confirms what has occurred. But it seems to me that in the future a better approach would be to set out clearly in the Act two basic propositions. This is just reiterating some of the submissions my colleague and I made to you, Mr. Speaker, when you had the thorny problem of deciding who would be the Official Opposition. I think that the first condition clearly has to be number of members. The party with the next number of members should be the Official Opposition. But where there is equality of members, it seems to me the fairest approach is to take into account popular vote.

Mr. Speaker, in most jurisdictions, this would be an academic question of such rarity that only a few political science students doing, not even their doctoral theses but perhaps just their masters' theses, might be interested in analysing. However, this is Alberta, with its lamentable reputation for one-party government. The sort of situation that has existed — and the reason I want to take just a moment to discuss this, is to look back on occasions when we had, in fact, a virtual tie. We had a lopsided majority in 1935, but at that stage the Liberal Party still clearly had the largest number of members. In 1940 the House was balanced and had a significant opposition. In 1944 we had a situation where there were three members representing the Independent Party of Alberta, who ran as a political party, and two members representing the CCF. So even that situation was clear, because we had three in one group, two in another. I guess the first time we really ran into difficulties, Mr. Speaker, was in 1948, when two Liberal members and two CCF members were elected. The CCF party obtained 19 per cent of the vote; the Liberal Party 18 per cent of the vote.

We had a similar situation in 1959. How things can change. The predecessor of this government elected just one member: one Liberal; one Conservative — a day we may look forward to again — the CCFers didn't even make the grade with a single member; and a couple of independents, an independent Social Crediter and, I think, an independent. In that particular election, while the Conservative Party had just one member, they had about 25 per cent of the vote and almost twice as many votes as the next largest party.

I think that probably the provision that when you have

equality of members in the House, you then move to popular vote, would have strengthened this legislation. However, I can certainly accept the wording the way it is and anticipate that as the wheel turns, perhaps we'll have a different composition of the House in future legislatures, and we won't be dealing periodically, every decade or so, with this thorny question of who's going to be the Official Opposition.

Mr. Speaker, there are certain other provisions in the Act that I think are worth noting. We are making special consideration for members who have to charter aircraft to get around their constituencies. I would say in second reading that while some may think that sort of notion extravagant, it really isn't. One of the most important things we as members of the House can provide is the accessibility of the member to the constituents, and the right of constituents to be able to see their member on a periodic basis. In much of at least three ridings where we have these immense distances — Lesser Slave Lake, Peace River, and Lac La Biche-McMurray — it just isn't possible to have the airbus schedule between Edmonton and Calgary, or Highway No. 1, so you have to have some kind of flexibility. Other provinces also have somewhat similar concepts in extra northern allowance for members to cover additional costs of travel. I think this provision will make it easier for members on whatever side of the House to do their job.

Mr. Speaker, I conclude my observations on the Bill by saying that when I found that, added to the other legislative work, we were in fact going to deal with the entire Legislative Assembly Act, I thought, my heavens, how did we get into this sort of mess; isn't it typical of this government, overburdening the opposition with yet another committee; et cetera. But I must tell you that as a result of the work of Mr. Acorn and our Law Clerk — I don't know what other members who sat on the committee felt, but I found it a rather interesting process to go through the Bill clause by clause. In the process, those of us who sat on the committee perhaps learned a little more about the Legislative Assembly Act that we thought we had some knowledge of over these years. I thought the committee study was actually one of the more interesting aspects of the spring session of the Legislature.

Mr. Speaker, while no Bill of this importance can satisfy everyone or be perfect in any way — it will always, of course, be subject to amendment, change, and modification, as any living piece of legislation must be — I think we nevertheless have quite a workable document. On this side of the House, we're pleased to support it in second reading.

MR. McPHERSON: Mr. Speaker, in rising to speak to second reading of Bill 67, I'm interested in the hon. Leader of the Official Opposition's comments, most of them glowing, on the fine work done by the committee on which he served. I notice that in some of his earlier comments he felt that perhaps the government should form an all-party committee and travel across the province to investigate this Bill. But I note that he clearly states that most of the concerns he had were raised in the standing committee on privileges and elections, which he was a member of and participated in very well, with others, during committee study of this very, very important Bill.

It is an important Bill. It has been mentioned that it's really the constitution of this parliament. It has some areas that are extremely important for all current and future MLAs. Heretofore, we have had some difficulty

being able to decide and crystallize, if you will, what the rules relative to entering the area of politics really were, because the rules have been muddled somewhat. There's been a long list of things that one could or couldn't do.

In a very effective way, this Bill has put forth the rules. It hasn't made them any easier, but it has certainly clarified and crystallized them. It's important that we in government can be somewhat assured that we will be able to attract and continue to attract very good and effective people to the political process. These rules are clearly set forth and will enable people who have an interest in becoming involved in the important work we do, to do so in an understanding of the kind of work they will be doing.

I certainly support second reading of Bill 67.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, I want to say just one thing in concluding debate. In a sense, because the hon. Leader of the Opposition inspired my remark, it's too bad he isn't here at the moment. He made a remark, I believe, about the lamentable tendency of Albertans to use a system which gives a party in government a very large majority in so many instances. I want to indicate to him that for a few years I shared that concern, but have found it's working much better now. [laughter]

[Motion carried; Bill 67 read a second time]

#### Bill 59 Nursing Profession Act

MR. KING: Mr. Speaker, I move that Bill No. 59, the Nursing Profession Act, be read a second time.

In making the motion, I would like to comment that we have before us a substantial piece of legislation that is modern, to meet the conditions of the day, and comprehensive, to meet the requirements of the profession and the public. In my view, the Bill bestows substantial benefits on nurses individually, on nurses as members of the profession, and on hospitals and the health care system, the environment in which nurses practise their profession. Finally, and perhaps most importantly, substantial benefits are bestowed on the general public, on whose behalf nurses practise.

It is probably fair to say that in general terms, the most significant benefit of the legislation lies in the way in which it enhances professional self-governance. This Bill, which has occupied much of my attention since last December, has shaped my learning curve in a new area of responsibility, and I am grateful for that. In the course of saying that it has contributed to my education, I should pay tribute — and I would like to do that now — to the Alberta Association of Registered Nurses, particularly to the executive officers of the Alberta Association of Registered Nurses for their perseverance in pursuit of this legislation and their unending willingness to do the necessary work.

It is fair to say that we have disagreed on some items. Many of those disagreements have been resolved; a small number of disagreements on particular items remain. Nevertheless, that is generally true of any human activity and, in this particular activity, I have enjoyed my rela-

tionship with the Alberta Association of Registered Nurses.

[Mr. Appleby in the Chair]

In commenting on this Bill, it would also be important to express my thanks to the College of Physicians and Surgeons, to the Alberta Hospital Association, and to the staff and ministers of other government departments: the Department of Social Services and Community Health, the Department of Hospitals and Medical Care, and as well, of course, the Department of Advanced Education, which is concerned with professional matters in every case insofar as they touch on questions of academic training.

There are a number of features of the Bill that I would like to draw to the attention of hon. members. The first is that it provides for what is called an exclusive field of practice or, to use the terminology familiar to nurses, mandatory registration. Mr. Speaker, I would like to take a moment to read this very important definition to members of the House:

(f) "exclusive nursing practice" means the application of professional nursing knowledge for compensation for the purpose of

- (i) caring for physically or mentally ill persons, or
- (ii) caring for and assessing the health of well persons,

and includes the administration of any drug or medicine, as defined in the *Pharmaceutical Association Act*, that is permitted by law to be prescribed and administered to a person . . .

So the first notable feature of the Bill is that it provides for mandatory registration.

As you might expect, it also provides for the legal continuation of the Alberta Association of Registered Nurses with its tradition of service to its members and to the public of the province. Third, the Bill provides that the role of the association is enhanced, especially with respect to discipline, registration, and competence. But generally speaking, within those areas of concern to its members, the role of the Alberta Association is enhanced, and if we look at sections 99 and 100 of the Act, we see conditions such as this:

The Council may make regulations

- (a) establishing and providing for the publication of a code of ethics respecting the maintenance of the dignity and honour of the profession and the protection of the public interest . . .
- (c) providing for the evaluation of the practice and experience required of applicants for registration as registered nurses . . .
- (l) establishing specialties of nursing practice and prohibiting a registered nurse or permit holder from holding out that she is entitled to engage in a specialty of nursing practice as established in the regulations unless the registered nurse or permit holder is registered in the specialty register . . .

I don't propose to enumerate any further the responsibilities of the association as set out in sections 99 and 100. I only make this point to illustrate the observation that in the legislation, the role of the association is greatly extended and enhanced.

Fourth, a role is established for many nurses currently practising in the province, who are not actually registered nurses. In the Bill, we see that provision is made for this group of people; grandfathering provisions are set out.

We could say "grandmothering", but I think it's an unfortunate choice of words.

Fifth, as at the present time, responsibility for the oversight of academic preparation continues to be located with the Universities Co-ordinating Council. Sixth, the public is provided with a window on the profession, particularly with respect to matters of discipline and competence. The provisions in this area are in many respects exemplary, and I would draw them to the attention of hon. members.

Seventh, the Alberta Registered Nurses Educational Trust is established, with the following purposes:

- (a) to provide grants, bursaries, scholarships and fellowships and to make loans to persons enrolled in educational institutions for the purpose of obtaining a baccalaureate, master's or doctoral degree in a subject matter in or related to nursing;
- (b) to provide grants, bursaries and make loans to persons enrolled in educational, administrative or clinical educational programs in or related to nursing;
- (c) to do those things that the Board considers necessary to promote the advancement and the application of the knowledge of nursing.

The establishment of such trusts in professional legislation is a rare occurrence. I think that it is worth noting and, in the course of making the note, it is worth commending the Alberta Association of Registered Nurses for their leadership in this area and for the potential it holds for the constructive development of the practice of the profession in this province.

I'd like to conclude with reference to three other points, some of which have been referred to already in an indirect way, but I would like to be direct about them. The first is that in locating responsibility for academic questions with the Universities Co-ordinating Council, provision is made that the rules of the UCC are subject to approval, rejection, or amendment by the Lieutenant Governor in Council. Secondly, the regulations made pursuant to this Act are otherwise subject to approval or rejection by the Lieutenant Governor in Council. They are not subject, as are the rules of the UCC, to amendment by the Lieutenant Governor in Council. Third, the profession is given capacity as an appellant in disciplinary and competence proceedings. There are some model provisions of legislation relative to the professions and occupations. For any member interested in the evolutionary development of the professions and occupations in this province, careful study of the Bill would be a worth-while activity.

The legislation is complex, Mr. Speaker. I have said that it has demanded much time and careful thought from many expert, experienced, and dedicated people. I think its complexity is a positive reflection on the role and the esteem that nurses enjoy in this province. I take pleasure in moving that the Bill be read a second time.

Thank you.

MR. MARTIN: Mr. Speaker, I'd like to rise and make some specific comments to the minister that he might reflect on in concluding debate. First of all, I compliment the minister for bringing in the Bill. I think it's long overdue. There have been a lot of people pushing to have a Bill similar to this. I believe the general principles of the Bill are good. We're getting a number of letters pushing to bring this Act through, and I'm sure we're not the only ones. I'd like to compliment the Alberta Association of Registered Nurses for a very effective lobby. If they were

educating the minister, as he said they were, we'll compliment them on that too. That's a tough task.

While agreeing with the general principles of the Bill, there are some specific points I'd like to go through that some nurses have asked us to raise with the minister to try to tie some things together. In closing debate on second reading, I'd be interested if the minister would refer to these or, if he can't in concluding debate, certainly to come back in Committee of Supply with it. I'll just go through some of the specific concerns that have been issued to me and relay them to the minister.

Mr. Speaker, the first concern has to do with section 97(1). This section requires that an employer who has terminated a registered nurse because of professional misconduct or unskilled practice must report the matter to the executive director of the association. It's our view that such a report should not be issued until the arbitration process has run its course. In a disciplinary proceeding between the employer and the employee, the employer bears the onus of providing just cause. What we're saying is that the employee is, in effect — going back to our court system — innocent until proven guilty. In other words, we're talking about due process.

Our proposal to the minister is that when an employee is covered by a collective agreement, section 97 should require a report from the employer to the association only when the employer has been successful at arbitration or when the employee has decided not to pursue the matter to arbitration. The principle again is: innocent until proven guilty, due process. I ask the minister to take a look at that proposal. It may seem insignificant, but I think it is important.

The second matter of concern is in section 58. In my understanding, this section provides extremely broad terms of conduct which may be found to be professional misconduct or the unskilled practice of nursing. It is our suggestion that the provisions of section 58(b) and (d) more than adequately cover the area in which the AARN is legitimately involved; that is, conduct which relates specifically to the practice of nursing. I say to the minister that surely nurses taking part in conduct during or after collective bargaining, or at any other time when they are not engaged specifically in the practice of nursing, even though such conduct may not be deemed to be in the best interests of the public, are acting in an appropriate way under the rules of our society. We think this is too encompassing. For example, speaking out about hospital conditions: surely this is a legitimate exercise of the right of freedom of speech. The professional conduct committee could perceive such action as either "detrimental to the best interests of the public" or harming "the standing of the nursing profession generally".

[Mr. Purdy in the Chair]

We're saying that the terms of section 58(a) and (c) are so broad that a nurse could indeed be disciplined for conduct, the freedom to engage in which is historically and constitutionally protected. We would like the minister to look into that. Our proposal to the minister is that subsections (a) and (c) be deleted from the Act as being so broad and general as to deny any fair treatment to the persons who may be accused of these acts. An alternative approach would be to amend the opening portion of section 58 to read: any conduct of a registered nurse or permit holder, taken while in the course of the practice of nursing, that in the opinion of the professional conduct [committee] may ... Again, we're trying to bring this

closer to the Charter of Rights as we know it, and we think this would be a useful proposal for the minister to consider.

The third area of concern is that there appears to be no time limit within which a complaint under part 7 must be brought. Thus the complaint can theoretically be laid at any time, no matter how many years after the time the conduct is alleged to have occurred. I believe that the only legal situation where there is such a complete absence of time limits in the court system is in respect to the most serious criminal offences. Surely this would not fall into that proposal. We propose to the minister a period of, say, two years from the date the complainant could reasonably become aware of the incident. Through you, Mr. Speaker, that would be our proposal to the minister.

The fourth area of concern is with respect to section 70. This has apparently been raised a number times, and my understanding is that there was assurance that it would be removed from the draft legislation. Unfortunately, it appears in Bill 59. In effect, Mr. Speaker, section 70 would permit the investigated person to be defined as a witness and, under section 70(2), this person would be obliged to submit to examination under oath. There would be some question whether the provision of such a section is constitutional and whether it could be challenged under relevant human rights legislation. An investigated person must clearly be an exception to any requirement to give testimony. I believe this is a fundamental tenet of Canadian law. Yet it appears to have been overlooked in the Bill.

The fifth concern I would say just quickly: the \$5,000 seems to be unduly onerous when we compare it to some of the other fines and costs. It seems to be a little harsh when you compare it to other crimes that are involved. We would like the minister to perhaps take a look at that.

I have three more concerns on this Bill, which I've been asked to bring to the House, and that has to do with section 106, protection from liability, particularly subsection (2). I believe that provides immunity from actions for defamation founded on a communication that relates to a complaint, notification, or disclosure. We believe, Mr. Speaker, that every citizen should have the right to sue for defamation on the basis of communications that contain errors in fact. It appears to us unfair to give the association or council *carte blanche* to speak about these private matters, provided only that communications be made in good faith. It appears to us that the granting of this immunity will only encourage sloppiness in the conduct of the association's business. We'd like the minister to take a look at that particular section.

The next one is a short one and concerns section 107. Again, we would be opposed to the inclusion of terms of imprisonment as a penalty for offences contained under this type of legislation. It seems to us that there have to be penalties. We recognize this, but we suggest that in this Act the penalties outweigh the crimes. We sincerely believe that, and we'd like the minister to take a look at it.

[Mr. Speaker in the Chair]

Mr. Speaker, the last area is a particularly important one. It has to do with section 99 of Bill 59. This is the possibility that a regulation could come into force if

- (a) it is approved
  - (i) in accordance with a method and by the persons prescribed by the regulations . . .

Mr. Minister, we feel that members of the association have the right to receive full notification of any proposed

regulations and should have the right to full participation in decisions on those regulations. Section 99(2)(a)(i) should be contrasted with section 12(2) of the Registered Dietitians Act, introduced by the hon. minister last week. It will be noted that in the dietitians' Act a regulation must be approved by

- (a) a majority of those registered dietitians
  - (i) voting in person or by proxy at a general meeting, or
  - (ii) voting in a mail vote in accordance with the by-laws . . .

Mr. Speaker, the Registered Nurses Association does not currently use such a method for the determination of its by-laws or regulations. It is reasonable to anticipate that it will continue to pass regulations by votes of its council rather than by general membership in the future. So this is a cause of considerable concern to a number of nurses, and we honorably suggest to the member that it should be rectified by providing that all members of the association have notification and say in any regulation that is to be brought in. Again, we would use it similarly to the Act that was brought to this House last week.

Mr. Speaker, with those concerns, we in the opposition believe it's generally a good Bill. It's a step in the right direction after a lobby by a professional group. But we bring to the minister these concerns that have been brought to us. If he wants to refer to them in concluding debate, that's fine; if it would take some time, to come back in committee is fine too. But I wish the minister could at least reflect on those concerns at some point.

Thank you.

MR. KING: Mr. Speaker, would the hon. member permit a question?

MR. MARTIN: Sure.

MR. KING: In the course of making my notes, I lost track of the observation the member made just before his reference to section 106. Perhaps if you could repeat your comment on an item immediately prior to 106, I would be able to respond in concluding debate.

MR. MARTIN: Mr. Speaker, that had to do with the \$5,000 fine. Our feeling at this time is that the punishment didn't fit the crime. That might be a little harsh in terms of this particular Bill.

MR. SPEAKER: I hesitate to interrupt the hon. Leader of the Opposition, but if the Assembly agrees, might the hon. Member for Drayton Valley revert to Introduction of Special Guests? Sorry, it's the hon. Member for Calgary North West.

HON. MEMBERS: Agreed.

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

MRS. EMBURY: I think it's the names Sheila and Shirley that create that confusion.

Mr. Speaker, it's my pleasure this afternoon to introduce to you, and through you to members of the Assembly, two guests who are sitting in your gallery: Dr. Janet Kerr, president of the Alberta Association of Registered Nurses, and Mrs. Janet Storch, who was the chairman of the legislative committee of the Alberta Association of

Registered Nurses. I'd like them both to stand please and receive the welcome of this Assembly.

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

**Bill 59**  
**Nursing Profession Act**  
(continued)

MR. NOTLEY: Mr. Speaker, I certainly want to make it clear that we support the principle of Bill No. 59. I'm sure I must share with other members of the House some real respect for the very effective campaign on the part of the Alberta Association of Registered Nurses to persuade the government to submit this legislation to the Assembly. In northern Alberta, various members took advantage of the opportunity to meet both my colleague and me, and I know they would have met all members of the House in the different constituencies in the province. Before we had a chance to see the legislation, I think most of us certainly had the case put to us in a very effective manner.

There's no question that the bulk of this legislation is very important and useful, and we certainly support the concept of mandatory registration. However, I want to underscore three of the observations my colleague made. He outlined a number of concerns, but three of them concern me somewhat. I see no reason why they cannot be accommodated either in the form of amendment when we get to committee stage in the next day or two, or perhaps the minister, in his usually lucid way, will be able to sweep away our concerns.

The question my colleague raised first of all, the very first section dealing with the requirement on the part of an employer who has terminated a registered nurse because of professional misconduct or unskilled practice, [who] must report that to the executive director of the association — on the face of it, that seems like an eminently reasonable proposal. But it seems to me it fails to recognize that very often this kind of thing is going to be subject to a difference of opinion and that there is in fact going to be a grievance procedure and in all likelihood there will be an arbitration process. The concern that has been brought to our attention is that if you accept the proposition that the professional person is innocent until proven guilty, the mere fact that they may have been fired for some alleged misconduct does not necessarily mean that that dismissal will be upheld. It could be quashed as a result of the grievance procedure or the arbitration process. Bearing that in mind, it would be our submission that no notification for disciplinary purposes should arise until such time as the matter has been properly dealt with and the procedures followed in whatever case may occur.

That just underscores the point I think we want to keep in mind, Mr. Speaker, in whatever legislation we draft. Any time we get away from the proposition that the person is innocent until proven guilty, we have to have commanding arguments which overwhelmingly make the case. I simply say that in this provision I think the government could well take a second look at the impact of section 97(1).

The second area we find a bit troubling is the provision in 107, which includes imprisonment for a breach of the provisions of this Act. That's one of the options — very high fines, but also imprisonment. Mr. Speaker, if a nurse does something which is illegal, she can be prosecuted for

that illegal act, whether it be under the Criminal Code or whatever the breach may in fact be. I really wonder whether we should have a provision in a Bill like 59 which allows imprisonment. I will just read that section, because I think members might want to ponder it before we get into committee stage.

Every person and every officer, employee or agent of a corporation who contravenes a provision of this Act is guilty of an offence and liable

- (a) ... to a fine of not more than \$2,000,
- (b) for a second offence, to a fine of not more than \$4,000, and
- (c) for a third and every subsequent offence, to a fine of not more than \$6,000 or to imprisonment for a term of not more than 6 months or to both a fine and imprisonment.

Mr. Speaker, I would just say to members of the House: is this a reasonable section? Are we not setting out fines and penalties for offences of this act which indeed are too severe? As my colleague said, does the punishment fit the crime? Quite frankly six months in jail for a breach of the provisions of this Act is a trifle severe, to put it mildly.

The third area of concern that he touched upon, but I just want to underscore again, is the need to ensure that where there are changes in the regulations, there is full and adequate notification.

Mr. Speaker, because we raised these concerns, I don't want to leave the association or members of the House in any misapprehension about our support for the basic concepts contained in the Nursing Profession Act. It's because we support those concepts that we think a couple of these provisions might well be reconsidered in committee stage so we have a Nursing Profession Act in this province which is a model piece of legislation that nurses can be proud of and that Albertans will find is a very definite attribute to the statutes of our province. For those reasons, problems that relate to individual rights, problems which tend to throw askew the proposition that a person is considered innocent until proven guilty, offences which are too severe, and the question of notification of regulation change, are details of the legislation, but they are important principles of our system of justice and of the basic democratic process, which I feel with modification in committee stage would strengthen rather than weaken this legislation.

MRS. EMBURY: Mr. Speaker, I am very pleased this afternoon to make a few comments on second reading of Bill 59. First of all, I would like to commend the Minister of Education for the sincere hard work and understanding that has occurred over the last little while so the introduction of this Bill in our Legislature this spring could be a reality. I would like to reiterate the comments by the minister in his praise of the role of the Alberta Association of Registered Nurses and the hard work they have also undertaken in this past while to see that the legislation is before us.

It's particularly significant to me to be able to be in the Legislature at the time of the introduction of this Bill, as for a good many years my professional practice was controlled by the original nurses Act which, as most members of the Assembly are probably aware, was an excellent piece of legislation introduced in Alberta in the early 1900s. It served for a long, long time, with very few amendments. I think it's indicative of the work that went into the legislation at that time that it served the nurses and the public so well for so many years.

I can understand and anticipate the feelings of many of



the registered nurses around the province that have been involved in the process of rewriting the Act. In approximately 1955, when I was attending the University of Alberta, we had the pleasure to be released from classes to come and sit day by day in the Legislature and monitor what we thought were going to be changes to the nursing Act introduced by the government. There seemed to be much more of a concern at that time that there had been very little input by the professional association to changes that might occur in the Act. Fortunately they didn't occur. I remember that with quite a sigh of relief we felt it was better to keep the old Act. But times have certainly changed, Mr. Speaker. Above all, the practice of professional nursing has certainly changed in this province, as in other places. It's indeed very important and a major step that we have a completely new Act.

First of all, I would like to mention the name, because to me it's very significant that this is now called the Nursing Profession Act. I think that alone indicates to the people of Alberta the growth that has occurred in our profession and our practice.

The minister went over the various sections and the principles of the Bill in detail, and I only wish to highlight one or two of them. Another point that pleases me most sincerely is the fact that the major roles of our professional association will remain with it; that is, primarily registration and discipline. As members, nurses, and other members of the public have a chance to study this Bill, they will see that there are many sections under registration and discipline. They are very detailed and well-thought-out principles. I think nurses possibly will be surprised but proud to see how much of a role the professional association plays in these two areas. With regard to registration, of course the most important aspect to the profession today, to ensure that the public is well served by nurses, is the idea of mandatory registration.

Members who spoke today on second reading of this Bill alluded to a campaign by nurses across the province to have the legislation passed this spring. It was indeed a privilege for all of us not only to receive communication from nurses in our own constituencies but also to see how nurses have become involved in the political process and the legislative process. Many nurses now have an excellent understanding of their professional Act and basically what controls their practice. So I think everybody is very pleased that there was the excellent campaign and that we heard from so many nurses on their strong feelings with regard to mandatory registration and the fact that the Act should be passed in the Legislature this spring.

Another point that was mentioned, which we probably take for granted, is that the functions of the Alberta Association of Registered Nurses are outlined in their composition, which of course occurred in the previous Act.

One commendable point that is very unique — and I'm sure members of the Legislature have noted it — is the introduction in this Bill of an Alberta registered nurses educational trust. As the minister pointed out, this is quite unique, and it's certainly very forward thinking that this trust has been placed as part of the Nursing Profession Act.

One aspect of nursing that gives many of us time to think is that while we're very proud to now be identified as a unique profession, with our own body of knowledge which continues to be well developed and is developing even further due to scientific research in nursing, it is very difficult at times to realize how many people are actually

affected by such a major piece of legislation. Of course everybody in the nursing profession would well support the idea that what is outlined in the legislation is for the protection of the public. However, we all know that nurses are employed in a wide variety of environments: our major health care institutions, the community health field, occupational health, through that field in industry, and other areas. So we have a lot of other associations and organizations that are also very interested in this piece of legislation.

Another aspect of the Bill, of course, is nursing education. I'm certain that members of the Legislature are well aware of some of the complexities we have in nursing education. Time will tell how complex our educational routes to becoming a registered nurse are; or maybe we should be proud that we have a variety of routes open for nurses to choose an educational pattern which they appreciate. As members know, one may receive basic nursing education through our colleges, some of the hospital schools of nursing that still exist in this province, and the universities. So for that reason, nursing education is probably a bit more complex than some other professions that may have their major route only through one institution. There will be a lot of discussion, and concerns have been raised, in regard to what is stated in the proposed Bill on nursing education. Hopefully there will be a resolution of some of these areas so this Bill can receive speedy passage through our Legislature this spring.

MR. NELSON: Mr. Speaker, I would like to take a few minutes of the time of the House to make some general comments about Bill 59. Over the last number of months, I've had the opportunity to talk to a number of nurses, as I have a lot of nursing people living in Calgary McCall, the constituency I represent. First, Mr. Speaker, I should congratulate the minister and the nursing profession for developing an Act that is very comprehensive and not only protects the integrity of the nursing profession but gives the public some reason to believe that their health and welfare is under good care by the enactment of this Act.

Mr. Speaker, nurses are professional people in the occupation they choose. Too often we tend to examine nurses through their activities as members of unions and what have you. It's unfortunate we have to use that term with some of our professional people. Because similar to professionals such as teachers — after having a look from Halvar — and professionals in the area of policing and various other activities, I think we should examine this whole aspect of how we respond to various organizations professionals belong to.

Mr. Speaker, the Act responds to many of the needs and requirements that nurses have asked for. It responds to many of the needs that the community at large requires for its use and protection. I would certainly suggest that the House pass this legislation at the earliest possible time, this spring, and give full credence to the professionalism our nursing profession provides its citizens in the province of Alberta. Of course nurses have a very large dedication to our community. Having spent two years as a member of the General hospital board, I fully understand much of that dedication and the hard work the nursing profession provides to our hospitals and the community at large, and would ask, as others have, that this Act be given the full support of the House.

Thank you.

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

HON. MEMBERS: Agreed.

MR. KING: Mr. Speaker, I've been asked to do this in 30 words or less.

AN HON. MEMBER: Impossible.

MR. KING: Exactly.

I'd like to begin by expressing my appreciation for the contributions made by some members. In hopes that treatment of the Bill at committee stage could be handled expeditiously, I am going to respond to some of the specific comments or questions that were raised so those matters will be on the record when we come to committee stage.

With respect to section 97 and the concern that termination by an employer should be immediately reported to the executive director: first of all, I'd say that there may be some confusion in the mind of the hon. member between economic issues and the mechanisms for resolving what might be called labor/management disputes and professional issues. The firing of a nurse in this case for what is said to be professional misconduct or unskilled practice is a firing that establishes a *prima facie* case related to professional activity, not employment activity. What is being said is that if there is a *prima facie* case that would fall under the Act, the Alberta Association of Registered Nurses must know of that immediately. Because they are obliged, under the Act, to deal with *prima facie* cases in a certain way.

At the same time, and for the protection of the nurse who may have been discharged, it is important to remember that as soon as the AARN gets a notification of this type, a certain process prescribed in the law and the regulations comes into play immediately. That process is found in part 7 of the Act. It is designed to be equitable and protective of the interests of the different parties, not the least of whom would be the nurse who may have been discharged. So in my view, the provision is essential if we expect the AARN to conduct the professional control activities set out in part 7 of the Bill.

With respect to section 58 and the suggestion that clauses (a) and (c) relating to unskilled practice and professional misconduct should be deleted, the inclusion of those clauses is predicated on a certain idea of what it means to be a professional. Basically the idea is that members of the profession are imbued with an ethic, which they may have acquired in part through the program of their academic training, in part by their probationary experience with peers in the profession, or in part by their participation in the activities of the profession. The basic idea is that one of the things that characterizes a profession is this professional ethic that every member is or should be imbued with and that every member lives with 24 hours a day, 365 days a year; that this is an ethical constraint over and above the ordinary ethical constraints each of us is subject to as a member of the community. That might seem like an academic or a philosophical concern. The fact is that it is not, and we have recent experience to the contrary.

To suggest a hypothetical situation, what happens if a nurse says on a platform that he or she believes there is some pervasive and destructive conspiracy at work in the community designed, let's say, to degrade the health of individuals? What if that person says that while they

haven't canvassed their professional colleagues, they believe most nurses also accept the idea of a conspiracy designed to degrade the health of the people in the community? The argument is made — and it is an argument I accept — that one of the features of entry into a profession is that you accept the proposition that you cloak yourself with the ethic of that profession, that it is a responsibility you carry more than the ordinary responsibilities all of us have, and that you carry it with you day and night.

With respect to the time limit on complaints, I will certainly consider that and consider it in discussion with the Alberta Association of Registered Nurses. With respect to the question of the investigated person being called as a witness — which provision is found in section 70 — you approach this question on the basis of an analogy. Is the process analogous to a criminal proceeding, in which case the observations of the hon. member would certainly be legitimate, or is it analogous to a civil proceeding, in which case the conditions are somewhat different? The fact is that we think of it as being analogous to a civil proceeding. The Nursing Profession Act is, in a vital sense, a contract between the profession and the public. Disciplinary or competency proceedings under the Nursing Profession Act are therefore proceedings which reflect on a contract. That's why we make the analogy to a civil proceeding rather than to a criminal proceeding. Indeed the hon. member has already noted that violations of the Act, as distinct from violations of the terms of the contract established in the Act, are dealt with in another section and in a different way.

With respect to the fine, I can only say that if my recollection is correct, the \$5,000 was suggested by the Alberta Association of Registered Nurses. Where's Mr. Elliott? I'll check that at any rate, and we might compare it to the comparable figure of \$10,000 per occurrence, which figure is found in the Optometry Profession Act before the House at the present time. I will check to confirm that the AARN suggested the figure. I believe it was. If it was not, I'd certainly be prepared to consider the comments of the hon. member. I direct him to the Optometry Act by way of comparison. Section 106: we will as well look at the suggestion that there should be a requirement for accuracy.

With respect to section 107, I am prepared to give the matter more thought. At the same time, it should be on the record that some offences against this Act could have very serious implications. They could have very serious implications for the Alberta Association of Registered Nurses or for the public. Imprisonment is not an option available on the first or second offence. It is an option only where offences are persisted in, and it is still discretionary in the hands of the judge.

Finally, with respect to the process of ratification of regulations, my recollection is that that too was requested by the Alberta Association of Registered Nurses. It seems to me that it is in the nature of it that we must be guided by the feelings of the professional association in that particular matter. If I can confirm that the process for ratification is requested by the AARN, then I would say it would be the undertaking of the government that we would retain it as requested by the AARN.

Speedy passage has been hoped for, Mr. Speaker. I can only echo the desire of every other member in the House that passage will be speedy. At the same time, as I said in my introductory remarks, this is, first of all, complex legislation. Secondly, it is important legislation for the professionals whose lives it will touch. Thirdly, as all of

us in this House will remember, it is important legislation for all the citizens of the province. In my view, it would be inappropriate to act in an ill-advised way.

Thank you, Mr. Speaker.

[Motion carried; Bill 59 read a second time]

**Bill 66  
Electoral Divisions Act**

MR. CRAWFORD: Mr. Speaker, I'd like to move second reading of Bill 66, the Electoral Divisions Act.

This Bill requires no real explanation. It merely puts into a statute what has been the schedule in the Legislative Assembly Act. The thought in revising and re-enacting the Legislative Assembly Act was that it should set out all the things with respect to the Assembly itself, but that a separate statute could deal with boundaries. That is what is proposed. I move second reading of Bill 66, Mr. Speaker.

MR. MARTIN: Just one question. Maybe in concluding debate the minister can [answer] it. Basically this is just an administrative change. I wonder how this affects the work of the Electoral Boundary Commission. I'm not sure how this all fits in.

MR. SPEAKER: It's a legal proposition, but I suppose that since we're dealing with the policy of the Bill, probably it could be considered to be in order.

MR. CRAWFORD: Mr. Speaker, on the assumption that I'm now concluding debate . . .

MR. SPEAKER: Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. CRAWFORD: Just before the motion is called, there is another statute which requires that an electoral boundary commission be established. That will be done. The duties of the commission, when it's established, are described in the other legislation. Of course at some point they will be redrawing boundaries. When that is done, it means that they'll be redrawing boundaries that appear in this Act instead of the Legislative Assembly Act.

[Motion carried; Bill 66 read a second time]

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

**Bill Pr. 1  
Alberta Wheat Pool  
Amendment Act, 1983**

MR. FISCHER: I move that Bill Pr. 1, the Alberta Wheat Pool Amendment Act, 1983, be read a second time.

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

**Bill Pr. 3  
Calgary Convention Centre Authority  
Amendment Act, 1983**

MR. STILES: Mr. Speaker, I move second reading of Bill Pr. 3, the Calgary Convention Centre Authority Amendment Act, 1983.

[Motion carried; Bill Pr. 3 read a second time]

**Bill Pr. 4  
Mennonite Mutual Relief  
Insurance Company  
Amendment Act, 1983**

MR. STILES: Mr. Speaker, on behalf of my colleague Mr. Oman, I move second reading of Bill Pr. 4, the Mennonite Mutual Relief Insurance Company Amendment Act, 1983.

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

**Bill Pr. 5  
Canadian Lutheran Bible Institute  
Amendment Act, 1983**

MR. THOMPSON: On behalf of the Member for Camrose, I move second reading of Bill Pr. 5.

[Motion carried; Bill Pr. 5 read a second time]

**Bill Pr. 6  
Calgary Jewish Centre Act**

DR. CARTER: Mr. Speaker, I move second reading of Bill Pr. 6, the Calgary Jewish Centre Act, as amended.

[Motion carried; Bill Pr. 6 read a second time]

**Bill Pr. 7  
Peace River Bible Institute  
Amendment Act, 1983**

DR. ELLIOTT: Mr. Speaker, I move second reading of Bill Pr. 7, the Peace River Bible Institute Amendment Act, 1983.

[Motion carried; Bill Pr. 7 read a second time]

**Bill Pr. 8  
The Sisters of Charity  
of Providence of McLennan  
Amendment Act, 1983**

MR. ALEXANDER: Mr. Speaker, I move second reading of Bill Pr. 8, The Sisters of Charity of Providence of McLennan Amendment Act, 1983.

[Motion carried; Bill Pr. 8 read a second time]

**Bill Pr. 9  
Paramount Life Insurance Company  
Amendment Act, 1983**

MR. McPHERSON: Mr. Speaker, on behalf of the hon. Member for Calgary McKnight, I move second reading of Bill Pr. 9, the Paramount Life Insurance Company Amendment Act, 1983.

[Motion carried; Bill Pr. 9 read a second time]

**Bill Pr. 10**  
**Alexander La Fleur Minerals Title Act**

MRS. CRIPPS: Mr. Speaker, on behalf of my colleague from Calgary North West, I'd like to move that Bill Pr. 10, the Alexander La Fleur Minerals Title Act, be read a second time.

[Motion carried; Bill Pr. 10 read a second time]

**Bill Pr. 11**  
**Edmonton Canadian Insurance Company**  
**Amendment Act, 1983**

MR. ALEXANDER: Mr. Speaker, I move second reading of Bill Pr. 11, the Edmonton Canadian Insurance Company Amendment Act, 1983.

[Motion carried; Bill Pr. 11 read a second time]

**Bill Pr. 12**  
**Calgary Golf and Country Club**  
**Amendment Act, 1983**

DR. CARTER: Mr. Speaker, I move second reading of Bill Pr. 12, the Calgary Golf and Country Club Amendment Act, 1983.

[Motion carried; Bill Pr. 12 read a second time]

**Bill Pr. 13**  
**Koney Island Sporting Company (Limited)**  
**Continuation Act**

MR. PAPROSKI: Mr. Speaker, on behalf of my colleague for Edmonton Gold Bar, I move second reading of Bill Pr. 13, the Koney Island Sporting Company (Limited) Continuation Act.

[Motion carried; Bill Pr. 13 read a second time]

**Bill Pr. 14**  
**Edmonton Convention Centre Authority**  
**Amendment Act, 1983**

MR. PAPROSKI: Mr. Speaker, on behalf of my colleague for Edmonton Gold Bar, I move second reading of Bill Pr. 14, the Edmonton Convention Centre Authority Amendment Act, 1983.

[Motion carried; Bill Pr. 14 read a second time]

**Bill Pr. 15**  
**Edmonton Convention**  
**and Tourism Authority**  
**Amendment Act, 1983**

MR. PAPROSKI: Mr. Speaker, on behalf of my col-

league the Member for Edmonton Gold Bar, I move second reading of Bill Pr. 15, the Edmonton Convention and Tourism Authority Amendment Act, 1983.

[Motion carried; Bill Pr. 15 read a second time]

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

**Bill 68**  
**Mines and Minerals Amendment Act, 1983**

MR. ZAOZIRNY: Mr. Speaker, on second reading I should mention very briefly that over approximately the past 20 years the Mines and Minerals Act has been subject to a series of legislative modifications and additions, and I think it's fair to say that the administration has become exceedingly complex. The amendments before the Assembly have three objectives: to clarify areas that are subject to technical interpretation, to eliminate some redundant and outdated provisions, and to reorganize the provisions contained primarily in part 1 of the legislation.

[Motion carried; Bill 68 read a second time]

MR. CRAWFORD: Mr. Speaker, it's not proposed that the Assembly sit tonight, so with just a few minutes left before 5:30, I don't propose to ask that the Assembly go into committee to study Bills.

Tomorrow, Government Motion No. 18, the resolution with respect to the Constitution Act, will be moved. It may well be that numbers of members will want to speak on that motion and it will occupy the day, but if that is not done and there is other time available, we would propose simply to deal with the Order Paper based on second readings of Bills available for second reading — the ones introduced today — and if there is time after that, Committee of the Whole.

Mr. Speaker, I don't know if I previously indicated the intention that Bills 45 and 63 stand on the Order Paper until the fall sitting. I had earlier indicated that they weren't being called at once, but it's now proposed that they stand over until fall. I mention that in connection with consideration of Bills in Committee of the Whole.

[At 5:20 p.m., on motion, the House adjourned to Friday at 10 a.m.]