

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Wednesday, October 26, 1983 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 81****Electoral Boundaries Commission
Amendment Act, 1983**

MR. PAYNE: Mr. Speaker, I request leave today to introduce Bill No. 81, the Electoral Boundaries Commission Amendment Act, 1983.

The primary purposes of this Bill are: firstly, to increase the number of electoral divisions in the province from 79 to 83; to effect a change in the make-up of the Electoral Boundary Commission — as a consequence of the change there will be four members of the Assembly, three government members and one opposition member; as well, to change the designation of certain urban electoral divisions to rural electoral divisions, which will produce 42 urban electoral divisions and 41 rural electoral divisions, as opposed to the present circumstance.

[Leave granted; Bill 81 read a first time]

Bill 96**Mobile Home Sites Tenancies
Amendment Act, 1983**

MRS. EMBURY: Mr. Speaker, I beg leave to introduce Bill No. 96, the Mobile Home Sites Tenancies Amendment Act, 1983.

This amendment to section 43 primarily will permit a landlord to pay a tenant interest on a security deposit annually, at a rate established by regulation on or after January 1, 1984.

[Leave granted; Bill 96 read a first time]

Bill 97**Landlord and Tenant Amendment Act, 1983**

MRS. EMBURY: Mr. Speaker, I request leave to introduce Bill No. 97, the Landlord and Tenant Amendment Act, 1983.

This amendment to section 38 will permit a landlord to pay a tenant interest on a security deposit annually, at a rate established by regulation on or after January 1, 1984.

[Leave granted; Bill 97 read a first time]

MR. CRAWFORD: Mr. Speaker, I move that Bills 96 and 97 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **TABLING RETURNS AND REPORTS**

DR. WEBBER: Mr. Speaker, I am pleased to file with the Legislature copies of the report of the Cavanagh Board of Review. With the concurrence of the board of review, some names have been removed from the report, to protect client confidentiality. In addition, the board of review has noted some minor errors, and those have been corrected.

MR. SHABEN: Mr. Speaker, I wish to table the annual report of the Alberta Home Mortgage Corporation for the year ended March 31, 1983. Copies will be made available to all members of the Assembly.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. RUSSELL: Mr. Speaker, it's my pleasure today to introduce to the Legislature some visiting grade 8 students from Milton Williams junior high school, located in the constituency of Calgary Elbow. There are 146 of them, led by Mr. Dave Westbury, vice-principal of the school. Other teachers in the group are Mrs. Morin, Mrs. Sorenson, Mr. MacWilliams, and Mrs. Whiteway. With a large group like that, we have some parents as well: Mrs. Bolton, Mrs. Davis, Mrs. Dehn, Mrs. Clausen, and Mrs. Youell; plus the Greyhound bus drivers. They have been on the road since six this morning. I would ask members to extend a warm welcome.

head: **ORAL QUESTION PERIOD****Child Welfare Report**

MR. NOTLEY: Mr. Speaker, I would like to direct the first question to the Premier. It's with respect to page 9 of the Cavanagh Board of Review report, in which it would appear that an important submission was withheld from the board of review for a period of two years by a minister of the Crown. My question is, when did the Premier become aware of that information?

MR. LOUGHEED: Mr. Speaker, I would ask the Minister of Social Services and Community Health to respond to the question.

DR. WEBBER: Mr. Speaker, in terms of the particular section dealing with information from the department, the information that was requested, plus other information that had been requested, was submitted in January 1983, as indicated in the report. Over a period of time it was necessary for the department to gather a lot of information, and that information was put together and finally released in January '83.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Premier. The question was not when the information was made available; that's contained in the report. The question is: when did the Premier become aware that a report compiled in 1981 was not released until 1983, apparently upon the responsibility of a minister of the Crown?

MR. LOUGHEED: Mr. Speaker, the way the question is put, it implies a responsibility and an implication that I think has to be referred to in the report, and the report speaks for itself. If the hon. minister wants to elaborate, I am sure he will.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Premier. The report does refer to it, and it indicates that time was lost because that information was not available. Is it the intention of the Premier, then, to take any action with respect to a minister of the Crown withholding important information from a commission of inquiry established pursuant to an Executive Council order?

MR. LOUGHEED: Mr. Speaker, the hon. Leader of the Opposition is making allegations from an interpretation of the document, different from those that I and the minister have.

MR. NOTLEY: Mr. Speaker, allegations shared by the board of review.

But could I put to the Premier a question with respect to general policy? What is the policy of the government of Alberta with respect to the provision of information to commissions, boards of inquiry, and boards of review that are established either as a result of an Act of the Legislature, a resolution of the Legislature, or an Executive Council order?

MR. LOUGHEED: The general position is to fully co-operate and provide information. There may be exceptions to that case, and in each circumstance the exception would be one that would be a matter of public discussion.

MR. NOTLEY: A supplementary question to the hon. Premier in his position as head of government. Is the Premier then saying to the House this afternoon that as the head of government, his assessment of the reasons for denying that information to the commission for a period of two years, as observed by the commission, was adequate and that the reason was adequate?

MR. LOUGHEED: Mr. Speaker, I'm making no such response. I'm suggesting that what we have here is information that was in due course provided to the commission, has been considered by the commission, and has been or will be responded to by the minister.

MR. NOTLEY: One final supplementary question. Could the Premier answer when he became aware of the failure of the government or the minister to present this material to the Cavanagh Board of Review? Was it before or after January 1983?

MR. LOUGHEED: No information was provided to my office that information was requested and not received. The knowledge came to me when I perused the Cavanagh Board of Review report on Friday.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Could the Premier indicate whether discussions have occurred between his office — himself — and the former minister, as indicated in the report, and the reasons that material was not submitted to the commission at an earlier date reviewed?

MR. LOUGHEED: Mr. Speaker, no, I've had no such discussions.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Is it the intent of the Premier to review the matter with that former minister, so the Premier can assure this Legislature that, to his satisfaction, there was not a withholding of information without undue reason, and report that back to this Legislature?

MR. LOUGHEED: Mr. Speaker, yes, it is my intention to have an explanation. The method in which I would respond would

have to depend upon the circumstances and the responsibility that now flows to the current Minister of Social Services and Community Health.

DR. WEBBER: Mr. Speaker, if I could make a very important point on this matter; that is, the clarification that this was not information that was sought by the Cavanagh Board of Review. It was information that individuals in the department indicated they would be preparing and would make a further submission to the Cavanagh Board of Review. But I want to clarify the point that it was not a report or information that was sought by the Cavanagh board.

MR. NOTLEY: Mr. Speaker, I may come back to this.

Labor Legislation Constitutionality

MR. NOTLEY: I'd like to direct the second question to the hon. Attorney General. It's with respect to the major court case in Ontario, where the Supreme Court of Ontario held that certain provisions of provincial legislation that affected the right to strike offended the Charter of Rights. Bearing that explanation in mind, what has the government of Alberta done with respect to assessing the constitutionality of Bill 44 in particular, which was passed by the Legislature this spring?

MR. CRAWFORD: Mr. Speaker, I've never had any doubt in respect of the constitutionality of legislation passed this spring. I have not reviewed the report of the case in Ontario, that the hon. Leader of the Opposition has raised. It sounds like one that should be reviewed; it will be. There are numbers of cases these days in respect of the Charter of Rights, indeed hundreds. The key to the determination of the real significance of the Charter in respect of a number of these areas has yet to be determined by higher courts.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Attorney General. Given the judgments of the Ontario Supreme Court, what specific course is the government of Alberta going to take with respect to determining the constitutionality of legislation that qualifies the right to strike? Or will it simply be a question of awaiting subsequent legal decisions by other courts or perhaps by courts in Alberta?

MR. CRAWFORD: Mr. Speaker, the important consideration always in examining judgments of courts in other provinces where they're interpreting provincial legislation, is to see the extent of the similarity between provisions in that other legislation and in our own. It's most unlikely that the provisions would be identical in any way, and the mere fact that it deals with a common subject matter does not by itself determine anything in respect of the Alberta legislation. If the wording were precisely the same, then it would be of greater significance, because that is a superior court decision. In any event, any superior court decision in any of the provinces is important enough to examine, and that will be done.

MR. NOTLEY: Mr. Speaker, a supplementary question. Unfortunately the rules don't permit me to read into the record the observations of the learned justices in Ontario. However, my question is: stemming from that judgment, which goes far beyond the technicalities of the legislation and deals with the heart of the issue, will there be any special reference, under the provisions of section 27 of the Judicature Act, to determine the constitutionality of Bill 44, particularly, and of Bill 93 before we get into that legislation?

MR. CRAWFORD: Mr. Speaker, an examination over a period of a number of months since the Charter came into effect a year ago April has been done by our constitutional section. A few Acts, not including the one the hon. member has referred to, appear appropriate for some amendment in the light of the Charter. The schedule is that that should be done by next spring. If that sounds like a long time to the hon. leader, I could mention to him that our contact with other provinces would lead me to believe that we will be acting first in Canada, as we so often do in respect of such matters.

An absolutely enormous amount of work has been done in respect of the Charter. We have been assisted, of course, due to the fact that over the years our legislation has always been examined by our legal draftsmen in the light of the Alberta Bill of Rights. It has always been the intention to bring in legislation which is consistent with our own Bill of Rights and with the Charter.

So in summary, perhaps, the answer to the hon. leader is that no special reference would be made in the circumstances that the hon. leader asks about, but a very, very in-depth examination of the constitutionality of all the provincial legislation has in fact been completed.

MR. NOTLEY: Mr. Speaker, a supplementary question. Can the Attorney General advise the House whether or not, in the assessment of the constitutionality of Bill 44, the government has assessed the constitutionality of that section dealing with arbitration changes, namely the consideration of government fiscal policies? Has that been examined, particularly in light of the Ontario Supreme Court judgment?

MR. CRAWFORD: Mr. Speaker, without looking at the wording of the judgment — and the hon. leader has referred to the fact that it seems to deal in broad principle, perhaps, rather than merely on legal phraseology; that is something to be looked at — this is a very, very large issue. One finds that legislation of the type described — in respect of the ability of taxpayers to pay and in respect of legislative guidelines in regard to public-sector salaries — exists in the United States, which is known throughout the world for the fact of its Bill of Rights and constitutional amendments over the years, which have created probably the best-known structure of civil rights anywhere in the world. Mr. Speaker, I could go on and on, on that subject. [interjections] To simply say how large the subject is, may suffice for a moment.

MR. NOTLEY: Mr. Speaker, one final supplementary question. To save time, I won't direct it to the Attorney General but, in the absence of the Minister of Labour, to the Minister of Personnel Administration. In light of the Ontario Supreme Court decision and the arbitration process, is the government going to be discussing with arbitrators the viability of using government fiscal policy as a yardstick?

MR. STEVENS: Mr. Speaker, I would obviously confer with the Attorney General on any assessment he may be making of the judgment that has been referred to by the Leader of the Opposition, as he would with other colleagues.

The legislation that has been passed clearly identifies the matters which shall be considered by the arbitration board, should such a board be required, and those matters which may be considered by the arbitration board, should a board be implemented.

MR. SPEAKER: Post-final supplementary.

MR. NOTLEY: Mr. Speaker, my question is not what the legislation says. We're all aware of what the legislation says. My question is whether or not, in the light of at least some constitutional uncertainty, arbitrators will be forewarned or whether any discussions will be initiated with those people who are given responsibility, pending an outcome of this matter.

MR. STEVENS: Mr. Speaker, I do not initiate discussions with arbitrators. But should such a board be established, then the government's representative on that board certainly will be aware of the legislation, as would the employees' representative, I assume, and I know that the chairman would also be similarly aware. But I wouldn't initiate discussions with those parties.

Home Care Program

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Social Services and Community Health is with regard to the co-ordinated home care program report of March 1983. In that report, page 20, there's reference to a recommendation that paperwork is an unreasonable burden. I raise with the minister a question with regard to the present forms that have been issued by the department. This is the third set of forms, which cost a significant amount of money. We want to cut the cost of government, and I think this is one of those areas.

I want to ask the minister whether he has reviewed those forms since the recommendation was initiated in March 1983. And why are new forms being issued at the present time, replacing the former two sets of forms that were issued across this province at great expense?

DR. WEBBER: Mr. Speaker, the hon. member's timing on the question is very good. As a matter of fact, I had discussions relative to forms with departmental people yesterday.

Certainly it is our objective to cut down on unnecessary forms and expenditures in terms of the purchasing or the preparation of forms. So certainly I am pleased that the hon. member raised that particular issue.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. In light of the minister's discussions yesterday, would the minister indicate whether a fourth form, different from the ones I have on my desk, will now be issued because of the minister's discussions, or whether the third form, as I have on my desk, will be issued and there will not be any more changes? [interjections]

DR. WEBBER: Mr. Speaker, he is in very good form today.

The discussions I had, did not centre around the preparation of new forms and the elimination of other ones to be replaced or added to; it was simply a matter of examining the whole area of forms because, as the hon. member knows, expenditures in this particular area are not small.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. In reviewing forms, has the hon. minister reviewed the form used by the Victorian Order of Nurses, which has been used effectively, efficiently, and at low cost for years, and compared it to the bulk of forms that are presently being used in the department, at extensive cost?

MR. NOTLEY: No wonder we have an overrun in government, Neil.

MR. R. SPEAKER: Could the minister indicate whether that kind of review has taken place and whether there's some sin-

cerity in the review or whether it was just a nice discussion, as we often see by this government?

DR. WEBBER: Mr. Speaker, in terms of the VON form, I certainly haven't addressed that particular one. However, I have a great deal of respect for the Victorian Order of Nurses, and I assume that their efficiency is very good. I would be happy to review that form and bring it to the attention of officials, for them to make those comparisons. In terms of sincerity, it certainly is a sincere desire of this government to bring in cost efficiencies where we can.

AN HON. MEMBER: And we're doing it.

MR. R. SPEAKER: Mr. Speaker, a supplementary. In light of the minister's remarks — and I appreciate that — would he report to this Legislature, prior to the end of the Legislature, the results of his findings and of the necessary changes that will be made to fulfil this recommendation that paperwork is an unreasonable burden and cost to the department at the present time? Can the minister make a commitment to report back to this Legislature this fall with regard to that matter?

DR. WEBBER: Mr. Speaker, in terms of any budgetary review and preparation of a budget for the coming year, I think it would be more appropriate to deal with these matters when the budget comes in. Certainly forms are important, but it's only one aspect of the total area of budgetary review. And in any case, I'm not certain that we can address that complete matter by the end of the session.

MR. R. SPEAKER: Mr. Speaker, my question is to the Premier. We're trying to be cost-conscious with this government. A dollar saved, a dollar earned.

MR. SPEAKER: Let's get to the question.

MR. R. SPEAKER: [Inaudible] here in Alberta, we would have heard that a number of times. The reason this government has never ...

MR. SPEAKER: Order please. Let's get to the question.

MR. R. SPEAKER: My question to the Premier, Mr. Speaker, is as follows, very simple. Is the Premier initiating throughout this government some accountability with regard to an attempt to live within their means by reviewing the cost of forms and printing that is presently going on in this government? Some of it, as I've just indicated, is completely irresponsible.

MR. SPEAKER: Order please.

MR. LOUGHEED: Mr. Speaker, all I can say is that I believe these matters have been fully answered by the ministers.

MR. R. SPEAKER: Mr. Speaker, is the Premier reviewing that matter of extensive and extraordinary costs with regard to printing and forms being issued within government? Is that one of the measures or directives the Premier is giving to his cabinet ministers at the present time, in terms of next year's budget and I would say even this year's budget?

MR. LOUGHEED: Mr. Speaker, I already answered the question.

MR. R. SPEAKER: Mr. Speaker, the Premier has not answered the question.

MR. SPEAKER: Order please.

MR. R. SPEAKER: Well, the government goes on spending and spending and spending.

MR. SPEAKER: Order please. Would the hon. member please resume his seat. The question has been answered twice.

MR. R. SPEAKER: Answered?

MR. SPEAKER: Sorry, the question has been asked twice, and it's one of the rules of the question period that there is no obligation to answer any question, any more than there is an obligation on anyone to ask specified questions. [interjections]

Child Welfare Report (continued)

MR. McPHERSON: Mr. Speaker, my question is to the Minister of Social Services and Community Health. The Cavanagh Board of Review is critical of the way the department handles the apprehension of children. What steps will the minister take to ensure that these procedures are cleaned up?

DR. WEBBER: Mr. Speaker, the hon. member is accurate, in that the Cavanagh Board of Review was critical of the way the department handles the apprehension of children. However, I think it's more accurate to say that the legislation that is in place makes it very difficult for social and child care workers to deal with the apprehension or the care of children.

One of the problems with the legislation is that apprehension must occur before work can be done in trying to make efforts to have the child and the family resolve their problems. The recommendations of the Cavanagh Board of Review are such that we hope to be able to deal with the problems between an individual child and a family prior to any apprehension, if apprehension is necessary. So in terms of follow-up, we do intend to introduce legislation in the Legislature this fall, and hon. members will have a chance to review that.

MR. McPHERSON: A supplemental, Mr. Speaker, on that point. The report also expresses concerns that once children come into the care of the department, they seem to drift. I notice that on page 47 of the report, it mentions that one child was in the care of 37 different foster homes. What improvements are expected to be made there?

DR. WEBBER: Mr. Speaker, that's another important question, and it can be resolved in a number of ways. One is dealing with legislation. Currently an individual child, once apprehended, can be put into a foster home or become a temporary ward of the government. One of the difficulties with the system has been that child staying as a temporary ward for an extended period of time. One of the areas we're looking at is putting a time limit on how long a child can remain a temporary ward and introducing legislation and policy which would allow child care workers to plan for a permanent placement of that child much sooner than is being done right now. One of the criticisms is that the child is in temporary wardship for an extended period of time. I believe the efforts have to be made in terms of getting the child back with the family or coming to a permanent wardship so that child can be placed in a permanent home, where it can receive the care and attention it needs.

Fish and Wildlife Advertising

DR. ELLIOTT: Mr. Speaker, my question is to the Associate Minister of Public Lands and Wildlife. I'd like to ask why our government is spending money on running expensive television commercials to talk about our public lands during prime time. My example is a television commercial that was run on Monday evening of this week, during a televised hockey game.

MR. SPARROW: Mr. Speaker, it is a pleasure to answer that question. I didn't realize Lanny McDonald was going to get us into trouble when we played at a hockey game in northern Alberta.

One of the programs we reviewed this spring was our fish and wildlife programs and what they mean to Albertans, as far as tourist dollars. As we all know, tourism is our third largest industry in the province. This whole advertising program is designed to give people a greater awareness of our wildlife and its benefits. Primarily it tries to put across a message on the main problems we have, with reference to asking permission to access private lands, making sure fishing licences are obtained, and our pheasant program. I assure the Member for Grande Prairie that this was a reorganization in my present budget, and we're trying to get across a very positive message, to help the private sector.

Royalty Tax Credit

MRS. EMBURY: Mr. Speaker, my question is for the hon. Provincial Treasurer. What is the government policy regarding the royalty tax credit next year?

MR. HYNDMAN: Mr. Speaker, I believe the policy with regard to the royalty tax credit is clear. It has not changed since it was announced some 18 months ago, in April 1982. At that time, as part of the package of the oil and gas activity plan — being a \$5.4 billion program — an enrichment of the royalty tax credit for the two calendar years, 1982 and 1983, was announced. That enrichment was to end on December 31, 1983.

The policy was set forth at that time to provide certainty and predictability. It was set forth specifically and clearly. That is still the policy of the government and continues as it was announced some 18 months ago.

MRS. EMBURY: A supplementary question for clarification, Mr. Speaker. Is the Treasurer saying he is not prepared to recommend that the enriched royalty tax credit continue past the end of 1983?

MR. HYNDMAN: That would be correct, Mr. Speaker. When the policy was announced a year and a half ago, it was indicated that it was for the two calendar years, 1982 and 1983. There were substantial extra hundreds of millions of dollars in the enrichment that would end on December 31, 1983. I might mention that my information is that, generally, the cash flow in the petroleum industry has definitely been improving.

Child Welfare Report (continued)

MR. JONSON: Mr. Speaker, I'd like to direct a question to the Minister of Social Service and Community Health. One aspect of this has been answered, in respect of the recommendations by the Cavanagh Board of Review on the apprehension of children. But I would like to ask the minister what overall plan he is contemplating with respect to implementing

the overall recommendations of the Cavanagh Board of Review?

DR. WEBBER: Mr. Speaker, in terms of a plan and follow-up, I'd like to indicate that we will be giving the Cavanagh Board of Review report very close scrutiny over the next few weeks, and then we will be introducing in the Legislature a revised Child Welfare Act. That Act will reflect not only the input from a large number of people over the last few years but our review of Cavanagh in the time frame we have. It will be proposed that the legislation be introduced and just remain on the Order Paper and die. Then in the spring, a brand-new Bill which reflects a very thorough analysis of the Cavanagh Board of Review report, plus public input — public reaction to the report and to the legislation that will be introduced in a few weeks — will be brought to the Legislature.

I would like to comment as well, Mr. Speaker, that I'm very, very pleased with the Cavanagh Board of Review's report on the child welfare system in Alberta, in terms of the recommendations. I think members will find that the Bill that will be introduced in a few weeks will reflect many of the recommendations in the report that we consider to be good ones.

MR. JONSON: A supplementary question, Mr. Speaker. The question has certainly been answered with respect to legislation, but there are a number of recommendations that, as I would understand them, do not require legislation. What plan of follow-up activity will be taking place with respect to those?

DR. WEBBER: Mr. Speaker, in terms of the non-legislative matters — policy matters and matters relating to programming — again there will be a very thorough analysis of the Cavanagh Board of Review's report, and then steps taken to implement those policies that we think we should implement.

I might also add that the Cavanagh Board of Review report indicates that it gave a 1980 picture of the child welfare system, addressed the malfunctions of that system, and then made recommendations. There have been a number of steps taken in the last several years to address some of the concerns he had, and we'll be following up on other recommendations as well.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Would the minister consider introducing the initial Child Welfare Act in this fall session, so it could be considered prior to the spring session, in terms of public input and various other methods?

SOME HON. MEMBERS: He said that.

MR. R. SPEAKER: I'm sorry; I missed it.

DR. WEBBER: Mr. Speaker, I thought I had indicated to the Legislature that we will introduce the Bill this fall and allow it to die on the Order Paper, so hon. members and the public would have an opportunity to react to both that Bill and the Cavanagh Board of Review report.

MR. MARTIN: Mr. Speaker, a supplementary question. Can the minister indicate if funding for the child welfare system will be subject to the same budgetary restrictions that the Provincial Treasurer has indicated will be applicable to the rest of government in the next fiscal year?

DR. WEBBER: Mr. Speaker, certainly we'll be following through our budgetary planning, in line with the guidelines that we have. In terms of the particular area of child welfare, I

think it's pointed out very clearly by the Cavanagh Board of Review that there are a number of steps he thinks we can take that would help reduce not only the case load for child care workers but also the number of apprehensions. We have not had a chance to assess any cost impact of implementing all the recommendations that at this time we would like to see brought in. That will be an ongoing process.

MR. MARTIN: A supplementary question. Specifically, can the minister indicate if he will be authorizing the hiring of more child welfare social workers, such that the child welfare case loads can be reduced to the figure of 35 cases per worker, as I believe this government committed itself to doing in July 1980?

DR. WEBBER: Mr. Speaker, during the course of 1981 and 1982, a number of new child welfare workers were hired by the department; also upgrading with regard to training child care workers. Once again, a number of recommendations in the report imply that there could be a reduction in the case load of a child care worker, so we would have to assess the total manpower needs after we have a close assessment of the report.

MR. MARTIN: One final supplementary. Can the minister indicate if he will do something about the assessment procedures for foster children? I refer to three reports in the past. Would he move ahead on that, because it's certainly well documented. There are three reports, from 1948 on.

DR. WEBBER: I'm not sure I understand the member's question, Mr. Speaker. If it's in terms of assessing the report of the Cavanagh Board of Review, I thought I had indicated that it's our intention to assess it thoroughly.

MR. MARTIN: I'll make it a little more specific for the minister. I'm talking about the assessment procedures for foster children, as was recommended, I believe, by the Child Welfare Commission in 1948, the Kirby commission in 1972, and the Ombudsman's report of 1981, as well as this Cavanagh Board of Review. My question specifically: can we move on that part of it immediately? It's been there for 35 years.

DR. WEBBER: Mr. Speaker, we'll certainly examine that portion of the report very closely. It is part of the whole process of planning for placement of a child in a proper setting if we can't get that child back in the family. The assessment process is an important component of that, and certainly we'll see what we can do to improve on quicker placement of children into permanent homes.

MRS. KOPER: Mr. Speaker, a supplementary to the minister, regarding child care staff professional qualifications. The board of review points out that 34 per cent of child care staff hold professional qualifications, which is one of the lowest in Canada. The minister has indicated that that has changed to some extent. I'd like to know any further steps the minister may be contemplating to increase the level of competence of our child care social workers.

DR. WEBBER: Mr. Speaker, this particular point about the professional qualifications of the child welfare staff being at 34 per cent was a quoted figure that related to several years ago. Since that time, in the last two years, through recruitment, bursary programs, and hiring practices, that figure has now been increased to 60 per cent. So 60 per cent of the child welfare workers do have professional qualifications.

In addition, over the last several years the department has contracted the services of the American Humane Association to conduct specialized child welfare training in Alberta. To this point, over half the child welfare workers have gone through that program. By March 1984, it is anticipated that the other half will have gone through that particular program. In addition, the American Humane Association has helped us in developing our own trainers, so we will have staff within the department that will be training child welfare workers on an ongoing basis in the future.

Health Care Insurance Blue Cards

MR. MARTIN: Mr. Speaker, I'd like to direct my questions to the Minister of Hospitals and Medical Care. Is the minister in a position to confirm that the blue health cards that are issued in the case of families are solely to parents and not to their dependants? In other words, two cards go out.

MR. RUSSELL: Mr. Speaker, ever since the cards have been in use — since about 1969, I guess — it's been the practice to issue two cards to a family and, upon request by that family, additional cards for children still living at home if they're still dependent.

MR. MARTIN: A supplementary question, Mr. Speaker. Can the minister outline what systems have been established for swift — and I use the term "swift" — provision of duplicate blue cards to dependants, should the cards be required?

MR. RUSSELL: We've been doing it in response to telephone requests during this month of October, not only temporary cards to people who, for some reason or another, didn't get their original blue cards. But also many families have written or phoned in and, as I understand it, have promptly received their extra cards.

MR. MARTIN: A supplementary question. Does the minister have an estimate of how quickly duplicate cards can be made available to each dependant?

MR. RUSSELL: Mr. Speaker, I think it's done within a week. If the hon. member is having a problem with a constituent, I'd be glad to help him.

MR. MARTIN: A supplementary question. I direct this one to the Minister of Social Services and Community Health, but I'll come back. What instructions has the minister given to day care operators in this province, to deal with children who need medical attention but who are not in possession of a blue health card?

DR. WEBBER: Mr. Speaker, no problem in that regard has been brought to my attention to this point.

MR. MARTIN: A supplementary question to the minister. Has a policy been set out to deal with this problem, if it occurs?

DR. WEBBER: Not that I'm aware of, Mr. Speaker. In terms of health care for individuals, I thought that was the responsibility of the parents and not the day care centres, so I fail to understand what the member is driving at.

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

MR. MARTIN: I will come back to the Minister of Hospitals and Medical Care; maybe he will have a little more knowledge

about it. We've been told, maybe wrong information, that it takes weeks in some cases. In view of that, what provisions has the minister made to guarantee that children who need medical attention while in the care of day care operators will receive that medical attention without having to produce a blue card?

MR. RUSSELL: Mr. Speaker, I'm rather surprised at the question. The system hasn't changed just because new cards have been issued. Children who require medical attention while they're at school or day care centres, get it; it's never been a problem. The person in charge of the school or the day care centre, as the case may be, has always contacted the parents and, as far as I know, there's never been a problem.

Child Welfare Report (continued)

DR. CARTER: Mr. Speaker, my question is for the popular minister of the day, the Minister of Social Services and Community Health. With respect to the Cavanagh Board of Review, there is a section which deals with the issue of corporal punishment. Does the minister agree that physical punishment is necessary, and what will he do to ensure that parents and foster parents understand their rights and responsibilities?

DR. WEBBER: Mr. Speaker, certainly the whole question of corporal punishment has been an issue of public discussion in recent months. I've publicly taken the position that with discretion and reason and good judgment, corporal punishment can be used in terms of the care of children in foster homes and in government institutions. It is certainly not my intention to issue to parents in this province directives as to how they can discipline their children. That's a matter for them to decide. We do have a Criminal Code, which deals with the matter of child abuse, beatings, and assault. So I don't intend to do anything in terms of providing information to parents as to what they can or can't do; however, we will address very carefully the recommendations in terms of how children are handled in foster homes and within government institutions.

DR. CARTER: A supplementary, Mr. Speaker. Will the minister be certain that a definition with respect to the fine line between spanking and beating will be made?

DR. WEBBER: Mr. Speaker, that's a good point, in that the current Act is very, very broad, in terms of what constitutes a neglected child. So a child welfare worker has a fairly broad range of judgment, in terms of when they can or cannot apprehend. It's the intention to introduce legislation and, in that legislation, it's the intention that there be a definition of a child in need of protection. That particular definition will be such that it would give child welfare workers a clearer picture of when they can or cannot apprehend children.

DR. CARTER: A final supplementary, Mr. Speaker, to the minister. The board of review is comprised of three members. Were there any dissenting positions filed with the minister from any member of the commission, regarding any of the recommendations whatsoever?

DR. WEBBER: Mr. Speaker, it's an important point that the Cavanagh Board of Review consisted of three individuals and there was no dissension, in terms of a minority report or anything like that, from the members of the board. We have a report with the names of the three individuals attached to it.

Health Care Insurance Coverage

MR. LYSONS: Mr. Speaker, I'd like to direct a question to the Minister of Hospitals and Medical Care. Does Alberta health care pay for elective surgery in outpatient clinics?

MR. RUSSELL: Yes, the doctor is paid on a fee-for-service basis whether it's done in a privately owned clinic or the outpatient department of a hospital.

MR. LYSONS: Mr. Speaker, I'd like to ask a supplemental question. In certain types of eye operations in outpatient clinics, there's a lens that is required — I believe it's for cataract operations — and they cost between \$200 and \$500. Apparently Alberta health care does not pay for these lenses. If not, why not?

MR. RUSSELL: Mr. Speaker, the operation the hon. member is referring to is a lens implant following the removal of a cataract. This is a benefit that's extended under the extended health benefits program, primarily to senior citizens. If the work is done in a hospital, the surgery, the cost of the lens, and the lens implant are paid for. If it's done in a privately owned clinic, the surgical procedure itself is paid for but not the lens.

Because of the increasing frequency of these operations, I've recently asked the department to review that to see if we ought to change our schedule of benefits, because there seems to be some inconsistency in that approach for the time being. But it is becoming a matter of concern because of the increasing numbers of these operations being done.

MR. LYSONS: Mr. Speaker, if I might ask a supplemental.

MR. SPEAKER: We've run out of time. If the Assembly agrees, perhaps we might have another supplementary by the hon. Member for Vermilion-Viking.

HON. MEMBERS: Agreed.

MR. LYSONS: Mr. Speaker, I would like to ask the minister: if there is to be a change in policy on this particular procedure, could he give us any idea as to when this policy may come into effect?

MR. RUSSELL: I'd find it difficult to do that. Our main objective for the coming fiscal year is to try to get some cost containment vis-a-vis the schedule of benefits, and balancing that with the rapidly increasing rates of utilization. So because of that general economic background, I would think at this time that if we were to add to the schedule benefits like we were talking about today, they would have to be absorbed within a global amount.

ORDERS OF THE DAY

head: **COMMITTEE OF SUPPLY**

[Mr. Purdy in the Chair]

MR. DEPUTY CHAIRMAN: The Committee of Supply will please come to order.

ALBERTA HERITAGE SAVINGS TRUST FUND
CAPITAL PROJECTS DIVISION
1984-85 ESTIMATES OF
PROPOSED INVESTMENTS

Department of Recreation and Parks

2 — Kananaskis Country Recreation Development

MR. DEPUTY CHAIRMAN: Has the minister any further comments?

MR. TRYNCHY: Mr. Chairman, last night I was asked if I would make available a copy of the dress code and a copy of the contract. I have no difficulty in making that available, and I'll do so as soon as I can. [interjections]

MR. DEPUTY CHAIRMAN: Order please.

MR. R. SPEAKER: I appreciate that very much, and I think that's a good decision of the minister.

In terms of the other submissions — and I'm not going to ask for the other 126 submissions — could the minister just describe, in a general way, the other submissions that were made? Were they comparable? Were they all Alberta groups that made submissions? Was the difference between the one chosen and the others in terms of experience or in terms of, say, dedication to running a good golf club? In general terms, is the minister able to kind of give an overview of what was faced by the committee in making that final judgment?

MR. TRYNCHY: Mr. Chairman, I can't add any more to what I said at the outset; that was, we had a proposal call across Canada, and we had 127 individuals make submissions. Now, whether they all made a submission and proposal to the committee, I'm not sure. The short list got down to 10, and then down to six and, of course, down to two; then they picked the most suitable people.

I guess the basic thing was that they picked the people with the best expertise in running a golf course, and I think that's pretty important. That's how they arrived at their decision. I don't have that information, and I don't know how I would get it. But I think the important thing to all of us is that we picked the right party to run the golf course for Albertans.

MR. R. SPEAKER: Mr. Chairman, was the minister involved in the short list, in terms of discussing, say, two or three, as to which may be better, or the last 10, as to which one of the 10 would have the best attributes to take on the responsibility? Or was the minister not involved at all?

MR. TRYNCHY: No, I wasn't involved in any of the discussion until the recommendation came to our table.

Agreed to:

2 — Kananaskis Country Recreation

Development \$23,036,300

MR. TRYNCHY: Mr. Chairman, I move that the votes be reported.

[Motion carried]

Executive Council

Workers' Health, Safety and Compensation

1 — Occupational Health and Safety Research and Education

MR. MARTIN: Just before we hear from my friend the minister, I think it is a very important program. I know he talked about it in the heritage trust fund. I would not like this opportunity to go by without having the minister explain how the program is going, what is happening, and giving us a quick overview, so that some of the other members might be aware of it, even the Member for Barrhead.

MR. DIACHUK: Mr. Chairman, if I may. I was a little slow in rising here, and I let the hon. Member for Edmonton Norwood tease me a little bit. I know he's doing that.

As I reflected on previous occasions — and the latest was August 11 — this program was announced in 1980, a \$10 million, eight-year program to provide funds for research training and education in occupational health and safety. Over the past two and a half years, we have funded a variety of initiatives from industry, labor, universities, and others. To date, we have approved approximately \$1.5 million in support of these significant activities. We have reviewed our 1984-85 funding requirements, and in keeping with current restraint measures, we have reduced our budget request to \$1 million from our originally planned request of \$1.3 million.

During the first two and a half years of the occupational health and safety heritage grant program, our grants have assisted in the development of a number of research, education and training activities. To date, 20 education projects, accounting for \$1.15 million, have been approved for funding, while in the research area 14 projects, totalling just over \$300,000, have been approved.

Over the next year, we are especially interested in supporting research projects which focus on specific strategies for accident prevention. My officials recently completed a major study to determine high-priority areas for occupational health and safety research in Alberta. These findings will be used to guide and promote the research funding activities of the grant program. Based on the results of this study, we plan to encourage research in three areas: one, the evaluation of specific prevention strategies; two, the assessment of hazards associated with high-risk situations; and three, determining the critical circumstance underlying specific types of accidents. At a time when industry is concerned about the high cost of compensation, I hope we are going to be able to encourage industry to place a high priority on research initiatives which seek to prevent injury and illness related to employment, which I believe will contribute to reducing the costs of compensation.

Mr. Chairman, these are some of the directions and challenges that will be ours. I welcome the opportunity to raise the three areas, because sometimes interested parties in the province need a bit of a reminder or even encouragement, and we will continue to encourage them to get involved in these three areas.

MR. MARTIN: Mr. Chairman, I appreciate the remarks. It seems to me that we often flip over ... I'm learning in the select committee that among the public this whole area is perhaps one of the most controversial areas, dealing with occupational health and compensation together. Often in the Legislature I think we have attempted to go over it quickly, and that's why I asked the minister to give us an update. As we go around the province in the select committees, there is certainly a lot of interest from industry and labor in terms of this whole area. I intend to take a greater look at this in the future, instead of just having us sit here and pass legislation.

It was important that the minister tell us what was occurring; that's why I asked him to do so.

Agreed to:

Total Vote 1 — Occupational Health and Safety Research and Education	\$1,000,000
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MR. DIACHUK: Mr. Chairman, I move that this vote be reported.

[Motion carried]

Public Works, Supply and Services

Agreed to:

Total Vote 1 — Capital City Recreation Park	\$1,000,000
Total Vote 2 — Fish Creek Provincial Park (Land)	\$1,500,000

MR. DEPUTY CHAIRMAN: Would the minister like to make the necessary motion to report it?

MR. CHAMBERS: Mr. Chairman, I move that the votes be reported.

[Motion carried]

MR. DEPUTY CHAIRMAN: Would the Government House Leader like to make the necessary motion to rise and report?

MR. CRAWFORD: Mr. Chairman, this is always happening to me. I move that the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

MR. PURDY: Mr. Speaker, the Committee of Supply has had under consideration the following resolutions and reports as follows:

Resolved that from the Heritage Savings Trust Fund sums not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 1985, for the purpose of making investments in the following projects to be administered by the Minister of Recreation and Parks: \$200,000, Fish Creek Provincial Park development; \$23,036,300, Kananaskis Country recreation development; \$22,175,000, urban parks.

For the Minister responsible for Workers' Health, Safety and Compensation: \$1,000,000, occupational health and safety research and education. For the Minister of Public Works, Supply and Services: \$1,000,000 for Capital City Recreation Park; \$1,500,000 for Fish Creek Provincial Park.

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

HON. MEMBERS: Agreed.

MR. PURDY: Mr. Speaker, there was no request for leave to sit again. The report is now complete.

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

HON. MEMBERS: Agreed.

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

MR. CRAWFORD: Before the hon. member begins speaking, I could note that having had the opportunity earlier today to speak to hon. members of the opposition about second readings, maybe I could just quickly go over which ones are proposed to be read a second time.

The principle will be that there are some Bills that, if by their substantial nature hon. members would say they are not ready, we could adjourn debate on. But clearly there are a number that can probably simply be proceeded with. Therefore the ones that I propose to proceed with today would be Bills nos. 78, 79, 83, 86, 87, and 94.

Bill 78

Names of Homes Repeal Act

MR. R. MOORE: Mr. Speaker, I move second reading of Bill No. 78, the Names of Homes Repeal Act.

The principle of the Bill is to repeal an old Act which ultimately failed to carry out what it was originally intended to do. Its main purpose, when it was proclaimed, was to assist the post office in locating rural addresses. People in town, in urban areas, have street numbers and house numbers, but in the rural areas there was no way to signify to the post office where these people were. That was the original purpose, but the post office has never used this. It is not in use by the post office; it has not even been accepted by the public to any agree, because there are very few who avail themselves of the opportunity to register their homes under this Act. The basic reason for it is not there; they aren't utilizing it.

A secondary area that was in there was probably to allow people from the old world, or from outside Canada, to bring over the names of family homes and family names themselves and register their homes in Alberta and therefore re-establish that name here. Again, our new Albertans have not taken advantage of it; it is not being utilized in this [inaudible]. The way it is being utilized, though, is that a lot of businesses and farm corporations are using it to register their names for business purposes, which was never a purpose of the Bill in the first place. We have the companies branch to fulfil that role. This was never intended for it. But when you review the few names that are coming through, that is the basic purpose the Act is being utilized for.

When you look at the number of regulations and Acts that we have in force in Alberta regulating our lives, there seems to me to be no reason to carry on a lot of these Acts that serve no purpose. The time has come to rid ourselves of a lot of government regulations and things out there.

The other thing is that in times of constraint and our economic downturn, there is a cost factor related to every Act we've got on the books. There's always somebody that has the responsibility to look after it. When I look at the administration, they seem to find ways and means to justify having staff to look after an Act that is not being utilized and has no purpose. So as an economic reason, I think we should do away with pieces of legislation such as this. I think every Albertan wants his government to be responsible. Every Albertan wants his government to take a look back and say: what have we done; [if] we have something here that we brought into being that serves no purpose or is not beneficial to Albertans that we correct that. I think that time has come, and I would like to close by asking support for second reading of Bill 78, the Names of Homes Repeal Act.

MR. R. SPEAKER: Mr. Speaker, I would like to make a few remarks with regard to the principle of this Bill. As I see it, the reduction of the size of government is basically the principle. Now I give full marks to the hon. member for raising this Act and bringing it forward as a new member of the Legislature, indicating that there really is a concern to try to do something. I don't know how many people were employed in terms of administering the Act, or who was behind the scenes. That doesn't matter. I'll accept on face value that the intent of the hon. member is to try to reduce the size of government, to cut out the waste. And that's great. I hope other backbenchers on the Conservative side of this legislature will take that lead and do exactly the same thing, because I would like to say that I don't think it's coming from the front bench.

I have raised questions in this Legislature, even today, with regard to cutting back on printing costs, on the costs of forms and reports that have cost thousands of dollars in terms of taxpayers' money. I've recommended that costs like that be cut, that less time of our hired staff be used in filling out forms and filing forms that nobody ever looks at. I asked the kingpin of this government, the Premier, if he has given a directive to his ministers as to whether that kind of cost analysis and that kind of cost-cutting will go on in this government. The Premier said, I've answered the question. He never did answer the question and never has answered as to whether he is really coming to grips with that kind of policy. As my hon. colleague says over and over again in this legislature: this government knows how to spend but it doesn't know how to manage the funds.

I'd like to say, Mr. Speaker, that I support second reading of this particular Bill and the principle that is implied. I hope it's an example to other members of this Legislature, because if we're going to bring government into line in terms of its spending pattern, there's only one way to do it: item by item, you continually bring back responsible spending patterns. But if you let the little things go — and there are hundreds and thousands of them in this government, where \$100 is spent here \$1,900 is spent there wastefully. There are many examples of that; I pointed out these forms today. One of these forms costs \$1,500 a form to print 10,000, and 10,000 isn't very many when you're printing a form that's scattered across this province. There were eight to 10 forms printed each time the form was designed. Mistakes were made after the first one, then a second set of forms was printed, and then a third. The minister says: I'm now reviewing it. As backbenchers, you should be on the backs of these ministers, saying: if we're going to really be responsible, then let's get our ministers to come to grips with some of those little things.

I think this Act that is being repealed here is a minor thing. Maybe it isn't going to save any money; maybe there isn't even an expenditure with regard to it. But the fact is that it supports a principle. Hopefully, it will start a trend in this government so that we don't have to introduce new taxes of 13 per cent to impose upon the people of Alberta. We don't have to introduce any new taxes. We'll cut out \$200 million in this government by eliminating the wasteful and the unnecessary. It's a good thing the government is even trying to start it.

If this was the initiative of the hon. member, I compliment him completely. Keep it up hon. member and encourage your colleagues to do the same, because I think it's a good plan in attacking the government. The hon. member can continue to raise issues such as this. Who knows? The Conservative government may become a responsible government, and that's a great thing. So you're on the right track; don't stop. When you feel that the Attorney General is not taking his responsibility, raise it with him, even in this legislature, because he's

the kind of person that worked with great leaders in this country, John Diefenbaker and others that were very efficient and effective. Even if he did hide some of his important papers under his bed, he did a great job. So be the person that is the watchdog. Don't leave it all up to the opposition and you can make a name for yourself in this Legislature.

Mr. Speaker, to the hon. member, I congratulate him and I support him 100 per cent for the move he has made.

[Motion carried; Bill 78 read a second time]

Bill 79

Marriage Amendment Act, 1983

MR. McPHERSON: Mr. Speaker, I'm pleased to move second reading of Bill 79, the Marriage Amendment Act, 1983. There are about nine salient points involved in this Act, most of which are designed to streamline the administrative aspects of the Marriage Act. I intend to draw to members' attention each of the nine or so important points in this Act and conclude with asking for acceptance.

The first area is that the Act would propose to eliminate unnecessary orders in council by authorizing the minister to appoint marriage commissioners, marriage licence issuers, and to make regulations under the Act. Essentially we're dealing with regulations that are purely of an administrative nature.

Another area would be to limit the duration of appointment of marriage commissioners and marriage licence issuers to a period of five years. It's my understanding now that the marriage licence issuers are appointed for an indefinite period of time, and it causes difficulty with respect to knowing precisely how many marriage licence issuers there are in Alberta. So that's what that would clarify.

Another point would be that there's an intention to replace the word "clergyman" with "clergy". As I mentioned in moving this Bill, it's in recognition of the growing number of women in the clergy.

Another requirement would be that a witness to the solemnization of a marriage would be an adult. The Act now doesn't provide that there be any age with respect to a witness.

It would provide that the justice of the peace would be removed as an authority to swear an affidavit which can't be sworn in person before a marriage licence issuer. This would remove the situation where many people feel that a justice of the peace has the authority to marry people in this province, which is not the case. It's to clarify that.

There's another provision that would increase the sanctions for contravention of the Act, Mr. Speaker; to simply increase the outdated modes of fines that are involved in the existing Act.

Another area would change the provision authorizing the fee for taking blood and blood specimens in accordance with the fee schedule under the Alberta health care insurance plan, which would replace a requirement now that there not be a fee of greater than \$15. So the fee will be under the Alberta health care insurance plan fee schedule.

Finally, to change the wording "certificate of marriage" to "proof of marriage document". Currently the Act refers to a certificate of marriage for a document which is in fact a proof of marriage document, and which is often confused with the official marriage certificate issued by the department of vital statistics.

Those, Mr. Speaker, are the salient points. I would ask that members concur with passage of second reading of Bill 79.

[Motion carried; Bill 79 read a second time]

Bill 83
Alberta Municipal Financing Corporation
Amendment Act, 1983

MR. HYNDMAN: Mr. Speaker, I move second reading of Bill No. 83, the Alberta Municipal Financing Corporation Amendment Act, 1983. As members can see, this Bill is short and in fact contains only one amendment, which is to raise from \$5.8 billion to \$7 billion the borrowing limit of a corporation.

Members will recall that a Bill similar to this usually has been brought before the Assembly every 18 months to two years; that has been the time line over the last decade. The amounts of moneys involved represent the gross dollars in the corporation. I might mention that we expect the present borrowing limit of \$5.8 billion to be reached in perhaps middle 1984. The proposed borrowing limit, as found in the Bill, hopefully will last until the fall session of 1985, at which time, depending on what is predicted to be the borrowings of municipal and school authorities, it may be that another Bill and another amendment will have to be brought forward.

The gross outstanding debt of the corporation on December 31, 1982, was some \$4.6 billion. In that connection, I commend to hon. members the annual report of the Municipal Financing Corporation which was made public recently, and which indicates that in the year under review, 1982, approximately half of all the borrowing in Canada was done by and through the Alberta municipalities and school districts. Accordingly I commend the Bill to the Assembly, Mr. Speaker. The AMFC continues its role as essentially the umbrella-financing agency for municipalities and schools in the province. This is our estimate as to the moneys that will be needed, and I therefore commend it to the Assembly so that municipalities and school districts can continue to borrow under the umbrella of the corporation for capital construction.

MR. NOTLEY: Mr. Speaker, obviously those of us in the Assembly are going to have to vote for the Bill. But I think there are a couple of observations that have to be made as we assess Bill 83.

First of all, it's worth noting that interest-shielding provisions that have been made available over the years for Alberta municipalities were unilaterally dropped by this government in the spring. That is going to increase the interest payments that municipalities and school boards have to make in years ahead. At a time when this government is attempting to preach restraint and tell us what they're doing to tighten the belts of Albertans, unfortunately we are going to find that in the absence of interest-shielding the cost to the taxpayers of keeping up with the interest payments on debts will in fact mount, especially if there is any change in overall interest rates. It was just a little over a year ago that we had exorbitant interest rates. Who is to say that high interest rates are not around the corner?

The second observation I would make on Bill 83 is to note that we are increasing the amount very substantially, from \$5.8 billion to \$7 billion. Why are we doing that? It's obvious that local governments are going to have to borrow more heavily in the next two years than ever before. Why? Because we had the announcement in the House, the day before yesterday if my memory is correct, that local governments and school boards can expect only the same dollar amounts next year in the budget as they received this year. What's that going to do, Mr. Speaker? Well unfortunately, the costs of government rise, whether one likes it or not.

We could pass all the resolutions we like and give all the speeches we want in this House. It isn't going to alter the fact that there are increases in the cost of government, especially

at the local level. School boards are going to have to find more money. Regardless of what the Provincial Treasurer does with respect to provincial education grants, they're going to have to find more money to pay higher power bills to heat the schools, to pay for the fuel costs, to pay for the repair costs in their school busing fleet, to meet whatever increases in teachers' salaries have been negotiated. The fact of the matter is, Mr. Speaker, that there are certain inevitable cost increases that local governments and school boards are going to have to face in the next budget year. Even today, we have the suggestion that the city of Edmonton may have to see a 26 per cent increase in the property tax burden.

Mr. Speaker, one option is to increase the borrowing. I suggest that what we're going to see in the next year unfortunately, because of the policy of this government which now appears to be clear, is that they're going to be squeezing the funds as far as local governments and school boards go. The policy of this government is going to force local governments in Alberta to borrow more and more and more, so that the debt burden may not exist at the provincial level but is going to be shifted all the way to the municipal level. It's going to be shifted over to the school boards. It's going to be shifted over to Albertans as local taxpayers. That's inevitably the consequence of government policies.

Mr. Speaker, what we're doing at the moment is giving our umbrella authority the ability to be able to handle more debt for these local governments and school boards. But the question surely has to be put to members of the Assembly: is it not more prudent to develop policies which will allow local governments to be able to sustain their operating costs without having to borrow additional funds, and substantial additional funds at that?

I note that the minister was very cautious when he spoke in second reading and said he hopes the government won't be back again to increase the limit until the fall of 1985. If we're at \$4.6 billion now and we're looking at a ceiling of \$7 billion, that must mean that even the government sees a massive increase in local debt over the next couple of years. Mr. Speaker, I don't think there's much doubt that that is the inevitable consequence of misplaced government priorities.

So while I have no interest in seeing our municipalities having to scramble on their own to seek borrowings on the international money market, and I think the Municipal Financing Corporation allows for some efficiency in dealing with the needs, the capital requirements and the requirements for borrowings of local governments, therefore I am compelled to vote for this Bill in principle, from the standpoint of alleviating some of the difficulties of local governments and at least obtaining borrowings. The fact of the matter is that the larger question still is not answered. Is it good policy to force local governments into an increasing debt situation?

Mr. Speaker, I would just say to members of the House that you certainly have an opportunity to assess this as we get into whatever Bill is presented with respect to the 13 per cent increase in personal income tax. But if what the minister said two days ago is correct — that local governments can expect the same dollar figures next year as they received this year — let me paint the inevitable picture that is going to face Alberta taxpayers next year. They're going to have an increase in medicare premiums, which this government has foisted upon us; they're going to have an increase in personal income tax, which this government has foisted upon them. They're going to be paying user fees when they go into hospitals, which this government is foisting upon us on January 1, 1984.

In addition, Mr. Speaker, because local governments are going to be in a debt situation, are going to be caught with the

problem of rising costs and grants which are kept at a constant level by this government, then they're going to have to borrow more and more money and property taxes are going to have to be increased, in part at least, to meet the rising debt charges of local governments. So we're going to be hit with massive increases in property taxes throughout the province of Alberta, far from being a tax haven.

Mr. Speaker, the next couple of years we're going to find, notwithstanding any other unpleasant surprises that may be sprung on us before this fall session is completed, that Albertans are going to be paying through the nose. So regretfully we in the opposition are going to have to support the increase. But I say to members of the government that it would be much wiser and much more prudent in government caucus, when you start thinking in terms of the budget process — that is, if any of you people in government caucus are going to have the slightest influence in the budget process or whether that's going to be a decision reserved for only two or three people. But to whatever extent you have in influencing government caucus on the budget process, we have got to at least provide the kind of funding for our health and education systems in the province which will allow those systems to keep pace with whatever the real rate of inflation is, than to simply tell local governments that constant dollar figures is all they can expect.

Mr. Speaker, we're just setting the local taxpayer up for higher taxes down the road. It may make the books that the Provincial Treasurer presents in this House look a little better, but it isn't going to alter the fundamental problem that Alberta residents are going to face as Albertans. We'll simply be paying locally what this government isn't honoring at the provincial level.

MRS. FYFE: Mr. Speaker, I'd like to add a few comments to Bill 83, a few comments that inspired me to get to my feet after the previous speaker, who obviously has demonstrated a very shallow understanding of municipal finance. He seems to think that the Municipal Financing Corporation is funding operating costs in local government, which is not the case. The Municipal Financing Corporation funds capital projects that are approved through debentures that municipalities and school boards have passed at the local level. I don't know of any local government that is borrowing funds for operating costs.

It's important also to recognize that when we're talking about municipal grants, we're not simply talking about the unconditional grants that are provided to each municipality based on population, based on an equalized assessment, and a number of other factors. We also must remember that there are grants that relate to the support of policing within the communities, family and community support services where the grants have grown dramatically over the last few years and provided programs that are unparalleled in other parts of the country. Our road building program: we're one of the most aggressive anywhere in North America. The water and sewage programs: we have programs within this province in water and sewage improvements that are second to none anywhere. There are large urban centres in Canada that are still pouring raw sewage into the oceans and the water systems, where Alberta has put huge numbers of dollars into these programs to support local governments.

I get input from municipalities within the constituency I represent to say that our provincial government has treated us well. I think they recognize that they have to set priorities, that there are no money trees. We've lived well on the resources of our province, but they also know that they have to set priorities in local spending. They have difficult decisions to make in the local communities. But the irony of it is that just

a few days ago the members of the opposition were criticizing the government for a tax increase, and here we're saying this afternoon, spend, spend, we need more money for spending. Maybe another 20 per cent would help satisfy the needs of the opposition members. They said, I think the Leader of the Opposition has demonstrated a shallow understanding of municipal finance. I think most of the municipalities and local councillors across this province recognize it's not going to be easy, but they're willing to participate in the process of setting priorities and serving the needs of their local residents across this province.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: In concluding briefly, Mr. Speaker, certainly the hon. Member for St. Albert has said it well; that is, living within our means is something Albertans understand. Apparently the opposition does not, because what essentially they're calling for here are higher subsidies, greater expenditures by government. They seem to have forgotten that the program of the Alberta Municipal Financing Corporation is the most generous in Canada, bar none. It will involve further subsidies of more than \$1 billion up to the turn of the century in this province. But essentially we are involved with the socialist way here again, and that is spend, spend, spend. Spend the public money, spend someone else's money, without regard for the future. [interjections]

MR. MARTIN: Twelve hundred dollars.

MR. SPEAKER: Order please.

MR. HYNDMAN: I know this is difficult for them, Mr. Speaker, but it's important that they hear this, because it's always bigger government, a greater suffocating overlay on the public. That's the socialist way.

MR. MARTIN: Tell us about the \$1,200.

MR. SPEAKER: Order please. Surely the odd catcall across the floor is something we expect in every parliament, but we had a terrible display last week, just a week ago today, of such a concerted effort by a number of members that *Hansard* is incomplete for that day because it was simply impossible to hear some of the things that were said. When a member can't get up in this House and debate and be heard, that is most definitely a gross breach of privilege. Now if the hon. members want to toss barbs around, I suggest they do it — and I make this suggestion very respectfully and, I hope, kindly — within due measure so the business of the House may proceed, that *Hansard* may produce a proper record, which is one of my responsibilities, and the entertainment value may be kept just a little bit below the business value of what goes on in the House.

MR. NOTLEY: There is entertainment value in the speech; no question about that.

MR. HYNDMAN: Well, Mr. Speaker, just to make sure that nothing provocative is said, I would just observe that every time the hon. members of the socialist party stand in the House the cash register rings up in terms of extra public expenditures, tens of millions of dollars of spending — new programs, expanded government — and today is just another example. If

a total were kept, it would be in the tens of millions of dollars that they are promoting every day. No regard for a deficit. Let the deficit run straight ahead. They're saying: continue; don't worry about it.

That's not fiscal integrity. There has to be a living within our means approach that the majority of people within this province believe in. Their approach to public financing is simply to spend more, to suggest more — it's very popular, of course — without looking at the other side, fiscal integrity. It adds a load to the taxpayers in the future. The taxpayers in the future of this province will remember the statements being made by the opposition, because they would have to pay massive amounts of increased taxes for the proposals constantly being made by them. Spending and spending, bigger government, and the bureaucracy increasing is the theme we've heard and seen and will through the rest of this session, Mr. Speaker, so I'm not surprised at the opposition.

I commend the Bill to the Assembly.

[Motion carried; Bill 83 read a second time]

Bill 86

Manpower Development Amendment Act, 1983

MR. JONSON: Mr. Speaker, I move second reading of Bill No. 86, the Manpower Development Amendment Act, 1983.

The major purposes of this Bill are threefold; first, to change the title of director of the Apprenticeship and Trade Certification Board to executive director. This is in keeping with the designation of people in those positions of similar responsibility and is to some degree a housekeeping item.

Purpose number two is to remove the requirement that a parent or guardian sign the contract of apprenticeship of a prospective apprentice who is a minor. The advantage here is to facilitate the placement of apprentices where the parent or guardian is not readily available. As I'm sure members of the Assembly know, the placement of apprentices sometimes has to be done in a very short period of time if young people are going to avail themselves of the opportunities a particular tradesman or firm may have available to them.

The third purpose of the Bill is to remove the requirement that a local apprenticeship committee make recommendations to the director respecting granting credit for previous training. Once again, Mr. Speaker, this is designed to improve the opportunity for things to be done quickly. Right now the local apprenticeship committees provide valuable work in making guidelines and setting policies with respect to the evaluation of qualifications, but they only meet perhaps three times a year. Where the individual is concerned about getting his previous training recognized, this particular provision will speed up the whole process.

In conclusion, Mr. Speaker, I would say that in commending these changes to the Assembly, I think particularly the second and third purposes I've outlined will do quite a bit to help young people in their apprenticeship arrangements, and the change is needed. I commend the Bill to the Assembly.

[Motion carried; Bill 86 read a second time]

Bill 87

Public Inquiries Amendment Act, 1983

MR. CRAWFORD: Mr. Speaker, I move second reading of Bill No. 87, the Public Inquiries Amendment Act, 1983.

Mr. Speaker, the important principles of this Bill are intended to assure that a person who may be affected by the evidence,

or a person who may be affected by the report of a commission, will have a suitable opportunity to respond to allegations that might be adverse to him or damaging in some way.

There is quite a background to the history of the idea of a fair hearing. The courts respect it meticulously, and it is their duty and role to apply the concept of a fair hearing for all persons appearing there. There are other forums in which people's interests may be affected. The forum of a public inquiry, under the Public Inquiries Act, is another one of those situations in which a person may be adversely affected and may, in all fairness, need to have some special statutory provision in order to come to his aid and ensure a fair hearing in those circumstances.

I mention how much attention has been given to this over the years. It's nearly 20 years since the royal commission on tribunals of inquiry under Lord Justice Salmon in Great Britain enunciated six cardinal principles for the conduct of a commission of inquiry. Those principles have been much discussed since and in part legislated and, in any event, in part applied by commissioners presiding at such hearings. It might be of interest to note very briefly what the six principles are.

The first one is that before any person becomes involved in an inquiry, the tribunal must be satisfied that there are circumstances which affect him and which the tribunal proposes to investigate. That would appear to be an absolutely essential prerequisite before any person literally stakes his reputation or allows his interests be publicly discussed and affected. It seemed to me that that is a prerequisite to that occurring.

The second cardinal principle is that before any person who is involved in an inquiry is called as a witness, he should be informed in advance of any allegations against him and the substance of the evidence in support of those allegations. Thirdly, he should have adequate opportunity to prepare his case and to be assisted by legal counsel. At that point, there is always the question of the expenses involved in representation by legal counsel. That is not one of the issues which is addressed in these amendments.

The fourth principle is: a person should have the opportunity of being examined by his own counsel and of stating his case in public at the inquiry. Fifth, any material witnesses he wishes called at the inquiry should, if reasonably practicable, be heard. Finally, the sixth of the cardinal principles is that a person involved in an inquiry should have the opportunity of cross-examining, either by himself or through his legal counsel, any evidence which may affect him.

I mention all of those principles, Mr. Speaker, in light of recollections some of us would have that heads of commissions of inquiry, to my recollection, have on occasion themselves remarked upon the potential unfairness in examining complicated transactions involving large numbers of people and having many names widely publicized. The possibility is always there that a person who has been referred to in some way is not before the inquiry, or not at the appropriate time before the inquiry.

I make reference to appearing at the appropriate time. It may well be in a case that a person has given evidence, that his interests are affected by what is being examined and inquired into. But it's subsequent evidence that does the damage. The amendment before the Assembly in Bill 87 would provide that if that has occurred, a person would be entitled to return, obviously with the consent of the commission, which it is assumed acts judicially and fairly. I think we can accept that and know that the system would not work if that were not the case. With the permission of the commission of inquiry, that person could answer allegations made even though he had earlier given evidence himself.

The same sort of principle applies to the preparation of the report of the commission. It would be an important provision of the Bill that no report of a commission would be made where there is misconduct alleged, unless the person had been given reasonable notice of the allegation and he had had the opportunity to be heard. Of course that is a slightly different matter than the mere giving of evidence. The giving of evidence may well raise the issues. The fact that a report is to be made dealing with a specific allegation is, of course, taking it a further step and making a finding.

Mr. Speaker, I want to refer to a specific royal commission of inquiry of a few years ago in which one of our judges, who I believe at that time was on the Court of Queen's Bench but is now on the Court of Appeal, looked into the situation involving the Royal American Shows. That is a case which many hon. members would recall hearing about at the time. In the course of the proceedings, he made certain observations about the six cardinal principles of tribunals of inquiry which I've already referred to.

Trying to paraphrase rather than quote at this point, what Mr. Justice Laycraft said, was how difficult this process may be. He pointed out the ascertainment of allegations which may be harmful, or at least the refinement of those allegations to something specific, was part of the very process of the commission. So you have, the picture: the duty to inform a person that an allegation is to be made against him, but the process hasn't gone far enough at that point in order to know that that allegation will be made. It places a heavy burden on the judge or other person chairing the inquiry because of those facts. He pointed out that there were occasions when evidence affecting some person came forth as a surprise to all concerned. And we would think that there must be cases in which that would be unavoidable. Therefore, Mr. Speaker, some of those concerns are addressed by the ability of a witness or a person against whom misconduct has been alleged to return and answer allegations.

That is the essence of the new proposals that are in this Bill, Mr. Speaker. There is also the provision that provides by statute now that a person appearing may be represented by counsel. That was not previously in the statute, although it was the custom that was almost invariably followed.

Mr. Speaker, with those observations, I think the amendments, in their result, will place our legislation in respect of public inquiries in very good order indeed, comparable to if not better than similar legislation elsewhere, and will make those necessary provisions, adding again to the certainty that fair hearings can indeed be conducted however difficult the circumstances.

Mr. Speaker, I urge hon. members to support the second reading.

MR. NOTLEY: Mr. Speaker, I certainly intend to support the principle of Bill 87. I think the comments made by the Attorney General are quite appropriate in terms of the references to at least the public inquiry that received a good deal of publicity; all kinds of names were suddenly thrown about in the public arena. The provision of this Act which would allow those people to come back and appear before the commission would, I suspect, be of some value.

However, the reason I rose, Mr. Speaker, is that in looking over the Public Inquiries Act, I am not able to discern any reference to the question of payment for legal counsel. Now I know this is a very difficult issue, but it seems to me that one of the problems with our whole system is that we should not deny justice to people because of their inability to pay for legal counsel. The difficulty in this Act, as I understand it, is that

while we are now making it possible for people to come with legal counsel, that of course is going to be in large measure dependent upon their ability to find the money in order to retain legal counsel.

Mr. Speaker, I well recall an inquiry about 16 years ago. I believe at that time the hon. Attorney General was a representative of the Conservative Party. It was an inquiry into certain allegations that were made in the Legislature, if my memory serves me right. I don't know what the legal costs were for the Conservative Party, but I certainly know what the legal costs were for the New Democratic Party because I was provincial secretary at the time. The costs were enormous because the inquiry went on, as these inquiries do, for a long period of time. The costs are very significant.

At that point I was looking at it strictly from the standpoint of an administrator; I had to try to dig up the money for this thing. I felt at the time that the whole issue of public inquiries required some clearer way of assessing how people who either were called or were in one way or another involved in making submissions or were relevant to that public inquiry — that there had to be some fair and equitable method of dealing with the appropriate legal costs.

I know that's not an easy thing to undertake, Mr. Speaker, because to what extent do we get into a situation where, in a broad-ranging inquiry — and the minister used the example of the Royal American Shows inquiry. There were so many names involved that if we paid the legal counsel for everybody, I suppose the costs of the inquiry would be very high.

I leave with members of the Assembly at least my concern. In just looking over our legislation here, I don't see any clear provision for the payment of legal counsel. If I am wrong, I would certainly appreciate being corrected. Hon. government members have never been embarrassed about correcting members of the opposition, and so I am sure that practice will continue. But I think the issue of the right to appear and be heard is only real if that right is accompanied by the ability to have proper legal counsel. If the ability to have proper legal counsel is dependent upon one's bank account or the bank account of whoever is party with the people to the inquiry, then I submit that we really will still be somewhat short of the goal that is set out in Bill 87.

When the minister concludes debate, perhaps he might bring us up to date on the issue of payment for legal counsel in general and to what extent the government can reconcile access to an inquiry without, at the same time, some reasonable provision for the costs that are involved.

MR. MARTIN: Mr. Speaker, just to follow up, with regard to section 12 of the Bill 87 where it states:

No report of a commissioner or commissioners that alleges misconduct by any person shall be made until reasonable notice of the allegation has been given to that person ...

I guess I would like some clarification of the intent of section 12. It's clear, Mr. Speaker, that one of the things that will occur is that it's certainly going to delay reports. I expect that might be a reason for doing it; I don't know. Again we get into the reason. I guess I'm asking the Attorney General if he feels that people are getting into public inquiries too easily, or is this a method to make people be sure of their evidence? Just what is the rationale for section 12? The one thing, which my colleague has talked about, is that we're looking at costs, and I guess that comes back to what he was talking about in terms of the legal costs, who pays, and these sorts of things.

The other thing dealing with section 12, if it is costly then it could be that in a public inquiry only high-income people

who saw wrongdoing, if you like, would take it upon themselves if they were going to go to court and were going to have to pay. I am sure if there is a long delay, this may cut back on people doing it. That may be the purpose, and I can see some advantage to people not being frivolous, because these are very serious matters. But I would not want us to go to the other extreme, where there was wrongdoing and people were so afraid of the cost, the delay, and the procedure that they just say to heck with it; it's not worth it.

I would ask the Attorney General if he might clarify the intent of section 12 a little more, Mr. Speaker.

MR. BOGLE: Mr. Speaker, I am pleased to rise and speak in support of Bill 87, the Public Inquiries Amendment Act, 1983. In my view, one of the most important pieces of legislation that we have in the province of Alberta is the Public Inquiries Act. It's a piece of legislation which allows a commissioner or a board of review to hold hearings, to examine documents, to call witnesses, and to generally look into any matter which it is asked to look into by the government. The powers of the commission of inquiry are very broad, and the subject matter of the board of review inquiry is always described by the order in council. I view the proposed amendments brought forward by the Attorney General as positive steps in improving this very important piece of legislation.

During my tenure in this Assembly, I recall the Kirby Board of Review, the Laycraft inquiry, the Brennan inquiry and, most recently, the Cavanagh Board of Review, which was handed to this government last week, on October 20.

The key principles contained in the amendment, Mr. Speaker, have already been enunciated by the Attorney General. I think it's important to reiterate them: to ensure that if an individual resides some distance from where the board of review is conducting its hearings and that person is either unable to easily get to the board of review or, vice versa, the board of review cannot easily get to that person, provision should be made so that evidence could be given by that individual and further considered by the board of review; that a person be appointed to take the evidence under this section; and that an individual be given the opportunity to be represented by counsel — very important, and it's something that we probably take for granted because it's part of our British tradition of law. I am pleased to see the Attorney General proposing this as an amendment to the legislation.

Moving on to the fourth main recommendation: that any witness who believes his interests may be adversely affected by testimony given before the commission shall be given an opportunity during the inquiry to give evidence on that matter — again, Mr. Speaker, an item which merely enhances the legislation and ensures that fairness is always a foremost consideration.

In my view, Mr. Speaker, the most important amendment being proposed, and one which I think is so very, very critical to ensure that justice is done, is to ensure that no report of the commission that alleges misconduct by any person shall be made until reasonable notice of the allegation has been given to the person, and he has had an opportunity to be heard. First of all, it's important to realize that during the process of either an inquiry or a board of review, an individual or a group may come forward and remain anonymous. I think that's perfectly fine. But if allegations are made by an individual or a group, then the person on the receiving end of those allegations clearly must be given reasonable notice of the allegation and an opportunity to be heard and, if he so chooses, to be either represented or accompanied by counsel. In short, the same rights and pro-

tection as our courts provide must be accorded to individuals appearing before, and treated by, this legislation.

Therefore, I urge all members of the Assembly to support this amendment.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, in concluding debate I indeed welcome the opportunity to make just a few more remarks about Bill 87. Inquiries are really quite a widespread and important aspect of public administration, wherever they occur. In the course of debate, including the four mentioned by my hon. colleague, there have been a number in the last decade in Alberta. He forgot one, because he wasn't here at the time, that is yet another example. The hon. Leader of the Opposition will remember the Davy inquiry. I was particularly interested in that one because it seems to me that I was the reason for the inquiry in that particular case — at least the objective. The inquiry was called because of certain statements made by the then Member for Drumheller, a member of the opposition at that time. He still is, but he's in Ottawa now.

So I won't dwell on that, but I'll mention another one by name — the Morrow inquiry — that was held in respect of certain dealings in the city of Edmonton, involving, as I recall, the names of virtually every municipal politician and senior official in the Edmonton city council and administration. I think the commissioner and others involved were very concerned at the way, as the matter evolved, it seemed that people who would ultimately likely be totally absolved when the report came out, nevertheless for a period of days and for that long waiting period until some resolution of the matter was made and a report was provided, had their names before the public in such a way that must have been stressful and of deep concern to those people. We don't have the same concern for the stress that may be experienced by the person who is ultimately found to have acted wrongly, if that's part of the report. But looking back over many of those situations, it is a relatively small number of people that a judge or other chairman of an inquiry will actually point to as having acted wrongly. It's the many, many others, of course, who may be hurt in some way.

Without repeating the principle, Mr. Speaker, in order to ensure that what is done by a commission is very carefully done, I think the ability for a person affected to return to the forum is extremely useful. I say to the hon. Member for Edmonton Norwood that section 12 is really a logical extension of that principle. If a person has the right, having given evidence and then hearing either contradictory or totally unanticipated evidence which places him in a bad light — if he is enabled as a witness to return and give some form of explanation, then it's logical to extend that to the report stage. That's what section 12 is aimed at, so that that has to occur at the report stage as well.

The observation that this could lengthen proceedings has, I think, two responses. One is that the fairness of the proceeding is the crucial element as compared with the length of it. The other one is that it indeed may not increase the length. The commission of inquiry may be helped by moving soon rather than late to hear a further explanation of a particular incident, for example, remembering always that it's not just an matter of someone coming back and trying to make satisfactory excuses because he didn't like what he heard the day before, or anything like that. That person is there under potential — indeed, almost certain — cross-examination. So it really is a way in which the commission can be assisted in its work, and

need not — and in the majority of cases, probably would not — noticeably add to the length of the proceedings, although there would be some cases when it could.

I want to note for the hon. Leader of the Opposition a few remarks with respect to costs. I think the concern there can be seen readily enough. There is a policy at the present time that many costs are paid, but the person must make a request for that. It may not sound entirely fair to say that there is some discretion. But the alternative is to leave it totally open-ended. I used for example the reference to the Morrow commission, because my memory is that there were so many witnesses in that case, so many names mentioned. Some were clearly not necessary to actually be before the commission in order for it to do its work. However, if there were a completely open-ended system of the payment of legal costs, then I think we could be assured that the proceedings would be much longer and that everybody who had for some reason the slightest concern about something — even if his name was not mentioned, he may have been indirectly involved — would be there, asking the commission: put me on. I realize the commission could say no, but he'd be saying: put me on and I'll have Mr. Clarence Darrow for my lawyer, thank you very much. We would have that sort of situation. We know we would have that sort of situation, because we're always at the pressure point of having that happen even as inquiries occur now; there are representations from people that costs be paid.

There are other forums in which citizens are also involved and governments try to help in certain ways. I use as examples the consumer groups who may want to be heard in a particular forum, the Public Utilities Board or the like. This is usually handled by grants rather than an open-ended way of saying: as an intervener, proceed and we will see you paid. It is an opportunity for lawyers too, when they know that Her Majesty is about to pay, that the cheque is good, and that it's difficult to question the amount of the account — by that I mean things like the per-hour rate may be just a little bit more for Her Majesty than for some other client. Then the public should have a concern that those costs could run quite high.

So it's things like that that made us decide, at this time in any event, not to put in sort of an automatic right of compensation for costs of legal counsel.

I conclude on such a note, Mr. Speaker, which is so gratifying to me. I'm able to tell the hon. Leader of the Opposition that I remember well the Hooke-Hinman inquiry, which took place in the spring of 1967. It was instigated because of certain allegations made in respect of those two gentlemen. The Premier of the day, just prior to calling an election, decided that the best way to put the issue to bed was to call for the inquiry, but to do so at such a time that the inquiry couldn't be held and make any findings until after the election. That's exactly the way it was handled, and in due course the inquiry under Mr. Justice Kirby commenced.

I hope hon. members will bear with me if I relate one entertaining anecdote in connection with it. Legal counsel for one of the two gentlemen — and I can't remember whether it was Mr. Hooke or Mr. Hinman — was the former Attorney General, Mr. Maynard. The judge was the former Conservative Leader of the Opposition who had been defeated by then and had gone to his reward, if one can put it that way, on the bench. Judges don't like me speaking of them that way, but they always understand that when I refer to a judge as a benched politician, there is some glimmer of understanding of that fact in the minds of at least some people.

Mr. Speaker, I remember Mr. Lucien Maynard becoming so excited in the course of his argument to Mr. Justice Kirby on

that occasion that he didn't refer to him as "My Lord" but as "Mr. Speaker". It was a delightful moment.

The only other thing I want to say to my hon. friend is that I remember very well the distinguished legal counsel retained by the New Democratic Party for that hearing. I had no idea of course what he was charging. The hon. member has told me it was a lot; that would not surprise me. At that time I had no idea whether or not he was a political supporter of the hon. leader's party, but I gather that he was not. The cost to the Conservative Party in the same circumstances was very, very small, and I mean that. It was a matter of Mr. John Hill of Edmonton and me acting, perhaps because of the inspiration that comes to one if one is strongly motivated on account of political principles.

Thank you, Mr. Speaker.

[Motion carried; Bill 87 read a second time]

Bill 94

Election Amendment Act, 1983

MR. PAYNE: Mr. Speaker, in moving second reading of Bill 94, I would like to take a moment or two to elaborate on at least two principles of the amending legislation that I alluded to in my introduction of the Bill yesterday, the first of which appears as amendment No. 8 on page 3 of Bill 94, wherein section 41(d) is repealed and is substituted with an amendment, the intent of which is to enable an individual in an institution such as a remand centre, awaiting trial, to exercise his or her franchise, assuming that that individual's name appears on the list of electors. Members will recall that this was the subject of a private members' Bill introduced in the spring sitting by the Member for Calgary Egmont. The amendment is built upon the presumption of innocence until the finding of guilt, which of course is an important legal principle in our legal system. I hope that members would agree with me that it's very appropriate that that virtually sacred principle be reflected in our own provincial election legislation.

The second principle that I mentioned yesterday on introduction and that I would like to speak on today appears as amendment No. 12 on page 4 of Bill 94, wherein section 91(1) is repealed and is substituted as indicated on page 4. To summarize the intent of the proposed amendment, when an elector, for whatever reason, did not have his or her name on the list of electors, under section 91(1) of the existing legislation that elector was required to do two things: to establish proof of residency in that electoral subdivision and to swear an oath that he or she was a qualified elector.

Following the November 1982 election, the Chief Electoral Officer reported to me that a number of the returning officers had encountered some considerable difficulty with the implementation of these two requirements of the non-listed electors. To illustrate some of those problems, the Chief Electoral Officer indicated to me that eligible electors not on the list for a polling subdivision had recently moved, either across town or from another part of the province, and didn't have suitable ID. That is to say, the current ID in their possession showed the previous or former address. That was a difficulty encountered by returning officers in both rural and urban constituencies.

Another difficulty encountered in the rural constituencies was that a considerable number of rural electors arrived at their polls carrying ID that showed only their post office box or a rural route number. As well, returning officers reported several instances where eligible electors produced hastily completed rent receipts, witnessed at the poll by a friend or acquaintance. Intelligent but indignant and sometimes furious and frustrated

electors considered themselves being treated differently from other electors who had got on the list of electors at the previous enumeration or at the revisions following the issue of the writ without having to show any proof of ID and so on.

A number of options were considered by me and the Chief Electoral Officer and the government caucus, such as a reversion to the '79 vouching system, the elimination of swearing-in at the polls, and other possible revisions. But after some considerable review of the various alternatives, the one that was deemed to be the most practical and most appropriate is that that appears as amendment No. 12 in Bill 94. To summarize the revision of the practice, an elector whose name does not appear on the list of electors will now be required to show not a proof of residency but simply a proof of identification, with such documents as a vehicle operator's licence, a health insurance card, a senior citizens' identification card, or indeed any identification that in fact is acceptable to the deputy returning officer. In addition, such a non-listed elector would be required to take an oath, and sign it before the deputy returning officer, stating first that he qualifies as an elector and, secondly, ordinarily resides in that polling subdivision.

In my view, those are the two major principles of the Bill. There are a number of other amendments, and I will make fleeting reference to three of them. One amendment provides authority to the Chief Electoral Officer not to proceed with a general enumeration in the calendar year that an Electoral Boundary Commission is established and in the year following the establishment of such a commission. It might be appropriate also for me to indicate that the incapacitated or absentee voter procedures have also been revised to reduce duplications and to streamline the voting procedures. I'm sure that streamlining will be obvious to the members as they simply compare the existing provision and the amendment in Bill 94. Finally, the definitions for both candidate and elector have been updated. "Candidate" definition has been made the same in both the Election Act and the Election Finances and Contributions Disclosure Act, and "elector" has been redefined to standardize eligibility at elections and for general and special enumerations.

With those amplifying comments, Mr. Speaker, perhaps I could just turn the time over to those other members who might wish to make additional comment or ask questions. I might make a specific reference to the Member for Calgary Egmont, inasmuch as he did sponsor a private member's Bill in the spring that dealt with one of these important principles.

Thank you.

MR. MARTIN: Generally, it looks like a housekeeping Bill. I have no objections. I think it was a very important principle. I would also commend the Member for Calgary Egmont, because the idea of innocence until proven guilty is a very important one in terms of the courts. I'm glad we've done that. It's going to be rather interesting trying to canvas potential voters in those areas, but that will be a problem that we will deal with at some point.

I like the idea of section 91 because I can tell the minister that in the riding of Edmonton Norwood, there is quite a turn-over. I know that some of the returning officers were almost going strange with all the people that were coming in who said they'd moved there. I think any time you can simplify the matter and put it back — that they're signing an oath — then it's generally good to simplify the voting procedures. To make voting as simple as possible for people I think is a very important precedent. So I compliment the minister for those two parts of the Bill.

I'm just a little confused, though. We now have an Electoral Boundary Commission, the one you mentioned. Can you

explain to me a little more exactly what that means? As I now understand the Act, it's two years after an election that we have a new voters' list, and then each year after. How will this now affect it, because under the Act the electoral boundaries would have to come in ahead of that. So maybe just that one clarification, Mr. Speaker.

DR. CARTER: Mr. Speaker, just two brief comments. Number one is that with respect to this legislation, I know that a number of members of the Legislative Offices Committee have had discussion with the Chief Electoral Officer, and the consensus of the committee, albeit not formally, has been for support for this particular legislation. The other comment that I would make, of course, is that I'm very appreciative of the fact that the Bill, which takes into account the issue that I had previously raised, is now being sponsored by the government.

MR. PURDY: Mr. Speaker, I have just a couple of comments and then a question for the minister who is sponsoring the Bill. I wholeheartedly support the Bill. Having some experience in '72 and '75 with amendments to the provincial Election Act, I know what the minister went through to bring in the various amendments. I also want to compliment the Member for Calgary Egmont for his private member's Bill, which has now been adopted into this particular piece of legislation.

I have one question for the minister, regarding the mechanics of the balloting that will take place at the remand centres in Edmonton and Calgary when an election is called, or even at Fort Saskatchewan, where some of these people that are awaiting trial are being held. Will it be much the same as the hospital vote that's taking place? I haven't seen the mechanics for that.

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

HON. MEMBERS: Agreed.

MR. PAYNE: Mr. Speaker, dealing first of all with the question posed by the Member for Edmonton Norwood, without the amendment to 14.1(2) the Chief Electoral Officer would be required to conduct an enumeration in 1984, which is the second calendar year following the last general election. Some of the members have raised the quite proper question that if an Electoral Boundary Commission is appointed, let us say, at the end of this 1983 — and I hope that will be the case, given the fact that I introduced that Bill earlier today — and the Electoral Boundary Commission takes the full 18 months to conclude its deliberations and table its report, without this statutory change the Chief Electoral Officer would find himself conducting an enumeration based on soon-to-be-outdated electoral boundaries. So the intent of this amendment is simply to give the Chief Electoral Officer the discretion not to conduct an enumeration until it's appropriate to do so.

If I could just respond briefly to the question directed by the Member for Stony Plain. The individual who finds himself or herself in a remand centre awaiting trial would follow the very same procedures as apply to the incapacitated or absentee voter, outlined elsewhere in the Bill.

With those two responses, Mr. Speaker, I move second reading of Bill 94.

[Motion carried; Bill 94 read a second time]

MR. CRAWFORD: Mr. Speaker, it's not proposed that the Assembly sit tomorrow night. On Friday — I would be in a little better position perhaps to deal with that business tomorrow — the present intention would be to do some additional second

readings of Bills, and it may be that Bill 80 will be available at that time. I mention that because that is a substantial Bill and hon. members may want to think in terms of that debate, if it can be reached.

Mr. Speaker, I move that we call it 5:30.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

[At 5:07 p.m., pursuant to Standing Order 5, the House adjourned to Thursday at 2:30 p.m.]