

## LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, March 8, 1973

[The House met at 2:30 o'clock.]

## PRAYERS

[Mr. Speaker in the Chair]

## INTRODUCTION OF BILLS

Bill No. 202 The Legislative Assembly Amendment Act, 1973

MR. APPLEBY:

Mr. Speaker, I beg leave to introduce a bill, being The Legislative Assembly Amendment Act, 1973. This Bill is very brief. It simply involves changing the name of the Athabasca constituency to the Athabasca Westlock constituency.

[Leave being granted, Bill No. 202 was introduced and read a first time.]

## INTRODUCTION OF VISITORS

MR. HYNDMAN:

Mr. Speaker, I am especially pleased today to introduce to the House during this week, Education Week, three important young people who took over my job for the day. Consequently, I stand here simply as the Member for Edmonton Glenora.

These three students were winners of a province-wide essay contest on the subject "What Education Means to Me". They are seated in the Speaker's Gallery. Their names are first, Jeffrey Rosgen of Munson, Alberta, who is in Grade 4 and he is accompanied by his teacher, Mrs. Sliwinski, and his proud parents. In addition, Meredith McLeod from Calgary, the second winner, who is in Grade 6 and is accompanied by her teacher, Mrs. Burk; and from northern Alberta, Maureen Baisley of Hinton, in Grade 6, and accompanied by her teacher, Mrs. Danyluk.

They have done a very excellent job of being Ministers of Education for a day, Mr. Speaker. Some have observed that the department has never been run more efficiently. But they did pass a ministerial order this morning which read that school holidays in Alberta shall be six months of the year. I will have difficulty recommending that to the Executive Council. In any event, we are all very proud of the tremendous job these students have done, supported by their teachers and parents. They are in the Speaker's Gallery. I would ask that they rise and receive recognition of the Assembly.

MR. CHAMBERS:

Mr. Speaker, I am pleased to introduce to you and on your behalf to the members of the Assembly 57 bright young Grade 6 students from McArthur Elementary School which is located in the Edmonton Calder constituency. I know McArthur School rather well, since three of my own children have been in attendance there in the past. The students are accompanied by their teachers, Mr. Smith and Mr. Hawkesford. They are seated in the members gallery. I would like to congratulate them on their interest in the proceedings here, and I wish that they would stand and be recognized.

MR. SORENSON:

Mr. Speaker, I would like to introduce to you and to the members of the Assembly 15 ladies from Merna, which is in my constituency, Sedgewick-Coronation. They are members of the Merna Ladies Club and their homes are in the heart of one of Alberta's major oil fields. Mr. Speaker, we have heard of

the seven wonders of the world. The eighth wonder surely must be groups such as this, whose acts are acts of kindness, visiting senior citizens homes, entertaining and baking and so on. They are accompanied today by four drivers, Bill Anderson, Walter Fraedrich, Daniel Lewis and Ronald Bownes. I understand they had absolutely no difficulty in finding fellows to act as chauffeurs. They are in the public gallery. I would ask that they stand and be recognized at this time.

MR. ASHTON:

Mr. Speaker, I would like to introduce to you and through you to the members of this Assembly some 25 members of the Grade 9 class of the Kenilworth School in my constituency. They are here today to observe the parliamentary system in action. They are accompanied by their teacher, Mr. W. Fors. I will ask them please to rise and be recognized.

ORAL QUESTION PERIOD

Municipal Mill Rates

MR. HENDERSON:

Mr. Speaker, I'd like to address a question to the Premier. I believe the Premier informed the House earlier that, along with a number of ministers, he was meeting with the municipal associations. I was wondering as a result of those meetings, if the government was now prepared to announce that they are eliminating the 7.5 per cent guideline on municipal mill rates as it relates to Provincial Incentive Grants?

MR. LOUGHEED:

Mr. Speaker, I'd be happy to refer that question to the Minister of Municipal Affairs for a response to that and some other information he would like to provide for the House.

MR. RUSSELL:

No, we are not prepared at all to make that statement today, Mr. Speaker. We had a meeting yesterday, which involved my colleague, Mr. Miniely and myself, department officials, the executives of the two associations, plus mayors of the ten cities. We had a very thorough discussion, a very frank discussion, relating mostly to that aspect of the plan.

I think it's fair to say all parties left the meeting saying that within a week we would all attempt to come up with a suggestion in writing as to how the 7.5 per cent factor could be dealt with so it would apply to the many different kinds of municipalities we do have throughout the province. But as of today we still intend to proceed with the incentive control feature of the plan.

MR. CLARK:

Supplementary question, Mr. Speaker, to the minister. Did you receive representation from the mayors of some of the cities for the removal of the strings on the unconditional incentive grant -- the 7.5 per cent string?

MR. RUSSELL:

Oh, yes certainly, Mr. Speaker. I also received representations asking that it be left on.

MR. HENDERSON:

Supplementary, Mr. Speaker. Did the minister, in his answer to my question, infer that an announcement on the matter would be made within a week?

MR. RUSSELL:

No, I didn't, Mr. Speaker, but we are all anxious to get this settled to everybody's satisfaction as quickly as possible, looking at how far into the year the municipalities are with their budgeting. The agreement with which we left the meeting yesterday was that all parties involved would get into my office, within one week, suggestions in writing as to ways and means by which their particular difficulties might be overcome.

MR. HENDERSON:

A further supplementary, Mr. Speaker. Is the minister not aware that the only satisfactory measure would be --

MR. SPEAKER:

Order please. Order please. The hon. Member for Calgary Mountain View with a supplementary.

MR. LUDWIG:

Mr. Speaker, supplementary to the hon. minister. In view of his remark that he received representations from someone or other that the 7.5 per cent ceiling be retained, would he be prepared to admit who did it, or will he table the correspondence he received concerning this matter?

MR. SPEAKER:

This is the sort of information that might perhaps be requested on the Order Paper. Undoubtedly it will be made subject to the condition of preserving confidentiality unless consent is given for the release of the information.

MR. LUDWIG:

I'm sure it would be confidential.

MR. RUSSELL:

Mr. Speaker, perhaps I could clarify that point. It wasn't a written submission. There was no confidentiality. It was the Mayor of Calgary who said that was a good feature of the plan.

MR. CLARK:

Following along that line, Mr. Speaker, would the minister indicate to the House whether he received more requests to have the 7.5 per cent string remain? Or did he have more requests to have it removed?

MR. RUSSELL:

Mr. Speaker, there were certainly more requests to have it removed than to have it kept, because that is the kind of people you hear from -- the people that have concerns -- and we asked for their concerns. The major concern evident from the representations which I have received deals with difficulties or complaints with respect to the 7.5 per cent grant. I recognize that; I'm not trying to hide anything. We asked for their representations, but at our meeting yesterday the Mayor of Calgary said he thought it was a good part of the plan for this year.

MR. SPEAKER:

The hon. Member for Drumheller, followed by the hon. Member for Calgary Bow.

#### Snowmobile Insurance

MR. TAYLOR:

Thank you, Mr. Speaker. I have a question for the hon. the Attorney General. Is the government giving consideration to removing the compulsory aspects of snowmobile insurance for next winter?

MR. LEITCH:

Mr. Speaker, that is an item on which I said publicly we had an open mind, and would be prepared to consider the views and recommendations by people who are interested. I should add that at the time I made that statement I said I felt the snowmobilers would need to establish a logical basis for requiring compulsory insurance on other vehicles and not on snowmobiles. Yet, to my knowledge at least, we have not heard further from them.

MR. SPEAKER:

The hon. Member for Calgary Bow followed by the hon. Member for Wainwright.

Temporary Staff

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Manpower and Labour. Does the government make a practice of paying temporary help more money than full-time employees?

DR. HOHOL:

Mr. Speaker, this is something I would really have to examine in terms of personnel policies and practices, but to generalize and not be specific, I would say yes. One of the reasons for this is that a temporary helper would not be subject to the same fringe benefits and other increments and assistance as a permanent employee, so the higher wage would compensate for those other factors.

MR. WILSON:

Supplementary, Mr. Speaker. Are you satisfied that this practice encourages assumption of responsibility amongst the full-time employees?

DR. HOHOL:

I don't see the connection if I can put it that way. I really can't see the implied answer that the permanent employees would not be motivated to perform to their fullest. I would deny that and would accept the opposite proposition.

MR. WILSON:

Supplementary, Mr. Speaker. Are you aware of any recent resignations of full-time employees on the grounds they were paid less than part-time help?

DR. HOHOL:

No, I am not, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Wainwright followed by the hon. Member for Calgary McCall.

Daylight Saving

MR. RUSTE:

My question is to the hon. the Attorney General. In light of the considerably longer period of daylight now with us, can the Attorney General inform the members of this Assembly when we can expect a proclamation for Daylight Saving time this year?

MR. LEITCH:

Mr. Speaker, I haven't put my mind to that yet, but I will do so promptly.

MR. SPEAKER:

The hon. Member for Calgary McCall, followed by the hon. Member for Spirit River-Fairview.

Agrimart

MR. HO LEM:

Mr. Speaker, yesterday I had a question regarding the Agrimart situation in Calgary. At your request you asked me to redirect this question when the Minister of Municipal Affairs returned to the House.

My question to him is, is the province willing to act on behalf of the Agrimart people, as well as the City of Calgary and their residents, in using its influence to persuade the federal government to withdraw its objections to this recent proposal?

MR. RUSSELL:

Mr. Speaker, in answer to the hon. member's question, I think the province has always taken the attitude that it would do everything possible to find an alternate suitable site for the Agrimart other than where it was located, and of course that offer still stands.

I was disturbed yesterday in a discussion with Mayor Sykes of Calgary to learn that the city has, in fact, apparently negotiated with the Agrimart people a mutually satisfactory arrangement whereby Agrimart would relocate away from the Vista Heights residential development and closer to the International Airport.

My understanding from information I received from the mayor is that there now may be objections from the Ministry of Transport with respect to the particular location. If this is true, Mr. Speaker, it is very disturbing because I can say that the province has been working very diligently in trying to prepare planning legislation that would give every protection to the new international airport proposed for Calgary.

The hon. Mr. Peacock has made several representations to me and is anxious to have this legislation introduced and it will be during this session. However, the latest news yesterday from the Ministry of Transport is quite disturbing in this regard, and naturally we would be, I think, in a very direct position to want to be able to speak on behalf of the City of Calgary in this difficult position in which they now find themselves.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Calgary Mountain View.

Undercover Agents

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Attorney General. Can the Attorney General advise the House whether permission must be sought from his department before police forces employ the use of undercover agents?

MR. LEITCH:

Not that I am aware of, Mr. Speaker, but if the hon. member wishes I'll check with the members of the department.

MR. NOTLEY:

A supplementary question. In view of the concern expressed in the report of yesterday by the Human Rights Association, is the government considering any strict measures to control the use of undercover agents in this province?

MR. LEITCH:

As I said in answer to questions about that report yesterday, Mr. Speaker, I wanted some time to give it the careful review I think it warrants. I haven't yet been able to do it and will deal with that question after I have been able to review it.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Can the Attorney General advise the House how widespread the use is of undercover agents by police forces in conducting investigations in this province?

MR. SPEAKER:

Surely that is a matter of some detail which should be dealt with on the Order Paper.

The hon. Member for Calgary Mountain View followed by the hon. Member for Vermilion-Viking.

Demonstration by Prisoners

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Attorney General. Has he been advised whether there has been a demonstration by prisoners in Fort Saskatchewan Goal?

MR. LEITCH:

Yes, Mr. Speaker, I have been. As I understand it, the other morning there was a sit-in or refusal by a number of the inmates to leave the dining room after breakfast. I understand that it arose out of rules requiring a small number of the inmates to be within the cells at a particular time during the morning, during the noon hour, the afternoon, and the evening, and the rule is to facilitate the movement of inmates to and from their work and to facilitate a change in staff.

I am also told that the warden has said he would consider any possibility of altering those rules or shortening the periods of time. And I understand, Mr. Speaker, that the demonstration or sit-in was peaceful and that after the warden spoke to the inmates they returned to their employment or to their dormitories.

MR. LUDWIG:

Supplementary, Mr. Speaker. Has the Attorney General given any instructions to the warden with regard to any action which may be taken against those prisoners involved?

MR. LEITCH:

No I haven't, Mr. Speaker. In a matter such of this, I think certainly in the first instance, it should be left to the warden and the other officers within the correctional institute system to endeavour to find the appropriate solution.

MR. LUDWIG:

Mr. Speaker, I didn't get the meaning of the hon. Attorney General's answer. Does it mean that if a warden wishes to take disciplinary action that it would be done without his permission?

MR. LEITCH:

Well, Mr. Speaker, I don't know how he can jump to those conclusions from what I said. But certainly the warden, under the regulations that govern the operation of the correctional institutes, does have certain authority. In addition to that, when it comes to disciplinary matters and things of that nature the procedure to be followed is governed by regulations that are currently in force.

MR. LUDWIG:

A supplementary, Mr. Speaker.

MR. SPEAKER:

Might this be the final supplementary on this point?

MR. LUDWIG:

Will the hon. Attorney General assure the House that no disciplinary action will be taken against the prisoners as a result of their actions?

MR. LEITCH:

Mr. Speaker, I certainly won't give that assurance now. I think it would be premature to make any comment at all about that. This is something which occurred a short time ago. It is clear we may not have all of the facts or circumstances surrounding the incident and for the hon. member to ask for such assurances at this time is, in my judgment, unreasonable.

MR. SPEAKER:

The hon. Member for Vermilion-Viking followed by the hon. Member for Stony Plain.

Provincial Auditor's Briefings

MR. COOPER:

Mr. Speaker, my question is for the hon. Provincial Treasurer. Is it your intention, Mr. Minister, to attend the press conferences in which the Provincial Auditor delivers his briefings on the interim financial statements for the province?

MR. LOUGHEED:

It sure is.

MR. MINIELLY:

Mr. Speaker, I would point out to the members that I have had several informal discussions with the acting Provincial Auditor, Mr. Rogers. He agrees with me that people in the accounting profession generally agree that the financial statement is a financial statement of the comptroller or treasurer. The important and key thing for the auditor is not the financial statement but, in fact, that he expresses his independent opinion on that financial statement which you will see if you look at the public accounts. So, in other words, a treasurer can present financial facts for the purpose of the press or for the purpose of the public. But the auditor must independently express his opinion as to whether or not the treasurer's figures are accurate, and present the total and accurate view to the public. At all times this will be preserved. This is the important and key consideration.

But at a press conference, when financial statements are released, they are really a combination of the financial statements of the treasurer and the independent opinion of the auditor on those financial statements.

MR. SPEAKER:

The hon. Member for Stony Plain followed by the hon. Member for Hanna-Oyen.

Farmers' Day Holiday

MR. PURDY:

Mr. Speaker, my question is to the hon. Minister of Agriculture. During the last fall session, the minister made an announcement that agricultural week would be celebrated some time in October. Will there still be a recognized school holiday in June?

DR. HORNER:

It is the present intention, Mr. Speaker, to continue to have a Farmer's Day holiday in June subject to the concurrence of the minister responsible for that particular holiday, the Minister of Education.

MR. HYNDMAN:

I might mention, Mr. Speaker, that it is up to the local school boards to decide whether or not there is a school holiday that week.

MR. SPEAKER:

The hon. Member for Hanna-Oyen followed by the hon. Member for --

MR. TAYLOR:

Mr. Speaker, could we hear from the three Ministers of Education for the day and get their views?

MR. SPEAKER:

Those have already been reported.

The hon. Member for Hanna-Oyen followed by the hon. Member for Sedgewick-Coronation.

Oil Revenue Plan

MR. FRENCH:

Mr. Speaker, my question is for the hon. Provincial Treasurer. What effect will the revenues accruing to the Province of Alberta from the oil revenue plan have on equalization payment to the province?

MR. MINIELY:

Mr. Speaker, it is pretty difficult to have any effect because, as I mentioned in the House the other day, it is an allocation of federal funds that is set into a pot. Alberta has never received anything. The increase in the oil revenues won't change that. We still won't receive anything.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Olds-Didsbury.

Grain Payments

MR. SORENSON:

Mr. Speaker, my question is to the Minister of Agriculture. When do you expect the province's final payments on unthreshed grain will be mailed?

DR. HORNER:

Well, the closing day for applications, Mr. Speaker, was February 28. I haven't an up-to-date report other than the one I gave in the House the other day. I would be quite willing to inquire and give the information to the hon. member.

MR. SPEAKER:

The hon. Member for Olds-Didsbury followed by the hon. Member for Calgary Millican.

Student Finance

MR. CLARK:

Mr. Speaker, my question is to the hon. Minister of Advanced Education. I would like to ask the minister if he has had an opportunity to meet with the student group from the University of Alberta and the University of Calgary regarding their submission on student finance?

MR. FOSTER:

No, Mr. Speaker, I have not. I have carefully reviewed the submission put forward on the question of student finance. The same has also been reviewed by the Student's Finance Board. I am in a position to respond now to the students and to arrange a meeting. I just simply haven't been able to find the time, but I will be doing that.

MR. CLARK:

Mr. Speaker, is the minister aware that the term of the Students' Union of the University of Alberta runs out on March 19 of this --

[Interjections]

MR. SPEAKER:

Order please.

MR. CLARK:

Will the minister meet with the students before March 19, which is the date that the term of the Students' Union Executive of the University of Alberta runs out?



MR. POSTER:

Mr. Speaker, I recognize that student unions are inclined to change from year to year, and this is the time of year that that is done. However the question of student finances is not something that is just of a peculiar interest to one group of students for one year. The brief presented to me was prepared on behalf of the students' association or the students' union. I suspect that it reflects the view and concern of a great many students, not just those who prepared the document. So while I would enjoy the opportunity of discussing my reaction to their brief with those who are now in office, I will certainly have to continue discussions with those who are coming into office, and will make every endeavour to do so.

MR. SPEAKER:

The hon. Member for Calgary Millican, followed by the hon. Member for Calgary Bow.

Control of Alberta Companies

MR. DIXON:

Mr. Speaker, my question today is directed to the hon. the Premier, and it's a follow-up from a question I asked a couple of days ago regarding the takeover of Intercontinental Packers of Red Deer by the Saskatchewan government controlled company. In light of the fact that there has been another Alberta company taken over in less than a week, Phoenix Steel & Pipe Ltd., I was wondering if the government plans an investigation of the sale of Canadian Phoenix Steel & Pipe Ltd., and other proposed takeovers of Alberta companies by Saskatchewan companies either controlled by the Government of Saskatchewan or where the Government of Saskatchewan has a major shareholding position?

MR. LOUGHEED:

Mr. Speaker, no investigation is planned. I have had discussions with the Minister of Industry and Commerce about both subjects. We are trying to make an evaluation and an assessment. It would not be an investigation to determine its economic impact upon the province and whether or not any public policy considerations are involved.

MR. DIXON:

I wonder if I could ask the hon. Premier, Mr. Speaker, a supplementary question. Is it a fact, or could you confirm that American investment is slowing up in Alberta, and is this the reason why the Saskatchewan government is taking this initiative?

MR. LOUGHEED:

Mr. Speaker, on the contrary, all of the figures that we have with regard to investment anywhere -- or by people -- is that very definitely there is a considerable amount of interest in the Province of Alberta, both by people in this province investing in the province, and by other Canadians or people throughout the world. And this is a very healthy aspect of the climate that we have in this province in terms of opportunity and enterprise. I am very pleased to see that the very nature of the climate for enterprise that we have in this province is attracting investors from all over the world and, of course, from among our own citizens.

MR. DIXON:

Mr. Speaker, I appreciate the hon. Premier's answer, but my further supplementary question is: if there were any discussions with the hon. Minister of Industry and Commerce, is it a fact that there is a participation of American companies in conjunction with Canadian companies rather than straight American takeovers? Isn't this what is taking place?

MR. LOUGHEED:

Mr. Speaker, there may be something to that, and that's part of an evaluation, of course, partly within the terms of reference of a select committee that is still considering the matter for the Legislature as well as public policy considerations of our own. We have been involved in the subject in a number of different ways, primarily in terms of the resource field, and we will have some announcements to make about that particular matter of Alberta participation in due course in this session. The specific matters though that

the hon. member raises are matters that we are assessing, and I hope that perhaps I or the hon. Minister of Industry and Commerce may be able to say something further about them in the House in a number of days.

MR. DIXON:

My final supplementary, Mr. Speaker. Would the opportunities fund be available to Albertans who are interested in taking over Alberta companies, or does it have to be a takeover of a new company? In other words, can we ...[inaudible]... invest The Alberta Opportunity Fund and take over a present Alberta company?

MR. LOUGHEED:

Mr. Speaker, I can see no reason, if it comes within the other terms of reference of The Alberta Opportunity Company for an Alberta investor to be involved in the acquisition of some other business in using loan funds as part of his package that comes from The Alberta Opportunity Company, provided they are within the limitations of the \$500,000, the priorities in terms of the smaller centres, and the other priorities that are set forth within the statute. But I wouldn't -- giving a quick reaction, subject to checking -- think there is any particular way in which a person planning to acquire a company in this province would be precluded from making an application to The Alberta Opportunity Company to have, as part of his financial package the loan funds that may be available there.

MR. SPEAKER:

The hon. Member for Calgary Bow, followed by the hon. Member for Wainwright.

#### Recycling Glass

MR. WILSON:

Mr. Speaker, I would like to direct a question to the hon. Minister of the Environment. Is the Department of the Environment or private companies contracted by that department, deliberately crushing wine and liquor bottles and land-filling the glass?

MR. YURKO:

Yes, Mr. Speaker, the bottles are now being crushed, and in my recollection are basically being land-filled, but the glass should be stored before very long in anticipation of developing an industry in this regard.

MR. WILSON:

Supplementary, Mr. Speaker. Have you authorized the publicizing of this action as being a recycling process?

MR. YURKO:

Yes, Mr. Speaker, we've publicized the fact that our entire thrust in this area is directed towards recycling and resources. Cans are now being recycled, refillable, returnable bottles are being recycled entirely from the Universal Depots; the wine and liquor bottles are as yet not being recycled. But it should be understood that the Universal Depots have only been in effect for two months, and it is just too much to expect that everything can be done in a matter of a couple of weeks.

MR. WILSON:

Supplementary, Mr. Speaker. In the interim, regarding the wine and liquor bottles, why do you not take advantage of the existing recycling project in Calgary sponsored by LIP funds?

MR. YURKO:

Mr. Speaker, the Project Recycle has been in to see me and I spent a considerable amount of time with the officers of Project Recycle, and gauged the situation in all its complex aspects. We have a number of companies negotiating with us, the establishment of a glass recycling industry at this particular time. It's important not to diminish confidence in this recycling at this time.

Furthermore, the Alberta Liquor Control Board requires bonding, and there are some other very strict regulations in regard to the disposition of funds, so that we just simply cannot allow any organization that is sponsored entirely by a LIP grant, for example, to handle these bottles in any way they see fit. After a very substantial discussion with Project Recycle, the Liquor Control Board and the department, it was decided not to permit Project Recycle to crush the glass and sell it to the Redcliff plant at this time.

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. Minister of Federal and Intergovernmental Affairs. Does your position of federal and intergovernmental affairs include the maximizing of benefits of LIP funds where there is an overlapping of provincial and federal projects, as in recycling?

MR. GETTY:

Mr. Speaker, our department has not been involved in those LIP matters. They have been handled almost exclusively through the Department of Municipal Affairs.

MR. WILSON:

Supplementary, Mr. Speaker, to the Premier. Is the Department of Industry and Commerce currently encouraging the establishment of a glass manufacturing company in Alberta?

MR. LOUGHEED:

Mr. Speaker, I'll have to take that matter as notice. The hon. Minister of Industry and Commerce is attending a meeting on transportation matters in Saskatoon today and tomorrow. I'll pass that question on to him and see if he can give the House an answer.

MR. SPEAKER:

The hon. member --

MR. TAYLOR:

Supplementary, Mr. Speaker, to the hon. Minister of the Environment. Has the hon. minister given any recent consideration to the possibility, in regard to the expense, of crushing the bottles and using them as aggregates in an asphalt-mile strip for an experimental purpose?

MR. YURKO:

Yes, Mr. Speaker, this matter is being discussed in the department as well as other matters in regard to usage of the glass, such as making glass bricks. And a few other possibilities are being considered.

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. Minister of the Environment. Is the crushed glass that is being land-filled now done by private contractor, or is it being done by the City of Calgary?

MR. YURKO:

I'd have to check into the details in regard to the Calgary situation. But as far as I understand, Contain-A-Way is the organization that has this responsibility.

MR. SPEAKER:

The hon. Member for Wainwright, followed by the hon. Member for Macleod.

Term Savings Certificates

MR. RUSTE:

Mr. Speaker, my question is to the hon. Provincial Treasurer. Has the provincial government taken any steps to help Provincial Treasury Branch Term Savings Certificates qualify under the Registered Retirement Saving Plan?

MR. MINIELLY:

Mr. Speaker, at the present time we haven't. It's a matter we have had under consideration. There are some new policies to involve the savings of more Albertans that have been developed in the treasury branch.

I believe that question was addressed to me in the spring session last year, and at the present time, as a matter of priority, I haven't had an opportunity to pursue that any further. But I will certainly take it as notice, Mr. Speaker.

MR. RUSTE:

A supplementary, Mr. Speaker. When could we expect something definite on it?

MR. MINIELLY:

Mr. Speaker, I am sure the hon. member, having been a minister himself realizes that we have to deal with things on a priority basis. It isn't as though Albertans don't have opportunity for registered retirement savings plans. And certainly we are looking at the greater involvement of Albertans' savings in the treasury branch system and working in the province in a variety of ways. One of them is what the hon. member has suggested, the Registered Retirement Savings Plan. But they are complex matters, Mr. Speaker, and I would not want to tie any particular date to it.

MR. WILSON:

A supplementary, Mr. Speaker. Do any of the Alberta Government's savings or investment plans or programs qualify as registered retirement savings plans?

MR. KOZIAK:

On a point of order. I believe that is properly a question of law. The provisions of the Registered Retirement Savings Plan are found under The Income Tax Act and the regulations that are passed thereunder by the federal government, and are not properly a matter of this government's jurisdiction. So the question of whether or not a particular investment qualifies as coming within the provision of the registered retirement savings plans that are recognized by The Income Tax Act should be asked of a tax expert rather than of a member of this government.

[Interjections]

MR. WILSON:

That's a very nice try, but to get the registered retirement savings plans accepted, application has to be made. And it is not a point of law at all. Has the government made application to have any funds or investments registered, or qualify as registered retirement savings plans? It is just a matter of whether the government has made an application or not.

MR. KOZIAK:

On the point of order, Mr. Speaker. There is no need for an application. The regulations passed by the Executive Council of the federal government set out exactly what investments qualify. And there is no need for making any application.

[Interjections]

MR. SPEAKER:

The point of order raised by the hon. Member for Edmonton Strathcona would be valid if it were, in fact, an out-and-out point of law, but it is unquestionably a matter of mixed fact-of-law and some of that fact would undoubtedly be the terms of the savings plans themselves. They may not be a matter of public knowledge as yet.

DR. BUCK:

Mr. Speaker --

MR. MINIELY:

Perhaps I could quickly assume the context. As all hon. members are aware, this government is working on a variety of ways of having Albertans participate in the development of this province. In my Budget address I indicated that the Premier would be making an announcement at some course in the spring session.

Now there is also a variety of ways in which the investment of Albertans funnelled into the development of industry and business in the province could be, perhaps, applied for under a registered retirement savings plan. But what I would like to make clear Mr. Speaker is, I think at this time it's premature to take one particular area of investment and try to have that qualify as a registered retirement savings plan. When we have totally formulated our policies for the participation of Albertans...[Inaudible]... give consideration to what area to which we could make application, perhaps as a registered retirement savings plan.

MR. HENDERSON:

A supplementary, Mr. Speaker. I wonder if the Treasurer could advise us further, relative to the government's examination of opportunities for Albertans to invest in development of the province, whether they are considering conversion of the Treasury Branches to a Bank of Alberta?

MR. MINIELY:

Well, Mr. Speaker, we are continually looking at policy. Certainly at the present time we will look at any policy which will improve the ability of Albertans to participate in this province. But as far as the hon. Leader's suggestion, I think that is an hypothesis at this stage. There is a wide variety of things we have to look at.

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. minister.

MR. SPEAKER:

Could this be the last supplementary on this topic?

MR. WILSON:

Does the minister have at his disposal any information which would indicate how much Alberta funds are being invested outside of Alberta via the registered retirement saving plan route?

MR. MINIELY:

Well, Mr. Speaker, again, you see, the federal government, under its revisions last year changed substantially the whole area of registered retirement savings plans and what would qualify as a deduction for citizens under tax revisions.

In fact, Mr. Speaker, I understand the federal government Department of National Revenue is not even fully aware of how to apply the new Act. The Minister of Finance in Ottawa had indicated it would be several years, in fact, before the actual various laws that were changed under tax revisions would, in fact become known as to what qualified and what didn't qualify.

In answer to the hon. member's question, it is simply, again, premature to make a decision on that matter. And certainly I am waiting to see what transpires and at that time we will pursue it.

MR. SPEAKER:

The hon. Member for Macleod.

#### Alberta Future Farmers

MR. BUCKWELL:

Mr. Speaker, I'd like to address a question to the Minister of Agriculture regarding his program for the Alberta Future Farmers. I would ask him to be very careful in answering this question, because it might have great political implications. Could he tell us which one of these young fellows is going to be the future farmer?

[Mr. Buckwell held up photo.]

[Laughter]

DR. HORNER:

Well, as the hon. member mentioned, Mr. Speaker, both of those young fellows, I'm sure, could become Future Farmers of Alberta. In fact, I'd like to invite the hon. member into my office and I'll show him a picture of the Premier in real farm garb.

MR. SPEAKER:

The hon. Member for Calgary McCall, followed by the hon. Leader of the Opposition.

#### Supreme Court Sittings

MR. HO LEM:

Mr. Speaker, I have a question for the hon. Attorney General. What is being done to solve the difficult situation at the 1973 spring sitting of the Supreme Court of Calgary? This situation is, of course, created by the shortage in number of Supreme Court judges in Calgary.

MR. LEITCH:

I'm sorry, Mr. Speaker, I didn't catch the hon. member's words during the opening part of his question.

MR. HO LEM:

What is being done to solve the difficult situation experienced at the 1973 spring sitting in Calgary of the Supreme Court?

MR. LEITCH:

As I understood the hon. member's question, he says there is a difficult situation in the Supreme Court spring sittings in Calgary due to a shortage of judges? Well, first of all, Mr. Speaker, if there is a difficult situation there, I am not aware of it. But secondly, the number of Supreme Court judges is determined by both the provincial and federal governments. The provincial government creates the vacancy and the federal government fills the vacancy by appointing the judges.

As matters now stand, there are, I believe, three vacancies in the Supreme Court of Alberta which are awaiting appointments by the federal government. The last comment I heard the federal Minister of Justice make on that was that he was still considering the situation and keeping his options open.

MR. HO LEM:

Supplementary. What is being done to ensure that those people held in custody pending trial would be dealt with on a top priority basis?

MR. LEITCH:

Mr. Speaker, I have no information indicating that the present situation will lead to any slow-up in the handling of the criminal assizes at the spring sitting. However, Mr. Speaker, I will check into that.

MR. SPEAKER:

The hon. Leader of the Opposition, followed by the hon. Member for Wainwright.

#### Royal Commission

MR. HENDERSON:

Mr. Speaker, I'd like to direct a question to the Attorney General. I wonder if the Attorney General has arrived at a decision yet relative to the request of the Alberta Human Rights and Civil Liberties Association for a Royal Commission into the administration of justice in the lower courts? And if he has, what is the answer?

MR. LEITCH:

Mr. Speaker, I thought I gave the hon. Leader of the Opposition a very clear answer to that question yesterday.

MR. SPEAKER:

It would appear to the Chair that this question, or a question of similar substance, is being asked for the third time in two days.

MR. HENDERSON:

Mr. Speaker, just speaking to the remarks of the point of order, the minister yesterday indicated he had not had time to read. I am asking if he has yet had time to read it and consider the request? To say he answered it is not the truth.

MR. SPEAKER:

The hon. minister, as the Chair recalls the answer, said he hoped to read it over the weekend, and he gave a similar answer today, although he didn't mention the weekend.

MR. HENDERSON:

I guess it doesn't have a very high priority.

MR. SPEAKER:

The hon. Member for Wainwright.

Tax On Homes For Aged

MR. RUSTE:

Mr. Speaker, my question is to the hon. Provincial Treasurer. Has the hon. minister received a reply to his request to the Minister of Finance for exemption from federal tax on purchases of homes for the aged?

MR. MINIELY:

Yes, Mr. Speaker, I wrote to the Minister of Finance in Ottawa approximately six months ago. I finally received a reply -- part of it, I'm sure, was due to the election, the delay in it -- just before this session.

The representation that I have made, Mr. Speaker, was that homes for the aged should receive an exemption from federal buildings material tax and federal sales tax. The Minister of Finance advises me that at the present time, for reasons which I could table in the House at a future date, he does not feel this is possible. His reasons are briefly explained in the reply to me and I would undertake to table that if the members would be interested.

MR. SPEAKER:

The hon. Member for Calgary Millican.

Awards and Compensation for Welfare Recipients

MR. DIXON:

Mr. Speaker, I would like to direct a question to the hon. Minister of Health and Welfare. My question today is, does the Department of Social Development take into consideration awards made under The Crimes Compensation Act and The Workmen's Compensation Act when computing the income of recipients of social allowance?

MR. CRAWFORD:

Mr. Speaker, the short answer is yes, and I suppose when one has a short answer one might often just leave it that way, but I could elaborate a little bit for the hon. member.

There are always a lot of considerations in setting the amount of assistance that may be given to a person who is in need. When he comes into possession of an asset then that is, of course, bound to have some effect on his position that didn't previously exist. I know that if the amount of the lump

sum payment is very large no one would expect the public to continue to support a person who had been on assistance up to that time. Occasionally, though, the situation comes up where a very small award is made and then the question may arise as to whether or not it is fair to the recipient to take into account funds that he received on compassionate grounds or grounds of damages and hold it against him. But I reiterate, the short answer is that when these awards are received, they are taken into account the benefit, is thereby less.

MR. DIXON:

Mr. Speaker, I wonder if I might ask a supplementary question of the minister. My supplementary question is, Mr. Speaker, in light of the recent court decision in Ontario which ruled that the Social Development Department there could not take this into consideration, I wondered if your department was reviewing your policy?

MR. CRAWFORD:

Mr. Speaker, the Ontario decision, of course, would be based on Ontario laws and I have not done or had done a comparison of their statute with ours to see whether or not a similar interpretation would be likely in the Province of Alberta. However, on the question of policy it would appear that, either because of different legislation or for some other reason, the Ontario situation is different and it is not our intention to have the same system they have.

Tax on Homes for Aged (Cont.)

MR. MINIELY:

Mr. Speaker, in response to the previous question of whether I had requested a federal sales tax exemption on homes for the aged, I wonder if I could table the documents -- I have them with me -- which is the reply of the Minister of Finance in Ottawa to my request.

MR. CLARK:

I wonder if I could address a question to the Minister of Intergovernmental Affairs?

MR. SPEAKER:

If you get leave of the House, because the time for the question period has just run out.

Intergovernmental Affairs

MR. CLARK:

Mr. Speaker, I trust it will be a very short question and a very short answer. When is the minister going to table those two references he read into the record so eloquently the other night about the fine job his department is doing?

MR. GETTY:

Mr. Speaker, I have three copies with me. I was going to table them yesterday, however, at the time there was not anybody in the Clerk's chair. I wanted to forward them to the Clerk and so I just put them in my drawer. They are here now and I will table them so the hon. members can have them.

Daylight Saving (contd.)

MR. LEITCH:

Mr. Speaker, I wonder if I could also have the indulgence of the House to add to an answer I gave to the hon. Member for Wainwright about a proclamation for Daylight Saving. I said that I hadn't addressed my mind to it and I was hopeful that I could find a reason other than mere oversight for not having done that. And since he asked me the question I have taken a quick look at the legislation, The Daylight Saving Time Act, and believe the position now to be that the hours of daylight saving are governed by that Act. The hours start at 2 a.m. in the morning of the last Sunday in April, and end at 2 o'clock in the morning of the last Sunday in October.



ORDERS OF THE DAY

## WRITTEN QUESTIONS

176. Mr. Wilson asked the government the following question:

- (1) How many jail sentences of sixty days or less were given in Alberta in 1972?
- (2) How many of these sentences included a fine option, which was not taken?
- (3) How many people electing for an optional jail sentence arrived with sufficient cash in their possession to have paid the fine?
- (4) What was the total cost in 1972 to the Alberta taxpayers, for inmates serving a sentence rather than paying an optional fine?
- (5) What is the inmate per diem cost to the Alberta taxpayers for the
  - (a) Calgary Correctional Institute; and
  - (b) Fort Saskatchewan Gaol?
- (6) What was the total fine revenue received from optional sentences in 1972?
- (7) How many people paid a fine rather than the jail sentence option?

MR. LEITCH:

Mr. Speaker, I would like to make a few remarks about that question. It is one that I asked the hon. member to have stand over until today when it came on the Order Paper last Tuesday, because I wanted to make some inquiries in the department to see whether the information was available. I have now made those inquiries and find that while it is theoretically available, it would be an extremely expensive and time-consuming job for us to provide that information. I should give a little explanation as to why that is so.

In parts (4) and (7), the hon. Member for Calgary Bow asks about the number of inmates who are serving sentences rather than paying the optional fine. In order to get that information we would have to look through all of the informations that were laid during the year 1972 -- and they are about 240,000 -- and then compare those to the records dealing with the people who went into the correctional institute system. While I haven't got an accurate figure, Mr. Speaker, the total cost of doing that would be many thousands of dollars. In light of that, I wondered if the hon. member would consider withdrawing the question for the time being and then, after he reviews with me or members of the department the nature of the information we have that is readily retrievable, perhaps the question could be rephrased to give him that information without putting the public purse to the very substantial expense that would be entailed in getting it in the form it is now asked for.

MR. WILSON:

Mr. Speaker, for clarification, could I ask the hon. minister, are you asking that we just withdraw items (4) and (7) and that you are prepared to answer that rest? Is that what you said?

MR. LEITCH:

I think that would be satisfactory, Mr. Speaker, although I thought perhaps the hon. member would prefer to withdraw it in its entirety and perhaps restructure it and put it on the Order Paper again. But either way would be a very reasonable solution, Mr. Speaker.

MR. WILSON:

Mr. Speaker, I think that the hon. minister's request is certainly reasonable in light of the cost that he outlined, and I certainly am not interested in putting the public purse to any great expense. Perhaps then I should withdraw the whole question, 176, and resubmit it with the other items on the understanding, Mr. Minister, that you can answer those without great cost.

MR. LEITCH:

I would appreciate that, Mr. Speaker.

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

Question 176 is withdrawn with the consent of the House and of the questioner.

184. Mr. Dixon asked the government the following question:

How many cases were submitted for investigation to the Commercial Fraud Section of the RCMP "K" Division by the Alberta Government under each of the following categories since November 1, 1971:

- (1) The Provincial Securities Act
- (2) Companies Act
- (3) Trust Company Act
- (4) Alberta Housing Act
- (5) Alberta Opportunity Fund Act

MR. LEITCH:

Agreed.

185. Mr. Taylor asked the government the following question:

- (1) When it is necessary to have the RCMP present at demonstrations in front of the Legislative Building why are they not in uniform?
- (2) Why was it decided to have RCMP in plain clothes at the peaceful demonstration in front of the Legislative Building on Friday, February 23rd?

MR. LEITCH:

Agreed.

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

Would the minister indicate with which university and college officials, and on what dates, the minister had consultation prior to his announcement that the Universities and Colleges Commissions would be abolished.

MR. FOSTER:

Agreed.

## MOTIONS FOR A RETURN

147. Mr. Dixon proposed the following motion to the Assembly, seconded by Mr. Wyse.

That an order of the Assembly do issue for a Return showing:

Copies of all correspondence and minutes of all meetings held between the Government of Alberta, its Ministers or Agencies, and the C.N.R. since September 10, 1971, regarding the Alberta Resources Railway.

DR. HORNER:

In the absence of the Minister of Industry and Tourism, could this stand over until such time as he returns?

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER:

I take it then the House has unanimously agreed that 147 will go over on the Order Paper.

HON. MEMBERS:

Agreed.

164. Mr. Clark proposed the following motion to the Assembly, seconded by Mr. Gruenwald.

That an Order of the Assembly do issue for a Return showing:

A copy of the study or studies done by or commissioned for the Government of Alberta, its departments, ministers, agencies or boards which assess the implications of the large number of certified or degreed teachers who are at present unemployed or underemployed.

MR. HYNDMAN:

Mr. Speaker, I would like to propose a short amendment to this motion which would then make it acceptable and that is to delete the word "large" in the third line. Whether the number of teachers who may be unemployed or underemployed is large is a question of opinion and debate and may be argumentative. So accordingly I move that that be deleted and then we will agree to the motion.

[The motion as amended was carried.]

171. Mr. Clark proposed the following motion to the Assembly, seconded by Dr. Buck.

That an Order of the Assembly do issue for a Return showing:

Two copies of all studies commissioned by, and completed for, the Government of Alberta, its ministers, departments, agencies, or boards, with regard to:

(a) The costs of busing school children at present, and

(b) The cost of further busing as a result of the new school construction freeze.

MR. HYNDMAN:

Mr. Speaker, here again I would like to make a small amendment so that we can be totally accurate. That is in respect to sub-paragraph (b) to delete the word "freeze" and replace it with the word "policies". Certainly at the moment there is no freeze on school buildings. There are new policies with regard to school buildings and the locations on which they will be built, but they are certainly much less frequent than previous years. But it is not a freeze, so accordingly I would move that amendment.

[The motion as amended was carried.]

187. Mr. Notley proposed the following motion to the Assembly, seconded by Mr. Clark.

That an order of the Assembly do issue for a Return showing:

All background information collected by the RCMP and received by the government on Al. Burger, of Faust, Alberta; Floyd Griesbach of Wabasca, Alberta, and Bruce Thomas of Slave Lake, Alberta.

MR. NOTLEY:

I would like to make several observations in introducing this motion, Mr. Speaker. First of all, had we had the discussion of last Tuesday, I would have added the words "with the concurrence of the three individuals concerned." I should point out, Mr. Speaker, that I have received letters from the three men. I am going to table these letters at the conclusion of my remarks, but for the information of the House I will very quickly read their letters. The first letter from Mr. Griesbach:

After writing my last letter to you, I realized that asking the RCMP for the files may just leave them in some government desk. I would like my file tabled in the House. This would help remove any mystery and offer some chance for correction if any wrong information has been included....

In fact, then, that is the essential part of it.

From Mr. Burger:

With reference to the recent controversy involving the use of the RCMP by the Attorney General to investigate myself, among others,

I would greatly appreciate if you could raise the question with regard to this matter in the Legislature. At the same time I demand that the government make public the file which has been accumulated by them on my person and my activities. Any assistance you may lend in this matter will be greatly appreciated.

The final letter from Mr. Thomas, the Editor of the Port of Slave Lake Oiler:

Dear Mr. Notley:

I hereby give you my personal approval and authorization to request that the Provincial Government open its file and publicly release all information pertaining to an RCMP "background profile" on myself, ordered by the Attorney General....

The reason I read these three letters, Mr. Speaker, or the main points from them into the record, is that quite clearly it would be wrong for us to ask that this matter be tabled without the concurrence of the three individuals. I think the point raised the other day in debate by the hon. Member for Drumheller is quite correct, that not only should we have the concurrence by other governments before we table information, but, equally important, we should have the concurrence of individuals who are affected by the tabling.

The reason, it seems to me, that this information should be made public, Mr. Speaker, is that the Slave Lake affair, as it has been called, has stimulated a wide ranging and, in my judgment, a legitimate public debate in this province, one which concerns the whole question of civil liberties.

But in the process of discussing the broader principles involved, it would be, in my judgment, a very serious mistake for the members of this Legislature to forget the three men who were concerned in the case. I appreciate the remarks made by the Attorney General in his speech on this matter during the debate on the amendment proposed by the opposition. Although no one is suggesting that the background profiles contained any derogatory information, the mere fact of the investigation will leave the reputation of these three individuals clouded until that background information is released. As I say, I appreciate the minister's comments on this matter during his remarks in the debate, but I don't think his comments suffice to clear the air.

There is one additional reason, Mr. Speaker, that seems to me to compel the release of these files. During the discussion of this matter the minister

pointed out that if a Minister of the Crown were in a position where, as a result of background information collected on an individual, he was going to act in a way that would somehow be prejudicial to that individual, he had an obligation to disclose the background information so that the individual could try and correct it. That, of course, is a proper approach to take. But what the hon. Attorney General didn't point out is that very frequently the decisions are not, in fact, made by the minister. Most decisions are made by people other than the minister. My concern is that if these files are not disclosed, what will happen is that other members of the public service may make unfair decisions as a result of information contained in the profiles. Just leaving it until it reaches the minister's hands, while I respect the argument, I don't think goes far enough.

May I just say in conclusion, Mr. Speaker, that as far as I am concerned there is very little political gain to be made out of a civil liberties case. I think most of us who have been engaged in active politics for some time realize full well that civil liberty issues are not vote grabbers at all. But it seems to me very important that we must defend the rights of individuals. That is why we need a Bill of Rights. If civil liberties were the kind of issue that turned people on and that aroused the public conscience, we wouldn't really need a Bill of Rights. But it isn't. Therefore it seems to me that we have to stand on guard, Mr. Speaker, to make sure that justice is not only done but it seems to be done at the same time.

I must say that I have been a little more than slightly troubled by the response of certain people who have written me as a result of this issue, people who have said, "Well why should we be concerned about the three men involved because one of them is an American draft dodger?" "Why should Canadians be worried about whether an American draft dodger is investigated?"

Well, first of all, that doesn't excuse the background profiles collected on the other two gentlemen. But equally important, it concerns me if there is an attitude growing in this society which says that we can treat Americans who have come to this country, who want to live in this country, who want to become citizens of this country, that we can somehow ignore the rights and privileges which they should have as residents of a free and democratic society.

Mr. Speaker, I can't help but say that this kind of mentality troubles me because it seems to me it can lead to blatant discrimination. I have had my quarrels with many American policies, but I think if the day ever comes when we are not prepared to welcome U.S. citizens who want to become Canadian citizens, then that day will indeed be a sad one for Canada.

May I close, Mr. Speaker, by saying this: that if the minister is prepared to send the files to the three individuals concerned so that they can publicly release them, that would, of course, be perfectly all right and completely in order. If that were the case I would be more than happy to withdraw this motion because it would achieve the same point, and that is, that the information be made public, that the air be cleared and the reputation of these three people will not be besmirched or left in any way under a cloud.

I ask, Mr. Speaker, for the support of this motion by all members of the House.

MR. CLARK:

Mr. Speaker, as the seccnder for the Motion for a Return, there are just three comments that I would like to make.

First, I second this motion after having an opportunity to read the correspondence that the hon. Member for Spirit River-Fairview has referred to, and believe that it is the right of the three individuals involved to make this kind of request. I feel it is legitimate and I would hope the members of the Assembly would be prepared to agree to it.

Secondly, Mr. Speaker, I agree in principle that in light of the events which have taken place over the past period of time that this is a reasonable approach for the Assembly to take.

And the last point I'd want to make is that it would be my very sincere hope that we would not be involved in this kind of a Motion for a Return or, in fact, this kind of activity at any time in the future.

MR. LEITCH:

Mr. Speaker, I propose to be very brief with my remarks, as much of what I said on Tuesday night last -- more accurately, a week ago Tuesday night last -- I think is applicable to this motion. I propose to speak against the Motion for a Return, and I'd like to open by saying that while the hon. member who proposed the motion made a reference to one of the persons involved not being a Canadian citizen, but rather an American citizen, so far as I'm concerned anyone within the Province of Alberta is entitled to the same kind of treatment as anyone else within this province. The question of from what country they come from, or how they got here, or why they are here is irrelevant.

The hon. members who spoke in favour of the motion referred to some matters of principle, but there is involved in this motion another matter of principle to which they haven't referred, and which, in my submission, Mr. Speaker, is the one that is important and the one I wish to stress in speaking against the motion.

That is simply this, and it's the one I referred to while speaking on this matter in this House some time ago. When ministers or people associated with government ask other people for information in confidence, I think it must then remain in confidence. And I'm thinking, Mr. Speaker, of the situation where a minister asks, for example, his deputy what people he might recommend to do a particular job, what people he might recommend to be involved in a particular program, what the deputy minister thinks about the operation of a program, and his assessment as to why it is not working as well as it could be hoped to be working, and all things of that nature which are done as a matter of routine.

My practice -- and I think one would make a very serious mistake if it were breached -- is that a response to that kind of inquiry comes in confidence, and it comes in confidence because the person requesting the information wants and needs the frankest opinion he can get, an assessment given with the utmost candour, given on what he thinks and what he believes might be the situation, and which of necessity may well be different from what the actual situation is. So this is just information that flows in to the minister which he uses to enable him to make decisions.

The same is true, Mr. Speaker, when the policeman who is investigating an alleged breach of law, for example, makes reports to his superiors which contain his beliefs, guesses, estimates, and things of that nature. I think it is absolutely essential that he be free to do that kind of thing, because for persons who are in charge of the matter or who have to make the decisions, this is all information that may lead them to finding the solution to the matter that they are looking into. And the slightest breach of that rule, the slightest change in the practice which would lead those people to think the things they say may become public, would so destroy the value of what they have to say to the ministers and the senior people in government that it would seriously damage their effectiveness. And that is what would occur here, Mr. Speaker, if we accept this Motion for Return. And I submit that that is a very important principle, and it's important that we retain it, that people who are giving information to the ministers be absolutely assured beyond question that that information will remain confidential and they will not have to worry about what their position would be if the bare facts were made public. And while I appreciate the merit in much of what the mover and seconder of the motion have said, it seems to me, Mr. Speaker, that in the total public interest the principle that I have just spoken of is the one that ought to prevail in this case.

MR. GHITTER:

Mr. Speaker, in entering the debate on this motion this afternoon, I do so as a member who has been very concerned over past years in matters of human rights, as a member who sat through the debate in this House on the amendment that was proposed by the hon. Member for Drumheller on the debate on the Speech from the Throne, and as a member who tries to recognize the very delicate balance that must be achieved between civil rights, public responsibilities, and the responsibilities of government.

As the hon. the Attorney General stated in his address on February 20 to this Legislature, he said there were a number of individuals who had suggested to him that possibly the apology that he had rendered to this House and to the parties involved was not really required. I am one of those members who felt that the Attorney General did not have to apologize under the circumstances as to what occurred in the Lesser Slave area. I was one of the members who felt very strongly that what was done was proper and in keeping with the very responsibilities of an attorney general, was proper and in keeping with the very

serious and onerous responsibilities of law enforcement, justice, law and order, and the matter of keeping peace, order and good government in Alberta and in this land.

I don't intend to proceed further into the heavy debate that occurred with respect to this problem. But I think the members must put their mind to what is law enforcement, what are the responsibilities of law enforcement officers, and what must a government do in order to gather information on any issue that might prevail within this province.

I could say at the outset that who really is better trained than the RCMP or our police officers in the order of gathering information? I could also say that in matters of security we would be naive in this House to feel that our police officers did not look throughout our society to gather information for potential danger spots. And any of these members in this particular Legislature who thinks that the RCMP do not travel from one corner of this land to another corner of this land looking out for potential trouble spots, where they would be worried about crime ensuing or not at that moment, would indeed be very naive.

Certainly then, what is the responsibility of government? Is there, for example, no responsibility upon this government when disputes and conflicts and rumours arise in the Lesser Slave area, where we have situations of draft dodgers allegedly suggesting conflicts and disputes, where this government in 1970-71 spent in that Slave Lake special area some \$1,828,000, when this government in 1971-72 spent some \$6,340,000, and when the budget for this year suggests that this government may spend some \$4,904,000?

Is there then no responsibility upon a government to investigate matters where there are allegations and rumours of disputes and conflicts, and what have you? I would suggest there is a responsibility. And for those who wave the civil liberty flag, those who talk of The Bill of Rights, those who we hear so often on human liberties and all the things we hold so dear and discussed so strongly in this Legislature last spring and fall, I suggest that at times we may forget the responsibilities that exist on the other side, the responsibility to maintain our peace, the responsibility to ensure that our police officers receive the support of this Legislature and our Attorney General when conducting himself in the function of endeavouring to look into areas of potential trouble in this society, will have the support of this Legislature.

As a result of that, Mr. Speaker, I was a member who believed that the Attorney General erred in apologizing. I was a member who believed that what he did --

MR. HENDERSON:

On a point of order, Mr. Speaker. What's under debate at this particular time is the relevancy of tabling the information. It has nothing to do with the return at all --

MR. SPEAKER:

There is no question that the subject matter which is under debate is whether or not the motion for an Order for a Return should be passed and complied with. To some extent, I would say with respect for the Member for Calgary Buffalo that he has perhaps exceeded those bounds, although to draw an exact line, as in all cases of relevance, is often very difficult. As the hon. members know sometimes the apparent irrelevance becomes relevant after you listen to it a little longer.

MR. GHITTER:

Thank you, Mr. Speaker. I assure you I will try to make it relevant. I think the hon. leader of the party on the other side is something like the hon. Member for Calgary Mountain View who rather prophetically rises before all of the results are in --

MR. SPEAKER:

Would the hon. member please revert to the subject matter of the debate.

MR. GHITTER:

I would suppose, Mr. Speaker, that if we were to conduct parity arguments to the extreme as to what the responsibilities of our Attorney General really are -- and this relates to whether or not this information should be filed and made public; I suppose that if the hon. Attorney General heard rumours that an

organization in the City of Calgary all of a sudden became Mafia controlled -- as we have heard so much about from the hon. Member for Calgary McCall -- I suppose if that rumour was presented to this House, it would be improper then for the hon. Attorney General to investigate the situation and use the police to do so. I suppose that if we were to look at this same argument in the extreme, if someone applied for a liquor licence and the hon. Attorney General wished to look into more detail and sent the police to do so, this then would be improper on his part. And I suppose that if there were suggestions that radical people or draft dodgers, or whatever it might be, were causing disturbances in a particular area of this province, if we were to extend this argument to its absurdity, the result would be that the hon. Attorney General must wait until the trouble occurs or the crime arises, or until the harm is done before having the opportunity to investigate and gather information in potential trouble spots.

I think that these areas, up to this point, Mr. Speaker, are areas where you can take it either way. I think there are prevailing arguments on both sides, and I think the hon. members on the other side, when they presented legitimate arguments in that particular area, were certainly correct in doing so. But I think it's a very debatable point as to where that line stops, where you talk in terms of public responsibility and human rights. And so far as the argument went as to whether or not the hon. Attorney General should have apologized under the circumstances, that's a matter --

MR. SPEAKER:

Order please. Could the hon. member address his remarks to the advisability or otherwise of giving this requested information.

MR. GHITTER:

As a result, I would submit that the resolution before this House at the present time to produce information that is of a highly confidential nature is an argument that I cannot accept. I think this is a particular situation where the balance is going too far to the other side.

I would suggest, Mr. Speaker, that from the point of view of what the Attorney General must do in this area and his responsibility, from the point of view of maintaining law and order and knowing what is occurring, a very dear and close relationship exists between the Attorney General and the law officers of this province. If that close relationship and close confidence that is created and must be maintained, is in any way jeopardized, as it would be if this information were tabled today, whereby the police were then fearful from the point of view of presenting any information to the Attorney General for fear it would be made public, I would suggest this would severely jeopardize not only the Attorney General in the function of his responsibilities, but it would severely jeopardize the function of law and order in this province.

I would suggest that the motion is one which goes to the extreme. I would suggest that it would severely affect the police in their normal functions. I would suggest that it is carrying things too far. In an age where we are concerned with rising crime rates, where we are concerned with national security, where we are concerned with the whole process of law and order in our society, when all of a sudden the actions and the conduct of the police force become subject to individual scrutiny as to anything that is done by this Legislature or by the public, when that occurs, Mr. Speaker, I would submit we are taking things too far.

I would suggest that we must help the police forces of this province in any manner we possibly can. We must endeavour to maintain this very delicate balance between human responsibilities, governmental responsibilities, and law and order. In this case, Mr. Speaker, I would submit that if this precedent were to be established whereby a member of this Legislature could require the Attorney General to produce any fact-gathering material that he received with respect to any individual in this province, this would be a backward step that this Legislature should certainly not support.

MR. HENDERSON:

Mr. Speaker, there are a lot of red herrings being produced relative to the debate on this motion. Certainly none is more evident than the remarks of the previous speaker. The question of the apology tendered by the Attorney General has been dealt with and finished; that is not the issue under debate.

It is my understanding, based on the words of the Attorney General, it is not a question of law enforcement that is under debate. All we heard from the



hon. Member for Calgary Buffalo is a great dissertation about law enforcement. Equating the Mafia with this exercise in Slave Lake I suggest requires a stretch of the imagination that would render the person completely unreliable to serve in this Legislature.

We are not talking about the Mafia, we are not talking about law enforcement and I take that on the words of the Attorney General himself who made that statement. It is my understanding that the basis for his statement was that he had made a mistake in judgment and the results were forthcoming from that. So to hear a long-winded dissertation on law and order when it has been established by the Attorney General himself that the issue was not law and order is absolute, utter nonsense.

I think if the Member for Calgary Buffalo were a responsible member, he would rise in his place and ask to have his words withdrawn from the debate and I think the House would be generous to give unanimous consent to withdraw it, because they are absolutely irrelevant --

MR. GHITTER:

Point of order, Mr. Speaker. If it is suggested by the hon. member that I must, to be an hon. member of this House, withdraw my remarks, I would certainly suggest that is out of order because that is not the criterion I am sure he wishes to apply or he would have been out of this House many years ago.

MR. HENDERSON:

Does the Chair have an opinion on the subject?

MR. SPEAKER:

The Chair's opinions concern -- in the Legislature, that is -- only the rules. With regard to the hon. member's remarks, the Chair proposes to follow the rule laid down which deals with Hansard.

MR. HENDERSON:

Thank you, Mr. Speaker. That was a very sage ruling on the part of the Chair.

As I was saying, Mr. Speaker, the statements made and read into the record by the hon. Member for Calgary Buffalo are entirely irrelevant to this particular matter. The question of the apology of the Attorney General is entirely irrelevant and I think it was a mistake that it was ever brought into the debate, because that is not the issue. It is not a question of law enforcement we are talking about, as I tried to point out. It isn't a question of investigating the Mafia, and I have to say to the Attorney General that it isn't a question of ministers within the department asking senior civil servants and deputy ministers for their written opinion on various matters. That is not the issue that is before the House.

The issue before the House is very simple, Mr. Speaker. The RCMP were used to investigate the activities of these particular gentlemen. The Attorney General has stated it was not a matter of law-breaking that was involved. He has further stated the fact that in retrospect he agreed it was an error in judgment in bringing them into the investigation that was conducted.

The question was also asked in the House as to whether the Attorney General was prepared to consider destroying the records and I was under the impression the Attorney General was giving some consideration to that possibility, because it would certainly be in order in this case. It is much to my regret, Mr. Speaker, that I have to rise and say I am disappointed that the Attorney General didn't simply rise and inform the House that the files had been destroyed, that there was no reason to keep them, the matter was closed; that would have been the end of the Return.

But by his comments he has left the whole issue in doubt again: that there are police records pertaining to the activities of these gentlemen that have nothing to do with the law, which are going to continue to haunt these particular gentlemen, raise doubts in minds of friends and people they meet and people they are associated with as to what exactly is on the record.

Quite frankly, Mr. Speaker, it really doesn't matter to me particularly whether the records are returned or destroyed. But I do think it is incumbent upon the government to do one or the other.

Efforts to equate this exercise with opinions of civil servants on internal matters inside the administration of government and efforts to associate this particular issue with law enforcement and the Mafia in Calgary and so on are completely irrelevant. They have nothing to do with the issue they have to do with the final disposition to an episode within the Province of Alberta relative to the utilization of police forces which stands out as a black mark, and this one final transaction would close it. As I say, I would be quite happy to see either course of action pursued -- a commitment from the Attorney General to destroy the records, or if they are not destroyed, to see that they are returned to the individual or made public so the names of these individuals can be cleared up once and for all.

MR. TAYLOR:

Mr. Speaker --

[Two hon. members rose to speak.]

MR. SPEAKER:

To follow the balance of more or less two to one in the House, the hon. Member for Edmonton Kingsway, followed by the hon. Member for Drumheller.

DR. PAPROSKI:

Thank you, Mr. Speaker. I too reject this Motion for a Return. The hon. Leader of the Opposition has clearly demonstrated his inability to integrate and co-ordinate his thinking on this matter. And the hon. Member for Olds-Didsbury, as far as I am concerned, amazes me as an ex-cabinet minister that he should even take this stand.

MR. CLARK:

Well, thank you.

DR. PAPROSKI:

I excuse the 'state-control party' because he is new.

Mr. Speaker, the information regarding these gentlemen is confidential. This is government information for the people of Alberta, for the Government of Alberta.

MR. DIXON:

Yeh, you're right.

DR. PAPROSKI:

-- for the Government of Alberta and I make this clear. This information is to be used by the government and to assist the government to assure the citizens of Alberta that everything is in order.

DR. BUCK:

Sit down while you're ahead.

DR. PAPROSKI:

Although the minister has used the RCMP in this case to gather this information, he could have used other people --

MR. LUDWIG:

I would like to ask the hon. member a question.

DR. PAPROSKI:

Although the minister, the hon. Attorney General has used the RCMP in this particular instance to gather this information, I could, and I am sure he would suggest, that this information could have been gathered by other people. The important thing here is that background information has been gathered and it can be gathered again on somebody else. This information is vital and essential to the function of government and we all, I am sure, agree with this to assure that citizens of Alberta are properly being protected.

To demand that this information is made public is to demand of the final judge of the Province of Alberta -- that is the Government of Alberta -- to reveal this confidential information. To me this is unacceptable. This judgment must be made by the government and the Legislative Assembly, and this information is for the Government of Alberta to use to protect the people, and therefore I must reject this action.

MR. TAYLOR:

Mr. Speaker, the plot thickens. When I hear the hon. member who just spoke, I get the feeling that he knows what is in the report, and I would like to ask and have somebody on the other side answer, was this information made available to the PC caucus? I would like to know. From some of the remarks it appears they know what is in the report, and if it has been --

MR. LEITCH:

Mr. Speaker, I would be delighted to respond to the hon. Member for Drumheller's request, and perhaps I should have expanded on this a bit before.

The reports that came to me have been, and would not have been read by the two members of the cabinet who act in my absence as first Acting Attorney General and second Acting Attorney General, and by no one else in the government, and in the ordinary course of events that would be the situation, Mr. Speaker.

In fact, as the Attorney General, you find you get a number of things that come to you in confidence and it is my feeling that you do in this position, wear several hats, and the practice that I have followed is to keep those things confidential unless there was some reason for government or members of the government to be told of them in order to take government action. Apart from that, those matters remain confidential with me as the Attorney General.

MR. TAYLOR:

Thank you, Mr. Speaker --

MR. SPEAKER:

Just so that this last exchange may not be taken as a precedent, the Chair assumed that what arose was a matter of privilege, perhaps incorrectly, inasmuch as it implied possibly serious impropriety on the part of the Attorney General in regard to his duties of office.

MR. TAYLOR:

Mr. Speaker, had it been done, I would certainly have made that point next, that it would have been very, very much out of order. I'm glad to have the hon. Attorney General's statement and I accept it. If that information had been made available to other members in this House, and not to the public, the Attorney General would have been in a most embarrassing position. So I appreciate the point he just raised.

When the hon. members talk about the RCMP and say that they are always looking for trouble spots, I think this is proper. This is part of the RCMP's job, to look for trouble spots. They are policing this country, they are maintaining peace and order. If they see things that are giving rise to turmoil and strife and so on, certainly it is their responsibility to do something about that.

But what bearing does this have on this particular case? The police didn't spot any trouble -- the police were told to carry out the investigation; they were instructed. So I can't follow the argument that there is any reflection on the police in this case. They were acting as the servants of this government, and when the Attorney General issues instructions, of course they have to obey. If they didn't we would have a pretty serious situation in this province. So the argument that peace and order is being maintained is completely irrelevant, and I can't follow it at all.

If there is any thought or if the hon. member has any information that these men were a danger to peace and order, let's have it. We on this side of the House don't want to encourage the Mafia, or encourage those who are out to break the law in any way, shape or form. But the very reverse appears to be true. These people broke no laws. We were given this information; they broke no laws. They were investigated and the hon. Minister Without Portfolio when he spoke on TV, said jokingly -- whether he was saying it facetiously or not, I

don't know, but he was giving it to the public and if he thought the public would swallow that, he certainly must have thought the public is gullible -- when he says "we are simply getting information so we can drop in and say, Hi, Joe." Call them by their first names. We don't need a police investigation for that. But that is how trivial the hon. minister made it appear when he spoke on television.

MR. MOORE:

Mr. Speaker, the hon. Member for Drumheller is not speaking to the motion in anyway whatever. The motion specifically states whether or not that information should be tabled in this House, not whether or not it was right to collect all those other matters.

MR. TAYLOR:

Mr. Speaker, on the point of order, why didn't the hon. member raise it when these points were being raised by two members on the other side of the House? Aren't we playing by the same rules?

MR. SPEAKER:

If there were, at that time, a breach of order or of the rules, then certainly one breach doesn't justify another, since we should be following good precedents rather than bad ones.

MR. LUDWIG:

Mr. Speaker, I would like to rise on a point of order. I believe that in any debate when an issue is raised on one side, the right must be extended to debate that point, and not feel that they can raise points on that side, and because they are out of order, we must be quiet about those points. If they are relevant to the debate, they are relevant to reply to, Mr. Speaker.

MR. TAYLOR:

Mr. Speaker, I am simply trying to develop the argument that if peace and order or encouragement to law breakers is involved, as has been suggested in the release of this information, then that's one thing. But I am trying to develop the point, based on their own arguments, that there was no peace and order involved and there was no lawbreaking involved. Surely the hon. Member for Smoky River can understand that. The RCMP did not raise the issue, and that has to be emphasized. Had the RCMP raised this issue, and had it then been pursued, that would have been a different point entirely too. The RCMP did not raise the issue. It was raised by ministers of the Cabinet, and instructions went to the police to carry out the instructions.

The other point raised by the hon. Attorney General, I think, is a moot point -- the one about the necessity of confidence between those who advise him and he himself in that position. This is correct. This is an important item. But I would suggest, Mr. Speaker, that unless the general public has the confidence that that information is correct, then we have to come to the conclusion that the minister of the Crown, whichever one is involved, may well be making his decision on information that is not correct. Since peace and order is not involved, and since breaking the law is not involved, what decision had to be made? Why was the advice being given?

So I say again that the plot thickens and we begin to wonder what is really at the back of all this? Again, I don't know. The hon. Attorney General mentioned in his February 20 speech about certain associations being behind, or costing the public a lot of money, but he immediately went on to say that these three men were not involved. So I couldn't follow the argument of why raise the associations? What did they have to do with it? These men had nothing to do with that. For the life of me, I still don't know why these men were investigated.

I think that is the thing that most people in this province are wondering about. There is no law broken, there is no threat to establish peace and order, there is nothing to encourage the Mafia. Why were they investigated? I think the people of Alberta are entitled to an answer to that question. It seems to me that the simplest answer if it is done on grounds not connected with the security of the country, not connected with peace and order, not connected with breaking the law, then the people themselves surely have some rights under The Individual Rights Act and under the Bill of Rights to know why they were investigated. That's only commonsense and common involvement of the principles

that I certainly support, and that the hon. Member for Calgary, who so splendidly piloted that bill through the House, espoused.

Surely these three people are entitled to know why they were investigated. The hon. member who moved the motion said that he would be quite content, not knowing himself if the information was given to the three people; and I think they are entitled to know. I would ask the hon. members of this House who are apparently taking a stand against this for some reason or other, the reason I can't find out -- because the reasons given were not relevant; but if they are taking the stand that this information should not be made available to these three men when they were investigated without any reason -- nothing to do with security, nothing to do with the Mafia, nothing to do with breaking the law, nothing to do with security -- I would ask them to put themselves in the same position. How would they have liked to have been investigated and make the front page news of the papers across this country, and then everything suddenly put under a cloak? Everything is concealed.

MR. SPEAKER:

Order please. I must say that in the respectful opinion of the Chair, I believe the hon. member is now going beyond the limits. It is true that there has been a certain amount of latitude taken on the other side of the House, and indeed on both sides of the House, but I think we must remind ourselves that how any hon. members might feel about being investigated has really no direct bearing on whether or not this information should be tabled.

MR. TAYLOR:

Well, Mr. Speaker, I am simply trying to put these people in the same position that we would like to be in. Surely that is not out of order. Surely we should try to understand the other man's situation. We are sent here as representatives of the people. If these people had been my constituents I certainly would have had a responsibility to find out why they were investigated. If I am in an area, if I am even in the most humble position in this country, a person in the lowest category that can be found, surely to goodness I have the right to know why I am being investigated if I have not broken a law.

MR. MOORE:

Mr. Speaker, on a point of order. The hon. member hasn't even accepted the ruling of the Chair and surely the Member for Drumheller would have the courtesy --

MR. SPEAKER:

I must agree with the point of order. The hon. member is still discussing why these people were investigated. The question under debate is why or whether these files should be tabled.

MR. TAYLOR:

Well that's exactly what I'm debating, Mr. Speaker. It appears to be over the head of the hon. Member for Smoky River, but if he'd just listen, maybe he would learn something.

Now, Mr. Speaker, the information contained in the report has to contain something about these three people. And whether they are draft dodgers, or whether they are Americans, or Australians, or Englishmen, or -- I don't care what they are -- they are human beings. And surely to goodness The Bill of Rights should pertain to human beings. And I was very happy to hear the statement of the Attorney General that their nationality had nothing to do with it -- and I think I agree with that wholeheartedly.

But there must be something in this report that is dealing with these three men's lives. They have been placed in a position where they don't know themselves why they were investigated. One even found out through coffee house gossip.

MR. FARRAN:

Mr. Speaker, I draw your attention to 148 in Beauchesne where it says, "It is a wholesome restraint upon members that they cannot revive a debate already concluded." And I seem to have heard these very same words so many times in this House in the last couple of weeks.

MR. LUDWIG:

Mr. Speaker, in speaking to the point of order. The Attorney General referred to his remarks made previously, and he repeated them, and this has been done in this debate and I think it is rather late to raise a rule that we must not get involved in the debate. I submit, Mr. Speaker, that your permission to have a wide-ranging debate on this issue is proper, and the same permission ought to be extended to the members on this side.

AN HON. MEMBER:

Right.

MR. SPEAKER:

The Chair did not intend to give the appearance of giving permission for a wide-ranging debate. The point raised by the hon. Minister of Telephones and Utilities is valid. This matter was debated at very great length under a proposed amendment in the debate on the Speech from the Throne, and with great respect for the hon. Member for Drumheller, the Chair has failed to notice any change in the direction of his remarks, or any closer nexus between the remarks and the subject which is under debate, and might the hon. member please deal, if he wishes to deal with the matter further at all, with the question as to whether or not this information should be tabled.

MR. HENDERSON:

On a point of order, Mr. Speaker, is the Chair then ruling that the contents of the reports have nothing to do with the fact whether they should be tabled or not? It is the only conclusion I can arrive at.

MR. SPEAKER:

With respect to the hon. Leader of the Opposition, this is not the intent or purport of what I have just said. Undoubtedly any surmise as to what may be in the reports as a basis for debate or argument, I would think, would be quite relevant to the question as to whether or not they should be produced.

MR. HENDERSON:

With all due respect to the Chair, Mr. Speaker, that is what I interpreted was the gist of the argument being presented by the hon. Member for Drumheller.

MR. SPEAKER:

Unfortunately, or fortunately, the Chair is unable to debate the point with the hon. Leader of the Opposition, and the Chair is obliged to rule on the point according to the understanding which I have of the matter.

MR. TAYLOR:

Well, Mr. Speaker, I accept your ruling, and I will endeavour to develop the arguments that I'm trying to develop without taking any advantage of the rules. I certainly don't want to do that at all.

The motion is asking for all background information collected by the RCMP on these three men. I'm suggesting that these three men, if nobody else, now that it has been established that they were not lawbreakers, that they were not a threat to peace and order or security, have a right to know what is in these reports. I thought this was going to simply follow in natural course after the February 20 address by the hon. the Attorney General.

Apparently now there have been second thoughts about letting this information become available. If it is as trivial as the hon. Minister Without Portfolio indicated over TV to the general public of this province, why are we now hesitating about releasing it, at least to the three people involved? It's background information, that's all. And I just can't follow any argument that would say that background information should be gathered at the instigation of a minister of the Crown by the RCMP who are instructed to get this information. I think these people and the general public are entitled to know what was contained in the instructions and what's contained in the information that came about. And I can't see how that's going to break the confidence between the Attorney General and the RCMP. If anything, it might make them a little sharper so they are on their toes when they get instructions that are bad, and save the Attorney General from making apologies in the future.

But the point I am making is these people are entitled to this information, and if we deny them, we are making a mockery of The Bill of Rights and The Individual's Rights Act.

MR. SPEAKER:

The Minister of Telephones and Utilities, I believe, was next.

MR. FARRAN:

Mr. Speaker, my remarks only concern the question of whether these documents should be made public and thus prolong the whole Slave Lake story. I wonder if the hon. members of the Opposition who sang this same old song day after day are aware of the damage apparently being done in the community of Slave Lake? I have read that the broken record is being heard with some anguish up there.

AN HON. MEMBER:

Red herring.

MR. FARRAN:

Red herring? You are dragging a scarlet herring across this, not a red herring. And this is perhaps the object of the exercise. I am not saying that the scarlet herring tactic is deliberate. Reckless actions are more often by impulse than by deliberation. But the hon. members of the Opposition must be aware of some of the evidence. And to me this is far more important than repetition of arguments concerning the sensitivity of certain people --

MR. HENDERSON:

The conclusion that the hon. members of the Opposition are aware of the evidence is not correct, and if there is evidence the member has that leads to that conclusion he should make it available to the House if it is relevant to the debate.

MR. FARRAN:

Yes I will draw it to your attention. The evidence begins in Hansard with the statements by the hon. Member for Lesser Slave Lake, the hon. Mr. Barton, who must know more about this subject than any member in this House since he was elected to represent the people there. His remarks in the debate of some several days ago were that his community was being split in half by this particular incident and that --

AN HON. MEMBER:

You brought that big new No. 1 Bill in.

MR. FARRAN:

What? Sorry, I didn't hear. But that evidence, that verbal testimony from the hon. Member for Lesser Slave Lake, can be readily obtained from Hansard. I pay more attention to his views than to the views of the hon. Member for Drumheller or even the hon. Member for Spirit River, because I believe he has been in the Slave Lake area much more recently than any of us. Talking for myself, I have never been there. I don't know how many members who have spoken on this subject have actually been there.

DR. BUCK:

You don't have to be there --

MR. FARRAN:

Today further evidence. There was a story in a morning newspaper where a businessman from the area complained that no single political voice had ever been spoken for the town councillors and citizens who had been maligned, who had built the area. I think a little piece of evidence that the hon. members of the Opposition must be aware of is the enormous investment in terms of public funds that has been made in this particular area from two levels of government. So I think they will understand first, the motives for sending the RCMP and secondly, the reasons for not continuing to escalate this argument.

The Attorney General said he regretted using the Mounties to obtain information he could have obtained some other way from some less conspicuous civil servant. Now, I personally don't believe anyone should resent being questioned by a policeman unless he has something to hide --

MR. SPEAKER:

Order please. Would the hon. minister direct his remarks to the advisability or otherwise of producing the reports.

MR. FARRAN:

Mr. Speaker, I make that observation about resenting being questioned by policemen, because the inference has been made that these documents should be made public because of the sensitivities of the three people who were questioned. So far as I'm concerned --

MR. LUDWIG:

Mr. Speaker, on a point of order. The inference has not been made. The motion, the very subject matter of the motion is that these documents -- not an inference --

[Interjections]

MR. LUDWIG:

Keep quiet, you'll have your turn.

MR. FARRAN:

Mr. Speaker, I can only say I am sure that if the hon. members of the opposition thought it wrong to use an honourable Mountie to inquire about something, it is sure as heck wrong, Mr. Speaker, to make the results of that information available to the general public. They can't have it both ways. Confidentiality of documents is a principle that is recognized on both sides of the House, although on the basis of the last few days it may be more hallowed on this side than on the other at the present moment.

If anyone really thinks that confidential police reports should be made public to all and sundry, then they obviously haven't thought it through. The precedent might lead to horrendous situations. Some documents are so privileged that they are even recognized as privileged documents by the courts, and these include police documents. To demand that such documents be handed out to every Tom, Dick and Harry on the street is the height of irresponsibility. It is far worse than anything, it was suggested the hon. Attorney General had done on an earlier date in this controversy. It would not only damage and hamper police work, but it might well be destructive to the morale of the Royal Canadian Mounted Police. I think you have to admit that the police -- what?

MR. LUDWIG:

How about the morale of the people?

MR. FARRAN:

Well, the morale of the people would be pretty poor if they hadn't the Mounted Police to protect them once in a while. The hon. member must remember that the RCMP are, to a great extent, the front line soldiers of society.

[Interjections]

They are protecting law and order for society and are under constant attack by certain people. I'm not naming anyone.

MR. TAYLOR:

They're not protecting them over here.

MR. FARRAN:

I've been a newspaper editor, and I understand one well-tried and well-known technique. In fact, from time to time I use it myself. That technique is what the French call striving for succes de scandale, or circulation success through shock. That is why you should look at allegations from certain sources



when you are sceptical, and find out whether there is anything behind them or not, especially if those allegations are pretty sweeping.

Suppose that in these documents the RCMP, for instance, said they thought the source was unreliable. That would be another great story up in Slave Lake. It might even be grounds for suit against the RCMP. Do you think that would serve the public service over there? I doubt it. Suppose that reports said the allegations were not worth the powder to go to hell. That might be source for a suit. But suppose they also said that there might have been foundation for it. That might be a source for two other suits. I suggest that the motion of the hon. Member for Spirit River-Fairview is illfounded, unwise, and should be turned down out of hand.

MR. DIXON:

Mr. Speaker, I beg leave to adjourn the debate.

SOME HON. MEMBERS:

No, no.

MR. DIXON:

It's four-thirty.

MR. SPEAKER:

If the hon. member wishes to take the floor for a minute, it's his.

MR. DIXON:

Mr. Speaker, I should be pleased to. I was only trying to abide by the rules that at four-thirty we go into Private Bills. That's the reason I moved to adjourn. Mr. Speaker, I'd like to get into this debate because the last person I expected to see involved in this kind of debate was the hon. Member for Calgary Buffalo. He was the man who a few months ago -- and all to his credit as has been mentioned -- was so concerned about individual rights. And all these people are asking, by way of this motion, are their individual rights and equality before the law. They are asking that their files be brought forward. They could have come here as a group. They could have come here as individual people petitioning this very Legislature, the highest court in Alberta, for equality before the law.

Mr. Speaker, I notice that the hon. members opposite are very anxious to adjourn the very few remarks that I have, so I beg leave to adjourn the debate, Mr. Speaker.

MR. SPEAKER:

May the hon. member adjourn the debate?

DR. HORNER:

On a point of order, Mr. Speaker. I'd like your interpretation of our rules as to whether or not, in fact, we do proceed to private bills inasmuch as we haven't come to Motions other than Government Motions as yet, we are still dealing with Motions for a Return. And I suggest to you that we continue until we dispense with the Motions for a Return and then it would be appropriate to go to Public Bills and Orders other than Government Orders.

SOME HON. MEMBERS:

Agreed.

MR. DIXON:

A point of order, Mr. Speaker, if I may speak to it, a Motion for a Return is just as much a private members motion as a resolution further along the Order Paper. By tradition in this House, and in particular since this 'now' government has taken over, they insisted on this 4:30 adjournment so that we could speak to bills. My point of order, Mr. Speaker, is that we must abide by the rules of the Legislature if we are going to function in a parliamentary way.

MR. HENDERSON:

Speaking to the point of order, Mr. Speaker, one can only logically conclude, if the contention of the Deputy Premier is correct, that we would not go on to the Private Members Bills at 4:30 on Thursday unless there wasn't a resolution on the Order Paper that all other business has been dealt with, because that is the crux of the argument, that we must proceed systematically to dispose of every item on the Order Paper before we come to Public Bills. That essentially is the gist of the argument and I think the ruling of the Chair is in order.

DR. HORNER:

Mr. Speaker, let's be very clear that I don't need the hon. Leader of the Opposition to put words in my mouth because that is not what I said.

What I said was, very clearly, that it was my understanding that the rule on page 4 of our Rules, Orders and Forms of Proceeding applied to Motions other than Government Motions and thereafter, and didn't apply to Motions for a Return. Surely the question still is that -- it has nothing to do with what the hon. Leader of the Opposition is talking about at all. What I simply said is that Motions for a Return should be dealt with prior to going on to Motions other than Government Motions, and seeing how it is 4:30, once we complete the Motions for a Return then we would move to Public Bills.

MR. HENDERSON:

If a Motion for a Return were anything other than a Motion other than Government Motion would it not be on Tuesday and Thursday afternoons' Order Paper, it would be dealt with during the course of Monday, Wednesday and Friday.

Very clearly the Motion for a Return is a motion that can only be classified in the sense of being a Motion other than a Government Motion, otherwise it would be dealt with every day on the Order Paper in the routine sense.

DR. HORNER:

On a point of order. That isn't the way they are dealt with on the Order Paper. I bring the Order Paper to my hon. friend's attention, and it says Motions for a Return and the next heading is Motions other than Government Motions.

MR. LUDWIG:

Mr. Speaker, I think that we on this side are prepared to excuse the confusion of the Deputy Premier and we await your ruling.

MR. SPEAKER:

Are there any further expressions of opinion on the point of order?

MR. GETTY:

Mr. Speaker, I know that it is a new rule that the House has only had to deal with in the last two years, but looking at it, it may not be completely covered in the business of the Assembly.

It does appear clear, though, that we move to Public Bills after we have had some debate on Motions other than Government Motions as it stands on our Order Paper.

If you will read, Mr. Speaker, on the Rules, Orders and Forms of Proceedings on page 4 where it says: "On Tuesdays and Thursdays motions introduced by private members that call for a discussion and have not been disposed of shall be dropped to the bottom of the list of Motions other than Government Motions." Well, obviously, Mr. Speaker, that can't include Motions for a Return; they never go below Motions other than Government Motions. They always proceed on our Order Paper above that.

MR. DIXON:

Mr. Speaker, I don't want to influence your ruling on this matter, but these are Private Members Motions, regardless of what they are, and are debatable motions. We could debate here till 5:30, but according to our rules, at 4:30 if

the business is not completed as far as the resolutions are concerned, we move to Private Bills.

MR. TAYLOR:

Mr. Speaker, on the point of order, I think we have to go back to the original intent when the government decided there would be a proper time to discuss bills that were put in by private members. The suggestion was that we take an hour a week for the purpose of discussing those bills. I would suggest that that is exactly what we are doing now -- that we are providing one hour per week for the consideration of these bills. Consequently I would suggest that we are in order now, and that we move to the bills as outlined by the rules.

MR. GETTY:

Mr. Speaker, that is not the intent at all. The intent at the time, I am sure various members may have their own feelings about what the intent was, that Public Bills might be debated one hour out of that period of time that we now allot toward Motions Other than Government Motions, should we be in that period of time. But we haven't got through the business that leads up to Motions other than Government Motions. If we had, Mr. Speaker, then, of course, we could take an hour of that time for bills. We have not proceeded that far, we must continue with the rest of the business.

MR. NOTLEY:

Mr. Speaker, speaking to the point of order, frankly I would have no objection we spent the rest of the afternoon debating this Motion For a Return. But it seems to that, first of all as had been said, the Motion for Return is a debatable motion, and secondly, my recollection of the intent last year of setting aside this one hour every Thursday was to make sure there was sufficient time guaranteed every week to discuss private members bills. And so, therefore, Mr. Speaker, I feel that the intent of our decision is at least that that is what we should do. And I would hope that we could move on to private bills at this time.

MR. HENDERSON:

In speaking to the point of order, Mr. Speaker --

MR. YOUNG:

My understanding of the intent of the rules was that we should provide some period of time on Tuesday afternoon and some period of time on Thursday afternoon for Motions Other than Government Motions, and that is not what we have managed to achieve this afternoon or on some previous afternoons sittings.

AN HCN. MEMBER:

You are changing the rules.

MR. HENDERSON:

On a point of order, Mr. Speaker. I think reading Rule No. 6, under section 13 says on Thursday at 4:30 o'clock Public Bills and Orders other than Government Orders shall be called, and debate on the bill, be governed by rules of this Assembly, that are applicable to private member's resolutions. The debate on the bill. I can't imagine why on earth the particular section was put in our Rules of Assembly if it weren't to deal with the question of bills. It is very clear, Mr. Speaker, in that respect.

MR. SPEAKER:

The matter is a question which is not without some difficulty, and I would rule that for this afternoon and subject to giving the matter further consideration with respect to any other Thursday afternoon, that we proceed to Bills and Orders Other than Government Orders.

Might I just add in this regard that the Chair will consider this new sub rule 6. This is the first time there has been any contention about it, and I would sincerely welcome a memorandum if I might get one from each side of the House, to consider in the course of dealing with that question.

MR. LUDWIG:

Mr. Speaker, I rise on a point of order not to challenge the ruling but could we resort to knowing what has been on every Thursday at 4:30 ever since this --

MR. SPEAKER:

Order please. The matter is disposed of for the time being and I don't believe that we require a point of order.

PUBLIC BILLS AND ORDERS  
OTHER THAN GOVERNMENT ORDERS  
(Second Reading)

Bill No. 200 An Act to Amend the Companies Act

[Adjourned debate: Mr. Henderson]

MR. HENDERSON:

Mr. Speaker, at the time of the adjournment of this particular bill a week ago, I was looking for some information on that relative to the survey on this particular subject and the general intent of this particular bill as it relates to Canadian ownership of industry within Canada. Some of the members may have read it, but I think it's worth placing on the record some of the results of this survey which were in the February issue of the International Review.

It refers to the results of the studies up until the end of 1972 which have some interesting figures. It shows that on the results of the survey, the questionnaire, that under the question of whether or not American industry is bad for our economy, approximately 50 per cent of the people on the prairies said, "Yes, it is bad." But 36 per cent said "It is good." The reasons for it being good were that 38 per cent said it was good for employment. U.S. ownership was considered as being a bad thing by 36 per cent of the people in Western Canada. One of the most important Canadian issues at this time really were, surprisingly, listed as unemployment, 44 per cent, and inflation, 47 per cent in this particular issue. I didn't pursue the chart that much further down...[Inaudible]...in the survey. It is also interesting to note, however, that...[Inaudible]...down. But if it was on there, it was of a considerably lower level of public importance, in spite of individuals who were consulted in the survey. It is also interesting to note however, that the ...[Inaudible]...was most important and most immediate -- 48 per cent of it was economics that was critical to them. Somewhat surprisingly this outranked political independence which was rated at 31.5 per cent.

The question was also asked if they would favour the maintenance of Canadian independence while maintaining the level of American ownership in Canada -- 39 per cent voted in favour of that.

But really, Mr. Speaker, the little public concern in this regard, this ...[Inaudible]... of the bill is, in essence ...[Inaudible]... because it really doesn't come to grips with the particular problem of foreign ownership -- not so far as the multi-national corporations are concerned.

It is not particularly difficult to find 51 per cent -- to set up a board of directors in Canada within a large corporation in which 51 per cent of the board of directors are Canadian -- and have any assurance that the policies of that corporation would be set in Canada. It really is somewhat meaningless.

Consequently, I have to suggest that I concur with the comments of the hon. Member for Pincher Creek-Crowsnest that it is a flag-waving exercise. We will go along with it because in the final analysis it really doesn't do anything in a realistic sense of dealing with the question of foreign ownership of Canadian industry.

If the hon. member seated opposite was really concerned about it, he would have to bring in a bill with a lot more teeth in it than this one has.

I suggest, however, that we take into consideration the fact that the government is, I presume, still actively engaged in negotiations with some of these multi-national corporations relative to the Athabasca Tar Sands. If you take into account that if this Bill passed, it is binding on the government -- the way I understand our procedure they would be forced to accept this in that matter.

I suggest that on my part maybe all the intricacies, all the ins and outs and everything else the government is doing in this area of negotiations relative to the development of these important resources. They may be aware and feel they can vote freely, without concern so far as the manner in which this particular Bill would tie the government's hands in this one particular area. While I don't think it would accomplish anything so far as meeting any of the realistic objectives of Canadians, of foreign ownership of Canadian industry, I can't really see running the risk, in absence of the general information relative to these negotiations, of in any way putting an impediment before the government.

I don't know to what extent this possibility was taken into account by the member who introduced the Bill. But I have to say, Mr. Speaker, in the absence of some definitive statements of the members of the Executive Council of government who are knowledgeable in these particular details, I couldn't believe at this point in time it is in the best interests of the members of the House to vote for the Bill because of the risk of imposing a serious impediment upon the government which, in the long run, would not be in the best interests of the government or the people of the province of Alberta. Nor would it do anything realistic or practical so far as coming to grips with dealing with the basic problem of ownership of Canadian industry.

I'm forced to conclude there are more negative considerations to the Bill than there are positive ones, unless we are presented in this House with some fairly explicit information on the subject by members of the Executive Council who are knowledgeable in the area and could assure us that this, in no way, would create difficulties so far as their long-range planning relating to the development of resources within the Province of Alberta.

MR. YOUNG:

Mr. Speaker, may I adjourn the debate?

AN HON. MEMBER:

No.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview is ready to continue the debate. I'm not aware of any reason why he shouldn't.

AN HON. MEMBER:

Agreed.

MR. NOTLEY:

Mr. Speaker, first of all it seems to me that the Bill we have before us is really pretty much of a 'Mickey Mouse' type of legislation, one which is not going to achieve the proposed result -- doing something about foreign control of our economy.

I, of course, recognize that there is a difference between ownership and control. But the key thing we have to remember, Mr. Speaker, is that simply saying that a majority of the board of directors must live in Canada and that the majority of the meetings must be held within this country, is going to insure control is, to put it mildly, a trifle optimistic.

The Bill is rather palid compared to the Ontario government's Report on Foreign Ownership. I find that rather surprising. It would appear that Alberta Tories here are much more meek and mild when it comes to dealing with this question, than are their brethren in the province of Ontario. In any event, the proposal that we have before us today would really not achieve anything meaningful at all, but it might serve as a bit of window dressing in the sense that it would be no more than window dressing. I'm very much inclined to oppose it because, Mr. Speaker, it would be wrong, as I see it, to mislead the people of this province about the possible dangers of foreign control of the economy. It would be equally wrong for us to suggest that a piece of legislation that is largely irrelevant, which is innocuous, is going to have any impact on dealing with this very important problem when, in fact, its impact would be not much more than a nuisance value to some of the large multi-national corporations.

The Bill, it seems to me, completely misreads the nature of the multi-national corporation. I can readily appreciate that a large multi-national corporation would be quite prepared to have a majority of directors reside in

the Province of Alberta. But that wouldn't mean for a moment that the control of that operation would exist in this province. Control would still exist with the parent company.

Let us keep in mind that members of a board of directors, whether they are Canadians, Albertans, or whatever the case may be, are people who are career-minded. They are interested in advancing in that corporation. They are not going to get themselves permanently side-tracked with a small Alberta subsidiary when the way ahead lies up the steps which eventually leads to the parent company.

Having some knowledge of a few of our corporate leaders in this province, people I respect yet disagree with, I just can't imagine that we would ensure Canadian control of our industry simply by setting up boards, which would be no more independent than the East German government is in relation to the Soviet Union. Frankly, Mr. Speaker, that sort of thing is hardly an effort, a sensible or reasonable effort, to cope with the problems of foreign ownership.

Might I say to the hon. member who introduced this Bill that perhaps what he should do is at least wait until the select committee now studying foreign investment reports because we are at least attempting to look at all of the aspects of foreign investment, and as a consequence of that there may be recommendations from this report which would permit members to introduce bills which in turn would deal with the problem on a somewhat more comprehensive and thorough manner. To introduce, Mr. Speaker, piecemeal legislation which is largely irrelevant is, in my judgment, not a way to deal sensibly with the growing problem of foreign ownership.

MR. YOUNG:

Mr. Speaker, I rise on a point of privilege. I distinctly heard portions of three letters read to the Assembly here today, and it was my understanding that correspondence should be tabled once portions of it are read to the Assembly.

MR. LUDWIG:

Mr. Speaker, speaking to a point of privilege, a point of privilege must be raised immediately after the occasion arises, and not some time later. I think that point of privilege is entirely wrong.

MR. YOUNG:

Mr. Speaker, on a point of order, I have just now learned that the correspondence was not tabled. I have just now asked for it.

MR. NOTLEY:

Mr. Speaker, speaking on the point of privilege, I wish to apologize to the House that I did inadvertently forget to table the information. I was going to table it when I made my summary remarks which I thought would come today, and with my apologies to the House, and with the deference of the House, I would now table the three letters.

MR. LUDWIG:

Mr. Speaker, I would like to address a few remarks to Bill 200 before the House at the present time. I also agree with the members who have spoken that this Bill has little impact on the problem confronting Alberta with regard to foreign ownership of corporations. I will, in all likelihood, create more problems than it solves.

I believe the mover of the bill ought to explain what has happened to the great number of corporations in this province which have been started by people who are not Canadians -- who came here 30 or 40 years ago, started a business -- a family business -- built it into a large business and today are still not citizens. How will this affect them? Unless we force them to take out Canadian citizenship whether they want to or not, I believe something should be said on this matter.

But I was amused about the debate on other Bills on other issues that were raised stating that unless it's comprehensive and covers everything, we should not be dealing with this kind of a thing. This I have heard many times from the members opposite when I had my Bill on family home expropriations and they cried because it wasn't all-encompassing, all-inclusive, it didn't cover the whole field, so we mustn't deal with this. And I think the same reasoning ought to

apply here, Mr. Speaker, because this doesn't begin to deal with the whole issue at all.

MR. GETTY:

Mr. Speaker, on a point of order, the fact that the hon. member presented a bad bill has nothing to do with this Bill.

MR. LUDWIG:

Mr. Speaker, the hon. Minister of Federal and Intergovernmental Affairs has been out of order so often I think he ought to consult a veterinarian to find out what is wrong with him.

Mr. Speaker, I just want to raise these questions to the mover and the seconder of the bill to explain some of the ramifications this Bill raises. I think I agree with the hon. member that it is a bit of flag waving. I don't believe that the ministers of the House will support this bill, and if they do I will be very surprised. But they have an opportunity to stand and state their position on this bill.

AN HON. MEMBER:

Are you for it or against it?

MR. HINMAN:

Mr. Speaker, I trust I have the floor.

AN HON. MEMBER:

Agreed.

MR. HINMAN:

Mr. Speaker, my concern about this Bill is not so much what is in it as the fact that the bill is just another example of how we sometimes, with a good purpose in mind, stick our long government noses into things that ought to be left alone. This Bill may be just a token expression of sympathy for those who are so concerned about Canadian nationalism and Canadian ownership.

Having been a director on quite a number of companies, at least two of them pretty large, that were largely American controlled, I don't see anything in this bill that will help us in the least. If you think that the Americans, or Canadians for that matter, would not find means of getting around this Act, then you are pretty naive. It's very easy for them to select Canadians to give them one share to qualify them as directors when they know darn well that if they don't do exactly as they are told they won't be directors tomorrow.

As is pointed out, there are many Canadians who become directors and shareholders of such companies. They are as concerned about Canadianism as anybody else, but, being businessmen, are concerned chiefly with the success of that business. Now I suggest to you that we should not be too concerned about who invests in business in our country. We have within our powers the control of what they do with the profits -- whether they can take them out of the country. We have within our power the control of monopolies. We have within our power the control of all these things which could be bad for Canada.

I think I pointed out before that Canada would not have developed, nor would the United States have developed as they did, without a whole century or a century and a half of control of practically all businesses by foreign ownership. In the end the people follow their investments, and those who come to Canada as officials of these companies raise their families here, most of them are born here, and they stay here and become good Canadians.

Now it isn't my concern how many of the directors are Canadians. It isn't my concern that the directors hold the majority of their meetings in Canada. Were there a clause in such a bill that said the annual meeting should be held in Canada, so that Canadian shareholders could truly take part, I would see a little bit of sense in that. To say that no business can be transacted by directors -- except for the meeting at which a majority of the quorum, as you put it, are Canadians -- is just going to hobble the companies. Perhaps a meeting is legitimately called and men come from thousands of miles away to hold this meeting here only to find that two Canadian directors are somewhere else and consequently they can't hold the meeting.

Now these are not going to react favourably to Canada. I'm chiefly concerned that when there is no real need for this Bill, when there is nothing in the Bill that does anything to promote the purpose we had in mind, we would be well advised not to proceed with it. And I hope those who sponsor it may reconsider before it goes any further.

[Adjourned debate: Mr. Young]

PUBLIC BILLS AND ORDERS OTHER THAN GOVERNMENT ORDERS

Bill No. 201 The Societies Amendment Act, 1973

MR. KOZIAK:

Mr. Speaker, I've been waiting here on the edge of my seat wondering whether my turn would come, and that's why I was up so quickly.

Mr. Speaker, Bill No. 201 would amend the present societies Act which is Chapter 347 of the Revised Statutes of Alberta. Now briefly, if I might just acquaint members with The Societies Act, perhaps the best section of the Act that I could refer to is Section 4, and in that section the Act states: "Five or more persons may become incorporated under this Act for any benevolent, philanthropic, charitable, provident, scientific, artistic, literary, social, educational, agricultural, sporting, or other useful purpose, but not for the purpose of carrying on a trade or a business."

Mr. Speaker, Section 7 of the Act sets out the requirements for incorporation, and it requires the individuals who desire to incorporate as a society to complete an application form which sets out among other things, the name and purpose of the proposed society, and in addition, as stated in Schedule B of The Societies Act, requires the application to have appended to it bylaws that contain provisions for the ten items that are dealt with in Schedule B.

Mr. Speaker, in Alberta there are approximately 5,500 societies incorporated and in existence carrying out some useful purpose for the benefit of the community and for the benefit of society in general. Again I point out that the purpose of The Societies Act is to permit incorporation not for a business or the carrying on of a trade but for the purposes I have listed in the section that I have referred to.

The ten items that I listed in Schedule (b) do not include, Mr. Speaker, rules of order. Rules of order by which the conduct of meetings of the society are to be governed. The amendment which has been introduced to the House in Bill No. 201 would simply add to the ten requirements in Schedule B an eleventh requirement, and that eleventh requirement would be the bylaws which set out rules of order to govern the conduct of the meetings of the society.

At present, Mr. Speaker, I understand that approximately two per cent of the 5,500 societies that have been incorporated to date, and are in existence have provided in their bylaws voluntarily for a rules of order which would govern the conduct of their meetings.

Now I think, Mr. Speaker that we should consider the question of rules of order very strongly and give the matter a great deal of weight. I think perhaps I can be certain our own Bill of Rights which was passed in the spring session last year, and in Section 1 of The Bill of Rights we are guaranteed two basic freedoms -- the freedom of speech and the freedom of assembly and association. Now, Mr. Speaker, incorporation under The Societies Act -- members of a society incorporate under The Societies Act is, in fact, the exercise of that freedom of assembly and association. But freedom of speech in itself is not guaranteed, especially by a statesman. We need, in fact, the machinery, to ensure that freedom of speech is, in fact, enjoyed by all concerned.

I place before the members of this Assembly the following thought:

Where there is no law but every man does what is right in his own eyes, there is the least of real liberty.

And I suggest, Mr. Speaker, that we should concern ourselves with rules of order in that sense, in the sense that if there are no rules to govern the use of that freedom of speech, then really there is no liberty, there is no such freedom of speech. Because what, in fact, happens is that the strong survive and the weak perish.

Every day in this Assembly Mr. Speaker, we can see the use of rules of order, of parliamentary law. The capable manner in which Mr. Speaker deals with



the problems that occur is an example of the need for rules of order for every association. Here we are, the highest assembly in the province of Alberta, requiring the need for parliamentary law, the need for rules of order almost continuously, even more so than should other assemblies, other societies in this province require such rules to assist them in the conduct of their meetings.

Mr. Speaker, I think if we consider rules of order as being the machinery which will enable these societies to proceed with doing the business for which they are incorporated, to proceed with fulfilling, pursuing the objects which they have thought so dear rather than addressing all their time to bickering over rules, over what motions require seconding, what can be tabled, what can be adjourned. And I think, Mr. Speaker, if a society at the moment of incorporation, at the moment of its inception, had a rules of order which governed the conduct of its meetings that the chairman and the people involved in the meetings could have an easy source of reference to settle any dispute that might occur on a point of order.

Mr. Speaker, I have had a great deal of assistance in the preparation of this bill and in the preparation for second reading from a group of individuals who are presently in the members gallery. And I would appreciate your indulgence if we could revert for a moment on Orders of the Day to Introduction of Visitors, so that I might introduce these individuals to you.

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The hon. member, I take it, has leave to revert to Introduction of Visitors?

HON. MEMBERS:

Agreed.

MR. KOZIAK:

Thank you, Mr. Speaker. At this moment I am pleased to introduce to you, and through you to the members of the Assembly, members who are present in the members gallery of the Alberta Association of Parliamentarians. I would ask that they rise and receive the recognition of the House.

[Applause]

Mr. Speaker, the seccnder of the motion, the hon. Member for Edmonton Highlands, I'm sure will be able to add to the comments I have made in support of Bill No. 201. I might point out at this time that in considering the amendment to the Act, I had given some thought to designating a specific rules of order which would apply in the event that the individuals who were applying for incorporation had no preference. As an example, the bill might have read, "Where no preference is shown, the rules of order might have been Bourinot's or Beauchesne or Robert's." However, I'll leave that matter at this particular point. Perhaps other members of this Assembly will have some comments, some ideas in relation to those suggestions, and might bring them out in debate.

In closing, Mr. Speaker, I would ask that all members support the amendment. I suggest to the members of this Assembly that it is an amendment which is necessary in order to assist a number -- at the moment 5,500 organizations -- in the conduct of their meetings, and as a result, in the furtherance of the objects for which they are incorporated. Thank you, Mr. Speaker.

MR. KING:

Mr. Speaker, I am pleased to have the opportunity to speak this afternoon to the bill which has been presented by my hon. colleague from Edmonton Strathcona. Had I been two minutes later in returning to the House the debate might have been much shorter than it is now going to be.

My colleagues in the House can appreciate that the questions of rules, order and procedure have been of interest to me since I was even younger than I am today. I think that that is the case of most Canadians who go through our school system, through our churches and the youth groups associated with them, and come into young adulthood in communities which have a wide variety of service sports organizations.

One of the problems I have encountered in my associations with many of these organizations, and one of the problems that I think most members have encountered at one time or another is the chairman, or the general executive of an organization, who has very, very limited knowledge, not only of the rules of procedure of an assembly, but of the reasons for which the rules exist. We have all sat at meetings until 10:30 or 11:00 o'clock at night. We have occasionally, although it is not by reason of poor chairmanship but poor membership, sat at meetings until a quarter after one in the morning, and all of us, I think, lament that fact and wish that something could be done to improve the situation. Not only is the lack of knowledge about the rules of deliberative bodies an irritation to the membership, but today, increasingly, it can have important consequences for the community in which the society exists, because non-profit societies are today increasingly responsible for important community programs, sometimes involving the expenditure of very large sums of money.

The amendment which has been proposed by the hon. member does not eliminate the problem which has heretofore existed in society. It requires that rules of order be established by societies, but even where these rules are adopted, there can be no guarantee that they are going to be exhaustive. There are going to continue to exist situations in which the rules adopted by a society will be inadequate for that rare occasion when conflict arises between members over particularly warm issues.

The thing that every member of every society has to be concerned about at that point is what options are open to them when conflict does arise and when their rules are inadequate. I was very interested in that and so I checked into The Societies Act to see what course might be followed. I discovered under Section 22 that in any case where the members of a society disagree about the course which that society is following, they have a right to arbitration under The Arbitration Act. Looking at The Arbitration Act, I found that the procedure is certainly complex, likely to be expensive, and in at least one case it has what I think is a fatal flaw. The powers of arbitration under The Arbitration Act, the powers of the arbitrator, that is, are limited to the power to administer oaths, the power to make an award -- which in my reading of it, at any rate is a monetary award -- and the power simply to correct a clerical error. There is no provision in The Arbitration Act for declaring what procedure must be followed at a meeting, or what procedure must be followed where specific procedures are not set out or where a particular authority is not described.

There is no provision for determining what the consequences must be for having followed, or for having failed to follow, a particular procedure. And so, the clause of arbitration that is most likely to arise in the operations of a society, that is, arbitration that results from the inadequacy of rules, is the one power of arbitration which is not granted to an arbitrator under The Arbitration Act. It seems then, in my view, that as a consequence of this amendment to the Societies Act, there would have to be some amendment to the Arbitration Act.

The alternative to an amendment to The Arbitration Act is an amendment to the Societies Act itself, and in my view that is not necessary or desirable. The amendment that has been proposed as an amendment to The Societies Act does three things which make it sufficient for the occasion. It pinpoints -- it draws to the attention of the executive of every society an area of legitimate concern and of potential danger. It demands some kind of response by the executive of that society, but secondly, it leaves the responsibility for dealing with the problem at the local level. Having said that the absence of rules of order is a danger, and having said that rules of order must exist in every society, the proposed amendment leaves with the society the responsibility for drawing up sufficient rules particularly suited to their needs to meet the occasion.

The third thing that the amendment provides, or that the Act provides rather, which is sufficient in the case, I think, is the court of last resort for the member of the executive of any society. If, having drawn up rules, if, having attempted to deal with every likely situation in the operation of their organization, that point still arises where conflict breaks out and is insoluble within the membership of the society itself, Section 22 provides some method of arbitration, even though inadequate. I would hope that the hon. member, having guided this Act through the Legislature, would turn his attention to The Arbitration Act and the amendments that may be necessary to it.

MR. LEE:

Mr. Speaker, I just wish to make a few brief remarks in support of Bill 201, and that is that it is important to choose and formulate rules which do establish the steps, as part of one of the steps of incorporation. In doing so I want to place before you two principles which I feel are fairly generally accepted within meetings and within memberships of organizations.

The first of these principles is that the individual has a right to participate and to be heard in the proceedings of a membership. The second of these is that there should be an absolute impartiality of the presiding officer or officers or chairman.

Speaking first of all to the first principle, that it is the right of the individual to participate and be heard, let me say that the purpose of the rules generally is to expedite business in an orderly manner. Now this is generally why rules are established. Now some rules may seem to a membership to be inappropriate at certain times and most certainly they will be. I am going to speak in a few more minutes about the inappropriateness of rules and perhaps the need for amendment. Many of you had been in meetings where Robert's Rules of Order were used. Now these rules may have been very inappropriate.

It is interesting to go through the history and the development of rules of order such as Beauchesne, Roberts, and to see how these rules did develop and to really notice that there is a reason for a rule even though it may seem ridiculous at a certain time, there was a reason for it and if we really put our minds to it it may show that the rule, in a way, is appropriate for all situations.

But the result of not having rules of order for a meeting can very often lead to a slovenly and indifferent and confused procedure. It can further lead to an antagonism, it can lead to failure to successfully prosecute the business of a meeting. I kind of shudder to think in fact what would occur in this Assembly if we didn't have Beauchesne's rules of orders. We have enough trouble with the hon. Member for Mountain View with the rules and the Speaker. If we didn't have these rules it would be utter chaos. I had to place his name in Hansard once again.

But seriously, I think it is important that all members, party to a membership in a organization, can prepare and participate in an equal manner. I think we can see even in this Assembly, that those individuals who are not as conversant with the Rules of Order that we do use, are at a disadvantage. I know myself I feel at a disadvantage to many of the individuals -- my hon. colleague to the right for instance, is very conversant with the rules, and I feel at times at a disadvantage in the Assembly.

I have had the opportunity as perhaps many of you have, to participate in an organization called "Toastmasters". And it is interesting to see the development and the utilization of Rules of Order very often in a humorous capacity but you can very often see the development of these rules and develop them for your own use.

Let me point out to you what might be some of the possible results if we did not have rules of order beyond what I have just said.

First of all, the business of a meeting can be frustrated through knowledge of the rules. If you have a membership of 12 people and two of them know the rules very thoroughly, they can completely frustrate, dominate and control the business of a meeting whether or not their point is well taken. Their domination is by a combination of their knowledge and perhaps the ignorance of the rest of the membership, and it may not serve the purposes of the membership or the organization if this were the case.

A second result of this may be that the average member, through uncertainty of the rules or through shyness, will tend to remain silent and not contribute as he may well want to, to the proceedings of a meeting. This may in fact lead to a frustration, such a frustration for this individual that he may withdraw from the organization or withdraw as a member and simply sit and listen.

A third result of not having Rules of Order, I think is one that we have all seen. This is unnecessary rambling over certain rules of procedure because a rule does follow that even if you don't have Rules of Order, they are still going to be brought up. There is going to be an amateur application of Rules of Order. Someone will jump up and say, "On a point of order", and everybody will look at him and say, "Well, what is a point of order?" But he is still going to raise his "point", and there will be frustration and a rambling over rules and

the business will never be expedited. I am sure it happens. It even happens here.

A fourth result, the last one I might point out, is that necessary procedures, procedures necessary by the articles of incorporation, in fact, may be ignored or overlooked if Rules of Order are not followed. There are certain things a society must undertake. One of these may be treasurers' reports, for instance. Another thing that may occur is a lack of realization that minutes may be brought into court proceedings at some later date. My colleague for Edmonton Highlands has pointed out that very often the business of these memberships is very important to the community in a financial and a social sense.

What I am saying at this point is one principle: that individual members of a society or an association do have a right to be heard. The second principle, one that I have mentioned and one that is accepted fairly generally, is that there should be an absolute impartiality of the presiding officer. Now if this is not the case, if the presiding officer, the chairman, the president, is the only individual who has a working knowledge of the rules, the nature of his knowledge, combined with the nature of his position, can lead to a domination, and, as we all know, this is just the antithesis to a democratic procedure. Although the chairman or presiding officer may not wish to take a dictatorial position, just by his knowledge, his position, he may be forced into this position.

I think it is very important. When I say this, I'm not downplaying the importance of the chairman being aware of the rules, but that in itself isn't enough. The members must also be aware to prevent this -- what I have just mentioned. In fact I think we see here in the Assembly, a proper balance between a knowledge of the rules among us as members, and a knowledge of the rules by Mr. Speaker. Because Beauchesne establishes very rigid rules of order, the Speaker by his knowledge, and by being a presiding officer, and knowing that we also have a working knowledge of the rules, can relax them at the appropriate time. He can relax them to the extent (inaudible) and he does very well in this case.

We had an example today where perhaps the rules were relaxed at certain times, and then, of course, someone may bring up a point of order and through this knowledge of the rules the presiding officer can bring it back to the rules in a more rigid sense.

So in conclusion, Mr. Speaker, I feel that the choice of rules is important, but let me add that the choice of rules should be a flexible one. I agree with Mr. Koziak when he has not mentioned particular rules of order. I believe Robert's Rules of Order, for instance, are probably the ones that are most commonly accepted by smaller organizations, whereas we undertake and use Beauchesne's rules of order. Robert's Rules of Order appear to be the ones that are most appropriate for a smaller organization. But I would not recommend, nor would I want to see in a bill of this sort Robert's Rules of Orders be the only rules that would be followed. Nevertheless we may recommend such.

And the reason for this is that I don't feel that any Rules of Order are generally appropriate for a particular body. I remember reading an article a couple of years ago, and it was an article entitled, I believe, "What Now Mr. Robert?" And it was an article that went the other way. It said that we shouldn't have Rules of Order, and it was interesting that the individual who wrote this particular article was a psychologist who made his living mainly by leading sensitivity training groups and so on. And the contention of individuals who operate a meeting, a group, a training group and so on in this way, is that a consensus will be reached by the elimination of rules. And having had the opportunity to meet such groups and be involved in this, this actually does occur.

But we must remember that rules are brought in for a reason and this is to expedite -- expedite business -- and by expedite you will probably mean that there are certain things that must be covered on an agenda, and there are certain limitations of time within which this agenda must be covered. Generally we hope that meetings starting at eight o'clock will end at ten o'clock. But if we were to go with a completely flexible use of the rules, or no rules, this would just not occur. So I find myself torn in a way here. Although I would not like to see particular Rules of Orders established I do feel that they should be flexibly applied. I also feel that rules should be tailored. Rules of Orders should be tailored to the membership that is utilizing them. We have seen this in our own Assembly during the last year under which we have established Rules of Order beyond Beauchesne for the conducting of business and the scrutiny of the Estimates. I am looking forward to an evaluation of just

how this rule change does affect the expediting of the business of the House. I think it is a good thing that we have changed the rules. I would hope that other organizations would do the same thing.

The thing that rules can do, though, is they can provide a base line from which we can amend the rules themselves. I would hope, for instance, that one thing wouldn't occur, if this particular bill does pass, that a particular association would say, "Well here we are. We've got to have Rules of Order now." Someone would say, "Well what Rules of Order should we use?" Someone would say, "Well why don't we use one of the rules that are already set up?" One thing that may occur, though, is that an individual group may say, "No, no, let's not do that. Let's set up our own Rules of Order." I think that would be a regressive step. I don't think it would work too well. However, if the group were to take Robert's Rules of Order, tailor them to their own particular membership, the needs of their association, then I think they would have undertaken a proper procedure.

In pointing out these particular items, Mr. Speaker, and in closing, I would ask that we call it 5:30, and I would ask all the members of the Assembly today to support this bill for the principles which I have just mentioned, and those mentioned by my colleagues.

MR. GHITTER:

I beg leave to adjourn debate, Mr. Speaker.

MR. SPEAKER:

May the hon. Member for Calgary Buffalo adjourn the debate?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until 8:00 o'clock this evening.

[Mr. Speaker left the Chair at 5:31 o'clock.]