

document with me today, so I wouldn't be comfortable dealing with the specifics involved in it.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the Premier with regard to the source of the funding. The major portion of the funding of the Olympics that will be in the United States is coming from private corporate groups. In terms of the general ground rules established for funding of the Olympics here in Alberta or Canada, will there be a greater emphasis on funds from private corporations rather than total funding from governments?

MR. LOUGHEED: Mr. Speaker, I'm not sure how far I can go in answering that important question from memory. Quite obviously when we're considering the matter of capital facilities, particularly within Kananaskis Country, it's our view that the prime financing will probably come from the provincial government. From an operating or an overall net capital point of view, there will be an attempt by the organizing committee to have significant revenues flow, from my understanding, in three ways: from corporate sponsorship; from a federal program that involves coins and stamps, I believe, that developed a fair amount of funds at the 1976 Olympic games in Montreal; in addition, the effort to develop public financial support generally. So I think those three areas, together with revenues that obviously would flow from the sale of television rights, would contribute to a situation where there would be a high degree of financing from the public generally, as distinguished from governments.

When we are specifically referring to capital projects within our Kananaskis Country, there's no question there will be a high degree of funding. Frankly, we would want it that way, because we want to be in a position of controlling the design as well as the construction of those facilities, with a view to their meeting two important tests. Obviously, the first test is to meet the requirements of the sports federations for the Olympic events; also, very much for the use of individual citizens, both before the games are actually under way and afterwards. In other words, we're looking to the facilities to provide recreation opportunities for Albertans, not just related to the Olympic games in the short period of time involved.

World Student Games

MR. R. SPEAKER: Mr. Speaker, with regard to the World Student Games, a related type of event to be held in Edmonton, has the government committed further funds to that program as well? I understand the original estimate was around \$55 million, and the cost now is to be somewhere over \$100 million. Has the provincial government committed further funds to that program? Has the request been made and, if so, is the government looking at honoring a further request?

MR. LOUGHEED: Mr. Speaker, I'd have to take that question as notice, and have the Minister of Recreation and Parks respond when he's in his place in the Legislature next week.

Constitution — Equality Provision

MR. R. SPEAKER: Mr. Speaker, my second question is with regard to the constitutional question. I understand that the premiers of Saskatchewan and Nova Scotia have agreed to remove Section 28, guaranteeing equality of

men and women, from the scope of Section 33, the notwithstanding clause. The other provinces and the federal government seem willing to do likewise. At this point in time, is the Premier in agreement with that proposition that Canadian men and women be treated equally, and that it is not a subject of the opting-out clause?

MR. LOUGHEED: Mr. Speaker, I made that as clear as I possibly could in the Legislative Assembly in answer to a question from the hon. Member for Edmonton Norwood on November 18, page 1697 of *Hansard*. That is clearly the position of the Alberta government.

Constitution — Aboriginal Rights

MR. R. SPEAKER: Mr. Speaker, a supplementary question with regard to the constitution. From the remarks of the Premier to the native people yesterday, I understand the Premier committed himself to accepting that Metis people are to be recognized as aboriginal people. I wonder if the Premier could comment on that. I understood that was the status over a period of time. Was there some question about it?

MR. LOUGHEED: Mr. Speaker, perhaps the best thing I could do is table a copy or file a copy of my remarks with *Hansard*, and refer specifically to what I did say yesterday on that important matter:

The Metis people of Alberta do not have treaty rights and they wish some recognition in the Revised Canadian Constitution of the concept of the Metis people. We have been working closely with the Metis leaders in Alberta and will continue to work with them to see if we can reach any understanding or proposed amendment to give to the Canadian Parliament that would be satisfactory and fair to all concerned. These discussions are progressing very well and we will be meeting again tomorrow.

That's the portion I stated yesterday on that matter.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier with respect to the issue of aboriginal and treaty rights. On page 1564 of *Hansard*, the Premier is quoted as saying:

Section 25 therefore maintains all existing rights of the aboriginal people of Canada, who are defined in the Act as including the Indian, Inuit, and Metis people of Canada.

Mr. Speaker, as I look at Section 25, I don't see that definition. On the other hand, I see that definition in Section 34. Is the Premier able to clarify his remarks on November 10?

MR. LOUGHEED: Mr. Speaker, that's an important point. The constitutional document has to have a provision that in fact will include the definition of the aboriginal peoples of Canada. In my judgment, that needs to be developed before the constitution presses forward. We would be of the view that before being proclaimed, the constitution should have a provision as follows: in this Act "aboriginal peoples of Canada" includes the Indian, Inuit, and Metis peoples of Canada.

MR. NOTLEY: A supplementary question to the hon. Premier. It's my understanding that just a few moments ago the Parliament of Canada unanimously passed a Section 43 resolution, asking the Leader of the Opposition to consult with both you, sir, as Premier of Alberta.

and the Premier of British Columbia, with respect to the reinclusion of Section 34 of the Charter of Rights. Is the government of Alberta in a position today to advise not only this Assembly but the people of Canada whether this province would be prepared, should other provinces agree, to accept the reinclusion of Section 34 of the Charter of Rights before the resolution is finally put to a vote in the House of Commons?

MR. LOUGHEED: Mr. Speaker, at this time the answer to that would be no. We are working with the Metis people of this province, where our prime responsibility lies, to attempt to determine a provision that would in fact, as I stated, recognize the concept of the Metis people of this province.

We are having reference to the constitution of Canada. We, the government of Alberta, were never party to the discussions with regard to the specific wording of Section 34. We believe it is extremely important that that wording be considered very, very carefully, and that wording of the nature of recognizing the concept of the Metis people of this province be established by discussions, which we're having with the Metis people of the province, in a way that is satisfactory to all concerned. That certainly includes both the Metis people of the province of Alberta and the citizens of the province generally, as represented by the government.

MR. R. CLARK: Mr. Speaker, a supplementary question to the Premier. In the answer the Premier just gave to the Member for Spirit River-Fairview, the Premier said the government is not prepared to change its position at this time. Can the Assembly and the people of the province take that to mean that the government has not closed the door completely and that in light of movement on this issue by other provinces, that's an area Alberta is prepared to reconsider? I ask the question in light of the answer the Premier just gave.

MR. LOUGHEED: Mr. Speaker, it isn't a matter of reconsideration. On a number of occasions, we have said in this House that our concern with the former Section 34 is the difficulty of understanding what was contemplated by that section. For example, as I said on the steps of the Legislature yesterday, if it's intended, as the Indian Association put to us in June, that what they seek is Indian government or a nation within a nation — presumably where the laws of Alberta would not apply — that's just simply not acceptable to the government of Alberta and, I would presume, to the Legislature and the people.

It's very important for us to be satisfied with the wording of any provision added to the constitution that reflects an acceptance of the Metis people of this province. That is the discussion going on over this past week between the government and the Metis people, and that will continue. But in a document as important as this, we're not going to *carte blanche* accept wording we haven't been a party to.

That's what the process has been during the course of the past week. It's been difficult, not just for this government but for all governments. This very important subject is being discussed at long distance, if you like, via exchanges of telexes and telephone calls. That will continue through today and this weekend, I'm sure. That's fine; if that's the way we have to do it, we'll do it that way in the hope we can have the concurrence of all the provinces necessary to reach the objective of the Alberta government. Our objective is to provide within the consti-

tution a recognition of the concept of the Metis people of Alberta — or, if you like, the aboriginal peoples of Canada, in the way I referred in my answer to the question put to me by the Member for Spirit River-Fairview.

MR. PAHL: Mr. Speaker, a supplementary question to the Premier. It's my understanding that in the September 1980 first ministers' conference, the Premier suggested special protection for treaty rights. Evolving from that — or not evolving from that — was a Section 34. I wonder if the Premier could clarify why there was no consultation in effect on Section 34 that would have put us in a position to make Section 34 fair to all.

MR. LOUGHEED: Mr. Speaker, a sequence of events occurred at the first ministers' conference on the constitution in September 1980. When this matter was discussed, we stated that we thought the federal government, which had responsibility for treaty rights, should provide adequately for the protection of those treaty rights in the constitution. We made that submission after discussion with the representatives from the Indian Association of Alberta. That's on the record of that meeting and was made in the open sessions.

The hon. member will recall that subsequent to that, the discussions or negotiations on the constitution were cut off by the Prime Minister, and he moved unilaterally. His initial introduction on October 2, 1980, included sections 25 and 26, which we're all familiar with and which provided that the existing rights of the aboriginal peoples of Canada, including treaty rights, could not be taken away as a result of the charter.

At that time Section 34, the contentious section that was in the resolution last spring, was not there. That came about as a result of submissions made not to our government or to other provincial governments over the course of last winter. It was inserted in the precise language that appeared in the resolution last spring. It was inserted after discussions between a number of native representatives, the federal government, and other parties in the House of Commons. We were not involved in that discussion, and that's where the difficulty lies at the moment. If we had been, it would probably have been possible to have come to a conclusion on wording that would have satisfied all concerned.

We have to keep in mind in this country that the provinces are in very different positions with regard to the question of aboriginal rights, and very different positions with regard to treaty rights. That's what makes the matter so complex and difficult. It should be noted that the addition of the former Section 34 was made after submissions and discussions but was not contained in the original proposal by the federal government.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Premier, for clarification. I note page 5 of the Premier's comments yesterday:

... we [would] welcome these immediate discussions — if they can lead to an understanding and agreement — we would propose them quickly to the Federal Parliament by way of amendment and additional provisions.

The Premier has made reference with respect to his discussions with Mr. Sinclair, the President of the Metis Association of Alberta. However, my question to the Premier is with respect to the definition of Section 34 the Premier alluded to several days ago. Would it be within

the scope of this comment that the government of Alberta would agree to immediate discussions on defining the scope of Section 34 prior to the patriation resolution being sent to Great Britain? The reason I raise that, Mr. Speaker — and it's important that I take a moment to explain it — is that the conference down the road will be subject to the new amending formula, whereas an agreement before patriation would bind all parties. Would the Premier clarify the position of the government of Alberta on that matter?

MR. LOUGHEED: The answer in both cases is yes. What's intended there is that if we can work out a satisfactory wording on this concept of aboriginal rights in a positive way — and we would be suggesting that, and that might happen either today or very quickly; we'll be having discussions with the Metis people of the province and will continue them today. We regret that yesterday the Indian Association of Alberta made the decision not to meet with us. As I understand it, they decided that they wished to meet with us later, with all their chiefs involved.

Because of the circumstances and the timing within the federal House of Commons, we believe we have to move fairly quickly, because that really comes to the second question the hon. Member for Spirit River-Fairview states. I think it would be desirable if this matter could be cleared up now, before the proclamation, and wording on this matter could be agreed to by all the nine provinces and the federal government before the proclamation, not necessarily because I worry so much about the amending formula but more to do with the spirit of the situation. If it can be resolved, it's better to be doing it now than later.

I still don't quite understand the Prime Minister's sense that with nine provinces now in agreement, this must be rushed through Parliament. I really do have some difficulty understanding that, because I would have thought we would try to work out what objections may exist on this particular matter of native rights. I'm confident that we could do it if it weren't done under the pressures that seem to be placed on it at the moment.

So if I could repeat, I answer both cases of that question affirmatively. It would be our hope to be proposing wording that would have a positive concept with regard to the aboriginal peoples of Canada; secondly, we would try to do that in a way that it would form part of the constitutional resolution before the matter was proclaimed.

School Bus Regulations

DR. BUCK: Mr. Speaker, my question to the hon. Minister of Transportation has to do with the press release yesterday as to the use — or more correctly, the non-use — of alternating flashing red lights on school buses. Can the minister indicate what representation he has had from surrounding municipalities and jurisdictions in the Edmonton area as to their desire for the use of alternating flashing red lights on school buses?

MR. KROEGER: Mr. Speaker, we've not only had some representation but also solicited some opinions from the total area covered by the school bus system. By far the majority of opinion expressed to us favors the procedures we're now using, coupled with good information going out to the various jurisdictions so they'll really understand what is being attempted.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. Would the minister be kind enough to table that information in the Legislature so all members could have a look at it?

MR. KROEGER: Yes, Mr. Speaker.

DR. BUCK: Mr. Speaker, can the minister indicate what discussion the minister or members of the department have had with other provinces as to the use of alternating flashing red lights on school buses in municipalities?

MR. KROEGER: Mr. Speaker, I personally have not had any, but the department has. That's been ongoing, and we've been making the comparisons. Of course, we also have to use the information we have available to us as it comes out of the operators' areas, and try to co-ordinate a program that works best under the circumstances we're working in.

DR. BUCK: Mr. Speaker, following the government's proposed philosophy to allow local jurisdictions autonomy, when local jurisdictions require or wish to have in place legislation such as this, enabling them, is the minister reconsidering passing enabling legislation to allow local municipalities to proceed with the use of alternating flashing red lights on buses?

MR. KROEGER: Mr. Speaker, one of the difficulties we get into in this sort of thing is that if you have a standard procedure that applies to all areas of the province, it removes the mystery and makes it much easier for people to respond. If we went this route, the proliferation of ideas that we might get from various jurisdictions might create more of a hazard than trying to get the uniform law, have it properly explained, and do the very best that that sort of regulation can do.

DR. BUCK: Mr. Speaker, in light of the fact that legislation is now in place and motorists recognize that when lights are flashing, they stop, would that not be consistent with the usage of those alternating lights if the municipality so desires?

MR. SPEAKER: We're getting into the area of debate, but perhaps under the circumstances the minister might wish to provide a brief answer.

MR. KROEGER: Only to say that we're watching this very closely, Mr. Speaker. Partly thanks to the questions being asked by the Member for Clover Bar, I have gotten much closer to it than I thought I needed to before.

Having had this legislation since 1979, and by monitoring it and being able to establish that we have had far fewer incidents where no lights were used under the prescribed formula we work to than there were in the instances where they used the lights, it has seemed to confirm that we're on the right track. I'm not suggesting we should be inflexible on this, but I think we have a period of testing to go through yet. As I've already said, we also have the responsibility to get out the information on how the system really is intended to work. I would like to suggest that we proceed with this to a point where we're totally satisfied that the information that ought to be out is out and that it is properly understood. If we are then convinced that the system could be improved, we'd be glad to do it.