

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Monday, June 15, 1987 2:30 p.m.**

Date: 87/06/15

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

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

head: **PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

MR. MUSGREAVE: Mr. Speaker, the Committee on Private Bills has had the following Bill under consideration and recommends that it be proceeded with: Bill Pr. 24, Jimmy W. Chow Bar Admission Act.

I request the concurrence of the Assembly in this recommendation.

MR. SPEAKER: Does the Assembly concur in the recommendation?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? So ordered.

head: **INTRODUCTION OF BILLS**

Bill 42

Miscellaneous Statutes Amendment Act, 1987

MR. HORSMAN: Mr. Speaker, I request leave to introduce a Bill, being the Miscellaneous Statutes Amendment Act, 1987.

Mr. Speaker, this is a Bill which is presented annually which clears up small items in a number of pieces of legislation relative to terminology and so on. It's a catchall Bill.

[Leave granted; Bill 42 read a first time]

Bill 54

Volunteer Incorporations Act

MISS McCOY: Mr. Speaker, I beg leave to introduce Bill 54, entitled the Volunteer Incorporations Act.

The purpose of this Act is to provide a vehicle for nonprofit corporations and societies to incorporate themselves. It adds to the existing mechanism a well-articulated method whereby the members can govern themselves internally, and it also removes a great many of the filing and other regulatory burdens that are now visited upon the volunteer societies.

It is my intention, Mr. Speaker, to introduce this Act at this time but then ask for public input and comment on the Bill and then to reintroduce, or at least to take the legislative action, later this year or early next spring.

[Leave granted; Bill 54 read a first time]

Bill 57

**Municipal District of Big Horn No. 8
Incorporation Act**

MR. BRADLEY: Mr. Speaker, on behalf of my colleague the Member for Banff-Cochrane, I request leave to introduce a Bill, being Bill 57, the Municipal District of Big Horn No. 8 Incorporation Act.

Basically, Mr. Speaker, this Bill will form a municipal district out of the existing improvement district No. 8 communities within the Canmore corridor, including Exshaw, Seebe, Harvie Heights, Lac des Arcs, and Kananaskis.

[Leave granted; Bill 57 read a first time]

MR. CRAWFORD: Mr. Speaker, I move that Bill 57 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

MR. SPEAKER: Member for Edmonton Highlands.

Bill 270

An Act to Amend the Historical Resources Act

MS BARRETT: Thank you, Mr. Speaker. I'd like to join the rush of introducing Bills today by introducing Bill 270. An Act to Amend the Historical Resources Act.

The purpose of this Bill, Mr. Speaker, is to bring Alberta into line with the government of Canada, through its Canadian Permanent Committee on Geographical Names, and other countries around the world and other jurisdictions in fact by formalizing and codifying the names of our historical resources.

[Leave granted; Bill 270 read a first time]

Bill 227

An Act to Amend the Land Titles Act

MR. WRIGHT: Mr. Speaker, I request leave to introduce a Bill, being an Act to Amend the Land Titles Act.

Mr. Speaker, this Bill would amend the Act to require every person buying or holding land in Alberta to file a statement of that person's residence and whether or not they are a Canadian citizen with the registrar of land titles. In addition, the Bill would require that the registrar prepare a report showing the extent of foreign landholdings in the province every year.

[Leave granted; Bill 227 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. KOWALSKI: Mr. Speaker, I'd like to table with the Assembly today the 1986 annual report of the Environment Council of Alberta.

MRS. BETKOWSKI: Mr. Speaker, I'm pleased to table with the Assembly the 81st annual report of the Department of Education for the year ended March 31, 1986.

MR. ORMAN: Mr. Speaker, I'm pleased to file with the Legislative Assembly a press release dated June 15, 1987, announcing the allocation of \$10 million in additional funding for the summer temporary employment program.

head: INTRODUCTION OF SPECIAL GUESTS

MR. GIBEAULT: Mr. Speaker, I'm pleased to introduce to you and to members of the Assembly this afternoon, Mrs. Maria Muskatblit, who is a Chilean citizen currently touring the country talking to Albertans and now in our city about some of the atrocities committed by the Chilean regime, including the murder of her husband. She's accompanied this afternoon by Mr. Alex Salinas, who is the president of the Chilean Community of Edmonton. I'd ask them both to rise and receive the warm welcome of the House.

MR. CLEGG: Mr. Speaker, it gives me pleasure to introduce to you and through you to the Legislative Assembly, 31 students from the Hines Creek school in the wonderful constituency of Dunvegan. They are accompanied by two teachers, Mrs. Elaine Allison and Mr. George Dixon, six parents: Mrs. Ann Luka, Mrs. Ann Scarrow, Mrs. Sheila Kitzmann, Mrs. Marilyn Vick, Mrs. Maria Rientjes, and Mrs. Rudy Riewe. They are seated in the public gallery. I would ask them to rise and receive the customary warm welcome of the Assembly.

MRS. CRIPPS: Mr. Speaker, it's my pleasure to introduce 28 students from the Tomahawk school and their accompanying parents and teachers. They're in the members' gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

head: ORAL QUESTION PERIOD

Free Trade

MR. MARTIN: Mr. Speaker, I'd like to direct the first question to the Premier. The Premier has recently placed himself in the position of a negotiating partner on the free trade negotiations. At least that is the reason he has given this Assembly for not seeking a ratification formula. In the free trade negotiations Americans have demanded what amounts to an open-door policy on U.S. investment in the Canadian economy.

My question to the Premier: would he indicate what the Alberta government's position is on the American demands for an open-door policy for U.S. investment in the Canadian economy?

MR. GETTY: Mr. Speaker, obviously in any tough negotiation -- and I think it's fair to say that free trade negotiations should be tough, with a lot of give and take -- certain people raise certain matters either publicly or otherwise to try and get in a better negotiating position. I think it would be extremely unwise for us to start to say publicly what our position would be when we're in the middle of negotiations. Therefore, it's my belief that it would not be helpful at all to the negotiations, nor am I prepared to do it.

MR. MARTIN: Mr. Speaker, this should be a public debate

surely. We should know what the Alberta government stands for. But I notice that they did say something publicly at Humboldt on the trade negotiations, and I quote:

The Premiers believe that existing rules respecting investments in Canada provide for the mutual benefits for investors and for regions in which the investments occur; further they observed that the United States restricts foreign investments in sensitive areas such as national security, security of supply, and communications.

I take it that the Premier signed that; so that's a public document, Mr. Speaker. Does the Premier remain committed to preserving at least the existing restrictions on U.S. investments in Canada?

MR. GETTY: Mr. Speaker, my original answer covers that. We are not going to try and give a position in advance of concluding negotiations. That would be foolish and would only indicate that the hon. Leader of the Opposition doesn't understand how to negotiate.

MR. MARTIN: Mr. Speaker, I honestly can't believe we have a Premier of the province, on something as important as this, refusing to tell Albertans what he stands for. I take it he signed the document, and now he's not saying whether he agrees with it or not. It's hard to believe what he believes in.

But my question to the Premier is, flowing from his answers: is he saying that he does not believe the Americans are serious in proposing this investment proposal, that this is just a bargaining ploy? Is this what this Premier really believes?

MR. GETTY: There were three questions there, and the answers are no, no, and no.

MR. MARTIN: Mr. Speaker, he believes it's serious then. If that's the case then, if he believes it is a serious proposal from the Americans, will he please then tell us what the Alberta government's stand is? Are we for more foreign investment or less or the status quo? The people of Alberta have a right to know this.

MR. GETTY: Mr. Speaker, I answered that in my opening answer.

MR. TAYLOR: Mr. Speaker, a supplementary to the Premier. Surely some things are sacred. Would the Premier covenant to the House that in no way, shape, or form will he be allowing foreign nonresident corporations to buy our farmland or our recreation land? Just covenant that.

MR. GETTY: Mr. Speaker, as the hon. member probably knows, there's legislation already on the books in Alberta covering those matters.

MR. SPEAKER: Second main question, Leader of the Opposition.

MR. MARTIN: Mr. Speaker, I'd like to designate my second question to the Member for Edmonton Strathcona.

Laboratory Costs

MR. WRIGHT: Mr. Speaker, my question is to the Minister of

Hospitals and Medical Care and concerns the cost of laboratory testing for pathological specimens that currently are paid for by his department and concerns the private laboratories. My question relates to the relationship to the provincial laboratory, which has been in my constituency for some 75 years now.

Last year, Mr. Speaker, \$82 million was paid to the private laboratories, up 11 percent from the previous year. This year the total estimate for the provincial laboratory is \$8.7 million, down 3 percent from last year, yet the provincial laboratory will do all the same microbiology tests at a fraction of the cost, anywhere from 200 to 40,000 percent less. This accounts for some one-third of the specimens and about 40 percent of the cost. My question is: why have no steps been taken since I wrote the minister about a year ago and raised the question in question period to save the taxpayer perhaps some \$30 million annually by directing that all . . .

MR. SPEAKER: Hon. member, I think an introductory question has to come to an end some time please.

MR. WRIGHT: No, this is a question, with respect microbiology tests paid for by the taxpayer be sent to the provincial laboratory in all cases where it is possible to do so?

MR. M. MOORE: Mr. Speaker, I don't have the answer to those questions. First of all, the provincial lab is under the responsibility of the Minister of Community and Occupational Health. They do a great deal of work that isn't done by private labs, and their function in many ways is substantially different from the private labs that the hon. member is referring to.

To compare tests, one would have to compare what would occur if we were to expand the provincial lab rather dramatically from its present size and the number of people that are working there to something that's quite a bit larger, and we would have to look at that on the basis of whether or not the province can build new buildings and provide new facilities and hire people in a more cost-effective way than the private sector can, and I doubt very much that's the case.

MR. WRIGHT: Mr. Speaker, the minister may have put his finger on the problem, which is that the laboratory is under the control of the Minister of Community and Occupational Health, yet the charges for the private laboratories, which are doing the provincial laboratory's work, so to speak, are paid for by his department. What studies has the minister done in the last year to see the relative costs involved in having the provincial laboratory, with its much cheaper way of operating, do those very same tests that his department paid out somewhere between \$20 million and \$40 million for this year?

MR. M. MOORE: Mr. Speaker, I'm not aware of any studies that have been done comparing the private labs with the provincial lab, because the role and function of the provincial lab is considerably different from all of the private labs. A more appropriate comparison would be to compare the costs of the private labs that we've paid \$30 million or \$40 million out to under the Alberta health care insurance plan to the laboratories which exist within almost all of our active treatment hospitals, because those are the ones that do similar work to what the private labs do.

Again, Mr. Speaker, one would have to look at capital costs and a great variety of things to get an accurate comparison. If there are some comparisons within the department, I'd be happy

to inquire and, if there are some, provide them to the hon. member.

MR. WRIGHT: Yes, Mr. Speaker, but even in cases where this is supposed to be done -- i.e., the tests are supposed to be done at the provincial laboratory -- as for example, testing for syphilis, it isn't done. In the year ended March 31, 1987, the number of tests for syphilis done by the provincial lab actually declined from 92,000 to 86,000, though the incidence of syphilis is rising. Will the minister at least stop paying the private laboratories for tests they are not authorized to do?

MR. M. MOORE: I'm sorry; I didn't catch the last part of the question.

MR. WRIGHT: Stop paying the private laboratories for tests they are not authorized to do.

MR. M. MOORE: Well again, Mr. Speaker, I'm not aware that we're paying private laboratories for tests which they are not by law authorized to do. That's a rather serious charge. I will look into that as well.

MR. WRIGHT: Thank you. My last supplementary, Mr. Speaker, to the Acting Minister of Community and Occupational Health: in view of the extreme cost-effectiveness of the examination functions of the provincial laboratory, which is still a major part of their function, when will the minister permit the laboratory to buy the computer it wants and has saved the money for and allow it to communicate electronically and otherwise efficiently with its customers as private laboratories are paid to enable them to do, or is the government wedded to the private laboratories irrespective of the cost to the taxpayer?

MR. ROSTAD: Mr. Speaker, as Acting Minister of Community and Occupational Health, I'll take that question on advisement and have the minister get the answer.

MR. CHUMIR: To the minister of hospitals, Mr. Speaker. Is the minister aware that hospital personnel and doctors have advised that because of budget cuts in hospitals, radiology work and laboratory tests which have previously been done at hospitals are being sent outside of the hospitals at a higher cost to medicare? A classic example of a false economy. Is the minister aware of that? If not, will he look into it?

MR. M. MOORE: Well, the private sector has done a lot of tests for many, many years. The only thing that I'm acutely aware of is that almost everything that's being done by the private sector or is on a waiting list today is the responsibility of budget cuts. Many of those situations are no different than they were a year ago.

Government Travel

MR. TAYLOR: Mr. Speaker, my main question today is to the Premier. On Friday, in response to my questions on exorbitant travel costs, the Premier remarked, "We are leaders in the world." But my concern is: why do ministers of this government have to travel at such expense just to prove to the rest of the world that they exist? For instance, why do ministers travel first-class or fly on the Concorde, as one minister has done not too long ago, to prove that they are somebodies? I think the

buck has to stop here.

To the Premier: how can he justify first-class travel for ministers and hangers-on at a time when we are going through such financial cutbacks and everything else in government?

MR. GETTY: Mr. Speaker, I dealt with that very question on Friday. It's a matter of whether you're able to give up three or four or five hours or be able to actually do the work during that period of time. For my part my schedule does not allow me or my ministers to just take that time and put it to one side when you're traveling. You must be able to work. We have schedules that insist that we are able to do work during those hours of traveling, and it's almost impossible under certain situations, but it is true that in the first-class situation, you often are able to. Now, there are many times when we don't travel first-class, and you are unable to work, except for some reading perhaps, and in those cases you do lose the effectiveness of those hours.

MR. TAYLOR: Mr. Speaker, I've only been able to get in first class occasionally when I'm bumped up from economy, but it seemed to be one helluva party, not a place to work. Nevertheless, I would like to go on then.

Is the Premier aware that when one travels, in particular when one travels first-class, there are a large number of bonus points issued to the traveler's name, not to the corporation, and that these frequent flyer bonuses are accumulated and can be used for personal expenses? Is the Premier doing anything about that? Is he aware of the travel bonus program, and has he taken any action so that these cabinet ministers aren't benefiting for the personal . . .

MR. SPEAKER: Hon. member, two questions became three and became two again and have gone on in some length, Hon. Premier.

MR. TAYLOR: Give me an answer,

MR. SPEAKER: Hon, Premier, please.

MR. GETTY: Mr. Speaker, I find it extremely unpleasant in the House if you are trying to speak, and he's trying to yell over your voice. I think we've already gone through that in this session, and I hope the hon. member will cease to do that and embarrass the Speaker and this Legislature.

MR. TAYLOR: He's not going to rescue you, so come up with the answer.

MR. GETTY: Now, we sit and listen to his question and once again people all over Alberta notice that he does not want to hear the answer but rather interrupts and tries to turn this House into the mess that they did in Ottawa.

Mr. Speaker, when I was in the private sector. I did know some of the details of the bonus plans, I haven't any reason to know them or pay any attention to them any longer, and I don't have them at my fingertips. If the hon. member wants to put a motion on the Order Paper, I'll certainly consider it then.

MR. TAYLOR: Mr. Speaker, I would be quite interested if the Premier . . . Will the Premier put in place -- maybe if you don't mind I will wait until he gets his information.

To the Premier: is he prepared to put in place some system that ensures that these bonus points that are gathered at public

taxpayers' expense are not used for personal travel by the ministers involved?

MR. GETTY: Mr. Speaker. I understand that that system is currently in place, but to get all the details for it, I would much rather that the hon. member put on the Order Paper exactly what he wants to know. Therefore, I can give it to him exactly.

MR. TAYLOR: Mr. Speaker, this is astounding. These travel benefits can extend for as much as a third of the travel that is done at government expense and can be used again for personal expense, and he knows nothing about it. He says it should be on the Order Paper, This is a philosophical point of view; I'm not asking how much. Can the Premier tell me, in just plain, unvarnished English, whether he thinks it's fair and kosher for cabinets ministers to use travel points for personal travel?

MR. GETTY: Mr. Speaker, I don't believe any cabinet members do. I was going to get the information the hon. member is asking for if he would just put it on the Order Paper. I don't think it would be right. Let's put on the Order Paper what he wants, and we'll respond to it.

DR. REID: Mr. Speaker, perhaps as the minister responsible for personnel administration I can supplement the answers the Premier has given. It is a policy of this government that any tickets that are purchased by the government for members of this Legislative Assembly or for members of the public service, if that member belongs to a credit plan, such as the leader of the Liberal Party is talking about, then any benefits and credits due to those tickets purchased with public funds revert to the Crown for subsequent upgrading or for the payment of future tickets in the public service.

DR. BUCK: Mr. Speaker, a supplementary question to the Minister of Labour. Can he indicate if there is a policy in place as to who ministers or top-level civil servants use for their travel agents? Does it go out to tender, or is it just a random usage?

DR. REID: Mr. Speaker, it's mostly a random usage. There are occasions when large volumes are purchased, that they may go to a tender, but it's usually based on the preference of the individual department and those people. On that basis, considering the number of members of the public service and the number of members and the number of departments, it would result in a fairly random distribution of the use of travel agencies,

MR. SPEAKER: Member for Edmonton Highlands,

MS BARRETT: Thank you, Mr. Speaker. On Friday the Premier said with respect to the government travel -- that is, MLAs and staff --

. . . and it isn't fun. It's no great deal to sit around airports, to sit around hotel lobbies away from your families, away from your homes, your neighbours, representing people as MLAs.

I wonder if the Premier would be prepared to explain now what policy decision or orientation it is that says that you alleviate all of those difficulties by flying first class?

MR. GETTY: I didn't; you still suffer all of those things, Mr. Speaker.

Natural Gas Pricing

MR. R. SPEAKER: Mr. Speaker, my question is the Minister of Energy. Ontario wants to make a gas grab in Alberta at the present time, similar to Manitoba. Could the minister indicate whether Alberta has that matter in hand at this time, and what are the steps being taken?

DR. WEBBER: Well, Mr. Speaker, I'm not sure what the hon. member means by Ontario is after a gas grab. The Ontario Energy Board indicated that the discussions and the resulting negotiated contract between Western Gas Marketing Ltd. and the utilities in Ontario approved the price up until November of this year and indicated the parties should renegotiate, and those negotiations are ongoing.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. My understanding is that Ontario has made a request to the federal government to intervene. Is the minister aware of that, and what are the circumstances at the present time?

DR. WEBBER: Mr. Speaker, I've had discussions with the Ontario Minister of Energy as well as the minister of energy from Quebec, where we've discussed matters related to the deregulation of natural gas.

I haven't had a discussion with the Ontario minister, however, since I read in the newspapers the same as what I presume the hon. member read as well, but we will be having ongoing discussions on natural gas deregulation, not only with the ministers from the producing provinces but from the consuming provinces as well.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister with regards to Manitoba. Could the minister indicate where the possible court case is with regards to Manitoba, or are steps being taken to avoid that court case with that province?

DR. WEBBER: Well, Mr. Speaker, I've had no indication from the minister in Manitoba that they were contemplating any court action. The action they have taken we outlined in this House last week, where they've introduced legislation which reduces the jurisdiction of the Public Utilities Board in Manitoba and establishes a ceiling price for natural gas to consumers in Manitoba, as well as legislation that would enable their Crown corporation to buy and sell gas in that particular province. We are assessing their legislation and the steps that they've taken to see where we go from here.

MR. R. SPEAKER: Mr. Speaker, to the minister. In terms of the debate that's there, the price of gas for the core residential market, could the minister confirm that it was clear to those provinces when the steps for deregulation were taken that that was an agreement that had to be honoured by not only Ontario and Manitoba but certainly other provinces that are consumers?

DR. WEBBER: Well, Mr. Speaker, again, last week I indicated to the House the particular section from the natural gas pricing agreement whereby we agreed, as producing provinces, with the federal government that buyers and sellers would be able to enter into contracts but respecting existing contracts that were in place. The situation in Manitoba is that there is a contract in place between Western Gas Marketing and the utility in that

province, and the Public Utilities Board in that province had approved that contract up until the end of November. In future discussions with the Manitoba minister I'm sure we will review that particular matter. All we are after is a fair return to the producers in this province, as well as wanting to be fair to the consumers in this country, and the consumers in Manitoba are not paying more than the consumers in Ontario and Quebec.

MR. PASHAK: Mr. Speaker, to the Minister of Energy. What legal advice has he received as to the power Alberta has to block the export of gas from the province?

MR. SPEAKER: The question with respect to a legal matter is out of order. Calgary Buffalo.

MR. CHUMIR: Could the minister please explain to this House in what way Manitoba is acting contrary to the deregulation concept by trying to get the best deal possible and by suggesting that it may challenge the validity of existing gas contracts? That seems to be what deregulation is all about. Do we have it or don't we?

DR. WEBBER: Well, Mr. Speaker, how can the hon. member be so naive? A lawyer sitting in this Legislature supposedly knowing about contracts, and standing up and asking a question like that: I can't believe it. The situation is that the government of Manitoba has taken action that has resulted in their trying to take over a Crown corporation, establishing a price within their province; in other words, determining the price themselves rather than letting the market forces do it. If the hon. member can't see that those actions are not going contrary to existing contracts, I don't know what he's doing here.

MR. SPEAKER: Member for Edmonton Kingsway, followed by Edmonton Gold Bar.

Consignment Contracts

MR. McEACHERN: Thank you, Mr. Speaker. My questions are to the Minister of Consumer and Corporate Affairs, Edmonton car dealers have used a legal loophole in consignment contracts to take consumers for a quarter of a million dollar ride in the last 18 months. That loophole is the lack of bonding or trust fund requirements by the Department of Consumer and Corporate Affairs in licensing car dealers. Will the minister table legislation to plug that loophole in this session?

MISS McCOY: No, Mr. Speaker.

MR. McEACHERN: Well, when will the minister do something to rectify the situation then?

MISS McCOY: I'm sure, Mr. Speaker, that the House leader for the member's own party and I know my own Government House Leader are relieved to hear my first answer: that I will not be introducing additional legislation to cover this topic in this session. There is, however, a series of events that is of great concern to me and to my department, and we are looking at ways and means that we can help the consumers. There's no doubt, however, that in many cases the department has intervened and mediated in those instances where the motor dealers have in fact been innocent and/or willing to honour to the extent they can the contracts they have made with sellers who have

been selling on consignment. In other instances, however, the person who has taken the car on consignment has simply not been one to honour the contract, and as has been said before, there is no amount of legislation, there is no way to write with a stroke of a pen that all people will honour the morality that we expect of them in the marketplace.

MR. McEACHERN: Mr. Speaker, why does the Consumer and Corporate Affairs department spend so much time lecturing consumers that it is their problem -- you know, the buyer beware sort of attitude of unscrupulous dealers -- instead of passing preventive legislation to correct this glaring problem, straightforward and simple?

MISS McCOY: Well, Mr. Speaker, it is because the Minister of Consumer and Corporate Affairs has a clear appreciation of the responsibilities and of the capabilities of our Albertans. I am one who in fact respects the skill and the commitment that our Albertans have and also respects their ability to help themselves. In those instances where a little extra help is needed, our department is more than forthcoming. With our eight regional offices across Alberta we are involved time and time and time again in mediation and other assistance to our consumers, but I do not hold with the view that Albertans cannot look after themselves and therefore need some form of socialist Big Brother to help them. [interjections]

MR. SPEAKER: Perhaps as things roll along here -- there are either a lot of rumbly tumbles in this place or people wanting to get in on supplementaries -- if the minister feels that the message is not getting across, she could wait for a little bit of quiet attention in the Chamber.

Edmonton Kingsway, final supplementary.

MR. McEACHERN: Thank you, Mr. Speaker. The people of Alberta could look after themselves if they had some decent legislation to work with. Would the minister consider legislation that would see to it that customers do not have to play second fiddle to the banks and other lenders when it comes to sorting out the assets of bankrupt dealerships?

MISS McCOY: Mr. Speaker, I think the hon. member has raised a question that is indeed in federal legislation. Section 91 of the Constitution Act of Canada ascribes to the federal government an exclusive jurisdiction over bankruptcy matters.

MR. SPEAKER: Edmonton Gold Bar, a supplementary or main question?

MRS. HEWES: My main question. [interjection]

MR. SPEAKER: Supplementary, Calgary Buffalo.

MRS. HEWES: Oh, I'm sorry.

MR. CHUMIR: Sorry about that, Gold Bar. I'm wondering whether the minister might advise as to whether she has any plans to introduce a piece of lemon car legislation similar to that which they have in Ontario, which provides a cheap arbitration process for purchasers of lemons, saving the expense of a long court hassle. Are we going to get something along the . . .

MR. SPEAKER: No representations. The question has been

asked. Supplementary.

MISS McCOY: Lemon-aid legislation. I think, is what the hon. member is referring to. and I'm happy to say that Ontario once again took the lead from Alberta in instituting an arbitration system. Although they put theirs in legislation, ours has been in practice for more than three years to my knowledge. There is an effective arbitration system set up between motor vehicle dealers and consumers, with the added advantage to the consumer that the arbitration award is binding on the motor vehicle dealer but not on the consumer. So if the consumer is not happy with the arbitration award, then the consumer can follow any other recourse that is available to him or to her under the law.

MR. HYLAND: Mr. Speaker, a supplementary question to the minister. In view of the previous questions is she now prepared to move Bill 216, Motor Dealer Act. as a government Bill and order?

MR. SPEAKER: Nice try.

Main question, Edmonton Gold Bar.

Review of Hospital System

MRS. HEWES: Mr. Speaker, the throne speech promised a wide-ranging review of our hospital system in the province, but we haven't seen anything of it really since. There's been a lot of action in cuts and increased premiums and so on but not much action in this review. The minister of community health's courageous comments over the weekend that the government, and I quote, "is only paying lip service to preventive health care," and further "that health promotion is a more effective way than bricks and mortar to make Albertans healthy." indicates that a thorough review of this government's health policy is needed and may be supported by some in the cabinet. To the Minister of Hospitals and Medical Care: has the review process been initiated, and who is involved in it?

MR. M. MOORE: Yes, Mr. Speaker, and I've been involved in it.

MRS. HEWES: Mr. Speaker, that's not terribly encouraging.

Mr. Speaker, will the minister tell us if his mandate, his undertaking, if he is doing this review single-handedly, is broad enough to encompass the sorts of issues that the minister of community health was raising; namely, that increased funding to preventive health care makes human sense and economic sense?

MR. M. MOORE: Mr. Speaker, the last time I looked, one of the responsibilities of the Minister of Hospitals and Medical Care surely is to assist and work on completing a review of the operations of the department, and that's exactly what I've been doing over the course of the last several months, including before and after the throne speech. In addition to my own involvement, I've had numerous staff people involved in a review and also the Alberta Hospital Association and its members, the long-term care association. I've announced a number of new policies.

In addition to that, I have a policy advisory committee, chaired by the hon. Member for Drumheller, that is actively seeking input from citizens right across this province on the entire ambulance system. I also have a long-term care committee chaired by the hon. Member for Calgary Glenmore, that again

has been seeking advice from those involved in that field from right across the province. That's a more recently appointed committee that's advisory to me as well. I've also announced a number of measures including an opportunity for small rural-based hospitals to make application to alter their bed complement so that they might provide greater support to those people who are in need of long-term care.

There are a number of initiatives. Mr. Speaker. It would take at least all of the question period to just go through what has been done over the course of the last six months. I'd be happy to provide the hon. member with a complete briefing if she would so wish. She might allude herself to the various *Hansards* involving the budgetary debates on the estimates of the Department of Hospitals and Medical Care, as well as some of the question periods where these things have been answered over the last three months.

MRS. HEWES: Thank you, Mr. Speaker. I take it then that this is not a formal review in the sense of review and report but an ongoing kind of thing in which perhaps the consumer may or may not be involved.

Does the minister agree with his colleague's comments that the government has been more interested in building monuments to itself in order to put brass plaques commemorating their so-called foresight than they have been concerned about the system as a whole?

MR. M. MOORE: Mr. Speaker, I don't even agree that the hon. member is accurately quoting the Minister of Community and Occupational Health.

MRS. HEWES: Mr. Speaker, then perhaps he should avail himself of the minister's speech.

My final supplementary is to the Premier. Does he agree with his minister that this government is, and I quote, "only paying lip service" to what is the most cost-effective form of preventive health care spending?

MR. GETTY: Mr. Speaker, the hon. member is quoting what?

MRS. HEWES: A speech.

MR. GETTY: You're quoting a newspaper. Now, you know newspapers are traditionally inaccurate.

MRS. HEWES: A speech, Mr. Premier, a speech.

MR. SPEAKER: No matter what the difficulty of the dialogue is and where it's taking place within the whole total precincts of the Assembly, nevertheless the Chair directs that the Member for Edmonton Gold Bar really should pick up *Beauchesne* and look at 359(10) with regard to this whole line of questioning which has been allowed a great degree of flexibility.

Edmonton Centre, germane to the question.

REV. ROBERTS: I hope so, Mr. Speaker. Has the Minister of Hospitals and Medical Care had a chance to review the letter from the Alberta Public Health Association in which it states that an Ontario study says that for every \$1 of preventive health care spent, \$10 is saved on the treatment side, as an argument for the reinstatement of contraceptive counseling in the province?

MR. SPEAKER: That's a long way from the main question.

Member for Edmonton Highlands, followed by Edmonton Belmont.

Private Vocational Schools

MS BARRETT: Thanks, Mr. Speaker. I'd like to go back to a series of questions dealing with the Minister of Advanced Education, particularly given that he admitted last week that the CCI has at minimum contravened advertising regulations. I wonder if the minister will be prepared now to tell the Assembly just how many contraventions of the Act and the regulations his department is investigating with respect to this institution and what steps the minister is now taking to rectify those problems?

MR. RUSSELL: Well, Mr. Speaker, the correction has already been made within the system, as far as I know. There was a general circular that went out to all private vocational schools reminding them of the advertising guidelines. After that circular went out, as far as I know, the two schools who had been contravening it both made corrections in their ads.

MS BARRETT: A supplementary question, Mr. Speaker. I understand that the CCI is now preparing an advertising campaign that's designed to appeal to high school students; may in fact go into high schools, for all I know, but is designing such a thing right now. I wonder if the minister is prepared to issue an information circular to all high school counselors so that they can have the straight goods on what private vocational institutes offer, particularly in terms of the acceptance of their programs by other institutes?

MR. RUSSELL: Mr. Speaker, I believe the counselors are aware of that.

MS BARRETT: Not by virtue of your department.

Mr. Speaker, to the Minister of Career Development and Employment. In light of the investigations that I believe are still under way in the Advanced Education department, has the minister got any intention now of cutting back in this current fiscal year on the nearly one-third of a million dollars he poured into the CCI last year?

MR. ORMAN: Well, Mr. Speaker, I have no intention of making any of those cutbacks, particularly while we're going through an investigation. I don't want to prejudge the results of my department's investigations in those areas. I should say, too, that we recognize that there are problems from time to time with some of these programs, but we should also recognize that there are a number of individuals who have received beneficial training through the private vocational schools including the one that the member refers to. There are difficulties from time to time, Mr. Speaker, particularly in a stagnant economy, and there may be an inability or a reluctance to move to programs that are more sensitive to the existing economy. But we recognize those, and we'll certainly be moving once we have all of the facts.

MS BARRETT: A final supplementary question. Mr. Speaker. I'm not claiming that they're completely useless, but I am claiming that they need some fixing.

Back to the Advanced Education minister. In light of what is commonly perceived to be a for-profit practice of front-end

loading -- that is, getting as many students in as possible in order to make the money off them and then being able to retain most of that money if they drop out -- is the minister prepared to at least tighten up the regulations so that we're taking out the front-end loading, for-profit initiative or incentive in this whole new system that he says is an emerging industry?

MR. RUSSELL: Well, Mr. Speaker, since this matter was first brought up in the House, there's been a very interesting recent development. We got a number of calls from graduate students of the institute, after the matter was brought up in the House, with recognized courses, out in the field trying to get work. Because of the publicity, I guess, that has accrued, they've said to us, "Is there no way you can get Ms Barrett to shut up?"

MS BARRETT: Now, that's a violation of the rules, Mr. Speaker. On a point of order, Mr. Speaker. It seems the Premier and the minister can break the rule.

MR. SPEAKER: At the end of question period, hon. member: point of order.

MS BARRETT: Yes, the point of order is that last names are not allowed.

MR. SPEAKER: Order please.

MS BARRETT: He won't answer the question.

MR. RUSSELL: Mr. Speaker, I said that because that actually happened on more than one occasion late last week. The danger here is, because we are trying to investigate the complaints of a few students in a way that doesn't damage the credibility and achievements of a great number of students, that it's possible that the other side of the argument that I've alluded to can happen. That conversation actually did occur. I didn't think the hon. member would mind my referring to it; she's a good little street fighter.

MR. SPEAKER: Member for Edmonton Belmont.

Minimum Wage

MR. SIGURDSON: Thank you, Mr. Speaker. Despite continuous pressure from the Official Opposition for an increase in the minimum wage, this government has allowed the minimum wage to fall below that of all other Canadian provinces. Recently the Minister of Career Development and Employment twice mused publicly that there's a possibility for an increase in the minimum wage, but the minister responsible has remained rather silent. To the Minister of Labour: can the minister confirm his colleague's remarks that the government is considering an increase to the minimum wage?

DR. REID: Mr. Speaker, I did indicate before that we would review this matter with those who are involved -- small businesspeople, some of those who are working under the minimum wage -- and of course that it would be based on the economics for both parties. The musings of my colleague were perhaps related to discussions that we've had.

MR. SIGURDSON: Could the Minister of Labour give us the status of that review?

DR. REID: I think the hon. member will see the results when they come out, and he will have to hold his breath about the current status of the review.

MR. SIGURDSON: Mr. Speaker, to the minister. Will the Alberta minimum wage be increased on or before but no later than September 7 of this year?

DR. REID: Again, he will have to wait until perhaps September 6.

MR. SIGURDSON: Thank you, Mr. Speaker. Finally then to the Minister of Labour. When the Alberta government does get around to eventually increasing the minimum wage, can we have a commitment from the government that the amount increased will restore the minimum wage to the purchasing power that the minimum wage was at in 1981?

DR. REID: Well, again the hon. member will have to wait until he sees the results of the review. To restore purchasing power, to try and assess what is the purchasing power of a dollar at any given point in time of course depends on what the person purchases, and there are many factors involved in that that would not be included in the review of the minimum wage.

Library Funding

MR. GIBEAULT: Mr. Speaker, my questions today are about library funding. Libraries, of course, are immense depositories of intellectual, cultural, and recreational resources for the people of our province, and the administrative responsibility for libraries covers several ministries. I'd like to make my first question to the Minister of Advanced Education. Can the minister indicate to the House, in light of the imminent closure of the University of Alberta's extension library, what action he has taken, if any, to ensure when this closure takes place, what service people in remote rural parts of the province of Alberta will have to library service?

MR. RUSSELL: Well, Mr. Speaker, that decision was taken by the board of governors of the University of Alberta, and if they intend to replace that service, that would be their decision.

MR. GIBEAULT: This question, Mr. Speaker, is to the Minister of Education, who has planned for the total suspension of regional film library funding. Can the Minister of Education advise whether or not she intends to listen and respond to all of the representations that have been made to her by school boards, by parents, and by teachers who are concerned about the regional film libraries in rural Alberta, and will she reconsider that very shortsighted decision?

MRS. BETKOWSKI: Mr. Speaker, I always listen to and consider the views expressed to me by all Albertans, including the Member for Edmonton Mill Woods. The decision which was made and is reflected in the estimates of the Department of Education for 1987-88 shows that there will be a continuation of the existing funding structure until May of '88, at which point there will be a reduction. I am looking within the context of that financing decision at some creative ways in which we can improve in fact the service within the regional library system.

If I might take a moment and indulge the House. The method by which we are distributing films throughout the li-

brary system right now is 16 millimetre film. I think there are more creative ways that we can use video access. We can use the ACCESS Network to have remote areas of the province pick up through video transmission some of the films. These are some of the options we are exploring. But I don't want the House to be left with the impression that the reduction in funding takes place immediately, because basically I have given notice to the boards that it will be reduced in one year's time.

MR. SPEAKER: The time for question period has expired. Might we have unanimous consent to complete this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed?
Edmonton Mill Woods.

MR. GIBEAULT: Mr. Speaker, to the Minister of Culture, who's responsible for funding to the public libraries in this province.

MR. SPEAKER: Order please. Hon. member, we now have to refer to that Minister of Culture by a new title: Culture and Multiculturalism. Please proceed.

MR. GIBEAULT: I stand corrected, Mr. Speaker. To the Minister of Culture and Multiculturalism. His department recently indicated that there was going to be a freeze on the new acquisitions of talking books. Could the minister advise what consultation, if any, there was with the blind community and the disabled community before making that decision?

MR. ANDERSON: Mr. Speaker, with respect to that important program, we have reduced the amount of money that's gone into it but have not done away with that. We add each year to the number of talking books, and this will continue to add to that through the funds available. Our department did inform the organization of that and has additionally asked the Foundation for the Literary Arts, which we fund through lottery dollars, to take a look at options and ways in which we might further look at possibilities and needs in that particular area.

MR. GIBEAULT: To the Minister of Culture and Multiculturalism. Could he assure the House that despite the 7.7 percent reduction in funding for public libraries in this province, he will ensure that all the public libraries in Alberta will have adequate resources to ensure that they can subscribe to *Hansard* so that all citizens in the province will have access to the sordid record of this government?

MR. ANDERSON: Mr. Speaker, I'm sure that all libraries in the province will be pleased to have *Hansard* available and note the antics of those opposite.

MR. TAYLOR: Mr. Speaker, I can't imagine a more subtle form of torture.

Back to the original question to the Minister of Advanced Education. As one who benefited some by the extension library -- and I think there have been nearly two generations of Albertans that have become very fond of the extension library and the use. Would the minister consider at least not breaking up the library collection -- there's a fantastic collection there -- and

be able to reintroduce and bring the budget back in the next session, particularly if he's successful in talking the minister of manpower into giving up some of those lottery funds?

MR. RUSSELL: Mr. Speaker, I can only repeat that this is a decision by the board of governors of the university. I know of no plans that they have made to do anything to the book collection or to the system that exists. They're not operating it this year, and I'm sure that when they reassess their budget for next year, those kinds of things would be considered.

MR. SPEAKER: Member for Vermilion-Viking.

DR. WEST: Yes, to the Minister of Advanced Education, a supplementary. Many of my constituents over the past while have said they were surprised in the past that they hadn't been able to pay for the extension library and would be willing in the future to contribute excessively to it. Has the minister been in discussion with the university board to see if they could start up the program again, whereas they would relay the charges and the cost on to the public so they could have access to this important area?

MR. RUSSELL: Well, again that's what boards of governors are for, Mr. Speaker, if these institutions are going to be truly autonomous. They have got library fees and computer fees in effect for on-campus students in some cases, and I see no reason why the government would want to discourage them from doing the very thing the hon. member suggested.

MR. SPEAKER: The time for question period has expired.

MR. SPEAKER: Point of order. Citation?

MS BARRETT: Mr. Speaker, I can't find the citation. It has to do with the tradition . . . [interjections] Well, I can't. I looked for it, but I can't find it. But the Speaker is well aware of what it is. It is the tradition of the House -- and I'm sure I could find it later on -- to refer to other members in third person singular, referring to their title by way of constituency as opposed to last name. Last week I saw the Premier blatantly break this rule . . .

MR. SPEAKER: Hon. member, in regard to this particular point of order, the Chair will allow the member to continue, but it really is supposed to be with regard to today's point of order.

MS BARRETT: Fine, Mr. Speaker. It was the Minister of Advanced Education who, I think, bent the rules according to political convenience and whatever else this afternoon. Now, I'm making the point that if government members and cabinet ministers can break that rule, then maybe all of us should be able to. Certainly I think the rules should be applied uniformly, and I think the minister should stop blaming me for his department's problems.

MR. RUSSELL: Mr. Speaker, I'd like to respond to the point of order because the hon. member is quite correct, and I believe when we check *Hansard* the hon. member will see that I did speak quite clearly. In speaking to you about herself or in addressing her through you, I believe I've always used correct parliamentary language. I was, however, repeating verbatim a tele-

phone conversation received in my office, and in repeating that the message was, "Would you please ask Ms Barrett to shut up." I didn't ask her to do that; I would never do that. Her dulcet tones are music to my ears.

MS BARRETT: [Inaudible].

MR. SPEAKER: What citation, hon. member?

MS BARRETT: On the same issue with respect to . . .

MR. SPEAKER: Order please, hon. member. The business of the House has been sufficiently protracted with regard to the afternoon. What we have here is a difference of opinion as to what's going on. One of the kernels of wisdom which the Member for Edmonton Highlands did bring out, though, was that there has been a tendency throughout all quarters of the House, and it occurred at least five times today in question period, with regard to referring to people in the third person. That indeed, as the member correctly points out, is really not the accepted form.

ORDERS OF THE DAY

head: GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 58 Dairy Industry Amendment Act, 1987

MR. JONSON: Mr. Speaker, I move second reading of Bill 58, the Dairy Industry Amendment Act.

Mr. Speaker, the amendments to this Act and the regulations which will follow have been arrived at after extensive consultation with producers and processors of dairy products. Several of the items in the Act have been needing updating and improvement for some time, and this we hope, or we think, is reflected in this particular Bill.

Speaking more to the three main principles of the Bill, the Public Health Act of 1985 had the effect of transferring to Alberta Agriculture and the industry responsibility for policing pasteurization procedures and a large number of other health considerations as they apply to the dairy industry. Several sections in the Act, Mr. Speaker, deal with accomplishing this end, and I would just quote or mention a couple of sections of the Act in that regard: 1(c), which defines dairy farms, something that was defined under section 9 of the old Public Health Act, and likewise 1(o), which brings in the definition of a pasteurizer operator, a person that will be licensed under the provisions of this Act.

Mr. Speaker, the amendments to the Dairy Industry Act will put in place an overall system of registration of dairy premises, inspection, testing, enforcement. Following with the enforcement procedure, of course, there is a proper system of appeals and, at the end of the whole process, penalties if they are judged to be necessary.

Mr. Speaker, the second major change in this Bill deals with the section on the definition of "imitation dairy products." Now, I would just like to read for the members of the Assembly the current definition of imitation dairy products which is contained in section 1(g) of the Act:

"imitation dairy product" means any food sub-

stance other than a dairy product, of whatever origin, source or composition, that is manufactured

- (i) wholly or in part from a fat or oil, other than that of milk,
- (ii) for human consumption, and
- (iii) for the same or similar use as, and in semblance of, a dairy product,

but does not include margarine as defined in the Margarine Act or any product intended for use as a dessert topping, . . . coffee whitener [or special diet formula for infants].

Mr. Speaker, the first section of this part of the Act that is proposed for amendment is to add to the paragraph I've just read that phrase, "formula for infants." The dairy industry attempts to be reasonable in terms of making exceptions under this Act as far as imitation dairy products are concerned. A formula for infants is something that is needed in our society for babies that are not able to consume milk or are allergic to it, and they do, of course, contain an oil or fat as their base of manufacture. So that is an additional exemption that would be placed in this Act.

The second section that applies to imitation dairy products deals with section 52(1) and (2), where the phrase "or food containing an imitation dairy product" will be added to the reference to imitation dairy products. At present, Mr. Speaker, we have no means in the province of clearly prohibiting the importation into the province of products which are made from imitation dairy products, and it would be the intention here -- something which is common to provinces all across Canada -- to prohibit what is deemed to be unfair competition for the dairy industry.

Mr. Speaker, the third major area of change deals with the establishment in this Act of a mechanism for establishing a security fund. Currently, under bonding arrangements, it is deemed that the protection for producers delivering milk to dairy manufacturing plants is inadequate. It's possible for a farmer to have up to 30 days delivery of milk with a dairy manufacturing plant unpaid for, and if the manufacturing plant were to run into financial difficulty, declare bankruptcy, a very considerable amount of money would be owing to the producers supplying that plant. These amendments to the Act that pertain to the establishment of a security fund would, through a check-off carried by the whole industry, provide for the building up of a fund which would offer greater protection to farmers which have milk possibly at jeopardy in the circumstances of a plant bankruptcy.

Finally, Mr. Speaker, I'd just like to mention that there are a number of sections in the Act that have been rewritten to provide for more current and more modern definitions. It is hoped that several changes in wording will lead to greater clarity and some additional ease in the implementation of this Act and, as I said, the regulations which will follow.

[Motion carried; Bill 58 read a second time]

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

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

[Mr. Gogo in the Chair]

MR. CHAIRMAN: Will the Committee of the Whole please

come to order to discuss various Bills.

Bill 8
Real Estate Agents' Licensing
Amendment Act, 1987

MR. CHAIRMAN: This is a money Bill, and there is an amendment. Minister of Consumer and Corporate Affairs, are there any opening comments?

MISS McCOY: Yes, thank you, Mr. Chairman. This is a continuation of the debate in Committee of the Whole on Bill 8 which occurred some months ago on April 6, I believe, if my memory serves correctly. The Member for Edmonton Strathcona at that time raised a number of points which I found very useful in debate, and also his colleague the Member for Edmonton Kingsway raised some good points at that time.

Just in covering some of those points, let me mention the following. One of the points that was raised was the desirability of having lay membership on any tribunal or quasi tribunal that would be set up under the auspices of the Alberta Real Estate Association as they sit in determination of whether a member should be licensed or whether a member's licence should be revoked. I have taken that suggestion very seriously, and I've given my department instructions to explore ways and means with the association to institute that as a matter of course. We have discovered that the Alberta Real Estate Association is in fact incorporated as a society, and through the society's bylaws, we think, would be the appropriate mechanism to introduce a requirement for lay membership on tribunals, as I have mentioned. We have reason to believe that our persuasion will be effective and that this sort of mechanism will be instituted, we would hope, in the reasonably foreseeable future.

In the meantime, we have -- as you may appreciate -- been very actively involved with the association in helping them to set up all of the procedures that will be required for them to take over the licensing and examining functions for agents, as they have been doing for salesmen heretofore. I can report that those preparations have been very successful, and we're looking forward to being able to implement them very soon.

Another point that I wish to raise is the membership on real estate boards. Real estate boards are operating in most but not all of the communities of Alberta. Most particularly, they're active in the major centres, and of course Edmonton and Calgary have their own real estate boards. There have been questions raised as to membership and disciplinary roles of the real estate boards, and I am looking at those also. I might advise the House that those real estate boards are currently incorporated under the co-operatives Act, and I do think that the discussion has to take place in that context. Most particularly, the co-operatives Act itself is being reviewed internally together with representatives and representations from many different members of the co-op movement. It's within that context that I would wish to pursue the questions that have been raised by the hon. member across.

Having said that, Mr. Chairman, I would like to move an amendment to Bill 8 in two particulars. This amendment has been circulated to all members of the House some time ago, I believe on May 28, 1987. The amendment would achieve the following. In section 3 of the Bill, addressing section 1(4)(b), there is a reference to the Financial Administration Act and the "Association," being the Alberta Real Estate Association. On further and better advice from Legislative Counsel, it was

pointed out to me that those words are superfluous insofar as the Financial Administration Act is sufficient in itself to take care of the situation. So as a housekeeping matter and to conform to legislative protocol, those two and a half lines would be deleted.

The other amendment I am proposing is to section 15 of the Bill. That section states: "*This Act shall be deemed to have come into force on April 1, 1987.*" The fact that the date is now June 15, 1987, it would be preferable that that section be removed, it being preferable again, according to legislative form, if we can at all avoid it to avoid retroactive legislation. So the Bill would become an Act upon Royal Assent, as is the convention in this Assembly.

Thank you.

MR. CHAIRMAN: There is an amendment before the committee. Perhaps we should deal with the amendment to the government Bill first, and then perhaps . . . Are there any comments, questions, or further amendments to the amendment proposed by the government? Are you ready for the question on the government amendment to Bill 8?

SOME HON. MEMBERS: Question.

[Motion on amendment carried]

MR. CHAIRMAN: Comments, questions, or further amendments to Bill 8 as amended?

MR. McEACHERN: I'm assuming we passed both amendments when you . . . There were two parts to that. Agreed?

HON. MEMBERS: Agreed.

MR. McEACHERN: I'd like to speak to the main Bill then. I appreciate the comments of the minister, particularly in regards to the lay membership on the association. She did raise another aspect of that. She talked about quasi-tribunal boards, and I think she was thinking in terms of licensing and the boards that would review licences. While it may be very helpful to have members on those boards, it was the association we wanted to see some lay membership on. We did feel that it should be incorporated into the legislation. So the Alberta Real Estate Association isn't incorporated as a society and does have bylaws and could, by its bylaws, put somebody on, but it would be nice to see it entrenched in the legislation. I would remind the minister, for instance, that Bills 50, 51, and 52 provide for such lay membership on the boards of the chartered accountants: the CMAs, the CGAs, and so on. Precedent is established in a number of other professions, as you know, so it would be nice to see it in legislation. Perhaps that's something she might contemplate in the future, with the consent of the association, I'm sure.

The multiple listing bureau problem, though, still does not seem to me to be adequately dealt with. The minister says that it's difficult to deal with the problem of how to fit the multiple listing bureaus into the scheme of things in terms of this Bill. Where do they fit with the minister, the superintendent, the association? Then we're talking about governing the real estate activities of this province, the licensing, all those problems. The multiple listing bureaus have quite a lot of power over the salesman, so it doesn't seem to me adequate for the minister to say that because they come under the co-ops Act somehow things are too complicated to figure out how to fit them into the scheme of things here. If that's the case, maybe we should hold

up on this Bill until the fall, when you have time to go through the summer and try to sort out that problem. If the co-ops Act is under investigation, then let's get it sorted out; let's see how that will affect this legislation and let's get the two pieces coordinated, so to speak.

I also still have some concerns about how we should handle the licensing. I did ask some questions about what we are going to see: a sort of hierarchical structure of different levels of licensing? Are we going to see a horizontal sort of different types of licensing? I don't know if the minister has had much discussion yet with the Real Estate Association on what direction they're thinking of moving in that regard, but the superintendent and the minister do have the ultimate responsibility. So it would seem to me that some more serious consideration to that area would be in order.

I think those are all the questions and points I'd like to raise at this time. Thank you, Mr. Chairman.

MR. WRIGHT: Mr. Chairman. I suppose in lieu of putting it in the Bill itself, the promise to work with the branch in the corporate affairs that deals with societies, on the one hand as to the membership on the board of that society, and with the director of co-operative activities in the province with regard to the other is the next best thing. I take it that the minister, when she said they would be doing their best to see there was lay representation, was talking about the association. [interjection] Yes, because that's the one the power is being given to by this Act.

As to the review of the co-operative societies Act -- in this context obviously with an eye on the real estate boards in Edmonton, Calgary, and Lethbridge; I think those are the three -- the minister will bear in mind the basic problem with having the real estate boards as co-operatives at all, which is that there is not equal rights amongst the members. A salesman is a member, yet he has no vote. He can vote for a representative who does have a vote. So the full agent members have single votes, but there's a hierarchy there. The associate agents, or some such description, have one vote for four and the salesman have one vote for 15 or something like that, which is not the principle of co-operative activities. If the minister wants a handy place, or whoever's doing this survey wants a handy place, to see the arguments marshaled why these people should not be incorporated under the Co-operative Associations Act, it is the special report of the Ombudsman. Mr. G.B. McClellan, in about 1970 to this Legislature in the case of Philipzyk. That was the one recommendation of that Ombudsman that was not taken up by the Assembly. He felt that that particular member of the co-op had been badly done by, and it was because of the particular nature of the incorporation which the superintendent of co-operative activities should never, the Ombudsman thought, have permitted. That was a previous administration, so there's no reflection on this government or its predecessor Conservative government. So I think it will be belated justice, but justice nonetheless.

Since the amendments we proposed have been defeated, this is the next best thing, and we thank the minister for that courtesy.

MR. CHAIRMAN: Are you ready for the question on Bill 8 as amended?

[The sections of Bill 8 agreed to]

[Title and preamble agreed to]

MISS McCOY: I move that Bill 8 as amended be reported.

[Motion carried]

Bill 17 Surveys Act

MR. SPARROW: Mr. Chairman, when discussion was last taking place on this Act, we were discussing an amendment the opposition had. Since then, I see there is another amendment -- it looks like it replaces that amendment -- and we have a second government amendment also, with a minor change, I presume we should proceed with discussion on the amendment made by Mr. Younie and handle that one first, as was being discussed at the last meeting. If that is the case, then could we have clarification whether or not his first amendment has been withdrawn and replaced by a second amendment?

MR. CHAIRMAN: Edmonton Glengarry.

MR. YOUNIE: Thank you, Mr. Chairman. To explain, the June 10 amendment which was distributed the other night in anticipation of this Bill being discussed is what would be left of the original amendment -- presuming the government amendments pass -- once Parliamentary Counsel edited out that which was redundant to the government amendment and addresses the one issue, in recognition that the government amendment does much of what we had written out but in a much briefer way.

MR. WRIGHT: Mr. Chairman, perhaps in that case it would be convenient to deal with the government amendment first, and then we'll be attempting to amend the Bill as it has already been amended and not in anticipation.

MR. CHAIRMAN: Yes. Let us deal with the amendment to Bill 17 as proposed by the government. Hon. Member for Stony Plain.

Does the minister have any comments before we proceed?

MR. SPARROW: Yes, Mr. Chairman. We're proposing two amendments. Amendment 2 is just a simple correction of striking out "66 feet." which was in error, and substituting "100 feet." My colleague at the previous meeting mentioned the main government amendment. Basically, there are several amendments in it that resulted from comments made by the joint Canadian Bar Association, the Law Society, the Alberta legislative review committee, and by the Land Surveyors' Association. We'd like to request all members to vote on that amendment.

MR. CHAIRMAN: Thank you, Mr. Minister. We dealt with the first amendment dated May 26. and that was approved. We're now dealing with the second amendment dated June 11. Are you ready for the question on the government's second amendment?

[Motion on amendment carried]

MR. CHAIRMAN: Now, speaking to . . . Hon. minister.

MR. SPARROW: Speaking to the main amendment -- was that approved at the last session? I don't believe it was. I'd like the Members of the Legislative Assembly to vote on the government's main amendment.

MR. CHAIRMAN: That was passed last time. The Chair is looking at initials, and it looks as though it was approved. Let's then deal with the main government amendment, dated May 26.

Hon. minister.

MR. SPARROW: Yes. I just made comments with reference to that a few minutes ago, and I'd urge all members to vote for the main amendment.

MR. CHAIRMAN: Are you ready for the question on the main government amendment to Bill 17?

[Motion on amendment carried]

MR. CHAIRMAN: Now, dealing with Bill 17 as amended by the government amendment, hon. Member for Edmonton Glengarry.

MR. YOUNIE: Thank you. Speaking to the amendment that was distributed and is dated June 10, 1987, I'd like to go through that and explain the need for it. I've discussed this with a number of people, and there have been problems in the past of a legal nature relating directly to a lack of notice that a survey had been done on private property by the surveyor. The point was made by the Member for Stony Plain that we're legislating courtesy. I think we are doing more than that. We are legislating a recognition of a right; that is, the right of the owner of private property to know who has gone on his land and for what purpose. Even though we are creating legislation that allows a surveyor to have the right to go on that land for purposes of doing a survey, it is a right of the property owner to know that he was there, where he can be reached, and so on. And that is all this does.

MR. CHAIRMAN: Hon. member, I wonder if you could assist the Chair. The Chair is in possession of two amendments by the hon. member, one dated May 28 and one dated June 10. Would you advise the committee as to the status of the amendment of [May] 28? Has that been withdrawn or are we coming to that?

MR. YOUNIE: Well, it is withdrawn as -- according to Parliamentary Counsel -- this is just what would be left of the May 28 one if it's edited, because a portion of it was made redundant by the government amendment. So we're dealing with June 10, and the other one is withdrawn.

MR. CHAIRMAN: It's withdrawn. Thank you, hon. member. Please proceed,

MR. YOUNIE: Thank you. The point we do want to make is that people have a right to know who has been on their land and for what purpose. In terms of trying to make the whole process convenient for surveyors in rural areas, where they may come onto a quarter section of land where there is no development or no house and they look around and they can see three or four houses in the distance and have to travel miles to get to all of them and find the owners, we felt that would indeed be an undue convenience. That's why we have suggested that if they cannot leave the notice with the owner-occupier or at his house, it would be sufficient to leave it on a prominent location or place on the land. In other words, in a rural area where they went through a gate onto the land to do a survey, they could put the notice on a fence post. That would be deemed a prominent

place and would be sufficient under what we've got written here.

But what it saves -- and we think this is very important. In many cases where people find there's been damage to their property, whether it's the trampling down of their prize saskatoon bush -- as I'm told has happened and been the cause of litigation in the past -- if the person was not home and therefore was not aware that a survey took place, the natural reaction is not to say, "A survey took place and I'd better find out who the surveyor was, so I'll phone the surveyors' association." The reaction is to say the neighbours' kids or some vandal did it, and they aren't aware that a survey was done. It's only after they go around and talk to their neighbours, if somebody happened to see the survey taking place, that they know it was the people with the transits and so on who were actually on their property and trampled down their prize bush.

So we feel it answers a basic right people have to know who has been on their property. I can't possibly think of any argument against it. The fact that most surveyors do it is not a good excuse to not put it in there, because it's no inconvenience to those ones anyway. The fact that there have been problems in the past and that this would alleviate them supports the need for it as well, and in fact would indicate that we're only asking some to do what they haven't been doing, in agreement with the surveyors' association; that all members should be doing this.

Thank you.

MR. CHAIRMAN: Speaking to the amendment as proposed by Edmonton Glengarry, Edmonton Strathcona.

MR. WRIGHT: Yes, Mr. Chairman. This is a needed amendment and not introduced by us out of -- I guess I could start by saying any political motive, or to make a point of any sort at all. It's a purely practical consideration, because the power given by the Surveys Act is indeed a large one that empowers an Alberta land surveyor or his registered assistants to go upon private land without any permission from the owner or occupier. It says in section 16:

A surveyor and his authorized assistants may, using reasonable care, pass over, measure along [and so on] the bearings of any line or boundary, and for those purposes may pass over or through the land . . . of any person, but the surveyor is liable for any damage the surveyor or his assistants cause.

The hon. Member for Stony Plain in introducing the Bill said that that section has been in there for -- I think he mentioned 60 years, or from the first. That's not quite true, Mr. Chairman. Quite apart from any verbal changes -- there have been some -- the previous section said that the "surveyor and his authorized assistants. . . in the [course] of their duties. . . may pass over . . ."; "in the [course] of their duties" has been removed. It's presumably implied from the fact that they would hardly be measuring along and ascertaining the bearings "of any line or boundary" except in the course of their duties, but it is a small point that makes notification that much more important, just in case they weren't really there on any particular duty, which would make it rather easier to find them if, say, they're working for an oil company in mapping out a lease or easement preparatory to getting permission from the Surface Rights Board or perhaps the Energy Resources Conservation Board, when it would be much easier to find out who they are.

In my other life I am a lawyer with a bit of a practice in helping farmers dealing with oil companies in this area, and you'd

be surprised how often surveyors do go on property, do inadvertently do damage, and the farmer doesn't know what surveying outfit it is. Usually they can find out by asking the oil company. They go to their records and find who had contracted, and so you get the information that way. But that surely is an undue imposition on the farmer.

We've gone out of our way here not to make it officious or an imposition at all. Indeed, the hon. Member for Stony Plain said that as a matter of courtesy they did it anyway. If that's the case, then it's no imposition to ask them to do it as a matter of obligation rather than courtesy. But I can assure the hon. member that that isn't so.

I'm sure there are no bad intentions at all, but I want to stress that the courts have interpreted the expression "a surveyor and his authorized assistants" disjunctively, as they say. That's to say that if the authorized assistants are by themselves without the surveyor, it's still permissible for them to go without asking permission so long as they are acting under the direction of an Alberta land surveyor. But maybe he or she is back in Calgary, 300 miles away. Nonetheless, that is proper it seems, and I think it does make it a bit more important when it may be just pole boys taking levels who perhaps aren't quite as responsible naturally in their behaviour as the more experienced Alberta land surveyor to be under this mild injunction. No permission beforehand; no sweat. You can just have your notice of it printed up, and you can put the telephone number and so on and the date of entry and so on.

The saskatoon bush is an example of this sort of thing, because the family uses this in season as a source of food. It's just a bit of bush in the way to a city lad that's running a transit, and so they clear them out so they can get a line to the next monument. And you know, there are some quite valuable bushes, for example. But it can be gates left open, which I'm afraid is not an uncommon experience, which allows cattle or sheep to stray, or it can be even fences broken down. So there's a practical reason. It's not an onerous imposition.

The hon. member who introduced the Bill says that they do it anyway. So it is in the spirit of trying to get the very best legislation, providing it's not unduly officious or requires too much intervention on the books, that we propose this amendment.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Hon. minister, on the amendment.

MR. SPARROW: Yes, Mr. Chairman. Speaking to the amendment, I still would have to recommend against the adoption of this amendment, basically for the following reasons. I think land surveyors are professionals whose actions are governed by professional legislation and a code of ethics, and they do follow that code of ethics. If there is a problem they do, as many other professions, try to correct those problems. They have a professional obligation to make every reasonable effort to contact the landowner prior to entry on the land and to use all reasonable care when passing over that land. We've checked back, Mr. Chairman, and we're aware of only three cases in the past 10 years where landowners have suffered damages as a result of this section of the Act, and I'm advised that in all instances there has been a negotiated settlement of these claims and none of them has gone to court.

Mr. Chairman, I think there is a wide range of professionals and occupational groups who commonly pass over private lands and/or public lands, such as mail carriers, utility meter readers, dog catchers, property assessors, fish and wildlife officers, and

recreational users in multitudes -- to name just a few -- that we would be setting a precedent for. To provide legislative authority for all these groups such as is being proposed here for the land surveyors would be very, very onerous, to say the least. I feel the proposed amendment definitely would be setting a dangerous precedent for many other users.

For this regard I would recommend to all members of the Legislative Assembly that we not approve the amendment as proposed. Any future cases of problems I'm sure we should take up with the profession and have them come up with a voluntary base of making sure notice of acquisition onto the land is taken, and work with the group to cure the problem rather than legislate it.

So again, if it's not broken let's not fix it, and let's vote against the amendment.

[Motion on amendment lost]

[The sections of Bill 17 agreed to]

[Title and preamble agreed to]

MR. SPARROW: Mr. Chairman, I would like to move that Bill 17, the Surveys Act, be reported as amended.

[Motion carried]

Bill 28 **Social Care Facilities Licensing** **Amendment Act, 1987**

MR. CHAIRMAN: Are there any comments, questions, or amendments proposed to this Bill?

Hon. Member for Edmonton Calder.

MS MJOLSNESS: Thank you, Mr. Chairman. Just a few comments.

Bill 28 amends the Social Care Facilities Licensing Act to include the monitoring of family day homes and nursery schools. I think this is a very important move for the department to take, because it's very important that licensing officers do inspect family day homes as well as nursery schools. I'm glad the minister has recognized that these facilities should be government inspected. I understand also that the family day homes do offer an alternative to day care centres that provide care, and to many children they offer a cheaper type of care.

There has been concern raised to me, however, that many day homes do take in more children than they are allowed, and that many ignore the licensing regulations. So I think that with this particular Bill having licensing officers go into those homes and monitor them, it is indeed an important step.

But I do find it rather ironic that this particular Bill does expand the role of a licensing officer when there's been no announcement from the minister of any increasing or any additional hiring of licensing officers so that they can do their job and include the nursery schools as well as the day homes. We do know right now that there have been a lot of problems with the monitoring of day cares, and now we have a Bill that's going to expand the role of those licensing officers. I'd like to say that a tripling in the number of provincial inspectors was the recommendation of the Christopher Bagley report, and of course also that the payment of monthly operating allowances be tied directly to the compliance in meeting formal regulations.

Now, we do have some very good regulations on the books in regard to day care. We also have some of the weakest. But I do think it's rather meaningless to expand the role of the licensing officers when we're not going to increase the numbers. I think it has been stated that Alberta inspections are few and far between and that in this province when an infraction has taken place we tend to be very lenient. So I do believe we must increase the frequency of inspections. I think this is crucial to ensuring that top quality care is delivered to our children, not only in day care but into the nursery schools and also the day homes. I'm surprised that this Bill has not been brought before the Assembly before this.

The minister has stated that parents should participate in monitoring day cares. I don't think anyone's disputing this fact, but I would like to say, and have on record, that very few parents that I know are trained in health regulations or fire regulations. I know that fire inspectors, for example, go through intense training before they're able to identify all of the regulations they have to be familiar with. I do think that placing this type of responsibility onto parents is a clear shunning of the responsibility that should be with the department.

Bill 28 expands the Social Care Facilities Licensing Act but does not, as I have said, increase the number of inspectors. So I'm really wondering what kind of impact this particular Bill will have.

Another issue that has been brought to my attention in regard to this amendment is that it does expand the role of the Social Care Facilities Licensing Act to include nursery school and day homes, but I'm wondering why it does not include group homes. Now, we know in this province that the government is contracting out more and more to the private-sector profit and nonprofit agencies. They're offering a great deal of services to Albertans. Although I do recognize the need to develop standards in this area, I do feel that the group homes need to be monitored, because when we're talking about group homes we're talking about a great number of children that are residing in group homes and are receiving services. It's quite evident that children are very powerless. Most of the time they have no voice, and this is a great concern from many people.

In the Alberta Association of Social Workers' position paper that was released on June 5, one of the concerns they state is the lack of government standards for group homes and that because of this there's an "increasing danger to children due to inadequate monitoring." So I would really like to see this Act include group homes.

My last point to the minister is that I understand the licensing care facilities Act has been in place for six years, and I'm just wondering why, in this particular year, she has decided to amend it. I'm just wondering if there are some particular concerns that brought on the initiative to amend this Act.

Thank you.

MR. CHAIRMAN: The Minister of Social Services.

MRS. OSTERMAN: Thank you, Mr. Chairman. Just to respond briefly to the hon. member's points. First of all, unfortunately -- maybe it's a poor explanation on behalf of the minister -- the hon. member has misunderstood the intent of the Bill. It is not an expansion of the ability of licensing officers; it is to expand the Social Care Facilities Review Committee's mandate to visit the homes. So while we appreciate the efforts, and the hon. member has made a point that it would have been difficult if, for instance, licensing officers hadn't had the opportunity to

review family day homes, then certainly it would have put a larger burden on them and increased the workload. But what I am doing here, Mr. Chairman, is expanding the opportunity for the Social Care Facilities Review Committee.

If I recall correctly, some 600 day care centres, for instance, could be visited in the course of a year by the committee or a subcommittee of the committee. And because family day homes are becoming more popular, I think it's fair to say, particularly for those people who are concerned about continuity in infant care, and I certainly believe that family day homes are a very appropriate place for infants, that we also believe that because of the type of expertise gained by the committee -- and I have at my right hand the chairman of that committee -- they would play a very strong role in bringing a different view; not just one that speaks to regulations but just the overall tone and setting and sense of the home itself, much like the visits to the day care centres.

Mr. Chairman, the committee -- and again we're speaking of an expansion of the role of the committee -- does visit group homes. So certainly I believe that the kinds of concerns the hon. member has already been spoken to in the amendments to this Bill or the inherent policies in place in the overall Act as we presently have it.

[The sections of Bill 28 agreed to]

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill 28, the Social Care Facilities Licensing Amendment Act, 1987, be reported.

[Motion carried]

Bill 29

Young Offenders Amendment Act, 1987

MR. CHAIRMAN: Are there any comments, questions, or amendments proposed to any section of this Bill?

[The sections of Bill 29 agreed to]

[Title and preamble agreed to]

MR. CHAIRMAN: Hon. Member for Red Deer North.

MR. DAY: Thank you, Mr. Chairman. I move that Bill 29, which is the Young Offenders Amendment Act, 1987, be reported.

[Motion carried]

Bill 30

Agricultural Operation Practices Act

MR. HYLAND: Mr. Chairman, just speaking briefly to Bill 30, I should note that since it was introduced and read a second time in this Legislature, the rural municipal districts and counties passed a unanimous resolution at their spring convention urging the Legislative Assembly to proceed with this Bill. So in that effect I would move that we proceed.

MR. FOX: I, too, would like to add our caucus' support to this

Bill, basically right-to-farm legislation patterned along the legislation recently passed in the Ontario House.

I did bring a couple of concerns to the attention of both the Minister of Agriculture and the hon. Member for Cypress-Redcliff about possible interpretations of this Bill. As I understand, the basic contention is to guarantee that the people who are involved in legitimate agricultural practices would be immune from nuisance claims levied against them by people who live in the area. A couple of concerns I had related to how this may or may not affect people like beekeepers who have their hives situated on another farmer's land, and someone else -- a third party, if you will -- came and, in the process of spraying an adjacent crop, caused some mortality amongst the beehives. There are some fairly fuzzy areas of interpretation in the Act, but I think it's basically a good one, and I just note that problem in case it comes to the fore at some point in the future.

The other thing too about the interpretation of the Act, how it may apply in a case where someone moves into what is primarily an acreage development and decides that they want to be carrying out some farming practices that are considered to be a nuisance by the neighbours there. Now, I realize that as long as it doesn't contravene existing municipal bylaws it's A-okay according to the Act, and I think that's all right. But I'd just like to note that too as a possible area of concern in the interpretation of this Act in the future.

MR. CHAIRMAN: The hon. leader of the Liberal Party.

MR. TAYLOR: Yes, Mr. Chairman. I probably missed something here and maybe the sponsor of the Bill could help me. I know it's third reading, but it bothers me a bit that the raising of furbearing animals is considered, pushed in, under the agricultural Act. I've always felt, and I've heard quite a few say, that it would be better to be under the Wildlife Act rather than under the agriculture Act. Is there any particular reason? Maybe the sponsor could tell me just why. I know it's been there for the last while, but 10 or 15 years ago it used to be under wildlife, and I thought it was better handled. The people from the wildlife department that understand furbearing animals knew a lot more than the people that wander in now to investigate fur raisers, Mr. Chairman. They're usually pretty good with an Aberdeen Angus or a whiteface, or know what they can do with bees, but when it comes to furbearing animals they seem to be quite lost, and I suspect that some of the service they're getting from the Agriculture department does not compare with what it would be if it was under the minister for wildlife. Maybe the hon. Member for Cypress-Redcliff would comment on that.

MR. CHAIRMAN: Hon. member for Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Chairman. I can't specifically reply to the Member for Westlock-Sturgeon's last question relating to furbearing animals, except just from a memory. A few years ago in this Legislature that change was made, and I can't remember what the reasons were then. I suppose they were thought to be logical reasons then.

I believe various groups have met with some -- fox growers come to mind -- about the concerns they still have with that, and I think that's still . . .

MR. CHAIRMAN: Order in the committee, please.
Are you ready for the question on Bill 30?

SOME HON. MEMBERS: Question.

[The sections of Bill 30 agreed to]

[Title and preamble agreed to]

MR. HYLAND: Mr. Chairman, I move Bill 30, Agriculture Operation Practices Act, be reported.

[Motion carried]

Bill 31
Alberta Hospital Association
Amendment Act, 1987

MR. CHAIRMAN: Are there any comments, questions, or amendments proposed to any section of this Act?

Hon. Member for Edmonton Centre.

REV. ROBERTS: Thank you, Mr. Chairman. At second reading Bill 31 got by with just a few comments, and I have a few at this point at committee stage, if the minister could enter into some discussion on them.

I guess one of the questions is that as we've looked throughout the different provincial jurisdictions and the rates that hospitals and hospital associations are paying for liability insurance, to which Bill 31 pertains, we see some really enormous increases in those liability rates. The province of Manitoba, for instance, has a 300 percent increase; the 65 hospitals in Nova Scotia have a 125 percent increase; and in Ontario some hospitals have a full 1,000 percent increase, Mr. Chairman. I'm told the Calgary General went from its premium of \$27,000 in 1984-85 to \$86,000 that it paid for liability insurance in '85-86; similarly at the Foothills almost a tripling of the amount they've paid in liability insurance. So it is a very important question, one that we know Mr. Macgregor and those at the AHA have been working long and hard on.

I would like to query the ministers to know whether he in fact himself knows some of the reasons behind these great increases. I know his great faith and great belief in the private sector. In fact, I think he mentioned at second reading that he'd sort of wished that a private insurance firm might pick up some of the costs of this liability insurance, but they have not. I've even read that there are fewer underwriters who are willing to take on these hospitals and their liability insurance. So I'm wondering, if in fact there are profits to be made and the private sector can get in there, why they're not making that kind of foray, particularly since the premiums are increasing so substantially. Apparently they do protect hospitals -- their liability insurance -- in the United States, so why the great U.S. way can't manifest itself here, according to the minister's ideology . . .

Or is it a matter of the staff? Are there just less well-trained staff or more overworked staff? Is the burnout rate higher? I mean, why are premiums going up so much when in fact the staff are there trying to do a good job? One has to wonder why the liability is so much higher. Is it because the staff are just getting burned out and can't deal with all the pressure within the hospital sector? Or does it have to do with the decreasing budget amounts that hospitals and their operating budgets are being allocated by the provincial government? Obviously, hospitals are having to cut corners here and there. I've heard from hundreds of them, Mr. Chairman, about the kinds of increased stress and anxiety, and the kinds of corners they're having to cut

in the hospitals, and whether in fact in cutting those corners and having to increase staff pressure and anxiety, that's causing liability to go up.

We also know, as has been discussed several times in the Assembly this session, the fact that acquired immune deficiency syndrome is now a matter of great public concern, as it should be. I just received from San Francisco a pamphlet that they've put out called AIDS And The Health Care Worker that in fact helped to educate nurses and those in hospitals about AIDS. We heard the case in the United States about the three hospital workers who were sprayed with blood or just very bizarre ways in which the AIDS virus was found in hospital workers, and whether hospital insurance liability is going up as a result of the concern around that.

So it's good to have Bill 31. Mr. Chairman. I'm just wondering though, given the great percentage increases here, whether there are other ways that the minister has investigated of trying to get at the root of some of the problems here. I know hospitals have medical audit committees which go around and investigate the procedures and the patient care that is offered. Is there a need for more medical audits and medical auditing in order to ensure the standards and care that goes on in hospitals so that accidents and disasters and malpractice don't go on?

Is there need for a medical ombudsman or a hospital ombudsman, as we've discussed, that could help to look at some of the difficulties in hospitals and make recommendations for how they could be improved in a way that the hospital could be protected and not need to spend extra money on liability insurance? Do accreditation standards need to be increased in order to protect those, once they've been admitted to hospital, to ensure their safety and not to come back and say they're going to sue for this amount or that amount because of bad patient care?

So given that kind of overall picture and some of the questions around the phenomenon of vastly increasing liability insurance premiums, I think I'd like to get at some of those root problems and beg the minister's response on that.

Then in terms of the self-insurance funding itself that the AHA would like to proceed with by this amendment, Mr. Chairman. I'm wondering as well if the minister could enlighten us as to the status of the Canadian health association study on this question, which I'm told has been recently worked on and that in fact, as it has been an across-Canada phenomenon, the CHA has looked at the needs here. And in fact, in one newspaper article from Nova Scotia, it's reported that the CHA itself was planning on possibly recommending entering into a Canadianwide liability insurance fund, and that it wouldn't just be a province-by-province fund, that it might, through economies of scale and whatever, be more advantageous to have a Canadawide hospital insurance liability fund through the CHA. Now, certainly the physicians of Alberta have their medical malpractice insurance with a national body, but I believe it's funded and administered nationally not just through an Alberta association, though the AMA would plug into that.

Is Bill 31 here jumping the gun in terms of what may be coming down the pike from the CHA recommending that we take a national approach to it? Now, certainly Don Macgregor and those at the AHA would be in touch with that, so I'm confident that they would know whether or not we were jumping the gun on it. Nonetheless, this liability protective plan here might well be enlarged in time with a more national program, and that might help to alleviate some of the growing concerns around this, Mr. Chairman.

Thank you.

MR. M. MOORE: Mr. Chairman, the record of hospitals in Alberta in terms of costs of liability claims has been extremely good. There's been a very low rate of payout over the last several years.

I'm not sure what else I can say about the hon. member's questions except that we've already made a decision as to what to do in Alberta, and this Bill reflects it. We're going to allow the Alberta Hospital Association to operate a self-administered liability insurance plan which will then truly reflect the costs in this province. Because of that I haven't inquired as to where we might be at with regard to any national program. I know there was some talk about that, but we felt that we had to move more quickly, and it sometimes takes 10 times as long to get 10 different jurisdictions involved in a program. So we haven't considered that.

Insofar as the overall costs of liability insurance are concerned across the country, which pertains not only to hospitals but to many other areas, again I'm not at liberty to do any more than speculate in my position as to what the reasons for those costs are. That's a responsibility of the Minister of Consumer and Corporate Affairs. But as the hon. member would know, they have been driven to a large extent, according to the information we received, by excessive awards that have been made largely in other jurisdictions and lots of times in other countries and, in my opinion, have not reflected the true experience in this province. That's why we're going with this Bill.

MR. CHAIRMAN: Hon. Member for Edmonton Centre.

REV. ROBERTS: Thank you, Mr. Chairman. If that's the case then, is the minister therefore saying by this that the claims are already low in the province, so that by this liability plan within the province he's expecting the premiums to drop very dramatically? And so what would the overall financial picture look like to the AHA, given this self-funding plan here in the province? If the claims are low, are the premiums going to be low for all the hospitals?

MR. M. MOORE: I'm not sure what the hon. member's getting at. The Alberta Hospital Association is going to be operating a self-administered liability insurance program and charging premiums that are commensurate with the past experience, with some reserves set aside, and there's been no decision yet as to what level that will be. It will be worked out with officials in my department and the AHA and put into place shortly after this Bill is brought into law.

REV. ROBERTS: I guess what I meant to ask then, Mr. Chairman, is: if the Calgary General last year paid \$86,000 in its liability insurance premium and the Foothills paid \$78,000, just as two examples, is this Bill 31 going to enable those rates of premium to come down?

MR. M. MOORE: No, certainly not, because last year they paid those premiums to the Alberta Hospital Association. If the hon. member would have recalled my comments on second reading, it's been well over a year since we went out of private-sector insurance, and the Alberta Hospital Association last year simply collected a premium that they felt was appropriate to cover the costs. They've been operating sort of ad hoc, without any legislative authority, a self-administered liability insurance program for the last year. What would have happened had the AHA paid the premium to the private-sector insurance industry, last year's

premium costs to those hospitals would have been substantially more than what the hon. member's quoting. That's a very small price for that large a hospital for liability insurance, and our only hope is that it can be maintained.

MR. CHAIRMAN: Ready for the question on Bill 31.

[The sections of Bill 31 agreed to]

[Title and preamble agreed to]

MR. M. MOORE: Mr. Chairman, I move that Bill 31, the Alberta Hospital Association Amendment Act, 1987, be reported.

[Motion carried]

Bill 34
Occupational Therapy Profession Act

MR. CHAIRMAN: Hon. Member for Ponoka-Rimbey? Edmonton Centre.

REV. ROBERTS: Thank you. Bill 34, again, as we said at second reading, is I guess a testament to the progressive side of the government, not the conservative side, that this has finally come before us. Mr. Chairman, 1972 was the first time the occupational therapists came before the government wanting this kind of legislation, so it's been a full 15 years that it's taken to get this. Then it's interesting, when you look at it, that it took 15 years really to copy what the physiotherapists already have in terms of their Act. When you look at it, it's almost word for word in many respects what the physiotherapists and physical therapists in the province work under in terms of their professional Act.

I'm just wondering in that regard, particularly in terms of discipline, when we know for instance that the sheer numbers of occupational therapists in the province are about a quarter to a third the total number of physiotherapists in the province -- and of course bear in mind that these rehabilitation workers don't like the comparisons back and forth between them; they're very different and distinct in terms of what they do -- nonetheless, it seems that part 6 here, the discipline section, is, as I say, word for word the discipline section as applies to the three times as many physiotherapists in the province. I'm wondering whether that is really necessary, whether in fact it's hitting them with a sledgehammer, this smaller struggling group of occupational therapists, and whether in fact the numbers on the various discipline committees, which I think are four and five, might well be reduced to three or four, given the relative numbers of the occupational therapists practising in the province.

I guess that's the main question I'd have of the mover of the Bill, other than to ask the government generally why it took 15 years to come along with something that really is almost word for word what the physiotherapists have been working under for a few years now.

MR. CHAIRMAN: Further comments, questions, or amendments to any section of this Bill?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Are you ready for the question?

MR. JONSON: Mr. Chairman, if I could just respond to the comment of the Member for Edmonton Centre. It is certainly the case that there are just slightly over 400 occupational therapists in the province, but as has also been identified, the practice of occupational therapy is a very important and very complex one. I think that in the professional legislation we have to make sure that the matter of discipline is dealt with in the appropriate detail, with the usual number of appeals and so on ending up in the penalty clause, if that's necessary that it be applied.

When we're passing professional legislation, Mr. Chairman, I think it's important that we follow the policy of this government and do not make marked exceptions or water down the provisions of our typical professional legislation. The association representing occupational therapists has found that part 6 under discipline is something that they can deal with, and as is the case with the overall Act, they are looking forward very anxiously to seeing it passed so that they can exercise their professional responsibility.

[Mr. Musgreave in the Chair]

There are one or two subsections in part 6 where there is an allowance for overlap between, say, the council and representation on the discipline committee, which should alleviate to some degree the problem of the occupational therapists finding enough people to serve in these various capacities.

REV. ROBERTS: Thank you, Mr. Chairman. One other point I failed to mention before was the section in the Act which outlines that all occupational therapists in the province need to have a degree upon entry to practice. That is something which I would certainly like to live with, as I'm sure the occupational therapist would. I'm just wondering if the member or the Member for Calgary Glenmore or the member for the professions and occupations has any comments in terms of why the occupational therapists by this Act are only enabled to practise with a BSc or a BA or at least a university degree before they go on to take their occupational therapy work and whether or not that is consistent with what they are now saying about nurses, who in fact do not need to have a degree upon entry to practise. It seems that in fact through the history of some of these rehabilitation workers -- they were tasks that in previous generations and years was work that was partially done by nurses themselves in the hospital in the long-term care sector. Now that they are professionalizing, they are by this Act also upgrading their level of education and now have a degree upon entry to practise. Is that in fact consistent with what we're saying about nurses, who apparently don't need to have the same kind of training standards as we're setting for occupational therapists, PTs and others? Is there some inconsistency there?

MR. McEACHERN: There is just a question I have. It's not just particularly applied to this particular Act, although it is in here. The penalties under part 9 on page 27; it seems to be a sort of standard clause that was put into, I believe, the Chartered Accountants Act, and for the general certified management accountants and the certified general accountants. I'm just wondering about a couple of aspects of it.

For the first offence a fine of not more than \$2,000; then if it's the second offence, up to \$4,000; the third offence up to \$6,000 or a prison term of not more than six months. And then it says:

A prosecution under this section may be com-

menced within 2 years after the commission of the alleged offence, but not afterwards.

I'm wondering why a two-year period is long enough. The member sponsoring this Bill may not have an answer, but he may have. If not, perhaps there are some lawyers in the crowd that could give us a little further explanation. But I'm wondering why two years as a statute of limitation is enough.

It may be enough in this particular case, for an OT who might have just not handled some particular patient in quite as professional a manner as they might have, but I'm wondering about, for instance, a chartered accountant who theoretically -- and I'm certainly not putting down chartered accountants at all -- might have absconded with clients' funds for a five-year period before somebody found out what was going on, and the millions of dollars involved, et cetera, et cetera. Obviously, at some point the criminal law would override these provisions, I would think, and I guess I'm wondering about the statute of limitations on those things and why that two-year figure seems to be adequate for so many different situations. I mean, a chartered accountant situation is not really like an occupational therapist situation, and so I'm wondering why that standard clause is there and if somebody could explain a little more on how it relates to, say, criminal law, for example, and particularly the time frame of two years, why that number of two years shows up in all these Bills.

MR. CHUMIR: I have a few questions to ask, Mr. Chairman, first of all, with respect to the number of members of the public whom we have on the various bodies. First of all, under section 6(1) we find the council consisting of one member of the public if the number of occupational therapists on the council does not exceed 10 and two in the event there are more than 10 members on the council. I think we're seeing in the community today a greater awareness of the need for external input to professional bodies. One member out of 10 and two out of a possible 15 or 20 to provide this external public input seems to me to be rather a token number, and we're not moving in the direction of greater independent participation. I'm wondering to what extent these numbers reflect the view of the government that there is not a general desire or recognition on the part of government for the need for more independent representation.

A second concern I have is with respect to the capacity to be registered as a member of the association. I've had a number of situations arise in the course of my legal practice in which associations have been very, very tough on applicants for membership. One of the particular problems which opens up the possibility of a discriminatory application of the rules relates to section 12(1)(d), setting out as one of the criteria for registration that the applicant must meet "the character and other requirements prescribed in the regulations." I must say that I have grave concerns about leaving something so big and so broad to be set out in regulations, because you could drive a Mack truck through that particular provision, and we have to be aware that we're dealing with the right to livelihood.

I have similar concerns under section 23(1) and section 27(1). My concerns when I say similar -- I mean the two sections raise similar concerns, and those relate to the practice review board and the discipline boards. There is public representation on both of these bodies. My concern is that the public representation, being one member of four in both cases, is to come from a member of the public nominated by the council. I can't understand why. If the party is to be independent, you erode that quality of independence immediately by requiring a

nomination by the very body that is to be monitored by the independent party.

There are two more concerns that I have, very briefly, Mr. Chairman. One is in section 12(2); we have a grandfather provision providing for the right of those who have been practising. It relates to the approval for registration of those who have been involved in the practice of the profession previously. I've had occasion to be involved with a designer who was having great difficulties with a grandfathering provision once they were subjected to the Architects Act. What I'm wondering about in terms of this grandfathering is that it seems to grandfather a person who is eligible for membership in the association on January 31, 1986, and thereafter applies for registration within two years after this Act comes into force. Is the hon. member satisfied that that hiatus is not going to provide some undue difficulties for individuals who might or should be entitled to grandfathering provisions? Why was the January 31, '86, date invoked?

Finally, I note that there is broad power for the council to pass regulations. A concern that I have is that almost every profession in the province has utilized that power of passing regulations to ensure that members of the profession are not entitled to advertise publicly. The legal profession, I must say proudly, is the first amongst the professions, and I believe the only one amongst the professions, which had that restriction at one time to reverse it. But I believe that is an undue restraint on trade. It's anachronistic, and I'm wondering whether or not the hon. member might advise whether it's intended that that power should be included. And is he aware whether or not the council intends that occupational therapists shall not be able to compete with each other on the basis of price?

Thank you.

MR. DEPUTY CHAIRMAN: Hon. Member for Ponoka-Rimbey.

MR. JONSON: Yes, Mr. Chairman. Just to work backwards, if I might, starting with the comments of the Member for Calgary Buffalo. First of all, with respect to the broad power of the council to make regulations as it applies to advertising, the member's comments are well taken. However, I do not feel that he needs to worry in the case of occupational therapists, because advertising is really not relevant to them at this present time in Alberta. They are all employees of various public health agencies, and as employees are not in the market in the sense in which advertising would be important to them.

Secondly, with respect to the grandfathering provision, I think it's the view of the occupational therapists that there has to be a date set in this legislation in terms of automatically moving people into the area of professional recognition, and one can, I suppose, argue over the specific date as January 31, 1986. However, I would make this comment, and that is that the association of occupational therapists is doing a great deal of work among their own membership in promoting standards or an increase in the quality of their service and developing some of the procedures of self-policing, which are going to be put into law, we hope, by this Act. They would feel that that is a reasonable date. People who had not seen fit to become members of the professional association before January 31, 1986, should in fact be under the scrutiny of the association in coming into membership in it.

The Member for Calgary Buffalo had two comments related to public membership on, in one case, the discipline committee and, in the other case, the council of the association. I think,

Mr. Chairman, that we have to keep in mind that the public membership on these committees, according to the government's policy, is there not to be so large as to start to influence the actual decision-making process of the association but instead to provide what is often referred to as a window on the profession. It's a proviso which is a kind of check, a kind of safety measure, to make sure that the deliberations of the association take place and are directed towards the public interest.

I would draw his attention to the fact that in section 23(5) if the nominees of the council are not acceptable to the minister, he can revoke and overrule that nomination and ask for further nominations from the council. I think the provision for the nomination by the council is there in many professional Acts, Mr. Chairman, to make sure that people appointed to the council -- whether we're talking about the optometrists or the occupational therapists or some other group -- are people that are familiar with that area of professional work and can sit on those councils and committees and be familiar with what's going on and able to have meaningful input.

The reference to section 12. As far as the clause dealing with character is concerned, this is something that I think if it were abused would certainly be brought up by the members of the association themselves. But the purpose of that reference, which is standard to many professional Acts, is so that a flag is raised about any past transgressions or records of poor conduct in the past being a basis for rejecting membership and registration in the association. Although it's true that there may be sometime in the future when that particular section causes difficulty, to date it seems to be functioning well in the various professional Acts of the province.

The Member for Edmonton Kingsway referred to the penalty clause. As he indicated, the amounts that are stipulated there, ranging from \$2,000 to \$6,000, are common to many professional Acts, the physiotherapy professional Act and the Optometry Profession Act and so forth. His specific concern about the two-year limit: I guess, Mr. Chairman, there's no magic limitation here. This was thought to be reasonable; it was thought to serve the purpose of causing those people that might be concerned about the performance of a professional to get busy and lay their charges and launch action. It is also felt that in these Acts it's important that there be some certainty in the minds of the professions themselves as to what the limits are in terms of action possibly being brought against them. We have all kinds of different periods of limitation. The Tax Recovery Act I find has a limitation of bringing action of six months, and others are . . .

MR. DEPUTY CHAIRMAN: Could we have order in the committee please.

MR. JONSON: Finally, Mr. Chairman. I would like to acknowledge the comment from the Member for Edmonton Centre regarding the policy as it applies to degree status and qualification of occupational therapists. The matter of degree status for people entering the nursing profession is another area for determination following further negotiations and discussions between the nursing profession and the government. But in the case of the occupational therapists, they have brought their standards to this level, and they are quite satisfied with the provisions as they apply in this legislation.

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Question on Bill 34 is being called.

[The sections of Bill 34 agreed to]

[Title and preamble agreed to]

MR. JONSON: Mr. Chairman, I move that Bill 34, the Occupational Therapy Profession Act, be reported.

[Motion carried]

Bill 35

Business Corporations Amendment Act, 1987

MR. DEPUTY CHAIRMAN: The hon. Member for Edmonton Kingsway.

MR. McEACHERN: Thank you, Mr. Chairman. Just a question and, I suppose, a rather odd one at that. Just at the last moment today I got a flurry of questions from a group of people involved with the local apprenticeship programs worried that somehow Bill 35 would in some way affect them and the apprenticeship program. Although I went through the Bill very carefully myself and could see nothing in there, I merely wanted the assurance of the mover of the Bill that it in no way affects these programs. I will get back to these people and find out exactly what it was they had in mind. So I'm just asking for that assurance.

MR. STEWART: Mr. Chairman, I'm certainly not aware of any of the amendments to this Bill that would affect the apprenticeship program at all. The Bill, and indeed the Act itself, of course, deals mainly with the creation of the legal entity itself and the regulation of the internal affairs of companies once they are so created.

There was also a concern that the hon. Member for Edmonton Kingsway raised on second reading with respect to residency of directors and perhaps the eligibility of corporations to programs, such as perhaps the apprenticeship program. Anything that relates to the residency of the corporation itself is usually dictated by the residency of the shareholders as opposed to the residency of directors. So I don't see any concern in that regard, as previously raised by the hon. member.

[Mr. Gogo in the Chair]

MR. CHAIRMAN: Are you ready for the question on Bill 35?

[The sections of Bill 35 agreed to]

[Title and preamble agreed to]

MR. STEWART: Mr. Chairman, I move that Bill 35, Business Corporations Amendment Act, 1987 be reported.

[Motion carried]

Bill 36

Podiatry Amendment Act, 1987

MR. CHAIRMAN: Are there any comments, questions, or amendments proposed to any section of this Bill?

MR. CHUMIR: I wonder, for the record, whether I could get the comments of the hon. introducer of this Bill on a concern that I have expressed directly to her relating to the effect of the Bill, which is as follows. I have been contacted by members of the Podiatry Association, and I share their concern that firstly, the effect of the amendment is to eliminate the exclusive right to title, by which I mean the exclusive right of podiatrists to refer to themselves as podiatrists. This is a matter which is presently covered under the legislation, properly so.

I might note that there is also a provision in Bill 34, the Occupational Therapy Profession Act, which we just passed moments ago. Section 2(1) of the Act states that

no person except an occupational therapist shall

(a) use the title "occupational therapist" or any other title or an abbreviation of those titles alone or in combination with any other word.

I think that is a very reasonable provision and a fortiori is a very reasonable provision with respect to the podiatrists.

If the amendment goes through as is, then anybody purporting to be a podiatrist need simply set up a shingle to that effect, and there is nothing in the legislation prohibiting it. So I think that's wrong. I've spoken to the member, and I believe she shares my concern, but I think it's important that that shared concern and the future remedy be on the record.

A second concern I have is a related one, and that is that by virtue of the amendments the authority of the Podiatry Association to deal with its members, to deal with breaches of discipline and so on has been totally removed. That may be intentional, or it may be inadvertent. But if it is intentional, I don't think it should be enacted without a statement from the government that that is what they intend to do and an expression of the reasons why.

So those are my concerns. I understand there is some plan to remedy whatever defects that may appear pursuant to these amendments in the near future -- certainly, no later than the next session -- and I would appreciate clarification and comment on these questions by the introducer.

Thank you.

REV. ROBERTS: Well, Mr. Chairman, I'm not sure how to proceed. I was hoping for more of an explanation, and if we don't get it, then I have an amendment I'd like to distribute which I think addresses some of the concerns that the member opposite raises.

MR. CHAIRMAN: Would you like to ask the hon. Member for Calgary Glenmore if there is a response before you proceed?

REV. ROBERTS: Certainly. If she would like to respond to the hon. Member for Calgary Buffalo's comments, we might get away with not having to do this amendment.

MRS. MIROSH: Mr. Chairman, currently the Podiatry Act gives registered podiatrists the exclusive right to practise in the broad area of foot care, and this exclusive field of practice has prevented other health care practitioners from practising foot care. The scope of practice has resulted in a shortage of foot care services in various parts of the province. There are only 22 podiatrists in Alberta: one in Medicine Hat, one in Lethbridge, and the rest in Calgary and Edmonton. The passing of this Act will help develop better distribution of foot care services and, especially, alleviate the demands for this type of care throughout the province. There are many underserved areas throughout

the province where nurses can provide this care, and it's beyond this exclusive scope the Act currently describes. Foot care is now being emphasized by the VON here in Edmonton, and they are offering foot care clinics.

The hon. member opposite, whose concerns about the possibility of who's going to deliver foot care services and the rights of the podiatrists being removed -- [this] is protected under the Medical Profession Act, part 5, sections 76 and 77, and in reference to penalty for practise by nonregistered persons. Furthermore, the existing Podiatry Act, section 17, deals with: a person who "wilfully attempts" to make "fraudulent representations . . . is guilty of an offence," subject to a fine. Both of these Acts prevent nonqualified persons from providing this complex foot care.

And I share with you your concerns, hon. Member for Calgary Buffalo, about the Act needing some revamping and disciplines. I have spoken to the president of the association, and the association will be coming back with some amendments or a total look at the Act. We've agreed to do that.

Thank you.

MR. CHAIRMAN: Edmonton Centre.

REV. ROBERTS: Thank you, Mr. Chairman. I think those satisfy some of my concerns as well in terms of the right to title and discipline and practise and all the rest. It is, I think, as the member has rightfully pointed out, an extremely important area in health care, the care of one's feet. The whole area, it seems to me, is one that has been overlooked and has not brought the kinds of care and concern to it which this Bill and others forthcoming I suppose will be addressing.

There are though in fact still some people who are very familiar with foot care and podiatric care, which leads into orthopedic shoes and a whole kind of a conflict of interest that might exist for those who would assess someone's ambulatory ability and then be able to prescribe certain orthopedic shoes and so on to them. So I think it's a very clear need, to separate out from a diagnostic point of view and from a health care point of view who is really going to be assessing one's ambulatory ability as opposed to those who provide the various shoes and orthopedic footings for the feet.

I'd also like to raise the question, since the Bill is before us, Mr. Chairman, about the role of chiropodists within the foot care field. I guess part of the confusion is that the Member for Calgary Glenmore is talking about better foot care, which is something I wholeheartedly agree with, but we know that those people who are concerned about good diagnosis and good care of the feet include not only the nurses and the podiatrists but also chiropodists and orthopedic surgeons and others, and diabetic doctors and metabolic doctors for whom circulation to the extremities is a real area of concern. But it does seem to me that if we're really going to eventually get a handle on the best sort of foot care that we can deliver in the province . . .

MR. CHAIRMAN: Order please.

REV. ROBERTS: I don't know if the minister wants to start another review committee and go all around the province looking at feet and people and ambulatory care generally, but it does seem to me also that part of the problem with podiatrists is that they, like some other health care professionals, are not trained within nor refer back and forth to those in the medical field and in that way may well complement some of the foot care but, in

terms of an umbrella or comprehensive care and treatment of the feet, are really doing their own thing off to the side.

Now, I can see why the member wants to expand it even at this level to include nurses and so on. I'm wondering about the role of chiropodists, who I hear are very much trained within the more medical model, have more training and expertise within how to refer back and forth not only with nurses but also with orthopedic surgeons and doctors generally. Such chiropodists, as I am aware more through the British stream of things as opposed to podiatrists who have come up from the United States, would be within health clinics and be on salary and not this fee for service that the podiatrists are on here in the province, and in that way not only have cost containment but also have an effectiveness which makes them assist the comprehensiveness of what is provided by other physicians and nursing staff.

So I think there are enough questions here, Mr. Chairman, to -- and I'm glad, as I say, that the member has raised the whole area, because I think it is one that we need to keep a real good eye on, not put our foot in our mouth on it or, as others have said, not to have the Bill 'de-feeted' but rather to move along in the area not just at a bureaucratic level but at a health care level. I would be certainly supportive of any initiative that the minister or the member or others opposite would like to take in looking at the care of the feet, particularly for the elderly and those in long-term care but also for diabetics and others.

It has always surprised me -- one question, anyway, is why people, when they get in hospitals, their shoes are taken away. You notice that when you go into a hospital, everyone's either wearing socks or slippers. We're told that that is often not good for one's health, that in fact they should stay in their shoes. A sign of a good healthy person would be one in their shoes walking around the hospital. You look at any hospital and see how many people are wearing their shoes. That's just one indication of how the whole area of the feet and foot care generally is not looked at comprehensively and well. If we're going to be the leaders in the province of Alberta that we hear we are so often, then I think much better foot care within the system needs to be reviewed, perhaps along the chiropodist line, with the complementary role of nurses and the others in the medical profession, and certainly a complementary role for the podiatrists.

Thank you, Mr. Chairman,

MRS. MIROSH: Mr. Chairman, I appreciate the comments the Member for Edmonton Centre has made, but I would like to respond as a registered nurse that shoes are not taken away from patients when they come into the hospital. As a matter of fact, they are there, accessible for them, when they get up for ambulatory care. When they are receiving podiatry surgery, their feet usually don't fit their shoes.

But I appreciate the comments that you have made, and I'd just like to mention, too, that the physiotherapists and chiropractors do deliver foot care on a broader scope. Again, this Act refers -- with the exclusive right in there, it would remove them from practising.

Basically, Mr. Chairman, those are my remarks, I don't have any further remarks,

SOME HON. MEMBERS: Question,

MR. CHUMIR: I just would like to note my concern that the reference the hon. introducer of the Act made to the occupational disciplines Act does not, I believe, answer the question of nonpodiatrists describing themselves as podiatrists. The reason

I believe that to be the case is that the section she referred to referred to nonregistered persons practising. The effect of the changes to the Podiatry Act that are going through are to remove any necessity for registration whatsoever, so the concept of registration or nonregistration is no longer relevant to podiatrists. That distinction and that concept are central to the occupational disciplines Act applying, so I don't believe that would have the purported effect, I just thought I would get that on the record, Mr. Chairman.

Thank you.

SOME HON. MEMBERS: Question

MR. CHAIRMAN: Are you ready for the question on Bill 36?

[The sections of Bill 36 agreed to]

[Title and preamble agreed to]

MRS. MIROSH: Mr. Chairman. I move that Bill 36. Podiatry Amendment Act, 1987, be reported.

[Motion carried]

Bill 37

Wild Rose Foundation Amendment Act, 1987

MR. CHAIRMAN: There has been an amendment proposed. Are there any comments, questions, or further amendments to this Act? Are there any comments by the hon. Member for Red Deer South?

We'll deal with the amendment then. Hon. Member for Edmonton Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. The amendment that the government proposes to the Wild Rose Foundation Act by striking out the groups that are listed on the left-hand side of the page will not prevent double funding from going on. I believe that's part of the intent of the amendment, to prevent double funding as per the recommendation from the Auditor General. Unfortunately, by removing those groups listed, what's happening is that now it's going to be wide open, I would suggest, to double funding because we now are going to make funds from the foundation available to any volunteer, non-profit organization that provides necessary service or invaluable community services to Albertans.

I think it's important to consider this amendment that I propose that would take into account those very same groups that we're striking out. The foundation would have to take into account any funds that any group would have received from, say, the Alberta Sport Council, the Recreation, Parks and Wildlife Foundation, the Alberta Art Foundation, and the list goes on.

I think it's important that when we consider that, we don't necessarily want to exclude groups that may have only had a \$50 funding from, say, one of these councils or foundations that are outlined, because we wouldn't want to eliminate the possibility of a particular group receiving some large funding from the Wild Rose Foundation. However, this particular amendment would force the Wild Rose Foundation to take into account any funding the organization has received during the then current and the next previous fiscal years from any of the other foundations or councils.

Mr. Chairman, those are the only notes that I care to give on

this particular amendment.

MR. CHAIRMAN: Speaking to the amendment by Edmonton Belmont, the hon. Member for Red Deer South.

MR. OLDRING: Thank you, Mr. Chairman. Speaking in opposition to the amendment, although I appreciate the concerns being brought forward by the Member for Edmonton Belmont, I don't think that the amendment itself will really serve the intent he's proposing anyway. If you look at the reading of it, it says, "the Foundation shall take into consideration any funding the organization has received."

Certainly, that is clearly the intent of the foundation, to consider all things in looking at the application. As I say, I concur with the intent of the Member for Edmonton Belmont, but not the method. I think the way it should be resolved isn't by changing the legislation and making it more restrictive, but perhaps it should be taken into consideration for the regulations themselves, because certainly it's not the intent of the Wild Rose Foundation to duplicate existing funding. Clearly, from the outset the intent of the Wild Rose Foundation was a funding of last resort after all these other opportunities had been taken into consideration.

So I agree with the intent; I just don't agree with the method and would suggest that it be defeated and that it be considered under regulations.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Hon. Member for Calgary Buffalo.

MR. CHUMIR: Yes. I would just like to note that I view the Wild Rose Foundation as a very worthy entity. It certainly has very valuable objectives, and I'm supportive of its existence and its goals.

I note that the change in section 3 refers to: "The purpose of the foundation [being] to provide funding." I'm wondering whether the member -- or perhaps the hon. member of career development, employment, and entrepreneurial immigration -- might like to advise under what aegis this Wild Rose Foundation receives funding from the provincial government. From whence comes the authority from which it receives the funding that it uses for its grants?

MR. CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: Question.

[Motion on amendment lost]

MR. CHAIRMAN: Hon. Member for Edmonton Belmont.

MR. SIGURDSON: Yes, just for the record, Mr. Chairman. Again, from the Auditor General's report there was some concern expressed about the Wild Rose Foundation funding individuals. While those individuals that receive funds from the foundation were certainly worthy of the funds they received, I would like to have seen an amendment in this Bill either allow-

ing individuals to receive further funds or an exclusion in its entirety. I've been advised by the mover of the Bill -- the individual that's ushering the Bill through this Assembly -- that it is now the intent of the foundation to in future not receive any applications from any individuals regardless of the amount of money that is being requested or the purpose for the request.

Therefore, I just wanted to get that onto the record and have it confirmed by the individual who's ushering the Bill through the Assembly.

MR. CHAIRMAN: Red Deer South.

MR. OLDRING: Thank you, Mr. Chairman. Certainly in my discussions with the chairman of the Wild Rose Foundation -- yes, there were some exceptions this year as reported in the Auditor General's report. There had been a legal opinion that indicated that perhaps an individual could also be considered as an organization. After having this clarification from the Auditor General, it's my understanding that they're not intending on approving individual applications in the future.

MR. CHAIRMAN: Are you ready for the question on Bill 37?

SOME HON. MEMBERS: Question.

[The sections of Bill 37 agreed to]

[Title and preamble agreed to]

MR. CHAIRMAN: Hon. Member for Red Deer South.

MR. OLDRING: Thank you, Mr. Chairman. I would move that Bill 37, the Wild Rose Foundation Amendment Act, 1987, be reported.

[Motion carried]

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. GOGO: Mr. Speaker, the Committee of the Whole has had under consideration the following Bills and reports the following: Bills 28, 29, 30, 31, 34, 35, 36, and 37; and reports the following with some amendments: Bills 8 and 17.

MR. SPEAKER: All those in favour of the report, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.

[The House recessed at 5:30 p.m.]

