

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, June 4, 1985 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF VISITORS

MR. CLARK: I'm honoured today to introduce to you, Mr. Speaker, and through you to the members of the Assembly, the former Lieutenant Governor of the province of Manitoba, His Honour Francis Jobin. His Honour is a very active member of the Port of Churchill Development Board, where he is affectionately known as "Bud". I ask him to rise and receive the welcome of the House.

head: TABLING RETURNS AND REPORTS

MR. ADAIR: Mr. Speaker, I beg leave to table the annual report of the Alberta Opportunity Company for the year ended March 31, 1985.

MR. M. MOORE: Mr. Speaker, I'd like to file with the Assembly copies of the Government of Alberta Emergency Response Plan for Sour Gas Release. This new plan is a second edition, which incorporates recommendations which came out of the Lodgepole report, published by the Energy Resources Conservation Board in December 1984.

MR. HYNDMAN: Mr. Speaker, I wish to table a reply to motions for returns 129 and 173 of 1984.

DR. WEBBER: Mr. Speaker, I'd like to table copies of a new paper entitled Child Welfare in Alberta, A Progress Report. This paper outlines the many improvements that have been made in the child welfare system and provides a context for discussion of the issues in child welfare. It also includes an update to the government's response to certain recommendations made to us in the past. I hope all hon. members use this paper in making their constituents more aware of the important services in child welfare.

Secondly, Mr. Speaker, I'd like to file the government's second annual report on progress in the area of services for disabled Albertans. This report outlines a number of initiatives that have been taken as a result of the important work of the Klufas task force of several years ago. As hon. members will see, this report shows that the leadership role Alberta takes in services for disabled people continues to be strong.

DR. REID: Mr. Speaker, I would like to table the annual report of the Alberta Health Disciplines Board for the calendar year 1984.

head: INTRODUCTION OF SPECIAL GUESTS

MR. PURDY: Mr. Speaker, it's my pleasure today to introduce to you and hon. members of the Assembly what I guess we could call a graduating class from the Queen Street elementary school. They are 16 students in the grade 6 class of French immersion. It was seven years ago that this particular French immersion class began in Queen Street school in the town of Spruce Grove. A number of parents were thoroughly pleased because the program was able to continue, and we hope it will continue to the junior high curriculum. They are accompanied by their teacher Mrs. Carmen Mykula and parents Mrs. Frances Walmsley and Mrs. Anne Hommel. I ask them to rise. They're in the members' gallery.

MRS. LeMESSURIER: Mr. Speaker, I'm pleased to introduce to you, and through you to members of the Assembly, 18 students from the Alberta Vocational Centre, which is in Edmonton Centre. They are accompanied by their leader, Ms Dolores Woods, and they are seated in the public gallery. I ask that they now rise and receive the warm welcome of this Assembly.

head: MINISTERIAL STATEMENTS**Department of Agriculture**

MR. FJORDBOTEN: Mr. Speaker, I don't believe it will come as any surprise to hon. members when I say that Alberta producers and prairie farmers in general are facing the largest grasshopper outbreak since the early 1960s. It is a very serious situation, even compared to last year, when grasshopper infestation proved to be a significant problem in some areas of Alberta.

Numbers do tell some of the story. Last year an estimated 750,000 acres were sprayed to control grasshoppers in Alberta, primarily in the south of the province. Based on surveys that have been conducted, it's now estimated that there will be a substantial increase in the severely infested acres this year, up almost tenfold from 183,274 acres in 1984 to an estimated 1.79 million acres in 1985.

Considering the potential consequences of this situation, a temporary, government-assisted grasshopper control program is no longer a luxury; it's a necessity. For that reason, Mr. Speaker, I'm pleased to announce in the Assembly today that the province is instituting a \$6.6 million program to help producers offset the costs of insecticides needed to control the current grasshopper outbreak in the province. Under this one-time Alberta grasshopper control assistance program, producers will be eligible to claim 50 percent of the cost of eligible chemicals purchased to control grasshoppers. To accommodate producers who have already sprayed their fields, the program will be made retroactive to May 1 for the purpose of chemical purchases.

Mr. Speaker, in 1984 the cost of grasshopper control chemicals was sufficiently high to discourage some producers from adequately protecting their crops. With much higher grasshopper populations forecast for this year, the cost to farmers who must treat the same field several times in the growing season could prove to be crippling in some instances. In view of this and in view of the importance of farmers getting off a good crop this year, we don't want to see any abnormal expense preventing producers from taking advantage of an excellent opportunity to improve their cash

flow. For some producers this may be the first good crop in several seasons.

If there is any bright side to this situation, Mr. Speaker, it is that pest control specialists think the grasshopper populations are near their peak, and this program may be sufficient to get farmers through the worst year in the current grasshopper cycle. Historically, Alberta has not treated more than 2 million acres for grasshoppers in any one outbreak. Thankfully, we do not appear to be heading over that level at this time. I also note that the grasshopper control assistance program 1985 has been developed with that upper limit in mind.

Because they are in the best position to assess local conditions, Mr. Speaker, agricultural services boards will be asked to handle applications for the Alberta grasshopper control assistance program. Therefore, producers would be required to submit applications to this program through their local agricultural service boards. Applications would be subject to verification by locally designated officials. In most instances this would be the agricultural field man. Most of the remaining details of this program are available in the news release which, I believe, has been distributed to each member. However, I would like to note that the chemical used to treat land on road allowances adjacent to landowners' property will be eligible under the program. The deadline for producers to submit applications is November 30, 1985.

Mr. Speaker, grasshoppers are among agriculture's oldest enemies. We'll not beat them; therefore, our only hope is to outlast them. With the grasshopper control program, I think we've given our producers an effective tool to do that job.

Thank you, Mr. Speaker.

MR. GURNETT: Mr. Speaker, I'd like to briefly rise and commend the minister for the program that's just been announced. I wish that every subject I raised in question period had as quick a response in the House as this particular one did.

I certainly do want to commend the program though, Mr. Speaker. It was clearly a case where assistance was critical. In these times the need to provide some assistance to allow people who want farming to be successful is clearly there. I know this program has made a good contribution for many producers in southern Alberta to do that. I'm certainly very pleased to see that it's been announced today. I'm pleased to see that it's retroactive. I'm pleased to see that it also covers roadside spraying.

I hope that as the program is flushed out, we would maybe see an indication that there's going to be some controls brought in to guarantee that prices don't rise to take advantage of the assistance that's available or that perhaps the province decides to become involved as a unitary buying agent and is therefore able to keep the costs down. Even in the form we have the initial announcement now, I'm sure it's welcomed by many very concerned producers. I commend it, and we do.

MR. R. SPEAKER: Mr. Speaker, I would certainly like to comment as well. In southern Alberta we could call this the year of the grasshopper, but in Alberta in general maybe we could call it the year of the election. Never have grasshoppers received more attention, but a dead grasshopper won't do the government much good. Every problem seems to receive some attention this year, and that's fine. If it

takes an election to get things on track, that's great. Let's go for it every year.

In terms of the program itself, Mr. Speaker, I certainly think it's a good program. Many farmers, as has been indicated in the press release, have sprayed three or four times, and I believe the average cost is \$6 or \$7 an acre. So in terms of the impact on the farm, it is significant. I know in my own area there are a number of farmers who have already lost their crops to grasshoppers. It's a phenomenon that's difficult to believe and explain to someone unless you're really there — when a small insect of less than one-quarter inch can, all of a sudden, en masse, move from one side of a 40-acre strip to the other side, and all you've got after is black ground. It's hard to believe that phenomenon. But it has happened, and I'm sure the Minister of Agriculture has witnessed some of those very significant effects that it's had.

Yesterday I did my own spraying. I guess it was very timely to do it yesterday, so I would be ready for this public assistance today. That's looked after. Hopefully my grasshoppers are at rest and will be looking at worlds other than southern Alberta.

There is one other point I'd like to make, Mr. Speaker, and it's not in the news release. It is one of the questions we forget to address when we do things like this. If we think in terms of what is happening in southern Alberta, we could potentially spray some 1.79 million acres. I don't think we'll cover that many, but let's say over a million acres could be sprayed in southern Alberta with a chemical that's toxic in nature and has potential effect on the human being. As I talk to my fellow farmers and neighbours, a number of them that have had to spray three or four times have said: "I can't do it again. I'm starting to get headaches. It is affecting me, and I believe it's affecting my health." They are not sure, but they do have that kind of personal feeling about it, and some are suffering from headaches. So they're going to airplane spraying or asking somebody else to do the work.

I raise the concern with the Minister of the Environment that when we do these kinds of things — the government is not initiating it, but when we are spraying, I hope that the people who review things like this in our Department of the Environment do some testing, some examination as to what effects it could have in general on the health of our people. I believe that, as well, is the other side of the responsibility.

So, Mr. Speaker, in accepting this announcement, not to be an alarmist, I do raise that as a caution or a matter we should keep in mind in situations such as this.

head: ORAL QUESTION PERIOD

Hazardous Waste Disposal

MR. MARTIN: Mr. Speaker, I'd like to direct my question to the Minister of the Environment. In the ministerial announcement of last week the minister said that Kinetic has been ordered to put up a \$2 million bond to cover disposal costs of the wastes they have there. For 5,000 metric tons of waste, that's about \$400 a metric ton, which some people involved in the industry tell us is quite an inadequate sum. My question is: can the minister advise how he arrived at that \$400 figure? Can he assure the Assembly that this will fully cover the cost of destruction at Swan Hills?

MR. BRADLEY: Mr. Speaker, in terms of the specific, the company was required to post a cash deposit of some \$2 million with us to cover the ultimate treatment and disposal of these wastes. In reviewing the information in terms of inventory we have on hand and reviewing with the company as to what, in fact, is in storage there, there was a revised estimate. There were some 4,000 tonnes of waste in storage at the Kinetic facility, not the 5,000 which had previously been mentioned. So we're looking at 4,000 tonnes, and that calculates out to some \$500 per tonne as to the cost of treatment of these wastes.

MR. MARTIN: A supplementary question. I was just going by the ministerial announcement. I'm glad we can get it straight after a point. So it's now \$500 a metric ton, but the evidence we have from people is that this still isn't inadequate. My question is: can the minister assure the Assembly that the taxpayers of Alberta will be fully covered, that this \$500 will be enough to cover all amounts when it is destroyed?

MR. BRADLEY: Mr. Speaker, the figure is for the treatment costs of these wastes. It is our estimate that the \$500 per tonne should cover overall the nature of the wastes they have in storage there. There are some wastes which will obviously be more expensive to treat; there are some wastes which are less expensive. This is an average figure in terms of coming to a conclusion with regard to this matter.

MR. MARTIN: A supplementary question. Now it's \$400 and now it's \$500; now it's 4,000 and now it's 5,000 metric tons. Can the minister tell us how they arrived at that particular figure of \$500 a metric ton?

MR. BRADLEY: Mr. Speaker, we looked at the treatment alternatives which are available in other jurisdictions, in terms of the cost of looking at the substances, and we arrived at this average figure, taking into consideration the nature of the wastes that were in storage. We felt that \$500 per tonne would provide an average figure for the cost of treatment of the wastes which are in storage at the Kinetic facility.

MR. MARTIN: A supplementary question. I take it they must have come to some conclusions somewhere. What expert advice did this department get on this to arrive at that particular figure?

MR. BRADLEY: Mr. Speaker, I indicated that they looked at the cost of treatment in other jurisdictions, looked at what may be in place in Swan Hills, and came up with the average figure, determined on the basis of the different types of wastes in storage there. As I said, some wastes are obviously more expensive to treat; some are less expensive. This is an average figure which was determined after looking at the inventories and the possible treatment of alternatives we'd be looking at either here or in terms of other jurisdictions outside the province.

MR. MARTIN: Mr. Speaker, we're told in one estimate dealing with Prince George PCBs that it could run over \$2,000 a metric ton. So I'm still very curious how we arrived at this particular figure.

Let me come at it in a different way. When all the costs are taken into consideration, like capital, transport, and otherwise, does the minister have any estimate of what

the cost will be per metric ton for destruction of wastes at Swan Hills?

MR. BRADLEY: Mr. Speaker, we're looking at . . . Is the member asking a question with regard to future waste streams or the waste that is in storage at the Kinetic facility?

MR. MARTIN: There must be some speculation about what it will cost when we bring the Swan Hills program on stream. What will be the estimated cost to destroy PCBs at Swan Hills, no matter where they come from?

MR. BRADLEY: Mr. Speaker, we're looking at different treatment processes. There is a treatment process we're looking at which would cover the lower level PCB contaminated liquids. We're also looking at the cost to destroy all PCB materials at higher levels in terms of solids. There are different costs for different treatment processes. We have not concluded the treatment technology we will be putting in place at Swan Hills. The figures we have determined are in terms of looking at other systems in other jurisdictions and the average costs overall for treatment of the wastes currently in storage at the Kinetic facility.

MR. MARTIN: Just to follow up on this. Can the minister give this Assembly clear assurance that to destroy the PCBs we now have at Kinetic will not cost the taxpayers more than \$2 million?

MR. BRADLEY: Mr. Speaker, it will depend on the time frame in which we are able to destroy those wastes. As I said, it's our estimate that \$500 per tonne should be an adequate amount to cover the costs of treatment of those specific wastes now in storage at the Kinetic facility. It may end up costing more; it may end up costing less. That is the best figure we could arrive at, looking at all the treatment processes that may be available and looking at circumstances in other jurisdictions.

MR. MARTIN: Just a point of clarification. This is just a guess; the minister says it could cost more or less. I will bet it won't cost less, from the figures we have. What the minister is clearly saying, then, is that this could end up costing Alberta taxpayers much more than the \$2 million bond they put up.

MR. BRADLEY: Mr. Speaker, that's only the opinion of the hon. leader.

MR. MARTIN: The minister said that. He said it could cost less; it could cost more. It was 4,000 tonnes; it was 5,000. It's nice to get a little more specific.

Let me ask another question. A scientist in Kingston, a man by the name of Dr. Thomas Barton, has developed, according to people, a mobile PCB destruction unit which he claims will be able to very quickly destroy PCBs at a cost of about \$50 a metric ton. [interjections] Settle down. We'll ask a question later. Can the minister advise what investigation his department has done of the potential value of Dr. Barton's invention for our Alberta problems?

MR. BRADLEY: Mr. Speaker, I'm not specifically aware of the gentleman the hon. leader refers to, but the Special Waste Management Corporation is reviewing all sorts of technology with regard to destruction of all the special

wastes which will have to be treated at the Swan Hills facility.

MR. MARTIN: A supplementary question. The minister is not aware of this. I would have thought he would have been. But we'll go back to questions the minister may be aware of; we'll check anyhow.

To return to Nisku, can the minister assure the Assembly that the Special Waste Management Corporation has no intention or plan to pay Kinetic to transport the hazardous wastes at their facility to either Swan Hills or out of the province?

MR. BRADLEY: Mr. Speaker, in terms of the system which is being put in place, the Special Waste Management Corporation will be contracting with private-sector companies to handle the transportation of wastes in the province. It's currently under consideration that it will be a responsibility of the prime contractor at Swan Hills, Chem-Security. They, in turn, may advertise for various transportation companies in the province to be involved in the haulage of this waste. We feel that is one area where there's an opportunity for the private sector to become involved, through a contract which would be put out on a competitive bid basis which would have to respond to the strict requirements we would have in place in terms of transportation of these materials to the Swan Hills site.

In terms of the specific, Kinetic would obviously have an opportunity, as any other business in the province of Alberta involved in haulage, which would of course have to meet our standards, to bid for those contracts if they were put out.

MR. SPEAKER: May I respectfully suggest to the hon. leader that following this seventh supplementary he might go to his next question.

MR. MARTIN: Yes, Mr. Speaker. My question is for clarification. The minister seems to be saying that after Kinetic was paid to transport these wastes in and after the government has paid them for lost business opportunities, they could now turn around and bid on these same wastes to transport them to Swan Hills. They can actually make more money in this way. Is that what the minister is saying?

MR. BRADLEY: What I'm saying, Mr. Speaker, is that there are business opportunities which are available to other Albertans with regard to the implementation of the Alberta Special Waste Management Corporation. Any business that meets the standards which would be required would have an opportunity to bid.

MR. GURNETT: A supplementary question, Mr. Speaker, to the minister regarding PCBs. I wonder if the minister has had any contact or scheduled any meeting with his counterpart in British Columbia regarding the situation that might involve, apparently, up to 1,800 litres of PCBs leaking into the Peace River system there.

MR. BRADLEY: Mr. Speaker, I've had no contact with my colleague in British Columbia. I have, however, received a report from the department with regard to our monitoring in the Peace River system. I specifically asked what levels were in the Peace River system with regard to polychlorinated biphenyls. They've advised me they have not detected

any PCBs in the Peace River system at their monitoring station at Dunvegan.

Ghost Lake

MR. MARTIN: I'd like to direct the second question, if I may, to the Minister of Recreation and Parks. Can the minister advise why the government has suddenly turned control of the longstanding public access to Ghost Lake over to a private individual?

MR. TRYNCHY: Mr. Speaker, some time ago we were approached with the kind of abuse and difficulty people had at this area. We were requested to upgrade it. We took into consideration a private-sector agreement and went that route and upgraded it for the public of that area.

MR. MARTIN: Upgraded in what way? It's my understanding that this individual is now charging \$5 for people to go in to Ghost Lake. Is this his idea of upgrading? Is this what the minister means?

MR. TRYNCHY: Mr. Speaker, a number of things were done in that area. The private sector is involved in providing a considerable number of dollars to upgrade the facilities with picnic tables, toilets, boat launching facilities, a parking lot, and things of that nature. The fees of \$3 and \$5 are charged by the private sector, I believe, to use the facilities. In my view, that's not unreasonable.

MR. MARTIN: Maybe in your view, Mr. Minister, but I understand that there has been no development permit obtained from the MD of Rockyview and that there have been no public hearings on this particular change. My question is: why did the minister not hold public hearings on this or wait for development issues to be settled locally before allowing this change?

MR. TRYNCHY: Mr. Speaker, my understanding is that on the long weekend in May there were some 1,400 visitors to that area — very satisfied visitors with regard to the conditions that existed before where families would not go and are now feeling very comfortable going. There is 24-hour protection, and the facilities I mentioned before are there. With regard to public hearings, we never felt it was necessary because the people were requesting some upgrading and changes, so we were complying with their wishes. We've received no complaints from citizens of that area with regard to what has been developed there for them in a recreation area concept.

MR. MARTIN: A supplementary question. It seems to have gone ahead rather quickly. Specifically, why was there no development permit? Why didn't we at least wait till the MD of Rockyview had given consideration to this change? Why did we move ahead of them?

MR. TRYNCHY: Mr. Speaker, when we say "we move ahead", we didn't move ahead. The private sector did. It's a registered recreation area under the province of Alberta. I'm not sure whether it's necessary for us or the private sector to get a permit. I understand that the private sector has now obtained a permit from the local ID and are proceeding in a manner that's acceptable to them, us, and the general public.

MR. MARTIN: A supplementary question. Has there been any study to look at the access? Certainly those of us who have lived in the Calgary area at one time know that there aren't a lot of lakes. I guess what I'm asking is: will this restriction of access for some people — the minister may deny it, but \$5 can be a lot of money for some people — put more pressure on other lands and recreational areas in the Calgary area?

MR. TRYNCHY: Mr. Speaker, it's my understanding that the people who want to use the lake can do so. I'm not sure that they're being charged for the use of the water body. They're charged for using the facilities in the form of parking their vehicles there and using the picnic area. I'm not so sure that they're charged for access to the water. I will be reviewing the matter to see if there is a way we can provide access to that outside the area. If it can be done, it might be considered. I've also suggested that the local windsurfers might take the opportunity to meet with the private sector and work out a group charge fee or something like that, where we could accommodate the people that want to use it. But certainly, the private sector is not charging for the use of the water body.

MR. SPEAKER: Might I suggest that after this supplementary we continue with the hon. leader of the Representative Party.

MR. MARTIN: Yes, Mr. Speaker.

But most people have to get there in some way. Whether it's for parking or access to the water, it's \$5 out of the pocket. My question then, just to see how far we're going with this policy, is: does the government have any other plans to privatize access to any other lakes in the province at this time?

MR. TRYNCHY: Mr. Speaker, we have a number of plans where we want to go with the private sector. I'm not sure what lake or where it's going to be. But yes, we are going to consider the private sector wherever we can to provide the services for Albertans.

Free Trade Initiatives

MR. R. SPEAKER: Mr. Speaker, my question is to the Premier. It's a follow-up to my questions yesterday on free trade. The Premier replied to a question on studies by indicating that "we were aware that other groups were doing intensive studies. Ours was a judgmental position." I was wondering if the Premier could indicate, in terms of that position, the reason why studies were not done specifically for Alberta and the impact on Alberta. Is there enough information at this time to understand that question, or is it a matter of a policy discussion without the impact being considered?

MR. LOUGHEED: Mr. Speaker, with regard to Alberta, it is just so obvious that it didn't require any study. If you look at the basic products that we sell into the export market and in particular to the United States, including what we sell now and what we'd like to sell, it's self-evident that the comprehensive free-trade arrangement, which would provide our province with assured access to the United States without quotas or countervails or other barriers, is a 95/5 case. I don't think that requires a study.

Let me just quickly review the products: crude oil, primarily into the Chicago market; natural gas into the midwestern market, perhaps the northeast, and certainly into California; petrochemicals, absolutely key to the expansion of our petrochemical industry and full capacity and new plants and new jobs; clearly in the red meat area our dependence upon the Quebec market is one that has been a constant concern of our cattle industry — the red meat potential for hogs and beef both in processed form and in live form into the American market is crucial to the continued viability of the red meat industry; important with regard to sulphur, a multitude of technology in terms of products that we service in there; our oil and gas servicing industry, the basic economy of the province of Alberta.

Yes, we do sell to other parts of Canada. We sell to other parts of the world. Certainly, in grain we're in competition with the Americans. But relative to the long-term prosperity and job creation in this province, assured access to the United States would have a tremendous impact upon investment here in this province. I don't mean to imply by that, Mr. Speaker, to the Member for Little Bow that in the area of crude oil or natural gas we have a particular concern. But it would be supplemented by the strength of assured access in those other product areas.

MR. R. SPEAKER: Mr. Speaker, a supplementary question related to the last comment of the Premier on the petrochemical industry and in terms of the possible deregulation of natural gas in both Canada and the United States. What are the chances that Alberta's petrochemical producers will be able to compete with producers in the United States which would be closer to the market? I am wondering if the Premier could comment on that. In other words, possibly we would have a disadvantage in Alberta because of that, and at the same time the feedstock for both industries would be comparable. I am wondering whether that would have an adverse effect on Alberta's industry in terms of petrochemicals.

MR. LOUGHEED: Mr. Speaker, first of all, I should have added forest products to the list of the products I mentioned in my earlier answer. My view with regard to petrochemicals would be that we have advantages that overcome and offset the transportation factor. But perhaps the Minister of Economic Development would like to supplement my answer on petrochemicals.

MR. PLANCHE: Just to the extent, Mr. Speaker, that around the world most of the major petrochemical producing countries are rationalizing — among those are the United States. Where they used to be a net exporter, they will be in balance in terms of export/import in the near term and perhaps importers in the long term as a nation. If we were given free trade access to that country, we are well positioned to take advantage of that market. It's well to remember that this affords us an overland market of cash-paying customers that's 10 times the size of this one — an opportunity any country in the world would envy.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier. Yesterday in our questions we discussed the question of common market versus free trade. The Premier said the words are interchangeable. One of the co-authors of the C. D. Howe Research Institute study which favours free trade, Mr. Lipsey, stated that the two countries should not go to the extreme of establishing a common

market. The main reason is that a common market would require harmonization of trade barriers against the rest of the world. This raises the prospect of Canada having to comply with U.S. trade restrictions imposed for political purposes. A current example is the U.S. trade embargo against Nicaragua. Is the Premier in agreement or disagreement with this definition of common market? If this definition is used, certainly I would see some adverse effect. Does the Premier see adverse effect?

MR. LOUGHEED: Mr. Speaker, that's an important question. I had the opportunity to actually visit for over an hour on Friday in Banff with Professor Lipsey. I agree with his conclusion, having regard to his definition of common market. The definition of common market that was the basic premise of the western premiers in Grande Prairie was a different one than Professor Lipsey had in mind, and we are attempting to clarify that, because we fully endorse not only Professor Lipsey's observations of that score but the excellent document that the C. D. Howe Research Institute has produced.

MR. R. SPEAKER: For clarification, in terms of Japan. They are a customer of Alberta, Canada, and the United States. Whereas at the present time the United States has a trade deficit with Japan, Canada has a trade surplus. I am wondering if the Premier could indicate, in terms of the present trade barriers that the United States has with Japan which we haven't got, what would happen in terms of the definition of free trade or the definition of common market.

MR. LOUGHEED: Mr. Speaker, that's another very important question. As the hon. Member for Little Bow would know, about 10 days ago a number of us were participating with the Canada-Japan Trade Council in Calgary in which there are some 300-plus senior executives from the Japanese business community. We discussed this. The reaction by the Japanese side at that conference was positive to Canada developing a comprehensive free trade arrangement, because they saw opportunities for investment from Japan in Canada, working on a joint venture basis with many of the organizations here with access to the total North American market. In addition to that, it's our view, as I mentioned yesterday, that the development of a relationship such as this in the largest trade relationship in the world, which is the Canada-U.S. one, would create pressure for more trade liberalization throughout the world, and that certainly should be the case with regard to Japan.

I just want to emphasize to the hon. member and to the Assembly that the response by the Japanese investors and by the Japanese business community of what we're trying to do here was positive.

Red Meat Stabilization Plan

MR. KOWALSKI: Mr. Speaker, my question today is addressed to the Minister of Agriculture. The standing committee on agriculture in the Canadian House of Commons this week is reviewing Bill C-25, the national red meat stabilization plan. Is it the minister's intent to make a presentation to the committee?

MR. FJORDBOTTEN: Mr. Speaker, I'm certainly aware that those presentations are taking place and sent two senior individuals from my department, led by the senior assistant

deputy minister of marketing, who made a presentation to the standing committee on Monday. I would be happy to file a copy with the Assembly.

MR. KOWALSKI: A supplementary, Mr. Speaker. Has the minister received any indication from the federal government as to when Bill C-25 might become law?

MR. FJORDBOTTEN: Mr. Speaker, the delay in the passing of that Bill is of great concern, not only to us in this government but to our livestock producers across this province. On May 6 and 7 when I was in Ottawa with two of my colleagues, the Minister of Housing and the Minister of Economic Development, we strongly made that representation to them and, at that time, received a commitment that they would move with all due haste to move the Bill through all the necessary steps and have it passed prior to the House rising for the summer recess.

MR. KOWALSKI: A supplementary, Mr. Speaker. Is the minister prepared to initiate a unilateral program of support for Alberta cattlemen and pork producers in the event that the federal government is unable to get passage of Bill C-25?

MR. FJORDBOTTEN: Mr. Speaker, that's a hypothetical question, because we feel very strongly that the Bill will be passed in the House of Commons. However, we stated very clearly in this Assembly that we would take whatever steps we feel are necessary to see that our livestock sector in this province isn't disadvantaged. There are options that we are considering.

MR. KOWALSKI: Mr. Speaker, another supplementary. Several weeks ago the minister indicated that he had hired a consultant to work with Gainers, Fletcher's, and the Pork Producers' Marketing Board in an attempt to come up with a possible solution to current hog prices in Alberta. Will the minister be tabling this consultant's report in the Legislature?

MR. FJORDBOTTEN: Mr. Speaker, I certainly did have a mediator, basically, or a negotiator, work with Fletcher's, the Alberta Pork Producers' Marketing Board, and Gainers to try to come up with a pricing and allocation system that would be agreeable to all the parties and thereby settle the conflict that's presently going on in the industry. I did receive a report from the consultant. Yes, I will be filing it today with the Assembly.

MR. KOWALSKI: A final supplementary, Mr. Speaker. Does the report recommend price and allocation formulas for hogs produced in Alberta?

MR. FJORDBOTTEN: Mr. Speaker, it recommends a couple of options that could be looked at. After members have had an opportunity to review those options, I'm certain they'll have some recommendations to the minister.

Metis Settlements

MR. GURNETT: Mr. Speaker, I'd like to direct my question to the Premier, following up on the motion we discussed yesterday, and ask for clarification on some matters there. Could the Premier indicate what time line the government would be looking at in terms of actually accomplishing the

objectives that are set out in the motion? Will the Metis settlements have their land titles in one year, five years? Some idea of the time line for the process.

MR. LOUGHEED: Mr. Speaker, I wish I could give the hon. member a useful answer to that important question, but he will recall from the debate yesterday and from the wording of the motion that the responsibility is now with the Metis settlements, pursuant to — I can't remember the particular sections of the resolution, but they dealt with the provisions with regard to fair and democratic membership and the entities to whom we would transfer the fee simple.

It may be that we might have a different response from the settlements. Some of the settlements might have one point of view and other settlements a different one, and that would complicate our position. The only assurance I can give the hon. member in the House is that we will try to respond as quickly as we can when we have the response. That is the challenge, to use the phraseology in the debate, with the Metis settlements. We ourselves, though, representing the citizens generally, will have to be assured that the approach by the Metis settlements is fair and democratic to all concerned.

MR. GURNETT: A supplementary question, Mr. Speaker, following up. Specifically, could the Premier indicate how much time the government would allow to elapse once those things have been satisfactorily accomplished by the Metis, between then and the time the legislation is actually introduced?

MR. LOUGHEED: Mr. Speaker, as the hon. member will be aware from the motion, the next step, assuming that the response from the Metis settlements is appropriate having regard to the wording of the resolution, would be the preparation of a Metis Settlements Act and an introduction of that Act into the House. Certainly, it would be only fair that we have full consultation with the Metis settlements on the terms of that legislation before it is introduced in the House. That would clearly take us into the spring of next year.

It may be that what would happen is that we would find ourselves in a position where not all the outstanding matters coming out of Dr. MacEwan's report are resolved. We may be in the position that we would have to introduce legislation next spring that would be incomplete in all the aspects of the Dr. MacEwan report but could proceed ahead with the transfer of the land. It would certainly be my recommendation to my colleagues that if that were the case, we should proceed under that scenario with legislation that would in fact provide for the transfer of the land, and perhaps towards the end of the spring session of next year, if the Legislature approves the Metis Settlements Act, propose the resolution for the amendment to the Alberta Act.

MR. GURNETT: A supplementary question, Mr. Speaker, to the Premier. Who will determine the appropriate criteria for success regarding the tasks that are set out for the Metis in section 3 of the motion? What might be acceptable or not acceptable to this government as far as those three responsibilities?

MR. LOUGHEED: Mr. Speaker, by the very nature of it, it has to be a subjective analysis from our point of view that can stand public scrutiny. We are very optimistic that it will be, but we certainly want to give other parties an

opportunity to express their views. We'll welcome the views of all Members of the Legislative Assembly. We will try to have a process in which the response by the Metis settlements, after discussion, has adequate public input to assure that we're able to assess that the proposals do in fact meet the test of being fair and democratic.

MR. GURNETT: A supplementary question, Mr. Speaker. Could the Premier indicate what practical support the government will be providing to Alberta's Metis as they undertake the responsibilities that they have in section 3, which could conceivably involve a fair amount of expense for them?

MR. LOUGHEED: Mr. Speaker, in situations like this, we've always shown that we would respond to needs with regard to expenditure, but we're really talking about the settlements determining for themselves how they want to be structured. That's a democratic process they can undertake within their settlement associations and within the federation. It's the very nature of the process that we're involved with here in the Legislative Assembly with regard to Bills or other matters. That is not one that would require a considerable amount of expenditure. But we've shown in the past that if legitimate requests are made, particularly in special circumstances, we would respond to that, but we don't see the need to involve a whole team of lawyers.

MR. GURNETT: A supplementary question, Mr. Speaker. I suspect the Metis people will be happy to hear that. Yesterday in talking about the motion, there was also talk about other initiatives forthcoming on matters of concern for Alberta's Metis. Could the Premier outline other initiatives that are being considered that go beyond what was addressed in the motion, particularly initiatives that might be of relevance to the 90-some percent of the Metis that were not specifically dealt with in terms of the motion and settlement lands?

MR. LOUGHEED: Mr. Speaker, as mentioned yesterday, it would be our view that this was an important first step and that we should concentrate our energies on that first step. It's a unique situation in the province, in which the Metis living on the settlements do in fact have a land base. I'm advised that the president of the federation made it clear yesterday that they're going to be looking at the opportunity for Metis who are not now living on the settlement to come to live on the settlement. I think we should move appropriately with the matter that is before us as a priority.

MR. GURNETT: A supplementary question, Mr. Speaker. Following from that then, if there's the possibility of more Metis having access to land, does the Premier anticipate transferring other land to the Metis in the foreseeable future? Is there any action in that particular area?

MR. LOUGHEED: Mr. Speaker, in matters of this nature I think it's important for us to complete the task we have ahead that is related to that resolution. When we've completed that task, if it's been done satisfactorily and accomplishes our objectives, then it's possible to move on. I could refer the hon. member to my remarks yesterday with regard to the land tenure program that we already have in place and our plans to consider modifications to that program, although it's worked well to date.

MR. SPEAKER: Might this be the hon. member's final supplementary.

MR. GURNETT: Mr. Speaker, a supplementary to the Premier. Given the goodwill that was expressed yesterday in discussion of the motion, will the government be moving to expedite the resolution of the mineral rights court case that's dragged on for so long? If we're wanting to make sure that things are dealt with one thing at a time and since that's been there for a long time, is there going to be any intention of expediting that so that the limited financial resources of the Metis aren't further drained by that process?

MR. LOUGHEED: Mr. Speaker, it certainly would be my hope that that litigation be resolved as quickly as possible. My experience has been that on litigation matters of that nature, it requires both parties to have the attitude of having the matter moved to court and resolved. It would be my hope and my understanding through the minister and in discussions with others in the settlement that having regard to the resolution yesterday, there will be efforts made by both parties to the litigation to expedite its conclusion.

Bow River

MR. SHRAKE: Mr. Speaker, I have a question for the hon. Minister of the Environment. I received some letters expressing concern over the high cost of building the irrigation dam on the Bow River, and I know that some years ago we did construct the weir which is in downtown Calgary and which supplies water for the western irrigation division system. Does the minister know of any current plans by the province to build a dam for irrigation purposes on the Bow River?

MR. BRADLEY: Mr. Speaker, I have received in my office not a flood but a stream of letters suggesting that the government has plans to construct a dam on the Bow River, and I appreciate the hon. member raising the question today so I can set the record straight. I'm not sure where the suggestion that a dam was going to be constructed on the Bow River is coming from. I have read some media reports that there are certain conservation groups that have been promoting to the public in the Calgary area that the government had plans to construct a dam on the Bow River. I'd like to put it very clearly in the record that the government does not have any plans for construction of a dam on the Bow River, nor have I given any instructions to my department to plan for such a dam at this time.

MR. SHRAKE: A supplementary. If the minister does come up with any plans, would he agree to hold public hearings and involve the council of the city of Calgary?

MR. BRADLEY: Mr. Speaker, again I'd like to make it very clear that we do not have any plans for a dam on the Bow River at this time. If in the future that became a priority of the government, certainly there would be public hearings involved prior to any decisions being made with regard to that. But at this time there are no plans, nor have any instructions been given to plan for a dam on the Bow River.

Customs and Immigration Complaints

MR. ALEXANDER: Mr. Speaker, I have a question for the Minister of Tourism and Small Business. On March 26 I asked the minister whether his department could make representations to those responsible for the reception of

visitors at Edmonton International Airport, and I'd like to ask the minister whether he, his department, or any other minister that he knows of has made such representation about that treatment of visitors at the Edmonton International Airport.

MR. ADAIR: Mr. Speaker, I can respond positively to that in the sense that in two personal discussions with the federal Minister of Tourism, solely responsible for tourism, we've made the point. That's been backed up by some documentation, and I understand my colleague the hon. Minister of Federal and Intergovernmental Affairs is pursuing that as well.

MR. ALEXANDER: One supplementary, Mr. Speaker. I appreciate that answer, and I wonder if the minister would undertake with his colleagues to pursue it a little more vigorously. It appears that the outrage is continuing. People are still being subjected to the same kind of treatment six weeks subsequent to my question. As long as this kind of rude questioning of visitors continues to make the local press and do other things, perhaps the effort might be renewed. Could the minister carry on in the strongest possible terms to get this problem resolved? It strikes me there is no end to it.

MR. ADAIR: I can assure the hon. member that that has been one of our concerns as far back as 1979, when we were making representations on behalf of the tourism industry in the province of Alberta relative to the kind of treatment that was being received from one or the other, either the customs officials or the immigration officials, and it's a combination of that. One of the suggestions we have made to the federal Minister of Tourism is that he, in that particular capacity, make a very strong representation on behalf of all of us in the industry to see that the training program for these officials includes some portion relative to tourism and whatever a first impression is to a person coming into a country, because it does leave a very, very sad and sour taste.

I might add, Mr. Speaker, that after the question was raised the last time, the reports I got for the next three to four weeks were that it had improved to some degree at the international airports in Edmonton and Calgary.

MR. PAPROSKI: A supplementary question to the Minister of Tourism and Small Business. Has the minister considered posting a phone number, a complaint line perhaps, at the international airport, where citizens that are treated badly could communicate with the minister's office?

MR. ADAIR: Mr. Speaker, I can assure the hon. member that I haven't given any thought to the posting of a line because most of them are phoning without any problems right now. I can assure you that I'm talking to them and attempting to ensure that they understand that we understand the problem and that it's one that relates to the federal department, unfortunately, but is of a major concern to us in the tourism industry in this province as well as other provinces in the Dominion.

MRS. CRIPPS: A supplementary, Mr. Speaker. The members who share the federal Yellowhead constituency raised it with that hon. member last week. Would the minister undertake to reinforce our representation?

MR. ADAIR: Yes.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

MR. CRAWFORD: Mr. Speaker, in respect to the motions for returns, I would ask that motions numbered 138 and 142 stand.

MR. MARTIN: Mr. Speaker, just a question on that. How long are they going to stand? It seems to me that this is probably the last day, and I think there's agreement with my colleague on 142. That one is okay, but I have to ask the minister how long 138 is going to stand. Today is the last day of the session. We hear various rumors about the fall session, the spring session, or whatever. Is it to stand indefinitely? Is that the government's role here? I thought we would have liked to come to some solution at this particular time.

MR. CRAWFORD: Mr. Speaker, if I could respond to the question, perhaps they must stand until we sit. I could just put on the record for other hon. members, because I have had a conversation that I know the hon. leader won't mind my referring to in respect to 138, that the charter casebook has not been used in the department since June 1984. Because of that, I indicated to him that perhaps there was no point in responding to the motion a year after the document ceased to be in use. His curiosity was such that he said he might even be interested in looking at it anyway, even though it's no longer in use and a year old. I agreed to take that under advisement.

My response to him today is that I simply need some further consideration of whether or not there is something in the charter casebook which falls so clearly within the guideline of solicitor/client advice that I might want to provide him with an abridged version or the like. But we will cross that abridge when we come to it, Mr. Speaker. I say to him now that we can continue to discuss the charter casebook. In the event that there is something I can properly provide him with, I will do so and then, for the purpose of formality, perhaps file the actual material with the Assembly at a later date.

On 142, I think the hon. leader has had a discussion with one of my colleagues and that matter was disposed of directly. But on the larger question of how long the matters might have to sit over, I don't want to predict what hon. members will think of 145, but I didn't think there would be a problem over it.

MR. SPEAKER: Perhaps the hon. Government House Leader or the hon. Leader of the Opposition could tell me what is now before the House. Am I to put a question?

MR. CRAWFORD: Mr. Speaker, I thought the hon. leader might move the remaining motion, 145, and take his chances.

MR. SPEAKER: But there was a motion, if it has survived this discussion, that 138 and 142 stand. Is that correct?

HON. MEMBERS: Agreed.

[Motion carried]

145. Mr. Martin moved that an order of the Assembly do issue for a return showing:

Copies of the preliminary report of the private-sector consulting firm hired to do an external evaluation of the job creation and training programs of the Department of Manpower, identified by the Minister of Manpower at page 928 of *Alberta Hansard* (May 10, 1985).

MR. ISLEY: Mr. Speaker, the report referred to in Motion 145 was commissioned to provide input with respect to the internal administration of a variety of Alberta Manpower programs. For that reason, I will not be complying with the request. I request hon. members to defeat the motion.

MR. MARTIN: Mr. Speaker, we weren't even aware of this particular report until the minister waxed eloquent about it. It's in *Hansard*. If he had no suggestion that he wanted us to know about it, why even raise it to begin with? It had to do with questions regarding the benefit of the government's programs. They've talked so much about how great a job they're doing for the unemployed in the province. Now we find that they have a private-sector report. If they don't want to share this great news with us in the House, I can come to only one conclusion: it's not doing quite as well as they thought. Otherwise, if it was saying great things, they would be glad to turn it out as they have before.

Frankly, Mr. Speaker, I think this is information we as legislators should have, because we're to evaluate government programs. We're to take the time to look at whether these programs are working well or not. Now we find out that the government refuses to give us the information we need to evaluate them. I learned that one and one sometimes equals two, so I'll draw my own conclusions from this report. Because the government doesn't want to give us this information, we know that it must not be very complimentary to the programs that are already set up. Otherwise, we'd get that information.

[Motion lost]

MR. CRAWFORD: If I might, Mr. Speaker, before Government Designated Business is called, there has been a concurrence between the hon. Leader of the Opposition and me in respect to extending beyond the one hour of designated business this afternoon. I therefore ask that the unanimous consent of the Assembly be recorded to do that.

MR. SPEAKER: Is there unanimous consent that in the event we go into Committee of the Whole, the proceeding may continue until either 5:30 or the committee rises and reports?

HON. MEMBERS: Agreed.

MR. SPEAKER: It is so ordered.

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

head: GOVERNMENT DESIGNATED BUSINESS

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

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Could the committee please come to order. We have a number of Bills to consider this afternoon.

Bill 7
Glenbow-Alberta Institute
Amendment Act, 1985

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

MRS. LeMESSURIER: Mr. Chairman, I move that Bill 7, the Glenbow-Alberta Institute Amendment Act, 1985, be reported.

[Motion carried]

Bill 13
Alberta Loan Acts Repeal Act

MR. CHAIRMAN: There is an amendment which has been circulated to all members of the committee.

[Motion on amendment carried]

[Title and preamble agreed to]

MR. STROMBERG: Mr. Chairman, I move that Bill 13, the Alberta Loan Acts Repeal Act, be reported as amended.

[Motion carried]

Bill 39
Livestock Identification and
Brand Inspection Act

MR. CHAIRMAN: There are some amendments to this Act which have also been circulated.

[Motion on amendments carried]

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, on behalf of the hon. member, I move that Bill 39 be reported as amended.

[Motion carried]

Bill 42
Charter Omnibus Act

MR. CHAIRMAN: We have some amendments with Bill 42.

MR. GURNETT: When I was speaking on Bill 42 in second reading, Mr. Chairman, I mentioned that I looked forward to being able to move amendments in committee that would have the effect of proving two of the things I was suggesting at the time of second reading debate: first of all, that the statute audit that was undertaken was not just cautious, as the Attorney General and I discussed, but in fact overly cautious and, as a result, has left some quite significant discriminatory provisions in the province's statute books; and secondly, the fact that an audit of common law was not undertaken as part of that process also had the result of leaving discriminatory provisions.

With regard to the former point, the inadequacy of the statute audit, especially in light of section 15 of the Charter, I'm proposing that amendments to the Domestic Relations Act and the Individual's Rights Protection Act be incorporated into the Bill for the Charter Omnibus Act. Specifically, Mr. Chairman, I'd like to move that the Domestic Relations Act be amended in section 47 to remove the provision that if a child is born to unmarried parents, only the mother of the child is deemed to be a guardian of the child.

I noted in my remarks at second reading that this discrimination against the father of what the statute now calls an illegitimate child is especially serious in light of the provisions in the Child Welfare Act which now govern the notification of interested parties, called guardians there, when a child becomes subject to different legal proceedings. I don't have any doubt that this particular provision in the Domestic Relations Act would not stand if it were challenged in court in light of section 15 of the Charter. But I don't see why we have to wait until some father who happens to have the financial resources to undertake a court procedure like that to establish the point of law does so. I think it would be simpler and fairer if we proceeded now to amend the Domestic Relations Act.

Secondly, I move that we bring our Individual's Rights Protection Act into harmony with section 15 of the Charter of Rights and Freedoms as well, by amending sections 2, 3, and 4 of our Act so as to include the categories of mental or physical disability, which are clearly set out now in the Charter.

I want to take a minute to disagree with the Attorney General on a point he raised in second reading debate on Bill 42, when he drew a distinction between the operations of the Charter, which he claimed are concerned solely with an individual's dealings with government, and the operations of the Individual's Rights Protection Act, which he identified — and I agree with him — as governing relations between people in general. I would contend that the Charter has exactly the same effect nationally that the Individual's Rights Protection Act has provincially. There's nothing in the Charter, as far as I can see, that purports to limit its effect to relations between citizens and government. In fact, it seems to me that the Charter clearly guarantees the freedom of association, for example, and it does that regardless of the quarter from which any attempt to infringe on that freedom might come.

MR. CHAIRMAN: Perhaps the hon. member could circulate those amendments.

MR. GURNETT: Yes, Mr. Chairman.

I think it should be seen as having that effect. I fail to see what reasonable argument could be advanced to support the claim that we shouldn't bring the Individual's Rights Protection Act into line with the Charter, specifically with section 15 of the Charter.

With regard to my second point, the consequences of failing to conduct the audit on common law in light of section 15 of the Charter, I move the third amendment that's being circulated. As the common law now stands, a married woman is deemed to have her domicile at whatever place is maintained as a domicile by her husband. This might seem like a fairly insignificant point, but I think if you consider an example situation, the importance of the point becomes clearer. Let's imagine a married woman who is resident in Alberta, but for whatever reason her husband

maintains his legal domicile in Uganda or some other far away country. Maybe he's involved in aid work there or something. Assume that this woman should die intestate. Under the common law as it now stands, her domicile is deemed to be her husband's domicile and having died intestate, her estate would be administered and distributed according to the law that exists in the place of her domicile. That would end up being wherever her husband happened to live; Uganda, to take my example.

So I see no need, in light of section 15 of the Charter having been proclaimed, to let that kind of common law provision about a married woman's domicile, which is left over from another time and another circumstance, to stand. I see no reason why we don't act in this regard and take advantage of Bill 42 to bring that into line as well. That's the rationale behind the third part of the amendment I'm proposing.

In closing, Mr. Chairman, I emphasize that in the case of each of these three proposals for amendments — and I remind members, as I did in speaking on second reading, that they are just a few examples, I think, of the many we could find. But they're being put forward as examples to illustrate the inadequacy of the process that resulted in Bill 42 being before us today. My hope is that by considering these amendments and acting on them, we're also going to spur the government to go back and try again seriously to make sure we have a Bill that, in a real tradition of an omnibus Bill, deals comprehensively with the kinds of things this Bill sets out to do. I'm sure many more instances of discrimination could be found, whether apparent or de facto, and I think we need to make sure that our statutes reflect the fact that they should no longer be there and act to remove them.

For those reasons, Mr. Chairman, I move the amendments that have been circulated.

MR. CRAWFORD: Mr. Chairman, I would like to make a few comments. The first one is about the general characteristics of a Bill which is described as an omnibus Bill. There are probably options in the way in which one approaches legislation of that type, in the sense of the approach that's used, but one option — and a principal one, I think — is that an omnibus Bill correcting, so to speak, anomalies in a number of other Bills usually would look to large numbers of issues that are of a similar character throughout a variety of statutes and are most easily legislatively resolved by an omnibus Bill.

I make that observation with respect to issues such as mental and physical disability and the hon. member's urgings that those items be introduced into the Individual's Rights Protection Act by way of an argument extrapolated from the Canadian Charter of Rights and Freedoms. That can easily be done at some time by amendment to the Individual's Rights Protection Act in the normal course. The consideration that has been given to both of those issues has of course extended over quite a considerable number of years; indeed, since the Individual's Rights Protection Act and the Alberta Bill of Rights were first enacted.

The issue I would try to place in perspective is that maybe it should be debated under another head. As I recall, the hon. member didn't mention the question when the Individual's Rights Protection Act was before committee. That is no reason not to do it now. But rather than addressing those specific issues in the sense of omnibus legislation, I would invite my colleague the Minister of Labour either to comment upon that or to consider, perhaps, some response

at third reading. It's not as if the issues have not been given consideration. They have indeed been given consideration.

The other areas that the hon. member looks to — I'm quite fascinated with his argument with respect to the common law. I don't know how one determines what it is unless one has the specific facts of a case before them. Although certain general propositions can indeed be stated, I think the courts tend to bring one of its greatest strengths to our legal system by the application of the common law, and that is that they consider each case individually upon its facts and apply a principle.

It is true that from time to time parliaments and legislatures vary a well-established principle of common law by legislation. But I'm not so sure that an audit, in the sense of a statutory audit, would be — well, I was going to say "possible". I suppose it is possible, but in my view it would not be very definitive in its result.

I was surely taken with the example the hon. member used. I would call it an ingenious example. I could respond to him, though, by saying that although the common law for many purposes — and some of these are varied, of course, under taxation statutes. Reference to domicile can be varied under any statute. But for whatever purposes the question of domicile has not been varied by statute, then his statement of the law is indeed quite accurate. The common law assured that the domicile of a married woman was that of her husband. But his example doesn't necessarily follow. The person who is abroad, and let it be even for a very long time, may not lose his domicile in Alberta or elsewhere in Canada. In fact, he normally would not, unless there was proof of the fact that he had made an actual determination to give up the Canadian domicile in favour of another. So in cases where it might appear that this would occur and cause that particular complication, we look again at the common law and find it wise enough not have brought that result at all. I don't think I need go further, Mr. Chairman, into a specific like that, but I wanted to respond to that example given in that way.

The other issue, relative to the question of who the guardian is of a child born out of wedlock and the apparent discrimination against the father, is something that suggests another response and, perhaps, some justification in light of the point raised by the hon. member. From this point of view, both our Charter and our Individual's Rights Protection Act, when the amendments have Royal Assent, have the concept in them of rights which are not absolute but are declared to be subject to the reasonable and justifiable interpretations. That was very deliberate in the enactment of the Charter, and it is something that is consistent with the history of the parliamentary system.

I feel that maybe one day a judge, in determining this point, would make the determination the hon. member mentioned, but at the time he wouldn't want to proceed with it without hearing the argument that it is reasonable and justifiable that in a situation where a child is born out of wedlock, the long tradition of the guardianship by the mother should be maintained. If a judge would hear that argument and make a conclusion based on the reasonable and justifiable clause, I would not want to have taken that away at this point.

I haven't tested this in the sense of the opinion in my constituency on a preponderant basis one way or the other, but if we did, I think all of us would find that many people would support the existing law. They would do so for various reasons: some on grounds of strong principle that

they would define in their own way; others on the grounds that we were accustomed to that after all, and that statute has not served badly; and others on the grounds that it is reasonable and, after some thought, justifiable.

So that may be an example of the type of issue where we can look to the guidance of the courts. If we find that the Legislature or society is offended at the result — and that wouldn't be my prediction — then that's a perfect example of one of those areas where a Legislature can proceed to redefine the matter and clear it up at some future date, if that Legislative Assembly at that point in time thought it most wise that the father of a child born out of wedlock should have equal opportunity to be the guardian.

I conclude by saying that I think it is a very questionable proposition that a Legislature, in the near future in any event, would come to the conclusion that it was more wise to change than to leave it as it is. It is one of the issues we can all continue to take an interest in, because it touches upon basic rights. There's no doubt of that. It is important in all respects because it touches on basic rights. But I am not persuaded that we have the answer today that is more wise than the legislators of recent years.

For those reasons I propose to hon. members that the amendment proposed by the hon. Member for Spirit River-Fairview, raising as it does some interesting points, should nevertheless not be agreed to.

MR. YOUNG: Mr. Chairman, very briefly with respect to the second element of the three-part amendment, I wish to indicate that the very question raised in the amendment was dealt with last night in response to a matter raised by the hon. Leader of the Opposition. I guess it's a question of whether the sermonette and explanation should be redelivered now or just refer all members to *Hansard* of last evening. I believe it was at about 9:50. I think I will go that route for the moment, unless there's further debate, and just leave the matter by joining with my colleague the House leader in urging all members to defeat the motion.

MR. CHAIRMAN: We'll deal first with the amendments proposed by the hon. Member for Spirit River-Fairview.

[Motion on amendments lost]

MR. CHAIRMAN: Next we have the government amendments.

[Motion on amendments carried]

[Title and preamble agreed to]

MR. CRAWFORD: Mr. Chairman, I move that Bill 42 be reported as amended.

[Motion carried]

[Mr. Purdy in the Chair]

**Bill 78
Forestry Profession Act**

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

[Motion on amendment carried]

MR. DEPUTY CHAIRMAN: Are there any questions or comments or further amendments to the Bill?

[Title and preamble agreed to]

MR. APPLEBY: Mr. Chairman, I move that Bill 78, the Forestry Profession Act, be reported as amended.

[Motion carried]

**Bill 44
Crown Property Municipal Grants
Amendment Act, 1985**

MR. DEPUTY CHAIRMAN: There is an amendment. Are there any questions or comments to be offered with relation to the amendment?

[Motion on amendment carried]

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, on behalf of my colleague the Member for Red Deer, I move that Bill 44, Crown Property Municipal Grants Amendment Act, 1985, be reported as amended.

[Motion carried]

**Bill 54
Liquor Statutes Amendment Act, 1985**

MR. DEPUTY CHAIRMAN: Are there any questions or comments regarding any section of the Bill or amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

DR. REID: Mr. Chairman, I move that Bill 54, the Liquor Statutes Amendment Act, 1985, be reported as amended.

[Motion carried]

**Bill 56
Consumer Credit Transactions Act**

MR. DEPUTY CHAIRMAN: There are amendments. Are there any questions or comments regarding the amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill 56, the Consumer Credit Transactions Act, be reported as amended.

[Motion carried]

**Bill 57
Professional and Occupational
Associations Registration Act**

MR. DEPUTY CHAIRMAN: There are amendments. Are there any questions or comments regarding the amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

DR. REID: Mr. Chairman, I move that Bill 57, the Professional and Occupational Associations Registration Act, be reported as amended.

[Motion carried]

Bill 58
Banff Centre Amendment Act, 1985

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

[Title and preamble agreed to]

MR. JOHNSTON: Mr. Chairman, I move that the progress of Bill 58, the Banff Centre Amendment Act, 1985, through the Committee of the Whole be reported.

[Motion carried]

Bill 60
Motor Vehicle Accident Claims
Amendment Act, 1985

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

[Title and preamble agreed to]

DR. REID: Mr. Chairman, I move that Bill 60, Motor Vehicle Accident Claims Amendment Act, 1985, be reported.

[Motion carried]

Bill 61
Mortgage Brokers Regulation
Amendment Act, 1985

MR. DEPUTY CHAIRMAN: There are amendments. Are there any questions or comments with regard to the amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill 61, the Mortgage Brokers Regulation Amendment Act, 1985, be reported as amended.

[Motion carried]

Bill 62
Builders' Lien Amendment Act, 1985

MR. DEPUTY CHAIRMAN: Bill 62, the Builders' Lien Amendment Act, 1985, with amendments. Are there any questions or comments regarding the amendments?

MR. LEE: Mr. Chairman, two questions to the hon. member. We've both been in receipt of correspondence from two organizations, the Calgary Construction Association and the Mechanical Contractors Association. I wonder if the hon. member could respond to the concerns contained in their

correspondence that has already been submitted to the hon. member.

MR. GOGO: Mr. Chairman, as I mentioned at second reading, Bill 62 is a new draft of Bill 94, which was introduced last fall. As a result of that first reading, there were a fair number of comments by interested people, contractors, lenders, and others. As a result of that a special committee was formed, as I mentioned at second reading, consisting of solicitors essentially representing the different points of view. That concluded in a consensus that gave birth to Bill 62, which is now before this committee.

I point out, Mr. Chairman, that various groups, including the Calgary Construction Association, the Alberta Construction Association, Campbell & Hillier Ltd. from Calgary, and others, raised various points. They have been considered by the committee as well. Although their comments are perhaps valid, the consensus of the committee was that, frankly, Bill 62 should be passed and people should attempt to make it function.

Of the comments received, I should comment on a couple. I noticed that both the Calgary Construction Association and the Mechanical Contractors made several points. For example, they said that they see no value in changing the 35 days to 45 days, in terms of time to lodge a lien. That's great; they even point out that it should be 31 days. Of course, they're in Calgary, which has a Land Titles Office. They walk across the street and put a lien on it. But if they were to see the rest of this great province of ours, from Grande Prairie to Lethbridge, they would recognize that if you are in Claresholm or Lacombe, for example, and you order concrete, it takes 28 days to cure and normally the payment day is 31. You try to get your money; 31 days have gone by, then 32, then 33. The first thing you know, it's 35, because you have to get to Calgary to a Land Titles Office to put a lien on it.

Forty-five days is not what I wanted; I wanted 60. So I don't accept their argument that 45 unnecessarily hinders the advancing of money or having people pay. I don't accept that argument. I would accept it if we established eight branch offices of Land Titles so the majority of small-business people in outlying communities in this province could have an opportunity to put their lien. In the consensus of the committee, I think it went both ways, but so be it.

Another comment they made that I should respond to, Mr. Chairman, is the matter of substantial performance. The Calgary Construction Association makes a good point: if a subcontractor puts in pilings, the pilings are put in today and used today, so why can't he be paid today? I think that's a very fair comment, particularly when the building may not be complete for seven or eight months.

However, we come back to the point that the Builders' Lien Act does not in any way alter a contract, and one should never lose sight of that. It seems to me that a person putting in pilings should very clearly have a contract or an understanding with the owner that once those pilings are in, the cement is cured, and it's serviceable, surely he is entitled to his money. I don't think the Builders' Lien Act can in any way alter that, Mr. Chairman.

Another point they raised was how a contractor or subcontractor, as opposed to the owner, could issue the certificate of substantial performance. In the past, as members know, it was the owner who had the responsibility. First of all, if you have a large project, you may indeed have a supervisor. In the past we've had supervisors, but we've discovered that the majority of projects are not big

projects. If it's a big project, surely the owner would want to have assurance from either an architect or an engineer that a supervisor — and it's my understanding that the architects association is in agreement with the fact — is not required. The owner doesn't have to pay until the job is complete anyway, unless that's in the contract. I think the point is still valid in some ways, though.

To make another point with regard to the corporate taxation point of view, they cannot defer holdback receivables if there has been a completion certificate or certificate of substantial performance issued; i.e., in theory they've received the money and therefore it's taxable. I can't comment on that because it really deals with Revenue Canada.

They make some other points, Mr. Chairman. They don't know whether the trust provision will work. As members know, there is provision in Bill 62 whereby after the substantial performance, the moneys not paid out but held in the so-called minor lien fund must go into trust. There are objections to that: how do we get it out of trust? I would think the normal trust provisions prevail. I point out that this is the only time in Bill 62 we ever touch the Criminal Code, because to fool around with trust provisions is fraud or a criminal offence, which introduces a whole new area. I think people are counting on the inference found within terms like "fraud" and "Criminal Code" to in fact behave according to the trust.

Another comment they made was the priority with regard to having mortgages over liens. As members know, nothing is prior to wages; wages have the first priority in a lien. But with regard to mortgage money having priority, frankly, I think it's justified, in that in the amendment to the Act, the revision of section 9(2) relates to somebody who purchased a property with an agreement for sale. Surely that person has as many rights as the original owner. That provision is put in there to protect somebody who has a vendor's interest under an agreement for sale.

Mr. Chairman, I believe that answers most of the questions that have arisen. I will undertake to the committee to ensure that all those who have submitted comments are contacted by the Attorney General's department to see not necessarily that they accept the arguments of the committee that agreed on the Bill but that they fully understand what we're doing to the Act.

[Motion on amendments carried]

[Title and preamble agreed to]

MR. GOGO: Mr. Chairman, I move that Bill 62 as amended be reported.

[Motion carried]

Bill 63 Maintenance Enforcement Act

MR. DEPUTY CHAIRMAN: Bill 63, the Maintenance Enforcement Act, with amendments. Are there any questions or comments to be offered with respect to any section or the amendments?

[Motion on amendments carried]

MR. MARTIN: I have a question on the amended Bill. A couple of times during the session I raised what seemed to be a loophole in terms of this maintenance Act. I don't

know if hon. members are aware, but I asked the minister of hospitals and the Attorney General about section 15 of the Health Care Insurance Act. There still seems to be this loophole. Perhaps the member can tell me. In this Act, money owed by Alberta health care to a doctor cannot be garnisheed for maintenance orders or for any other purpose or for any other creditors. I wondered about the exemptions at the time and if in this Bill we can garnishee from health care and if not, why not. It seems to me that if we're not, we have a whole group that would be outside this particular Bill. I wonder if the member could comment on that.

MRS. KOPER: Mr. Chairman, the particular issue raised by the hon. Member for Edmonton Norwood is in regard to section 15 of the Alberta Health Care Insurance Act. The payment of benefits under section 15 is not assignable, and no sum owing by the minister as benefits is liable to be charged or to be attached. As I understand it, that is because basically those benefits are payable to the people of the province, and it is only as a convenience that the doctor at times will ask for the payment to be made directly to him on behalf of the patient. So there are two factors that make it very difficult for this particular section to be altered at this time.

I believe we should perhaps have a look at it later down the line if the clauses under section 22 of Bill 63 are not effective. The two problems are that under section 15 there is a right to reassess once a billing has been made, once a claim has been processed. Every single one of them is subject to a reassessment, whether it's been done by a patient or by the doctor. The second factor is because we are in a mode where payments are sometimes made ahead of this assessment, it must not prejudice the right of the residents under the Act to be entitled to their moneys. Therefore, if we have in some way paid a doctor more than he or she is entitled to, we must be able to reclaim it on behalf of the patients.

We've seriously considered this, Mr. Chairman, and we feel that the qualifications and the action that may be taken by the courts under section 22 would be adequate to ensure that there is some chance of reclaiming the arrears for the creditor. I hope that answer is satisfactory.

MR. MARTIN: I understand it's complicated, but just for a point of clarification, section 22 would get around this. If not, I take it the government will be monitoring this and that, as the member says, if it doesn't work under section 22, we'd come back. It would be unfair if a whole group in society could really escape from a law that had jurisdiction over all the rest of us. So I will accept that they think section 22 but that it will be followed closely in the future by the government.

MRS. KOPER: Just to respond briefly, Mr. Chairman. Yes, that is true; it will be monitored. I would say that once the Act is proclaimed, creditors will be able to report to the director of maintenance and get on the system.

[Title and preamble agreed to]

MRS. KOPER: Mr. Chairman, I move that Bill 63 as amended be reported.

[Motion carried]

Bill 64**Municipal Government Amendment Act, 1985**

MR. DEPUTY CHAIRMAN: There are amendments. Are there any questions or comments to be offered with relationship to the amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

MR. KOZIAK: Mr. Chairman, I move that Bill 64, the Municipal Government Amendment Act, 1985, as amended be reported.

[Motion carried]

Bill 65**Appropriation Act, 1985**

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill 65, the Appropriation Act, 1985, be reported.

[Motion carried]

Bill 66**Appropriation (Supplementary Supply)
Act, 1985**

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

[Title and preamble agreed to]

MR. HYNDMAN: Mr. Chairman, I move that Bill 66, the Appropriation (Supplementary Supply) Act, 1985, be reported.

[Motion carried]

Bill 67**Nursing Homes Act**

MR. DEPUTY CHAIRMAN: There are amendments to the Bill. Are there any questions or comments regarding the amendments?

[Motion on amendments carried]

MR. GURNETT: Mr. Chairman, I'd like to ask a couple of questions with regard to Bill 67. They relate to thinking back to some of the comments the minister made in speaking about the Bill in second reading and the concern the minister indicated, that action in this whole area of nursing homes is a critical area, a key issue. I do have a concern that it is not addressed as fully as it could be in Bill 67.

Specifically, one of the key areas of concern I have relates to staff qualifications for nursing homes. It seems that by this Bill we just authorize the development of regulations, but we don't put any muscle into the Bill by

specifying anything about the qualifications for staff or the training they need to have. The same to a certain extent is true also when we look at standards for food and for client activities in the nursing homes. This Bill makes the possibility of developing regulations available, but it doesn't in fact specifically do anything to make the lot of people living in nursing homes better in those kinds of areas. So I wonder what the reason is that we chose not to go beyond just approving that general possibility of developing regulations.

I also wonder if the minister could explain a bit about the whole issue of contracts with nursing homes. I personally think a case could be made for all nursing homes having to be accredited. I wonder if the minister could confirm that this Bill will at least require all nursing homes that operate to have a contract. What would be required to have a contract? How would that compare with having to meet, say, a standard for accreditation? Or would having a contract be some relatively easy status to achieve?

Also, I would like the minister to respond with regard to some of the input which I know his department has had over the years about specific things that should be happening with nursing homes. I know that he had some input from the Royal Canadian Legion about some of the concerns they've had about nursing homes. One of them was about the training and preparation that staff have, and I've mentioned that already. Another was about whether or not nursing homes are appropriate facilities for mentally disturbed or organic brain-damaged clients and whether they should be in some place with more appropriate care. I wonder what attention was paid to the concerns of groups that have quite a stake in the whole area of nursing homes — groups like the Royal Canadian Legion — in the preparation of this Bill, and why it tends to take the route of being general and vague rather than specific on some of these matters.

MR. RUSSELL: Mr. Chairman, I'm glad that the hon. member raised those issues. During debate on second reading of the Bill, I said that members would notice that sections 30 and 31 were very extensive insofar as the regulation-making authority of the Bill is concerned. I think the hon. member can appreciate the detail that would be in the Bill, which would have to be changed from time to time by way of legislation, if we dealt with all the things like menu requirements, dietary habits, staff training and retraining, staff ratios, et cetera. The policy decision was taken to place those in the Bill under regulatory powers. I want to make it clear to members of the Legislature that that is where the real muscle of the Bill will be.

I also refer the hon. member to section 30(m), in which we talk about contracts under regulations. That section really gets at the nub of the contract and outlines the conditions by which we would flow funding to the operator under the contract. But probably more important, section 19 and the three or four sections that follow from there go into some detail about the action that can be taken after an inspection occurs and you want some corrections made: the board of review, cancelling the contract, appointing an official administrator, et cetera. I make no bones about it. If there is a nursing home operator, whether it's a district or a private operator, that isn't keeping his institution in top-notch condition, it's the intention of the government to want to have the authority to go in and take quick corrective action and be able to withhold funding, because that is probably the most potent tool the government will have.

Insofar as the attention that was paid to groups, maybe the hon. member is not aware of the incredible detail and communication that has gone on with the groups: the public hearings that were held under Dr. Harry Hyde's committee, then the assessment and response to the recommendations that were contained in that report, the establishment of an implementation committee which was made up of groups from outside as well as inside government, and a plan of implementation of the Hyde committee report which was developed. We designed our legislation based on that. The legislation does not require that we immediately implement the Hyde report, but if we are going to implement the Hyde report, we need the legislation. In any event, the legislation which is before us now, together with the very detailed regulations which will follow, constitutes a package that deals with the very things the hon. member dealt with.

For that reason, he will notice that the regulations are broken into two sections: ministerial regulations, which are much easier, more direct, and more in-house to deal with, and the regulations by the Lieutenant Governor in Council. Why do we have those two kinds? When our Legislative Review Committee of cabinet was reviewing these parts of the Bill, the policy decision was taken that to the degree possible we should leave future ministers of hospitals the flexibility and authority they would probably want in order to deal on a day-to-day basis with changing trends, whatever might be happening in a particular nursing home, et cetera. We would leave broader, more solid-based requirements — that is, those that pertain essentially to the contractual aspects of the contract — to the Lieutenant Governor in Council. Frankly, I think that was a good way to go.

As I said earlier, when taken all together, the total package will provide the government and the minister of the day with the authority to deal with exactly the kinds of issues the hon. member raised. We're as concerned about those as he is.

[Title and preamble agreed to]

MR. RUSSELL: Mr. Chairman, I move that the Nursing Homes Act be reported as amended.

[Motion carried]

Bill 68
Child Welfare
Amendment Act, 1985 (No. 2)

MR. DEPUTY CHAIRMAN: Are there are questions, comments, or amendments?

MR. GURNETT: Just two questions to the minister, Mr. Chairman. One relates to section 90.1 of the Bill, which talks about the status of foreign orders and agreements in connection with adoptions. I'd be interested in the minister's indicating the role or status of the Canadian government in relation to what's said here. We're told that if another jurisdiction certifies an order as being valid, that would be recognized. For example, in the case of an adoption in another country that was certified as valid by the courts of that country, if the Canadian government chose not to recognize that order, I'm wondering what the Alberta government's position would be in relation to that. Would they recognize the judgment of the foreign country that issued the order or the Canadian government's decision not

to recognize that foreign order? I'd appreciate some clarification about that section.

Also, with regard to section 66(5), which relates to the disclosure of the identity of biological parents, is there any consideration being given to making clear to biological parents when they surrender a child that in the event of a health problem, the information could be made available, maybe by their having to sign a permission slip that made clear that they understood this could happen should the situation arise? Secondly, because the wording in that section right now simply says "the health of the adopted child", what are the intentions to specify? I have concern about a vagueness there that might allow people to try to get access to that information on less than necessary grounds. I wonder if that could be detailed a little by the minister.

DR. WEBBER: A couple of important points, Mr. Chairman. With regard to disclosure of information related to health concerns that may arise for the adopted child or adult that could lead to the identification of the biological parents, the intention is that it would be a rare occasion when that kind of thing would happen. That is why there is the requirement of ministerial approval. It's quite specific in that ministerial approval would be required. So there would have to be very extenuating circumstances before any identity could come about. The hon. member's point about notifying the mother at the time she is giving up the child for adoption, indicating the possibility that she could be notified in the future if a health problem arose, is a good one and we will have a close look at it.

I'm not sure how to respond to the hon. member with regard to foreign orders. My recollection is that the purpose of this particular section is that we would have provision in our own legislation in the case of agreements made interprovincially or outside the country. He mentioned the role of the Canadian government in recognizing the adoption. I'm not sure what role the Canadian government has in that aspect of it. Child welfare is a provincial jurisdiction. I assume it would be up to the provinces to recognize these adoptions. Perhaps we could have an exchange of information for further clarification on this matter outside the committee stage of this Bill. Certainly, it is our intention in this particular Bill. We have the Child Welfare Amendment Act, 1985 (No. 2), so we can take a very, very close look at the whole adoption process, particularly the private adoption process and the spin-off concerns some members of the public have, whether it be surrogate motherhood or adoptions from other countries. It is an important area, and I will attempt to provide better information to the hon. member outside the committee stage of the Bill if I can.

MR. GURNETT: I'll certainly take the minister's offer of pursuing that. To ask a related question, which the minister may again have to check into before he can respond, if a child were adopted pursuant to the regulations in some other area, I'm wondering if section 91 in the Bill means that it would not be necessary to go through an adoption in Alberta and that the adoption would be recognized by Alberta statute. Could the minister at least suggest if that's the general intention?

DR. WEBBER: It is certainly the intention that if adoption occurs somewhere else — and that's happening today; families may go to the United States, Saskatchewan, or South America to adopt a child — no readoption process occurs back here in Alberta. It would be a matter of recognizing

that adoption once the families come back. Although, as I understand the current situation, the adoption can occur outside the province and there may be no information provided to the government that that adoption has actually occurred. However, as I mentioned earlier, we want to take a closer look at the whole process of private adoptions, whether the child is outside the country or in the province.

[Title and preamble agreed to]

DR. WEBBER: Mr. Chairman, I move that the Child Welfare Amendment Act, 1985 (No. 2), be reported.

[Motion carried]

Bill 69
Dependent Adults Amendment Act, 1985

MR. DEPUTY CHAIRMAN: There are amendments to the Bill. Are there any questions or comments regarding the amendments as presented?

MR. GURNETT: Sorry, these Bills seem to come in little bursts. There is one issue I'd like to raise about Bill 69 and have the member respond to. That has to do with the issue of compulsory care orders and certificates. I believe this is one of the issues that was raised in the brief that members received from Alberta Hospital. Apparently, there's no provision in the Act for dependent adults who are compulsorily confined at facilities under the Act to receive any form of care. The Act gives authority to confine, apprehend, convey, and transfer a dependent adult. But I wonder about the fact that while that's approved, there's nothing specific that says any kind of care needs to be made available after confinement takes place. I think the danger there is, of course, that we could end up with people who are confined but are not receiving care.

It seems to me that it's important to specify that dependent adults who are in confinement would also be in need of appropriate care for the circumstances that led to their confinement. The hospital should be required by statute to provide the treatment that's needed and be sure it has staff that can give the kind of care any person might need. I guess I'm just inquiring about why we legislate the possibility of confining and transporting a dependent adult under compulsory care but not providing care for them.

MRS. KOPER: Mr. Chairman, this does bring up a concern. I guess the argument is that mental health hospitals should not be used solely for confinement when there is no need for treatment as well. The problem here does not really have wide application. In fact, there were 12 cases over the last four years that needed this section. Yes, there is occasionally a need to confine people who are a danger to themselves and perhaps no treatment is available at that point. Most often these people don't suffer from a mental disorder, as defined, that could be treated there, but they have behavioural disorders and require some type of care or treatment that is not appropriately done in other places, such as jails.

So at present, I agree that we do not have ideal places for this. Usually to protect themselves, to protect their lives, mental health facilities are the best solution to a very difficult problem that you have brought forward. I, too, agree that this whole area needs further study, but this is the very best we can do at this point. Using the facilities of these

hospitals gives the greatest protection plus the greatest degree of help to the individual concerned.

[Motion on amendments carried]

[Title and preamble agreed to]

MRS. KOPER: Mr. Chairman, I move that Bill 69 be reported as amended.

[Motion carried]

Bill 70
Telecommunication Statutes
Amendment Act, 1985

MR. DEPUTY CHAIRMAN: There are amendments. Are there any questions or comments regarding the amendments?

[Motion on amendments carried]

[Title and preamble agreed to]

MR. BOGLE: Mr. Chairman, I move that Bill 70, the Telecommunication Statutes Amendment Act, 1985, be reported as amended.

[Motion carried]

Bill 74
Hazardous Chemicals Amendment Act, 1985

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

[Title and preamble agreed to]

MR. BRADLEY: Mr. Chairman, I move that Bill 74, the Hazardous Chemicals Amendment Act, 1985, be reported.

[Motion carried]

Bill 75
Psychology Profession Act

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

[Motion on amendment carried]

[Title and preamble agreed to]

DR. REID: Mr. Chairman, I move that Bill 75, the Psychology Profession Act, be reported as amended.

[Motion carried]

PRIVATE BILLS
(Committee of the Whole)

Bill Pr. 1
Heritage Savings & Trust Company
Amendment Act, 1985

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

[Title and preamble agreed to]

MR. WEISS: On behalf of my colleague the Member for Edmonton Whitemud, I move that Bill Pr. 1 be reported.

[Motion carried]

Bill Pr. 2
Westerner Exposition Association Act

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

[Title and preamble agreed to]

MR. STILES: Mr. Chairman, I move that Bill Pr. 2 be reported.

[Motion carried]

Bill Pr. 3
David Michael Skakun
Adoption Termination Act

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

[Title and preamble agreed to]

MR. STILES: Mr. Chairman, on behalf of the hon. Member for Stony Plain, I move that Bill Pr. 3 be reported.

[Motion carried]

Bill Pr. 5
Les Soeurs de Sainte-Croix,
Province Sainte-Thérèse — Sisters of
Holy Cross, Saint Theresa Province Act

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

[Title and preamble agreed to]

MR. GOGO: Mr. Chairman, on behalf of the hon. Member for Edmonton Gold Bar, I move that Bill Pr. 5 be reported.

[Motion carried]

Bill Pr. 6
Concordia Lutheran Seminary
Amendment Act, 1985

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

[Motion on amendment carried]

[Title and preamble agreed to]

MR. SZWENDER: Mr. Chairman, I move that Bill Pr. 6 be reported.

[Motion carried]

Bill Pr. 7
The St. Louis Hospital, Bonnyville
Amendment Act, 1985

MR. DEPUTY CHAIRMAN: Are there any questions or comments to be offered with regard to any section of this Bill?

[Title and preamble agreed to]

MR. DROBOT: I move that Bill Pr. 7 be reported.

[Motion carried]

Bill Pr. 8
City of Edmonton Authorities
Amendment Act, 1985

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

[Title and preamble agreed to]

MR. STILES: Mr. Chairman, on behalf of the hon. Member for Edmonton Gold Bar, I move that Bill Pr. 8 be reported.

[Motion carried]

Bill Pr. 9
Le Diocèse de St. Paul
Amendment Act, 1985

MR. DEPUTY CHAIRMAN: Any questions or comments to be offered in relation to any section of this Bill?

[Title and preamble agreed to]

MR. SZWENDER: Mr. Chairman, I move that Bill Pr. 9 be reported.

[Motion carried]

Bill Pr. 10
Westcastle Development Authority Act

MR. DEPUTY CHAIRMAN: There is an amendment to the Bill. Are there any comments or questions relating to the amendment?

[Motion on amendment carried]

[Title and preamble agreed to]

MR. GOGO: Mr. Chairman, I move that Bill Pr. 10, the Westcastle Development Authority Act, be reported as amended.

[Motion carried]

Bill Pr. 11
The Calgary Municipal Heritage
Properties Authority Act

MR. DEPUTY CHAIRMAN: There is an amendment to the Bill.

[Motion on amendment carried]

[Title and preamble agreed to]

MR. STILES: Mr. Chairman, on behalf of the Member for Calgary North Hill, I move that Bill Pr. 11 be reported.

[Motion carried]

Bill Pr. 12
Highfield Trust Company Repeal Act

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

[Title and preamble agreed to]

MR. PAPROSKI: Mr. Chairman, I move that Bill Pr. 12 be reported.

[Motion carried]

Bill Pr. 13
Society of Management Accountants
of Alberta Amendment Act, 1985

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

[Title and preamble agreed to]

MR. NELSON: Mr. Chairman, I move that Bill Pr. 13 be reported.

[Motion carried]

Bill Pr. 14
The Youth Emergency Services
Foundation Act

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

[Motion on amendment carried]

[Title and preamble agreed to]

MR. WEISS: Mr. Chairman, on behalf of my colleague the Member for Edmonton Whitemud, I move that Bill Pr. 14 be reported as amended.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. PURDY: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bills 7, 58, 60, 65, 66, 68, 74, Pr. 1, Pr. 2, Pr. 3, Pr. 5, Pr. 7, Pr. 8, Pr. 9, Pr. 12, and Pr. 13, and reports the following with some amendments: Bills 13, 39, 42, 78, 44, 54, 56, 57, 61, 62, 63, 64, 67, 69, 70, 75, Pr. 6, Pr. 10, Pr. 11, and Pr. 14.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, it's not proposed that the Assembly sit this evening. The business for tomorrow is government motions 19, 20, and 21, along with third reading of government and private Bills on the Order Paper and, if there's time, Royal Assent.

[At 5:04 p.m., on motion, the House adjourned to Wednesday at 2:30 p.m.]

