

## LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, April 4, 1974

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

## PRAYERS

[Mr. Speaker in the Chair]

## INTRODUCTION OF BILLS

Bill No. 209 An Act to amend The Election Act

MR. NOTLEY:

Mr. Speaker, I beg leave to introduce a bill, Bill No. 209, An Act to amend The Election Act. The purposes of the bill, Mr. Speaker, are threefold: first, to force full disclosure of all contributions to political parties and candidates over the amount of \$50; secondly, to carry out stringent controls over the amount of expenditures allowed by both political parties and candidates, and thirdly, to provide penalties in the case that candidates and parties fail to live up to the obligations of the act.

[Leave being granted, Bill No. 209 was introduced and read a first time.]

## Bill No. 49

The Electric Power and Pipe Line Assessment Amendment Act, 1974

MR. ZANDER:

Mr. Speaker, I beg leave to introduce a bill being, The Electric Power and Pipe Line Assessment Amendment Act, 1974. The principles of the bill, Mr. Speaker, will be the exemption from assessment of natural gas lines serving rural consumers in the province of Alberta, a redefinition of a rural consumer, and removal of the exemption from assessment of all pollution control devices and machinery.

[Leave being granted, Bill No. 49 was introduced and read a first time.]

MR. HYNDMAN:

Mr. Speaker, I move that Bill No. 49, The Electric Power and Pipe Line Assessment Amendment Act, 1974 be placed on the Order Paper under Government Bills and Orders.

[The motion was carried.]

## INTRODUCTION OF VISITORS

DR. WARRACK:

Mr. Speaker, from the Three Hills constituency, I'm very pleased today to have the opportunity to introduce the Huxley 4-H Beef Club, some 20 in number, visiting with us today - also included is a visit to the Provincial Museum and Archives. They are accompanied by leaders, Norman Hoppins and Allan Winther. I would ask all members of the Legislature, Mr. Speaker, to welcome them by applauding in the normal manner.

MR. MANDEVILLE:

Mr. Speaker, it's my pleasure this afternoon to introduce to you and through you to the members of the Legislature, 25 Grade 10 students from Duchess School in the constituency I represent. They are accompanied by their teacher, Bob Burns, parents Mrs. Grosfield and Mrs. Penner, and the bus driver, Mr. Gordon Spicer. They are in the members gallery, Mr. Speaker. I would ask them to rise and be recognized.

DR. BUCK:

Mr. Speaker, I beg leave to introduce to you and to the members of the Assembly, a Grade 5 class from Ardrossan School. They are accompanied by their teacher, Mr. Alexandruk, and the other teacher, Mrs. Baille. I would like to say Mr. Alexandruk first came to visit the Legislature as a student himself when he was in Grade 6. He has toured the Legislature seven times now. I would like the class, their teachers and their bus driver, Mr. Marcotte, to stand and receive the greetings of the House.

MR. COOKSON:

Mr. Speaker, it's a real pleasure this afternoon to introduce to you and to the members of the Assembly, a group of 40 senior citizens who have come from the great constituency of Lacombe to watch the proceedings in the Legislature.

I might make special mention of a lady, whom perhaps some of you may know, who has the ability to grow old and yet stay young, Mrs. Susy Atkinson. I would ask them to rise - they are in the members gallery - and be greeted by the Assembly.

MR. SCHMID:

Mr. Speaker, I would like to introduce to you and through you to the members of the Assembly, Mr. Ron Butlin of Calgary who is the General Chairman of the Alberta Summer Games which are being held in Calgary between August 22 and August 25 of this year. Over 2,000 Alberta athletes are expected to compete. Mr. Butlin was formerly the President of the Western Canada Hockey League. I would like Mr. Butlin to rise and be recognized by this Assembly.

#### TABLING RETURNS AND REPORTS

DR. WARRACK:

Mr. Speaker, I have the honour to file a copy of a study, *The Environmental Effects of Timber Harvesting in Alberta*, prepared by C. D. Schultz and Company Ltd.

MR. DICKIE:

Mr. Speaker, I would like to table answers to questions raised by the hon. Member for Medicine Hat-Redcliff.

DR. HORNER:

Mr. Speaker, I would like to table a response to Question 119 on the Order Paper.

#### ORAL QUESTION PERIOD

#### Combines Investigation Act

MR. CLARK:

Mr. Speaker, I would like to direct the first question to the Minister of Consumer Affairs and ask if his department has had an opportunity to look at the amendments to the Combines Investigation Act presently before the House of Commons in Ottawa?

MR. DOWLING:

Yes, Mr. Speaker.

MR. CLARK:

Mr. Speaker, a supplementary question to the minister. Does the Province of Alberta have concerns, or have you looked at the legislation from the standpoint of some infringement upon provincial jurisdiction involved in this federal combines legislation?

MR. DOWLING:

Yes, Mr. Speaker, we do. The matter is being investigated by our legal counsel and through the departments of the hon. Minister of Federal and Intergovernmental Affairs and the Attorney General. Our studies are not complete, Mr. Speaker, but I know the matter is being examined by all provincial jurisdictions. If the legislation isn't through the House, which I don't believe it will be, by the time we have the interprovincial meeting of consumer affairs this spring in Jasper, we will be dealing with that subject at that meeting.

MR. CLARK:

A further supplementary question, Mr. Speaker, to the minister. Does the minister plan to introduce legislation during this session that would cover those areas where the federal amendments have moved into provincial jurisdiction?

MR. DOWLING:

I'm not sure I can say specifically that it will cover those areas where we believe federal statute will infringe upon the responsibility of the provincial government. However, we are examining legislation for introduction, perhaps by the fall session in many areas, Mr. Speaker.

#### Industrial and Economic Study

MR. CLARK:

Mr. Speaker, a second question to the Premier. I'd like to ask the Premier if the government would be prepared to give favourable consideration to the establishment of, perhaps, a legislative committee to hear views of people from across the province on the priorities of industrial and economic growth in the province, prior to the final decisions being made on the large windfall that, in fact, we've received in this province?

MR. LOUGHEED:

Mr. Speaker, I think that that would be an appropriate subject, if the hon. member wishes to put it on the Order Paper as a motion. I think it is certainly an appropriate subject by way of debate, and I think also it's an appropriate subject by way of debate under the motion on the Order Paper now that is Government Motion No. 1. I think it would be more appropriate to do that than to have a legislative committee.

MR. SPEAKER:

The hon. Member for Little Bow followed by the hon. Member for Calgary McCall.

#### Hutterites - Land Purchases

MR. R. SPEAKER:

Mr. Speaker, my questions are to the Minister of Municipal Affairs. Have the guidelines established for the purchase of land for Hutterite colonies been observed by Hutterites or their agents?

MR. RUSSELL:

Mr. Speaker, I think we should emphasize that they are only guidelines and I think Dr. Platt and his advisory committee and the committee of elders have done an excellent job in trying to adhere in most cases to those guidelines.

MR. R. SPEAKER:

Mr. Speaker, a supplementary. Is the minister receiving regular reports from the chairman of the advisory committee?

MR. RUSSELL:

Yes I am, Mr. Speaker.

MR. R. SPEAKER:

Mr. Speaker, supplementary. Has the chairman made recommendations with regard to recent purchases of land, such as the seven sections purchased during March of 1974 at the Carmangay and Barons area?

MR. RUSSELL:

Mr. Speaker, it's my understanding that Dr. Platt has had discussions with the elders with respect to that particular purchase. I don't know what the legal status of that is today.

MR. R. SPEAKER:

Mr. Speaker, a final supplementary. Will the minister attend, or will he appoint some other official to attend, a citizens' meeting at Carmangay this Friday at 7:30 to get a public attitude towards the guidelines and how they are working at present?

MR. RUSSELL:

No, I won't be attending, Mr. Speaker, but with the new hours of sitting of the Legislature I think it's an excellent opportunity for the MLA to be able to attend.

MR. STROM:

Mr. Speaker, a supplementary question to the hon. minister. Could the hon. minister tell the Legislature if he knows whether or not all of the colonies contact Dr. Platt before they make a purchase of land?

MR. RUSSELL:

Mr. Speaker, to the best of my knowledge, I believe that is true. I believe that is the case. I know Dr. Platt originally had some difficulty with some colonies wanting to deal directly with land agents, but I think that problem is being overcome and it's my understanding that the elders are giving excellent cooperation.

MR. STROM:

Mr. Speaker, I'm wondering if the hon. minister would be prepared to check with Dr. Platt on that and report back to the Legislature.

MR. RUSSELL:

Yes, I'll do that.

#### Federal Urban Demonstration Program

MR. SPEAKER:

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

MR. HO LEM:

Mr. Speaker, my question today is directed to the same hon. minister. Could the hon. minister indicate to the members of this Assembly whether the Department of Municipal Affairs has studied the proposed federal urban demonstration program, costing \$100 million over the next five years, as to its potential benefit to Alberta urban municipalities?

MR. RUSSELL:

Mr. Speaker, as far as I know no copies of that proposal have, as yet, been delivered to the Government of Alberta, with respect to what it might do for Alberta municipalities. I have had informal discussions with the Hon. Mr. Basford and we'll just have to wait and see how he relates those to his national priorities.

MR. HO LEM:

Supplementary, Mr. Speaker. In view of the answer, Mr. Speaker, is the minister prepared to make continued representation to Ottawa in regard to obtaining more

information on this subject so we might obtain maximum benefit for Alberta urban municipalities under this proposed program?

MR. RUSSELL:

Certainly we would be prepared to work very closely with Mr. Basford's office, Mr. Speaker, but I think hon. members should be aware of the rather contentious nature of the program and the fact that it has not been enthusiastically accepted across the country.

MR. SPEAKER:

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

Alberta School for the Deaf

MR. APPLEBY:

Thank you, Mr. Speaker. I would like to direct a question to the Minister of Education. Does the government have any definite plans for closing the school for the deaf located in Edmonton?

MR. HYNDMAN:

The answer is no, Mr. Speaker, in fact it was about a year and a half ago when the school for the deaf in Edmonton was expanded in its operation to be a regional centre for the entire province. However, I should say that we certainly are looking at all alternatives, a number of which have been suggested by people who are involved and interested in the deaf community in the sense that the extension and provision of services perhaps in a decentralized way outside of Edmonton over a gradual period of years is one alternative we are looking at, at the present time. But that would not involve closing the operation of such a school in Edmonton.

MR. CLARK:

Supplementary question to the minister. Could the minister advise the Assembly as to whether the advisory committee for the school for the deaf is now functioning?

MR. HYNDMAN:

There are a number of advisory committees with the school. I met with a number of them over the past months, Mr. Speaker, but I will check into the specifics of the question and advise the hon. member.

MR. SPEAKER:

The hon. Member for Calgary Bow followed by the hon. Member for Calgary Mountain View.

ALCB Strike

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Solicitor General. Could the hon. minister advise if the government, or the Alberta Liquor Control Board, has agreed to appoint a mediator to talk with aggrieved employees?

MISS HUNLEY:

The government has not agreed because we are not negotiating. The Alberta Liquor Control Board is willing to sit down with the Civil Service Association of Alberta at any time, to the best of my knowledge. They informed me that they are quite willing to do that and I have not been asked, or advised, as to whether or not a mediator is necessary.

MR. WILSON:

Supplementary, Mr. Speaker. Would the hon. minister check into it and report back to this House as to whether or not a mediator is required or requested by either party?

MISS HUNLEY:

Mr. Speaker, you know it concerns me, it appears to me that the hon. Member for Calgary Bow is encouraging illegal strikes and walkouts by the continued nature of his questions.

MR. WILSON:

Supplementary, Mr. Speaker, to the hon. Minister of Manpower and Labour. Is it the intention of the government to introduce legislation this session to amend The Public Service Act and The Crown Agencies Employee Relations Act which would reflect social conditions and ambitions of the day?

SOME HON. MEMBERS:

Oh, oh.

MR. LUDWIG:

Supplementary to the hon. minister, Mr. Speaker. If the hon. minister is of the opinion that the hon. Member for Calgary Bow is encouraging ...

[Interjections]

MR. SPEAKER:

Order please. If the hon. member wishes to raise a point of order that is one thing, but if he wants to ...

MR. LUDWIG:

It's not a point of order.

MR. SPEAKER:

Well then, it is not a question either.

MR. LUDWIG:

Mr. Speaker, my question to the hon. minister is with reference to an answer she gave to a question by the hon. Member for Calgary Bow stating that he is encouraging strikes. I would like to ask the hon. minister, what is she doing to discourage this strike?

AN HON. MEMBER:

Illegal act.

MR. WILSON:

Mr. Speaker, to the hon. Minister of Manpower and Labour. Has the minister examined recent legislation from other provinces which eliminates the 'like it or lump it' concept?

MR. SPEAKER:

Order.

It's very doubtful. I know that we have had a number of questions like this from time to time where hon. ministers are asked about the extent of their reading, but it's very questionable whether that is a matter of sufficient day to day importance to be raised in the question period where questions should have some element of urgency about them. Otherwise, of course, if they were otherwise in order they would go on to the Order Paper.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Solicitor General or to the Minister of Manpower and Labour. Have any employees of the Alberta Liquor Control Board been removed from their employment as a result of not being at work this week?

MISS HUNLEY:

Not to my knowledge. I think it's fairly definite that they would not have been removed from employment. They may have been subject to disciplinary action, but I do not know of any specific cases.

MR. SPEAKER:

The hon. Member for Calgary Mountain View followed by the hon. Member for Drumheller.

---

Public Housing - Rents

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Municipal Affairs. Has he received any recent reports about increases in rents being charged to tenants in Calgary and Edmonton in public housing?

MR. RUSSELL:

No I haven't, Mr. Speaker.

MR. LUDWIG:

Mr. Speaker, a supplementary. Would the hon. minister assure that there will be no increases in rents to the senior citizens in this province in the future?

[Interjections]

MR. SPEAKER:

The hon. member is making a representation. The hon. Member for Drumheller followed by the hon. Member for Sedgewick-Coronation.

Pheasant Ratio Check

MR. TAYLOR:

Thank you, Mr. Speaker. My question is to the hon. Minister of Lands and Forests. What time of year is the check made on the ratio of cock and hen pheasants in the province?

DR. WARRACK:

Mr. Speaker, this is done in the spring of the year, which hasn't reached most of Alberta yet. This is done when the weather has been warm sufficiently long that the mating cycle begins. But that is a very important question, Mr. Speaker.

MR. TAYLOR:

One further supplementary. Do the investigators contact the farmers in the various areas when they are making these checks, or are they done entirely by the paid investigators?

DR. WARRACK:

In a number of instances they do run into local people during the course of these investigations, but at the time of year that the crowing counts are done, Mr. Speaker, they are done at about 4:30 in the morning. There is a pretty good chance they would refuse our invitations to come along. But in any case, that's about the time of morning that this is done. To my knowledge there has never been any sort of conflict with local people or local landowners with respect to our biologists going onto the land to do this important work.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Spirit River-Fairview.

Wildlife Winter Mortality

MR. SORENSON:

Mr. Speaker, I'll direct my question to the Minister of Lands and Forests. Has the hon. minister's department conducted any recent surveys as to wildlife losses due to the extreme weather conditions in east-central Alberta?

DR. WARRACK:

Yes we have, Mr. Speaker. That, too, is an important question, particularly with respect to the deer that are in a situation where winter mortality, because of the deep

snow and the lateness of the winter we have upon us this year, is a matter of concern. We have been watching it very closely throughout the term of the winter and are doing everything we can to help them winter through.

MR. SORENSON:

A supplementary to the hon. minister. Will there be any immediate steps taken to meet this emergency?

DR. WARRACK:

The immediate step that could be considered, Mr. Speaker, would be a matter of providing the deer with feed. But the difficulty is that, particularly in a weakened condition, a change in diet is very adverse to the health of the deer. So we would hurt them more than we would help them, Mr. Speaker. In that regard we are in a position where we need to watch as closely as we can and adjust the habitat and hunting seasons in the event that there is a winter mortality which is serious to the population.

MR. FRENCH:

A supplementary question, Mr. Speaker, to the minister. Which personnel of the department are used to monitor this situation?

DR. WARRACK:

Our staff.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Leader of the Opposition.

#### Commercial Fishing

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the Minister of Lands and Forests. It concerns the announcement regarding fish farming. Were there any discussions with representatives of the commercial fishermen in Alberta before the joint announcement with the Department of Agriculture was made?

DR. WARRACK:

Mr. Speaker, I've had extensive discussions, as a matter of fact, just recently with the Alberta Commercial Fishermen's Association - February 25, I believe - and have also visited a number of them at their winter fishing operations in Cold Lake last week.

We discussed very thoroughly the whole area of fishing, in receiving their brief. The possibilities of supplemental hatchery work, from whatever source, was one of the many topics discussed. With respect to a study of 'aquaculture' possibilities, particularly on the smaller prairie lakes, this would not be in the same area where commercial fishing occurs, in any case.

MR. NOTLEY:

Mr. Speaker, a supplementary question. Can the minister advise the Assembly whether it's true that there has been a drastic reduction in the number of commercial fishermen in the province of Alberta and also a reduction in the catch in the last five years?

MR. SPEAKER:

This is a question of doubtful propriety. I know we're having a number of those as well, in which ministers are being asked for market information and things of that kind. But surely the questions have to relate to information which happens to be in the possession of the department.

MR. NOTLEY:

Well, Mr. Speaker, perhaps I could rephrase that. Does the hon. minister have any statistics regarding the number of commercial fishermen in the province of Alberta now, as compared to five years ago?



AN HON. MEMBER:

Order Paper.

DR. WARRACK:

Well, that's ideally suited for the Order Paper. In addition, I think the hon. member will notice a considerable amount of that information when he has a chance to look at the annual report that was tabled in the House.

MR. NOTLEY:

Mr. Speaker, a further supplementary question to the hon. minister. Has the government taken any position with respect to the operations of the Freshwater Fish Marketing Corporation and its effect on commercial fishermen in the province of Alberta?

DR. WARRACK:

Well, certainly our position on this matter, Mr. Speaker, is to work with it in every way that we can to have it operate efficiently and equitably for the commercial fishermen of Alberta. Incidentally, in the last 18 months there's been a marked improvement in both the financial and the operational aspects of that corporation as it affects Alberta fishermen.

MR. SPEAKER:

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

#### Rural Gas Co-ops

MR. R. SPEAKER:

Mr. Speaker, my question is to the Minister of Telephones and Utilities. Has the minister any further information with regard to the taxation policy relative to co-op members and their payment of \$1,700?

MR. FARRAN:

Mr. Speaker, I've had a report on the interpretation by the Edmonton and Calgary national revenue offices. I'm not satisfied with it. It indicates that there has been some change in their attitude towards gas lines being part of the operation expense of a farm in the last year, so I'm pursuing it further. I'm not taking this as a final answer from them.

MR. R. SPEAKER:

Mr. Speaker, a supplementary to the minister. First, what steps will the minister take, and will those steps involve making representation to the taxation office in Ottawa?

MR. FARRAN:

Well, Mr. Speaker, my first step will be to seek the advice of the Provincial Treasurer who is more experienced in this field than I am.

MR. SPEAKER:

The hon. Member for Calgary Bow.

#### Government Pensions

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. the Premier. Would the hon. Premier indicate if the government is prepared to review government-administered pension programs with a view to providing equal pension rights for both men and women?

MR. LOUGHEED:

Mr. Speaker, certainly yes. That, as well as the amount of the pensions, is a matter of ongoing review.

MR. SPEAKER:

The hon. Member for Calgary Bow with a further question.

Lie-Detectors

MR. WILSON:

Yes, Mr. Speaker, I'd like to direct a question to the hon. Attorney General. Could the hon. Attorney General advise if the minister has had any requests to investigate the use of lie-detecting equipment by employers on their employees, to see if this is contrary to the Bill of Rights or violates individual rights?

MR. LEITCH:

No I haven't, Mr. Speaker.

MR. WILSON:

A supplementary, Mr. Speaker, to the Minister of Manpower and Labour. Has the minister received representation from any labour groups regarding objections to the use of lie-detecting equipment on employees?

DR. HOHOL:

I have not, Mr. Speaker.

MR. SPEAKER:

The hon. Member for Calgary Millican.

RCMP - Journalists

MR. DIXON:

Mr. Speaker, this question could be directed to the Premier, the Attorney General or the Solicitor General, but in this case I would make it first to the Solicitor General.

Has the minister had any more information from Ottawa regarding the case of the Calgary reporters from the Solicitor General of Canada?

MISS HUNLEY:

No, Mr. Speaker, I have not.

MR. DIXON:

A supplementary question. In that case, Mr. Speaker, to the minister. I wonder if the minister is now going to give consideration to investigating this through The Human Rights Act of Alberta?

MISS HUNLEY:

No, I'm not, Mr. Speaker.

MR. DIXON:

Mr. Speaker, a supplementary question to the minister. Can I assume then, Mr. Speaker, from the minister's remarks, that the case is dead as far as the Province of Alberta and the government are concerned?

MISS HUNLEY:

You can assume anything you like ...

MR. SPEAKER:

Would the hon. minister please address the Chair.

MISS HUNLEY:

... he likes, Mr. Speaker, and he probably will. But the matter is not considered dead. I expect to hear from the hon. Solicitor General for Canada and I'll take whatever he says under advisement.

Public Housing -- Rents (Cont.)

MR. CLARK:

Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs in his capacity as Chairman of the Alberta Housing Corporation, and ask the minister if he is aware that public housing rates in west end Edmonton have been increased \$5, \$15 and \$20? Notice has just gone out to the tenants today.

MR. RUSSELL:

No, I wasn't aware of that, Mr. Speaker. Of course under the philosophy of public housing, the rents are geared to the tenants' incomes, so it sounds as if those cases deal with increased family incomes.

MR. CLARK:

A supplementary question, Mr. Speaker, to the minister. Would the minister be prepared to check this matter out with the City of Edmonton, in light of the fact that some of the residents are being told this is the result of additional maintenance and additional operating costs?

MR. RUSSELL:

I will certainly be pleased to look into the matter, Mr. Speaker.

Fort McMurray -- Rents

MR. NOTLEY:

A question to the hon. Minister of Municipal Affairs. Has the minister heard reports that in the town of Fort McMurray a number of apartment buildings have recently, coincidental with his announcement of last week, increased rents by \$25 or \$30 a month?

MR. SPEAKER:

The hon. member is asking another question of doubtful propriety. It would seem to me that these questions have to be related in some way to departmental or government policies.

MR. NOTLEY:

Well, Mr. Speaker, perhaps I could rephrase that. Has he received reports of substantial rent increases in the community of Fort McMurray coincidental with his announcement regarding the education tax last week?

MR. RUSSELL:

No, I don't believe I have, Mr. Speaker.

'New'/'Old' Natural Gas -- Definition

MR. DIXON:

I would like to direct a question, Mr. Speaker, to the hon. Minister of Mines and Minerals. I believe there was an announcement on Monday on oil - a decision was made on 'old' and 'new' oil - and I was wondering if the cabinet has had any opportunity, Mr. Minister, to review whether gas that has been drilled but is not yet in production prior to the last month or so - would that be classed as 'old' or 'new' gas? Has that decision been made yet?

MR. DICKIE:

Mr. Speaker, on Monday we passed the regulations by cabinet dealing with the question of 'old' and 'new' oil. On the question of 'old' and 'new' natural gas, that was dealt with in January. There was a definition provided in the regulations which were passed during the latter part of January.

Industry did make some submissions that they would like the government to again look at the question of 'new' gas and 'old' gas and the government did. They set up a committee of officials. They have been meeting with industry. I haven't received the report as yet. As soon as I receive the report, then we will review the suggestions by industry.

Mr. Speaker, I should add - I think hon. members are aware - that on natural gas, it is a little more complicated than crude oil.

#### Segregation of Sick Prisoners

DR. BUCK:

Mr. Speaker, I would like to address my question to the hon. Solicitor General. I would like to know, Mr. Speaker, if the Solicitor General plans on making any additions to the Fort Saskatchewan Correctional Institute so that prisoners who have to be isolated for medical reasons, or who are in sick bay, can be held in the institution?

MISS HUNLEY:

I presume, Mr. Speaker, that it could come up under Estimates. There is money budgeted for improvements to Fort Saskatchewan this year but our final plans have not been fully developed.

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

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

1. How many jail sentences of sixty days or less were given in Alberta in 1973?
2. How many of these sentences included a fine option, which was not taken?
3. How many people electing for the optional jail sentence arrived with sufficient cash in their possession to have paid the fine?
4. What is the total estimated cost in 1973 to the Alberta taxpayers, for inmates serving a sentence rather than paying an optional fine?
5. What was the total fine revenue received from optional sentences in 1973?

MISS HUNLEY:

Mr. Speaker, I asked that that question be held because the hon. Member for Calgary Bow was not in the House on Tuesday and I had some concern with item 5. I wondered if the hon. member would consider accepting a general answer to that question rather than the specific detail that he placed on the Order Paper?

MR. WILSON:

Yes, Mr. Speaker, that would be entirely satisfactory.

MISS HUNLEY:

I would like then, Mr. Speaker, to table the answer to Question No. 129.

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

- 
1. How many persons enrolled in the Alberta Vocation Training Rehabilitation Program throughout the province experienced a delay in receiving their training allowance cheques during the month of March, 1974?
  2. How many of the students in this program obtained social assistance payments and/or vouchers and further, did the vouchers cover food, lodging and utility costs?
  3. Were there any cases of severe emotional trauma or were there any dropouts from the program as a direct result of the delay in receiving the cheques and/or the necessity of accepting social assistance, and if so, how many?
  4. What steps, if any, has the government taken to ensure that this situation does not occur again?

MR. FOSTER:

Mr. Speaker, I spoke with the hon. member who placed this question on the Order Paper and it was suggested that perhaps paragraph 3 could either be deleted or resubmitted next Tuesday. In any event I would be quite happy to answer 1, 2 and 4, and to answer 3 in terms of the number of dropouts, but not to give any reasons because that information we don't have.

MR. NOTLEY:

Mr. Speaker, that would certainly be fine with me. If it's required to move a motion which would amend the question, I'd do that or I could resubmit it, whatever is in order.

MR. SPEAKER:

Perhaps the hon. member could decide whether he wishes to resubmit the question or whether he wishes to agree that the hon. minister might answer it with the changes and conditions suggested by the hon. minister.

MR. NOTLEY:

Mr. Speaker, I'd be quite happy to agree to the suggested changes.

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

1. How many instances have occurred since September 10, 1971 in which applications for access routes to drill sites by gas and oil exploration firms in Alberta forest areas have, in their original form, not been acceptable to the Forest Land Use Branch and/or the local forest officials in the various forest regions?
2. How many instances have there been since September 10, 1971 in which the access routes referred to in (1) proceeded according to the specifications of the original application notwithstanding the objections of (a) the Forest Land Use Branch and (b) the local officials in the various forest regions?
3. How many times since September 10, 1971 has the minister acted to resolve a disagreement over access routes to drill sites between the companies involved on the one hand and the local forest officials and/or the Forest Land Use Branch on the other?
4. What number of cases referred to in (3) have been resolved in accordance with the specifications of the Forest Land Use Branch and/or local forest officials?

DR. WARRACK:

Mr. Speaker, with respect to Question No. 135, in all four parts of the question there is reference to individual branches and individual local officers as a part of the Alberta Forest Service. What the answers to the questions posed would involve would, of course, be internal information and internal memoranda and discussions that would be taking place within the Alberta Forest Service. So this being the case, and being so for all four parts of the question, it would not be acceptable in its present form.

I might mention, Mr. Speaker, that we have processed, since the date mentioned, more than 4,000 such applications, so one can visualize the enormous extent of work that would be involved in tracking down all of the paper that would be relevant to the questions at hand.

But most important, Mr. Speaker, is the question of the matter pertaining to 'intradepartmental' - and as a matter of fact 'intradivisional' - information in the

Alberta Forest Service, and this is not information that is a part of what we would be prepared to answer in Question No. 135.

As to procedure, I have a suggested amendment that would make the question satisfactory, Mr. Speaker, and a great deal of work, and therefore an appropriate motion for a return.

The amendment that the hon. member might wish to consider would be in paragraph 1, to delete all words after the word "the" in the fourth line and add the word "government", so we would be dealing with the applications to government and what the dispositions of those 4,000 applications that we had processed would be.

If that were the case, then the second, third and fourth items would be struck, that is to say deleted, inasmuch as all three of them - points 2, 3 and 4 of Question 135 - deal with internal matters in the operation of the Alberta Forest Service within the Department of Lands and Forests.

I guess, Mr. Speaker, I would suggest, or ask, whether the honourable mover might wish to consider the amendment I am suggesting, in which case it would be an agreeable motion for a return.

MR. NOTLEY:

Mr. Speaker, perhaps I would withdraw the question at this point and perhaps rephrase it. I'd like some opportunity to discuss it with the people who wanted the information, and I'll either rephrase it or perhaps enter it as a motion for a return sometime.

MR. SPEAKER:

I take it the House agrees that 135 is withdrawn?

HON. MEMBERS:

Agreed.

136. Mr. Clark asked the government the following question:

How much money did the firm of Cohos, Delesalle and Evamy receive in payment for work done in northeastern Alberta on request of the provincial government, its boards and agencies in the years 1972, 1973 and 1974?

What was the nature of this work and who was responsible for engaging the firm to undertake work in northeastern Alberta on behalf of the provincial government, its boards or agencies?

MR. RUSSELL:

I accept the question, Mr. Speaker.

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

1. What was the average cost per day to the provincial government per patient at the following centres during the year April 1, 1973 to March 31, 1974:

- (a) Intoxication Recovery Centre,  
10302 - 107th Street,  
Edmonton, Alberta?
- (b) Henwood Rehabilitation Centre?
- (c) Recovery House (formerly operated by  
Mr. Bob Townsend)?
- (d) The Bissell Centre,  
9560 - 103A Avenue,  
Edmonton, Alberta?
- (e) Collingwood Acres?

2. What was the total cost to the government of each of the above centres during the said fiscal year?

MR. CRAWFORD:

The question is accepted, Mr. Speaker.

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

1. When does the government plan to make available a check list of all government publications to Alberta libraries?
2. Has this check list been delayed and if so why?
3. Does the government plan to designate certain key libraries in the province as depository libraries which would automatically get all government publications?
4. Does the government plan to have a centralized distribution centre from which Alberta libraries can order all government publications?

MR. GETTY:

That question is accepted, Mr. Speaker.

#### MOTIONS FOR A RETURN

131. Mr. Wilson proposed the following motion to the Assembly:

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

1. An itemized list of all contracts made between the Alberta Housing Corporation and others, relating to matters within the boundaries of the Town of Fort McMurray for the years 1972 and 1973.
2. An itemized list of all contracts made between the Department of Municipal Affairs and others, relating to matters within the boundaries of the Town of Fort McMurray for the years 1972 and 1973.

These lists to include the name of the "other" party to the contract, the date of the contract, a brief description of the contract, and, where applicable, the dollar value of the contract. "Contract" to include formal documents, purchase orders, letters of agreement or instruction and verbal orders for goods or services.

MR. WILSON:

Mr. Speaker, I move Motion No. 131 standing in my name on the Order Paper.

MR. RUSSELL:

Mr. Speaker, I would like to propose a minor amendment to the motion. I'd previously discussed it with the mover of the motion. It is simply to deal realistically with reporting on verbal orders, which is really not possible under a motion for a return.

So I propose that the motion be amended by striking out the words, at the end of it, "letters of agreement or instruction and verbal orders for goods or services" and replacing them with "and letters of agreement".

Mr. Speaker, I think this will meet the intent of the mover in that really any contracts for services, as I understand it, that might have been the subject of verbal orders are followed up by written instructions, work orders or purchase orders, and in that case he would have them under the other part of the motion in any event.

MR. WILSON:

Mr. Speaker, yes, I am in agreement with the amendment and would like to thank the minister for contacting us and explaining the situation.

[The amendment was carried.]

[The motion as amended was carried.]

132. Mr. Clark proposed the following motion to the Assembly:

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

1. The amount of any grant awarded in the years 1972 or 1973 by the provincial government under either PEP and STEP or any other government program for the purposes of running hockey clinics, under the direction of Mr. Doug Messier.
2. The locations of all the above mentioned hockey clinics which were held.
3. The balance sheet showing, by item, the amount spent by the organizers of these hockey clinics and the amount of revenue received by way of registration and grants.
4. The names of all those people involved with the project receiving a salary from the provincial government under the STEP or PEP program.

MR. CLARK:

Mr. Speaker, I move motion No. 132 on the Order Paper.

MR. SCHMID:

Mr. Speaker, question No. 132, item 3 requests the balance sheet of the organization which had these hockey clinics last year in Alberta.

At the time we were most concerned that students who were proficient in hockey would be able to teach others in Alberta that type of sport in the best way possible. We therefore at the time did not state that a condition of having those students employed in a pilot project with a private employer would be that he would have to file a balance statement. I would therefore like to amend question No. 3, "that the balance sheet be provided subject to concurrence of the organizer." However, of course, we would gladly submit to the hon. member information as to what grants were provided to that organization.

MR. CLARK:

Mr. Speaker, in speaking to the amendment the minister has moved, first of all I would like to point out to the minister that we don't only want the location of clinics that were held in Alberta, but the locations wherever they were held.

Secondly, as to the question of the balance sheets and that particular kind of information, I must say I am not very enthusiastic about the minister taking the approach of going to the people involved and saying, can we table this information? This program was carried out with public funds and it seems to me, Mr. Speaker, that there is a responsibility, on the part of the minister, to make this information available to the Assembly.

MR. SCHMID:

Mr. Speaker, of course the fact is that part of the program was paid for by public funds, and not necessarily the entire project. I would therefore like to move that amendment.

[The amendment was carried.]

[The motion as amended was carried.]

134. Mr. Notley proposed the following motion to the Assembly:

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

1. The extent of the leases held by energy companies in terms of acreage in the tar sands area of Alberta as well as the heavy oil deposits in the Cold Lake and Peace River areas.
2. The terms of the leases listed above.
3. The number of leaseholders and the names of all the leaseholders involved in the areas listed above.
4. The amount of money paid to the Alberta government by all of the lessees.



MR. NOTLEY:

Mr. Speaker, I move Motion for a Return No. 134 standing in my name.

MR. DICKIE:

Mr. Speaker, Motion No. 134 is acceptable. However, I'd appreciate it if the hon. member would clarify if item no. 4 which states, "The amount of money paid to the Alberta Government by all of the lessees", refers to the money just owing on or paid on the leases?

MR. NOTLEY:

It would be the money paid each year on the leases.

MR. SPEAKER:

May we assume that the motion is amended accordingly in that informal fashion?

[The amendment was carried.]

[The motion as amended was carried.]

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Mr. Cookson proposed the following motion to the Assembly:

Be it resolved that the province consider making a request to the federal government to standardize wildlife hunting rights for all people of the province.

MR. COOKSON:

Mr. Speaker, it's a pleasure this afternoon to speak to and move the motion, "Be it resolved that the province consider making a request to the federal government to standardize wildlife hunting rights for all people of the province."

I sometimes wonder whether, in fact, resolutions are really of much value and whether they have very much impact amongst the public in general. Certainly the press doesn't consider them very important because usually when we get to private members' day, if we're in the area of private bills or resolutions, the press is gone. It's one of the frustrations, I suppose, that back-benchers have to live with.

AN HON. MEMBER:

Be careful.

MR. COOKSON:

One might ask really why - incidentally, I'm tickled to see that most of the opposition is still here, Mr. Speaker.

MR. CLARK:

To assess his own front bench?

AN HON. MEMBER:

How about the Premier? Where is he?

MR. COOKSON:

One might ask, Mr. Speaker, why I'm so concerned about the resolution as it is worded, and why it should involve the province as such. I think probably I could sum it up by simply reading a short section out of an article which was recently published regarding some of the problems, Mr. Speaker, of the wildlife in the province. This was an article from Alder Flats. It said the following:

Residents of this area, about 75 miles southwest of Edmonton, are voicing their concern that the slaughter of moose along back roads is getting out of hand and they are placing the blame on treaty Indians and white poachers, the former hunting

legally, the latter illegally. An investigation this week confirmed recent moose kills within 40 yards of a six-mile stretch of forestry road that links Drayton Valley with Rocky Mountain House.

Then further the article comments on comments by Mr. Gordon Kerr, who is director of Fish and Wildlife for the province:

... where he admits that the problem could be developing, but pointed out that it's a touchy situation involving people's rights. It's commonly accepted that wherever treaties are signed in Canada, Indian people have the right to kill game for their own use. There is no reference to species, age or sex. We've been seeking cooperation with Native people in the monitoring and documenting of game populations. Some of the people are cooperating and, like any other people, there are those who don't.

Now, Mr. Speaker, I have no particular bias or prejudice. If anything, I have a bias against total hunting. I am not a hunter myself, I'm not a beaver choker or a pheasant shooter. I hope that I will raise three young fellows to appreciate wildlife and enjoy it but not to hunt it.

Having said that, I feel that some direction must be given with regard to the importance of hunting and, in particular, how it is handled. We have had discussions in the Assembly for amendments in the Wildlife Act and amendments in the Forests Act, and in all these discussions and debate there has been expressed a deep concern about the erosion of wildlife in the province. Just during the question period the question was asked again with regard to our numbers of wildlife and depleting wildlife.

So it is of serious concern if we are going to protect wildlife for future generations in the province. I have no particular hang-ups as to how this situation may be solved, or whether we should, in fact, discriminate against one group or the other, but certainly we have to meet it head-on. We have, in some way or another, to impress upon not only the provinces but the federal Government of Canada the importance of arriving at some kind of solution that will protect our wildlife.

We can't have two sets of hunting regulations. We have that now. We have a set of hunting regulations which, in fact, applies to our Native people, treaty Indians in particular, and we have a set of hunting regulations which applies to other people. This seems to me, Mr. Speaker, a rather intolerable situation which somewhere down the road has to be resolved.

I might just briefly review what the background is with regard to rights of the people who originally resided in this country that we now know as Canada. There are actually three sections of importance that are involved, and these are pieces of federal legislation. One of them is the Indian Act, and in particular Section 88. The other section has to do with natural resource agreements with the province. And finally, there are aboriginal rights under a Royal proclamation of 1763.

Section 88 of the Indian Act, if I might quote, reads as follows:

Subject to the terms of any treaty and any other Act of the Parliament of Canada, all laws of general applications from time to time in force in any province are applicable to and in respect of Indians in the province, except to the extent that such laws are inconsistent with this Act ...

... and that refers to the Indian Act ...

... or any order, rule, regulations or by-law made thereunder, and except to the extent that such laws make provision for any matter for which provision is made by or under this Act.

That's a typical legal dissertation by some lawyer, but in fact essentially what it does is this. This is provided to protect the Native people against incursion of their inherited rights by provincial statutes. I might add that in various cases that have been heard at the provincial and federal level, this section has been continually upheld over provincial statutes. So that is an area that has to be explored further in cooperation with our Native people.

The other section which has to do with natural resource agreements has within it a paragraph which I again might read for the interest of the hon. members.

In order to secure to the Indians of the province the continuance of supply of game and fish for their support and subsistence, Canada agrees that the laws respecting game in force in the province from time to time shall apply to the Indians within the boundaries thereof, provided, however, that the said Indians shall have the right, which the Province hereby assures to them of hunting, trapping and fishing for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians may have a right of access.

Now there have been several cases tried through this particular section. One case was an argument as to whether it applied to Native people who were hunting for food versus sport.

Secondly, the interpretation of unoccupied Crown lands was questioned. In the one case an Indian was fined for hunting on a game preserve. It was ruled that a game preserve was occupied Crown land. However, in another case in which a province unilaterally declared a parcel of Crown land as forest reserve, the case was lost.

Finally, the Royal Proclamation of 1763 on aboriginal rights may restrict provincial statutes, although test cases have not yet gone through the courts.

Now it is interesting to note, Mr. Speaker, that these particular sections, while they apply to provinces, have never applied to the federal government in the exercise of its responsibilities. In other words, federal limitations on hunting by Native people have been uniformly upheld by the courts. It is argued, and has been consistently, that the requirements of the Indian Act and natural resource agreements only apply to the provinces.

I have undertaken to talk to fish and game officials on a number of occasions about their deep concern at what is happening to our wildlife. On several occasions, at their conventions in 1973 and 1974, resolutions have been submitted asking the provincial government in this case to employ urgent measures to ensure that the Native population recognizes the need for game management programs and engages in programs pertaining to such.

Briefly, Mr. Speaker, these are the problems that we face. I don't think there is any point in hiding our heads in the sand and ignoring what the issues are. I think at the present time Mr. Cardinal, president of the Indian Affairs Association, is meeting and discussing some of the problems that are faced with regard to the acts and the sections and so on.

I am hopeful that these negotiations will bring about some compromise or some solution to this dilemma, but I'm not confident that this will happen. I am of the opinion that we must exert extra effort towards in some way or other redirecting legislation - and it can be done - through our Minister of Intergovernmental Affairs and his representations to the federal government on the total urgency of this problem.

The Fish and Game people represent a very large segment of the people of Alberta. They come from all walks of life. They represent both hunters and conservationists. They have a lot of respect and exert considerable influence over the direction in which the province reacts. I can only repeat what Mr. Scammell mentioned last night in our meeting with Fish and Game, that the deliberations this afternoon with regard to the serious problem of differences be done in a very serious and responsible manner. I think the Fish and Game people of the province are entitled to this kind of positive debate in this Assembly, and I suppose in conclusion I would say what the Minister of Telephones and Utilities sometimes says, my case rests.

MR. SPEAKER:

The hon. Member for Drumheller followed by the hon. Member for Pincher Creek.

MR. TAYLOR:

Thank you, Mr. Speaker. I would like to take part in this debate, primarily because it is my honour and privilege to represent a very large tribe of Indians, the Blackfoot Tribe, situated in the Gleichen and Cluny areas.

I must also say as I start, so there won't be any misunderstanding in connection with my position, that I oppose the resolution. I oppose the resolution for a number of reasons and I want to outline those. I agree with the hon. member that it's healthy to have a debate of this nature - to hear all the positive sides on both sides. But in analysing the whole thing, my decision is that the resolution should not be passed.

In the first place the word "standardize" concerns me somewhat. We're living in an age where many people want to standardize everything. They want everybody to live according to a mould that somebody else sets. I don't like that trend in modern day life. I think individual initiative has to be 'unstandard' or not standard in many respects, and that the more we try to standardize everything in our country the more we are going to get into a mould of doing what somebody else thinks should be done. I realize law does standardize things to a degree and I don't think anybody opposes that, but I think we can take standardization too far.

Before I go on to advance my case for opposing the resolution, may I also say that I have the highest regard for the Alberta Fish and Game Association. I'm not a member, but I certainly work very closely with many branches. I have a very high regard for their

leadership, and while I may not agree with everything that comes out of the Alberta Fish and Game Association, I do agree with most of their requests because most of their requests are in the interests of conservation and are based on the fact that game is a crop.

In this respect, if the Alberta Fish and Game Association supports this resolution - I don't know whether they do or not, whether they have ever had this resolution before them or whether the various branches have ever had it before them - but I personally could not support the resolution in the form in which it is now.

I would like to say that historically hunting and fishing constituted the primary source of food for Native people. This is an important point that I think we have to recognize today. The Native people did not farm, historically. They lived off the land. They gathered their berries, they caught fish and they hunted for their food. The hunting, fishing and gathering of berries was actually related to their social and their cultural organization. Take hunting and fishing out of the culture of our Indian people and you take out much of their culture, much of their social organization. Much of their social organization is based on those hunting and fishing rights.

When we brought European eating habits into this country, in many respects we did the Indian harm. I want to cite the opinion of someone who knows much more about this than I do, in the testimony of Dr. F. Tisdall before the Senate-House of Commons Committee on Indian Affairs in 1947. Here, Dr. Tisdall indicated that malnutrition and its effect on Native people largely came from the European eating habits we introduced, and the fact that they forgot or did not continue their hunting and fishing as they previously did. And I quote from Dr. Tisdall's testimony:

The majority of the Indians we saw, according to our present day medical standards, were sick. They were not sick according to lay opinion, but when we examined them carefully from the medical standpoint, they had so many obvious evidences of malnutrition that if you or I were in the same condition, we would demand hospitalization at once. ... In trying to find out what was at the bottom of this situation we studied the food which the Indians had. We found, according to our present day standards, the Indians received a diet which could not possibly result in good health.

The condition noted there was that the Indians were getting away from the food they hunted, the food they fished for and the food they gathered, and had started using European dietary patterns.

Then I go on a little bit further - not the same statement, but in reference to a similar case in Saskatchewan, Regina versus Sikyea, in which Mr. Justice Johnson said, and I want to quote from his judgment:

The respondent is an Indian and a member of band No. 84 under treaty 11. He had contracted tuberculosis in 1959 and had been sent out to Edmonton for treatment. Since his return he had been unable to work and he and his family had been receiving welfare assistance. ...

I go back to Dr. Tisdall's statement, "The conditions noted above in the testimony of Dr. Tisdall are, in part, a result of the disruption of traditional yields from hunting and fishing ... " and I think that is a very important point.

In connection with the testimony that I would like to go a little bit further on: I would like to continue the quote, "Our chief difficulty was the apprehension that the hunting and fishing privileges were to be curtailed ... ". Correction - could I start this again? In considering Treaty No. 8, the commissioners made this statement, and I quote:

Our chief difficulty was the apprehension that the hunting and fishing privileges were to be curtailed. The provision in the treaty under which ammunition and twine is to be furnished went far in the direction of quieting the fears of the Indians, for they admitted that it would be unreasonable to furnish the means of hunting and fishing if laws were to be enacted which would make hunting and fishing so restricted as to render it impossible to make a livelihood by such pursuits. But over and above the provision, we had to solemnly assure them that only such laws as to hunting and fishing as were in the interest of the Indians and were found to be necessary in order to protect the fish and fur-bearing animals would be made, and that they would be as free to hunt and fish after the treaty as they would be if they never entered into it.

That brings me to the next point I want to emphasize and that is the sanctity of these treaties. I think we expect our Indian people to live up to the treaties and surely we don't want to be in a position where we start breaking the treaties several years after they have been made. The Indians were assured, not only by the treaty, that they would be able to continue to hunt and fish in the way they traditionally did, but in addition to the treaty, as the commissioners pointed out, they were given the assurance that there

would be no laws passed that would restrict them in that privilege except to conserve the fish and to conserve the wild animals. To that, the Indians had no objection.

I think conservation, which is emphasized by the Alberta Fish and Game Association, is a very important item in this particular resolution. Conservation is also a very important item with our Indian people. Hunting and fishing is taught to our Indian boys and girls, but particularly the Indian boys, along with their religion. Along with their religious instruction they receive instruction on hunting and fishing. So an important part of their culture is hunting and fishing.

In my view to pass a resolution suggesting that we should standardize this, that we should interfere in any way with the hunting and fishing privileges given by our treaties to our Native people, to me would be a very serious thing and actually could be considered by many Indian people as a mockery of the treaties themselves.

I think there are ways and means of dealing with this matter. I like the one that was suggested last night, and referred to by the hon. Member for Lacombe, when Mr. Scammell, the president of the Alberta Fish and Game Association said they were carrying out negotiations in regard to reporting the number of deer, the number of fish - the number of animals that were killed, the number of fish that were caught and the number of birds that were shot. I have no objection to that. I think that is the way anything in this particular area should be done, through negotiations with the Indian people and negotiations with the Indian association so they can make a contribution toward this matter of conservation and make a contribution also toward the matter of dealing with the rights they have been given and which they want to retain.

I have been in touch with some of the Indians in my constituency, not with all of them by any means. But generally speaking, the Indians would look with fear and apprehension on any move to take from them their privilege of hunting and fishing.

While we may think that European eating habits have taken over predominantly among our Indian people, such is not the case in hundreds of cases. They are still not farmers, they still depend on the land for their meat. With their income, if they had to buy meat in the butcher shops, the meat diet would be very, very sparse indeed, if any at all, for hundreds of our Indian people. Consequently this is a matter of everyday economics, of bread and butter with our Indian people.

There are a number of court cases in connection with the Indian rights under the treaty. I'd just like to quote from the Court of Appeal for the Northwest Territories which gave full recognition to the existence of Native hunting and fishing rights. This was in the case of Regina v. Sikyea, which I mentioned partly a few minutes ago, and I quote. This is from the Court of Appeal.

The right of Indians to hunt and fish for food on unoccupied Crown lands has always been recognized in Canada - in the early days as an incident of their "ownership" of the land, and later by the treaties by which the Indians gave up their ownership right in these lands.

When we say to the Indians, you give up this land and you will get certain things in return, including the right to hunt and fish, not to hunt and fish as and when you wish to do it, but using it for food - then it would be a very serious thing indeed if we now wanted to change that basic right which was basic to the treaties we entered into with our Indian people.

These treaties have symbolic connotations to the Native people. They look upon the treaty as all they have in return for giving up this tremendous land in which we now live. I think we have to recognize those treaties to the nth degree.

I'd also like to say in closing that the resolution gives the possibility of pointing out some deficiencies that may have resulted, through the years, from this privilege. I don't know of any Indian or any Indian association that is not prepared to sit down and discuss how we can better conserve our animals, conserve our fish and conserve our berries, without taking from them the right we gave to them when they surrendered their land to the white people of this country.

So, Mr. Speaker, I would like to register my vote against the resolution and say that as long as the rivers continue to flow and as long as the sun continues to shine - factors which determine the length of time we keep the land the Indians gave to us - that long should we also honour the treaties which replaced that ownership.

MR. DRAIN:

Mr. Speaker, it gives me a great deal of pleasure to make some remarks in regard to Motion No. 1 which was put on the Order Paper by the hon. Member for Lacombe. However, in the very interesting discourse we had on this subject, which included the remarks of the hon. Member for Drumheller, I do not believe there has been a great identification of a

serious problem. Incidentally, I did research this particular resolution, much to my dismay. So did the other two hon. members. So it would be quite pointless for me to speak with conviction on the Royal Proclamation of 1763 or the treaty of 1827, or Section 88 of The Indian Act when it has already been adequately covered by the hon. members. Hence I will have to pursue another theme and look back at the historical background of the Indian people.

I would say, prior to the coming of the white man, the Indian was in total balance with the ecological system of Canada or of North America. Basically - contrary to one remark by an hon. member - he has predominantly followed an agricultural type of existence to a great degree, especially in the eastern parts of Canada and the southeastern parts of the United States. However, with the coming of the white man and the introduction of horses and guns the Indian was able to devote more of his time, far more successfully, to the pursuit of hunting. This then created, certainly, a greater load on the part of the Indian on the amount of game available.

However, in spite of the intent of this resolution, I do not believe that the Indian can be charged with the extermination of any type of game in the Dominion of Canada. Nor can the Indian be classified as a fun killer, which is one of the things you can attribute to the white man.

I refer you, Mr. Speaker, to one of the notes I have left out of the debris I have [here containing] the previous ones. I refer to a newspaper article in October, 1884 to illustrate my point in relation to the destructiveness of the white man:

... a Canadian Pacific tri-weekly train from Calgary to Winnipeg was boarded at way-stations by passengers loaded with rifles, saddles and other equipment till it was crowded to capacity. Inquiry elicited the information that seven buffalo had been reported in the Cypress Hills ...

Visualize this, Mr. Speaker, seven buffalo - the last seven buffalo in the Cypress Hills and the eager white hunters climbing onto the train loaded with their rifles, saddles and guns. These weren't Indians, these were white men, Mr. Speaker. So if there are any 'mea culpas' in the matter of hunting, I think they are certainly on the white man's side.

... This was undoubtedly the last remnant of the vast herd which had once roved the prairies of Western Canada, and inspired by a desire to slaughter, at least fifty and probably one hundred, hunters immediately started for the town of Maple Creek, as being the nearest station on the Canadian Pacific - then the only railway in what is now the province of Saskatchewan.

It is gratifying to note that, so far as is known, these sportsmen were unsuccessful, and this small herd survived for several years.

So there is sometimes a tendency to cry alarm about very unsubstantiated situations. The matter of a newspaper article, in which it was reported that moose were being killed along a roadway by Indians, was brought to the attention of the Legislature. I know this very well, that if the Indians in my constituency decided to exercise their prerogative to hunt, they could unquestionably kill off all the game in very short order. This makes me believe that they are exercising a certain degree of responsibility. Unquestionably.

The only reports I have had were to do with the matter of sheep and this goes back some 20 years ago when there was a considerable killing of sheep. So definitely it could be a problem.

The answer, in my view, is not the resolution which in fact would result in the abrogation of a sacred contract that was entered into in good faith and should be totally respected. The answer would possibly be one of raising the standard of living of the Indian people where this is a serious situation. Despite all the tales of the delectable advantage of eating wild meat, anyone who has tried that and T-bone steaks will always go for T-bones, after the second or third helping. They may get carried away and fantasize, but if they eat it long enough they certainly will reject it.

To regard the Indian as a killing machine equivalent to the white man is very wrong. If you travel among the northern Indians and contact them you find that their weapon of hunting is a .22 and a .22 short. And they look at the white man with his monstrous gun and they laugh. Mind you, their methods of killing may not be as immediate, but nevertheless they are effective.

So, Mr. Speaker, with these brief remarks, and with regret that I cannot quote the Royal Proclamation of 1763, or Section 88 of The Indian Act, or the 1930 agreement between the Province of Alberta and the federal government on the turnover of the resources, I would say that the answer is not in a resolution such as we have before us. The answer lies in raising the standard of living of the Indian people, communicating with them, and making them jointly aware of their heritage - which is also now partly ours - and thereby, through this process of education, permitting an understanding between the two



MR. DIACHUK:

Thank you, Mr. Speaker.

The question of the resolution is not new. We know that the federal-provincial wildlife conferences in Canada have, over the last number of years, had many discussions that centre around what the hon. Member for Lacombe intended in his resolution. It was just as recent as several years ago - at the wildlife conference in Toronto in July, 1971 - that several proposals were made by this joint conference. Some of the proposals were that the federal-provincial agencies be encouraged to cooperate to improve public understanding of the effect of hunting, that the Canadian Wildlife Service information and interpretation programs give recognition to the problem of hunting, that the Canadian Wildlife Federation take the problem into consideration and assist in the program to improve the public image of the Canadian hunter.

Out of this conference and following these suggestions, Dr. John Tenner of Ottawa accepted chairmanship of a committee of which even Gordon Kerr of our provincial services was a member. They presented some reports the following year, in 1972, at which time further discussions took place. So we have some of this discussion taking place already. The resolution encourages the province to consider making a request that a more specific federal approach be taken to standardizing wildlife hunting.

Will you consider the pros and cons of the hunter and the farmer, when you consider the question of the posted "No Hunting" signs in and around the urban areas? What takes place?

What takes place is that the hunter, whether he be a sportsman or a hunter who sincerely wants to gain some required meat for his family through the methods there are, has to go into the more outlying areas. Then we get a congestion of hunters. The pressure of association versus association - there are farmers' associations versus fish and game associations, both with the same intent, both with the same purpose, to try to preserve the resource we have here. It's a natural resource also, in a way, a depleting resource.

To just hope - and this is what I construe from some of the addresses made by the hon. members of the opposition, Mr. Speaker - that this problem is going to be resolved by itself, I can't accept. I feel we must discuss these types of problems in the Legislature. We must face these problems facing our future citizens. It's possibly very well for the hon. Member for Drumheller to point out that he is a friend of the Native people, a friend of the Fish and Game Association people. However, as I look at it, the way our wildlife is being managed we are placing some problems in the future. This is because of the inroads our society is making into the natural habitat. The hon. Member for Sedgewick-Coronation points out what is happening to some upland birds. They are just being depleted totally, possibly because their habitat has been totally destroyed, possibly because there isn't standardized or fair hunting.

As you can appreciate, we have different quotas from one province to another, but over the last several years I have been given to understand that even to set quotas our provincial counterparts sit down and discuss these in the months of July and August, before the seasons are open. Therefore, we are starting to look at a standardized approach to wildlife hunting.

I appreciated the conference in 1973 in Ottawa when I represented the hon. Minister of Lands and Forests. The theme was Man and Resources. It is interesting that at no time did the participants at this conference look at wildlife as anything other than a resource in our nation.

Therefore I support the broad resolution that the hon. Member for Lacombe has introduced. It doesn't restrict us. I really would hope that we do not belabour the question of the Native people depleting the wildlife. I think we must look at what is happening with hunting regulations and hunting procedures across our nation.

Thank you very much, Mr. Speaker.

MR. SPEAKER:

May the hon. Member for Drayton Valley revert to Introduction of Visitors?

HON. MEMBERS:

Agreed.



## INTRODUCTION OF VISITORS (CONT.)

MR. ZANDER:

Thank you, Mr. Speaker. It is a pleasure for me to introduce to you and to the Assembly, the President of the Alberta Association of Municipal Districts and Counties, Mr. Whitehead, and directors Mr. Miller and Mr. Wigmore. They are seated in the members gallery. Would they please rise and be recognized by the Legislature.

## MOTIONS OTHER THAN GOVERNMENT MOTIONS (CONT.)

MR. SORENSON:

Mr. Speaker, in rising to speak to this motion, I might say that it is an area of great concern to me and to many of my constituents. I have a recent letter from the president of the Fish and Game Association, or one of them in my constituency, the Iron Creek Fish and Game, stating his concern for the diminishing numbers of wildlife. I'm a member of the group. I realize the disciplinary action that they take against their own members who sometimes kick over the traces and do some foolish things as far as hunting and shooting are concerned.

First of all, Mr. Speaker, let me say that Native hunting rights are of the utmost import to both the Indian and the white population of Alberta. To the Natives, hunting rights have a great historical significance. It was one of the privileges granted to them under the great Treaty No. 6, and all subsequent treaties for surrendering vast tracts of their land.

Aside from this historic tradition, there is the very intrinsic value of these rights to the Natives as a means to a source of food. I was pleased to read just recently that 200 buffalo have been taken from the Wood Buffalo National Park and given to the Indians - two hundred buffalo, and they were given as food to the Indians. It was the white man who went about cleaning out the buffalo and for many years the Indian would not shake hands with the white man with the right hand because it was the right hand of the white man that pulled the trigger and diminished the wildlife.

The Native people themselves are concerned about our wildlife population, and they deplore any of their number abusing this privilege. In a brief they are presently working on to present to the federal and provincial authorities, the Native people have expressed the desire to become involved in game management. This could be done in several ways without altering their treaty rights. They should be regulated by being given a free permit so game management people know how many Natives are hunting and where. On this permit could be a marking system where Natives could record their kills as to location, species, sex and date taken.

Part of the problem stems from the fact that many Natives find it difficult to relate to white game officers. This situation could be improved by the hiring and training of Native officers who could help the Natives in their game management program and communicate easily with Native hunters in their own dialect. Such officers, of course, should have the same training and powers as any officers in the Fish and Wildlife branch.

Mr. Speaker, I believe that we should regard the rights of our Indian people as inviolate and be more open to some of the excellent suggestions they themselves have offered. Good wildlife management requires some regulation and our Native people realize this and are willing to cooperate. We ought to call upon their expertise and accept their willingness to cooperate in tackling the problem of game management.

I have tried to make a few points. I am going to close and give other hon. members a chance to participate.

MR. SPEAKER:

The hon. Member for Highwood followed by the hon. Member for Calgary Mountain View.

MR. BENOIT:

Mr. Speaker, I only want to make a few comments and will begin with the wording of the resolution. I don't want to seem 'picky' because I would be the last person to criticize a wording if one can make it clear what is intended, regardless of what the wording is.

But there is a bit of a problem to determine exactly what happened and I will give an illustration to indicate that the wording may not be clear. "Be it resolved that the Province ..." - presumably that is the Province of Alberta and probably it would be the government who would be doing it - "... consider making a request to the Federal Government to standardize wildlife hunting rights ...".

Mr. Speaker, the hon. Member for Drumheller I think was correct in suggesting that the word "standardize" could mean a number of things in this particular instance, but we will assume that it means to make it the same for all people. "Wildlife" is presumably big game because the federal government already has control of waterfowl; and "hunting rights" - I don't know whether that means hunting laws or their rights for all people. When it comes to that, I don't know which way it is supposed to go, whether it is for everybody to go the way of the Indians or whether it is for everybody to go the way of the white man's law - "for all the people of the province" - that is presumably the province of Alberta.

Now, Mr. Speaker - "for all the people of the province". I don't know how the Indians got involved in this debate because the word "Indian" does not occur in the resolution, and that seems to be the bulk of what we've been talking about - the Indians - but the word Indian doesn't occur.

Now, Mr. Speaker, because so many have talked about the Indians and their right to hunt on unoccupied Crown lands, I don't think we will have to change the law or the rights of people very much, for very long, because unoccupied Crown lands are becoming scarcer from day to day. And it was very interesting to see the reaction of the Western Stock Growers Association at their convention a little earlier this year when the hon. Minister of Agriculture just about scared the wits out of them by asking them a question: what would they think of Crown lands that are presently leased being sold? He couldn't have done any more to scare them by dropping a bomb than by asking that question. Whatever was intended to be conveyed by that, we must remember that Crown lands may not be too many, too long. And I don't think, if we are talking about the Natives, that they have too much land to hunt on now.

Something I was very interested in, Mr. Speaker, in the observations that have been made, is the matter of conserving and protecting a minority culture and religion and diet. It was mentioned that we need to give consideration to the rights of these minority groups, and at the particular point in time Indians were being mentioned.

But I often wonder whether we are interested in all or just some. These minority groups and the protection of their rights and culture is always a matter of opinion, and of course it is a great revelation of consistency or inconsistency of human and divine character when you begin to talk about it. Some people are very interested in conserving, and preserving and protecting the culture and religion of the Indians, but it's a different story when we are talking about the culture, the religion and the rights of other minority groups. We have Hutterites, we have Jehovah's Witnesses, we have Seventh Day Adventists and we have Hindus, and all of these people have certain religious rights and cultures. We like to preserve some, but others we would like to put a law against.

The kind of preservation, conservation and consideration we want to give to one should be given to all if we are consistent. I have heard people talk about the rights of the Indians to hunt all they want, but they have strongly condemned the rights of the Hindus to not destroy any cattle. They have blamed some of the poverty and the plagues of India upon the Hindu religious right to refrain from killing the animals. We are strange creatures ourselves, Mr. Speaker, and I think that what we have to try to figure out is how far we are prepared to go to do the things that we claim should be done, the things we do in the name of politics sometimes.

There is a question that needs to be raised with regard to this matter of hunting rights of all the people of the province. And I don't know whether we want the federal government to be telling us what the hunting rights of the people of the province are. It is bad enough that the provincial governments have to inflict themselves upon the people without asking the federal government to inflict itself upon the provincial rights of the people of the province.

But what we need to consider is what advantage some people have taken and what improprieties have been perpetrated on humanity in the name of culture, religion and rights in our country. Under the guise of religion and culture, many people have broken the laws of the land and we have to ask ourselves, can we tolerate the violation of the laws indefinitely in order to accommodate the culture, religion and diet of a thousand minority groups in a cosmopolitan country like Canada?

Should our laws be such that every group has the opportunity and the privilege to practise its culture and its religion without being interfered with? If the laws should be such, then let us make them and we can make them here in such a way that they have that right. I think we tried to do that when we put in The Alberta Bill of Rights back in 1946, 1966 and 1972, but we are not always practising what we put into our own laws.

Mr. Speaker, with regard to the resolution as it stands, I'm not certain that I have all that much objection, if I understand what the resolution means. But if it means that we are going to try to take away the rights of some people who have received those rights by agreement, then I am opposed to it. If it means we are going to put greater restrictions upon all peoples' hunting rights, then I say I would favour it, because I believe that we need to conserve our wildlife.

So, Mr. Speaker, until I have clarification of some of the details of the resolution as it is worded, I withhold my right to express myself for or against the resolution for the time being.

MR. LUDWIG:

Mr. Speaker, in rising to make a few comments on this motion I support the views expressed by my honourable colleague from Drumheller and the hon. Member for Highwood. If the motion were sent to Ottawa in its present form, I'm sure the Members of Parliament, who are very concerned about the rights of the Indian and his future and the fact that he has been gradually losing ground, would have to write back to us and tell us what this is all about and give us some specifics. Well, that is what the honourable mover should have done; outline exactly what he means. I am disappointed that not only did the hon. member move the motion and then give us very little on which to base our opinions, but he left for the major portion of the debate, Mr. Speaker. If he has that little regard for his motion he shouldn't put it on the Order Paper.

SOME HON. MEMBERS:

Hear. Hear.

MR. LUDWIG:

The question of standardizing of hunting. Now, I for one would sooner not hunt any more than feel that some Indian was deprived of a meal or a means of livelihood. We can adjust ourselves. We don't have to rely on game for food. As the hon. Member for Pincher Creek-Crowsnest stated, this is sport and fun and enjoyment for us sometimes. We have to know where to draw the line and perhaps push the Indian to where he hasn't got the wherewithall to live through the winter whereby some white man may like easier hunting.

I am not saying that we should not be careful to see that the Indian does not abuse his hunting rights. Normally he would not. He is dependent, and has been dependent from time immemorial, on game for a means of living, for his livelihood. We should respect the Indian insofar as he is prepared to use game for the purpose that it is, at the present time, intended.

I think that motion in itself, Mr. Speaker, is not good enough for us to support and send anywhere. I don't wish to amend it, Mr. Speaker, because the only way this motion can be amended is to reword it entirely and perhaps amend it in such a manner that you would have, in fact, a brand new motion. I believe the rules don't allow it.

So not only is this motion not supportable, it's not amendable. I think we ought to call for a vote and give the hon. member the benefit of the remarks we have made. Maybe he can go back and word a better one because, since he moved the motion, I'm sure he sought advice.

One of the interesting developments with regard to Indian rights, and I believe this motion affects them, is that a number of prominent people, Mr. Speaker, have now risen to the defence of the Indian and have given judgments to indicate that the Indian does need some people who will express concern on his behalf. I was amused when some hon. member explained that the Indian for many years would shake hands with the white man only with his left hand. If he heard some of the hon. members speaking opposite he wouldn't shake hands with them with any hand. You wouldn't be able to blame him because the motion is quite harmless and meaningless but sometimes the remarks we make here are the things that cause us a lot of concern.

I subscribe to the fact that most hon. members on that other side would not think of encroaching on the rights of the Indian, but the expressions of opinion of some of the hon. members indicate that it's a good thing the Indian isn't under their jurisdiction or control or he would be leaving the country. So it's that part of the debate, Mr. Speaker, that I want to take issue with. It's not the motion so much, because as I stated, it has very little meaning and I wish somebody could add something to it or take away from it so that we could have something meaningful to send to Ottawa if the thing is passed. The way it is now, the Members of Parliament - and I'm sure a lot of them perhaps belong to the same party that represents the government at the present time - would wonder whether the Indian should bypass dealing with these fellows and deal directly with Ottawa.

With those few remarks, Mr. Speaker, I can't vote for this motion because it would be sort of supporting something that would have no beneficial impact and could lead to an

embarrassing reply from those members of Parliament who perhaps have a serious concern about the future of the Indian, his hunting rights and all the rights that the Indian has.

Thank you, Mr. Speaker.

MR. SPEAKER:

Perhaps I should point out that the hon. Member for Calgary Foothills is next, and perhaps I should point out that, as hon. members know, on Thursday at 4:30 we go to public bills other than government bills.

MR. McCRAE:

Thank you, Mr. Speaker. I would just like to comment that I would like, on next private [members] day, to speak to this bill. Just prior to moving adjournment I would like to thank the Member for Calgary Mountain View in that he didn't offer us one of his amendments to a motion today, which would certainly not have clarified a problem that we may already have with the motion.

With that remark, sir, I would like to move adjournment of this particular debate. Thank you.

MR. SPEAKER:

May the hon. member adjourn the debate?

HON. MEMBERS:

Agreed.

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

Bill No. 200  
An Act to amend The Ombudsman Act

MR. LUDWIG:

Mr. Speaker, in opening debate on the principle of Bill No. 200, I would like to state that this is probably the fourth or fifth time, if not more, that I have raised the issue of ombudsman in this Legislature. I believe that with recent events in Alberta, with circulation of the bill and the remarks I made in support of the bill last session, I'm pleased to report that interest and support for the extension of the jurisdiction of the office of ombudsman to deal with local governments, that is municipal governments and school boards, is growing. I have received some very favourable comments from offices of aldermen, mayors and others. I have received some opposition. I do not believe that a reform idea or an extension of an idea like this will ever be passed without some opposition. In fact, some good opposition to an idea like this gives more incentive to the people who support it to bring it about.

I am pleased to say that a lot of mature and experienced administrators in the local governments have expressed interest, and some have expressed outright support. There is a bit of a problem as to implementation, as to how the extension of the jurisdiction of ombudsman to deal with local problems would be implemented. Now there is more than one way to do this and I'm not going to be sticking to any one procedure, but looking at what's happening throughout the province and the fact that city representatives - aldermen - are recommending that perhaps we should have local ombudsmen.

I would like to make one observation that we ought to take into account rather seriously. We have, throughout the years, established the office of ombudsman. It's now seven years approximately, not quite seven years, since we established the office. The office has gained prestige, respect and recognition in this province and throughout Canada and North America.

Now there would be nothing worse, Mr. Speaker, in my opinion, nothing more detrimental to the honourable office of ombudsman in Alberta, than to have 15, 20 or 30 or more local ombudsmen appointed for whatever reason. The confusion from that would be quite bad. It would undermine the position of the present Ombudsman because if someone had a complaint he would say, do I complain to the Alberta ombudsman, do I complain to the Calgary ombudsman or do I complain to the Strathmore ombudsman or the Cochrane ombudsman or anyone? Now this would undermine the office of the present Ombudsman. For that reason I

would like to recommend that if and when this legislation is passed, we try to have the jurisdiction of the present Ombudsman's office extended to deal with complaints against local authorities.

There are good reasons for that. I'm not saying that it can't be played any other way. But there are pitfalls and we should try, if we're going to experiment at all, Mr. Speaker, to play it as safely as possible.

I have experience in talking to local representatives, aldermen, school board members, and I find their biggest concern is the question of local autonomy. I have stressed before and will continue to do so, to show that an ombudsman - as the office is known in this province, as has been set up elsewhere, and as I am recommending in my bill - has not the jurisdiction to overrule any decision of local government. It doesn't matter what a local government does by way of decision-making. The ombudsman cannot overrule it. Therefore because he cannot overrule any decision, he does not encroach on local autonomy. I find that those aldermen and school board members who get this clear in their minds are quite prepared to see the office implemented. But many of them still feel that this issue has not been clarified to their satisfaction. I am continuing to do it and I find that I'm gaining considerable ground. I wish to point out that it took me four different years of pressure, agitation, lobbying and talking to convince the Social Credit government to implement the legislation that we have now.

I think that my remarks at the present time are coming at a rather unusual and interesting time, Mr. Speaker, because we have now had a period of time in Alberta to assess the office of ombudsman. I'm not going to go into the worth of the office. I believe that this government and the previous governments have shown that they hold this office of ombudsman in the highest regard. This is borne out by the fact that we have had Ombudsman McClellan here for six years or better, and that we took great pains in selecting the best man we could find at the time. The fact that this present government has taken steps to try to find the best man they can, perhaps at considerable expense of interviewing applicants, to find the best man they can to continue the provincial office of ombudsman, certainly almost unanimously endorses the high regard that we have for the need and the worth of that office.

I don't think there's any selection of any other employee or official that is done with such great care and concern for the well-being of the public and the desire to get the best possible than with that of the ombudsman. We've shown it. We've advertised, we set up a competent committee and it went to great pains to select an ombudsman. I don't think we need to take any more time in this Legislature to debate the merits of having an office of ombudsman to deal with complaints of people.

Now, when we deal with the question of local autonomy, I don't think that anyone in this Legislature, Mr. Speaker, who has had the benefit of hindsight and looking at the provincial Ombudsman can say that he in any way affected the autonomy, the jurisdiction or the sovereignty of the Legislature. There is no way that he has affected any decision except to give somebody a brief word or two to say, maybe you can smarten up a little bit here. No person in government would object to that. It's much easier to have someone impartial tell a department that things aren't quite as good as you think they are than to have some back-bencher tell them, you're great. It doesn't solve anything. I think that the Ombudsman has played a tremendous role in enhancing the prestige of the administration, of the civil service. I'm saying that this is bound to happen if we treat the issue seriously. It's bound to happen. It happened in other jurisdictions where the senior civil servants fought the idea and then found out that they had a friend indeed.

I'd like to go back to the example given by Sir Guy Powells from New Zealand that when the civil service in New Zealand found out that the ombudsman absolved them of about 80 per cent of complaints from the public it made them look at lot better and it made them try to be worthy of such recognition. It's easy for the bureaucracy and the civil service to be damned by the public. But when they know that there's someone who could point out to them that this shouldn't be done, or this ought to be done, or that's a no-no and let's see if we can smarten the thing up, I think it's in the interest of all the people.

I'm just giving this in an effort to try to discourage those who will stand up and scream local autonomy. To make another point about local autonomy of the ombudsman, I would say that if a person wanted to set himself up as a self-appointed ombudsman to deal with complaints against local government, he could do exactly what the present Ombudsman does except he would not have the authority to investigate. He could handle complaints and publicize complaints and go to bat for aggrieved individuals, and he requires no law to do it. If that would not affect local autonomy how would an ombudsman who has the right to investigate and to check to see if there's something, some nonsense, some arrogance or some maladministration or what have you? How would that affect local autonomy?

I dealt with one mayor who was so vehement about this thing that I came to the conclusion that he felt that if anybody complained to anyone else about him, that would affect his autonomy. But he is entitled to his views.

When I stated, Mr. Speaker, that I'd received a lot of encouraging support from people in public office at local levels - I would like to read some letters. These honourable people who wrote in would not mind at all letting it be known that they favour the idea of the office of ombudsman. I think that they're quite open about it. I'd like to state first that the ...

MR. SPEAKER:

I apologize for interrupting the hon. member. It's true that there has been some considerable reading of references done in the House in the last while. But with great respect, it seems to me that the opinions which are to be expressed in this House are the opinions of the hon. members rather than those of experts, howsoever impressive the books might have been that they might have written. If the hon. member wishes to adopt other people's opinions and make them part of his speech he is entitled to do so, but although there is no hard and fast rule about how far one may go, there does have to be some reasonable limit to the reading of quotations.

MR. LUDWIG:

Mr. Speaker, I would like to say this. In wishing to express views of other people in public office I wish to dispel any concern of the hon. members here that maybe local people don't want it. That is my way of trying to convince the hon. members here to support the bill.

MR. SPEAKER:

There is no problem in the hon. member saying who the people are or how many there are and so on. What I'm suggesting is that it is the elected members of this Assembly who express their opinions here. The opinions of those who are not elected here are not entitled to the same consideration.

MR. LUDWIG:

Well, Mr. Speaker, I appreciate your concern. But I also wish to state, with the utmost respect, that almost everywhere, every Hansard I read throughout the country, quotations from individuals or from texts are used in support of one's argument. I could not read here indefinitely because there is a limited amount of time. I would like to present my case to the hon. members here as best I can. I certainly feel that one ought not to read at length and read everything, but when I have some hon. members here stand up and try to play it lightly that local people don't want it, then I'm entitled, Mr. Speaker, to show that perhaps there is a need for this.

I would like to be permitted to read some of these things. It's my responsibility as to whether I have permission or not, Mr. Speaker, from the honourable people who wrote me the letters. I didn't want to be misunderstood that I'm challenging your expression of preference, Mr. Speaker. In making my remarks in support of the bill, I believe that the hon. members here would want to know whether there is any concern at the local levels about this. I would like to proceed that way, Mr. Speaker, because this way I feel I would not be able to present the strongest case possible in support of my bill.

MR. SPEAKER:

By no means do I wish to restrict the hon. member unduly at all. But it seems to me that he can effectively do what he wishes to do now without reading a long series of letters from various parts of the province, from persons who are not elected members of this Assembly and who are therefore not entitled to take part in the debate in this Assembly directly or indirectly through their letters. It would be quite open and available to the hon. member to say who the people are who are supporting his point of view, how many there are, or anything like this. But to read a long list of letters I would submit is not an appropriate - that is to say, to read the texts of a considerable number of letters is not appropriate to debating in the Assembly.

MR. LUDWIG:

Mr. Speaker, I appreciate your apprehension. It was not my intention to read a long list of letters or read long letters, Mr. Speaker. So I would beg leave to proceed.

I would like to state that the office of the Mayor of Red Deer wrote me a letter. His Worship expressed the view that it's a good idea; he would like to see the office of ombudsman implemented. The City of Edmonton - His Worship Mayor Dent has expressed interest. I have received letters from some aldermen of the City of Edmonton indicating support for the idea - some have some concern about how it will be implemented. But I am concerned more about establishing the principle of extending the jurisdiction of the ombudsman to deal with local problems, local complaints. The Calgary Board of Education had written to me, Mr. Speaker, and it was considering whether it should hear representations from me directly. I am seeking this opportunity with all those people who

are concerned to perhaps try to convince them that they should have no fear of an ombudsman encroaching on their autonomy.

That is the way one has to proceed when one is of the opinion that an idea ought to be brought into legislation in this House. That is the way I do this thing, Mr. Speaker. Some hon. members might feel perhaps that after raising this issue five or six times, since I am an MLA I might now sort of change the subject. But that is not my intention, Mr. Speaker. If the hon. members want to get behind some idea, do a positive job and try to implement something that I sincerely believe is in the interest of the individual, as has so well proven to be the case with the provincial government, then it is a lot easier to support the issue - even if there is opposition to keep on supporting it, keep on pressing for it, keep on agitating until you win. And that is my intention. I believe, as I stated earlier, that it took me four years to convince the Social Credit government that we should have one provincially. I'd be very surprised if it takes me that long to deal with the hon. members opposite because they've had the benefit of hindsight and experience to see how successful the office is.

They might say, well, each city can decide for itself. Well, the city doesn't have to bother with the ombudsman, Mr. Speaker. It has nothing to do with the city. It has to do with a citizen who feels aggrieved by someone who has authority through our legislation to deal with his property, with his rights, with administering the affairs of local people. So it doesn't deal with any authority the local government has at all. I have stated very clearly that an ombudsman simply has not the authority to overrule anything. I believe that once the local representatives get this idea, there will be no objection at all to it. The biggest obstacle, perhaps, to getting this legislation implemented is that of convincing the hon. members here that nobody is going to be hurt but a lot of people will be helped. And that is the great concern in this bill - to help a lot of people, to provide additional channels of complaint for them. So that is the reason I will persist and keep on and hope to add from time to time until we have succeeded.

It often isn't easy to convince a group that perhaps has not had the opportunity of studying this thing at great length. But as I have stated, Mr. Speaker, I would be very disappointed if the hon. members started debating this issue by dealing with the merits of the ombudsman. That issue ought to be settled in this House once and for all. I am sure that when we appointed the provincial ombudsman last time, it was a unanimous vote, it was a unanimous, non-partisan vote. I am convinced when we read of the qualifications of the present ombudsman that his appointment will be unanimous. So I would like to urge the hon. members not to get into that business of, who needs one. If we don't need one at local levels, we don't think the people deserve it when they have some grievous complaints, then maybe we should look at what we have.

Somebody might say that the provincial government is big government. It is big government. The budget is big. The staff is big. Ministers have to delegate a lot of responsibility and individuals are dealing with the affairs of individuals. As long as that happens, we will always have the problem of complaints - frivolous, legitimate, genuine or otherwise.

The same thing happens at the local level. Some of the cities are as large in their budgets, staffs and operations as this government was just not too long ago. So it's this increase in size of cities, in their responsibilities - the responsibilities that we gave them - and in the manner in which they operate under our legislation that has caused concern to local people that perhaps they need some additional channel of complaint in dealing with their problems.

I am sure that ministers will often get complaints which should properly be made against someone independent or someone in the city about a city decision, a city administrative decision, or the actions of someone employed by the city. Some aggrieved person wants a remedy and he doesn't know where to turn so he will phone a minister. He will phone his MLA and he'll write to the ombudsman but he will be turned down because the ombudsman has no jurisdiction. I believe that it is just as much our concern whether a citizen is aggrieved locally on some issue affecting him as it is our concern if he is aggrieved with reference to the provincial government. Now one might say, if it's a local matter, if he can't get a settlement, let him go to court.

One of the reasons we appointed the provincial ombudsman, Mr. Speaker, is that court action isn't always available to everybody. Some people would sooner knuckle under and forget about their problem and their fight with city hall than hire lawyers and pay fees, take time and worry about the outcome of the proceedings. They sometimes back off. We don't want that to happen. We should make it easy for those people to be heard.

That principle has been endorsed and I don't need to quote the things that I spoke about in the last session because the things that I said are on record, Mr. Speaker. But the support for what I am saying is quite obvious in that as government gets bigger and delegates more power, more authority to its employees, problems arise that affect citizens and they are pleading for a remedy.

One of the great innovations of recent times which establishes a great need for ombudsmen, for a means of complaint at local levels, is these phone-in programs. People will phone in and complain bitterly about the mayor, about some employee. They get a sort of off-the-cuff reply because the people who run these programs cannot investigate. The fact that publicity is given to grievances sometimes helps, but there ought to be more. The people deserve a better break than just being able to air their grievance on the air and treat the matter as closed.

The need for an additional channel, an additional procedure, to handle grievances of local people has been established. I referred to it in my debate in the last session. I have quoted ...

MR. FARRAN:

On a point of order, Mr. Speaker, I believe the hon. member's time is up. But could I suggest that he have an extra 5 minutes.

MR. SPEAKER:

The hon. member has 30 minutes and he has yet 10 minutes to go.

MR. FARRAN:

In that case, Mr. Speaker, when he comes to the end of his time, could he have an extra 5 minutes to compensate for the time lost during the long procedural wrangle over a point of order?

MR. SPEAKER:

Perhaps we could face that when the end of his time comes.

MR. COOKSON:

Mr. Speaker, could we add ten minutes to that so he could again interpret what he has already said?

MR. LUDWIG:

Mr. Speaker, could I add an extra minute and say everything that the hon. member said in his debate?

SOME HON. MEMBERS:

Hear, hear.

MR. LUDWIG:

Mr. Speaker, I appreciate the concern of the hon. minister from Calgary North Hill. We have a common problem there because quite often I still get complaints against - they say, what is Alderman Farran doing about this? And I have to tell them that the Ombudsman has no jurisdiction to deal with this. So we have a common problem there. So I'd like to get him to support me this time, Mr. Speaker, because last time around, when I read his speech, I was in grave doubt as to whether he would or not. But I'm sure, knowing the hon. minister's concern for the plight of the individual and his support of the provincial Ombudsman, that the extension of the principle to the city is only a logical step and not too difficult a step.

Now when I was stating, in support of the bill, second reading of Bill No. 200, I indicated that I received a number of letters from public officials, elected officials, who were in support, and I must state that I received one from His Worship Mayor Sykes. Our illustrious mayor published the letter ...

AN HON. MEMBER:

You said that last time.

AN HON. MEMBER:

How about Red Deer?

MR. LUDWIG:

... Oh I received one from Red Deer, Mr. Speaker. I believe the hon. member was not present, at least not in mind. But His Worship the Mayor of Red Deer wrote me a nice letter supporting the idea.



I was going to say that His Worship Mayor Sykes opposed the idea very vehemently, but he didn't present any reasons. It's his privilege not to and I replied to him and was very kind about the whole thing. I wouldn't be a bit surprised if, before too long, His Worship Mayor Sykes might be a convert. Whether that's an advantage to any legislation in this province or not, I'm not sure. But we get along in Calgary, even though we disagree with each other. When we need more money from the provincial government we get together.

MR. GETTY:

You've got a lot in common.

MR. LUDWIG:

Now when I stated that there was quite a lot of support throughout the community for this idea, Mr. Speaker, and since this is a political government - and I'm not saying that I'm apolitical - the fact that there is public opinion behind this idea has a lot of merit. It should carry some weight with the hon. members and I want to point out to them that I have got a document here, The Alberta Chamber of Commerce Policy Report for 1973-1974.

It's very interesting to note that this body is certainly involved in all aspects of our government, local, federal and provincial, and it would be interesting to read briefly what they have to say. I'm not going to read the whole thing, the hon. members all have this. But on page 26 of their 1973-1974 policy report they state, under the heading, Ombudsman for Municipal Governments. They set out very neatly in support of the position I'm taking, that the present Ombudsman has been getting complaints against local governments but has no jurisdiction. This is without publicizing that they can do it. Most people know that the Ombudsman has no jurisdiction so they won't complain. But it would be interesting to note, if he had jurisdiction to entertain complaints and make recommendations, that he might have many more complaints than he gets from the provincial government. I believe the closer a government is to the people, the more complaints it would get. But I suppose if I apply that standard, the government we have got now would never get complaints.

So the resolution is very, very strong in support of the stand I'm taking. It says:

Therefore be it resolved that the Alberta Chamber of Commerce recommend to the Government of the Province of Alberta that consideration be given to establishing the function of Ombudsman for municipal governments in Alberta. It is further recommended that there be established either a separate Ombudsman for municipal complaints or a deputy Ombudsman whose sole function could be in the municipal area, but housed and staffed in either event with the present Ombudsman office for greater efficiency.

Well, I'm not taking a different stand from that of the Chamber of Commerce, that we have to take a step on this issue and then find out perhaps by experience that we might have to adjust the idea - it's a reform situation - where we're always looking at means of improving the service. So we should not be afraid of taking a stand, providing the office, extending the jurisdiction of the present ombudsman to deal with complaints against local government, and then getting the reaction from the public and perhaps local governments. I'm very convinced, after contact with local representatives, that the odds in support would be very great.

I just wish to close, Mr. Speaker, in urging the hon. members to treat this matter as seriously as we treated the issue of the provincial ombudsman. It does concern the plight of a lot of people who cannot afford to spend money to have their grievances aired. And as I've stated, it does not matter so much that the grievances may be trivial, they may be small, but all of us know from experience that any time an individual has a complaint it might appear insignificant to a lot of representatives, but to the person who has the complaint it's a big issue. Sometimes a matter of principle is involved and some people stand very high on principle - the actual amount involved may be trivial - but the principle is important and because of the fact that this idea has now been recognized and spread so strongly throughout the world, we should take that step in this province.

When I said we first implemented the office of provincial ombudsman in North America, that is a fact. Six provinces now have one. Nova Scotia took the lead and did provide legislation to give the provincial ombudsman jurisdiction over local affairs, over local governments.

So far as I have been able to determine there have been no complaints or no problems of local autonomy in Nova Scotia. From the correspondence that I had, which was a considerable time ago, from the Nova Scotia Ombudsman I was advised that there appeared no problems and that the complaints coming from local governments equalled those against the provincial government, although when we deal with facts like this we're dealing with a different province, a much smaller province. It is my opinion that if we extended the jurisdiction of the present Ombudsman we'd probably have to give him someone particularly able to deal with municipal complaints, because it's my sincere belief that the complaints

coming from all the local governments, including school boards, would be far greater than the complaints against the provincial government to the provincial ombudsman.

I would also like to urge the hon. members that when they deal with the principle of the bill not to deal with specific sections. If they feel the bill is worth supporting, then vote for it. Take it to committee and amend it there. I'm not pretending that this bill is as up-to-date as it could be, but the same applies for all the legislation we have, Mr. Speaker. Otherwise why do we have such loads of amendments? Everything can be improved, can be changed and for the betterment of the people of this province, as is indicated by the scads of bills we get from time to time, some very minor amendments.

I would also have no objection, if any hon. member on the other side felt interested enough to support this bill, that one of them can move it as a government bill and let it proceed as a government bill. Now some hon. members may laugh, but I don't think their experience in this field is as great as one might wish it were. I'm sure that not all hon. members on the other side are indifferent about the remarks I have made, the concern of the individuals and the need perhaps of extending this principle to local government.

Thank you, Mr. Speaker.

MR. FARRAN:

Mr. Speaker, would the hon. member permit a question?

MR. LUDWIG:

Yes I would, sir.

MR. FARRAN:

Mr. Speaker, through the Chair. Does the hon. member visualize that the ombudsman would investigate all these municipal complaints personally, or would he have an assistant ombudsman or special investigators to help him?

MR. LUDWIG:

Mr. Speaker, I'm grateful for that question because ...

[Laughter]

You know jokes sure go over big in this House, Mr. Speaker, when I see them laughing. They tell their own and can't laugh, but I just rose to answer a question and the hyenas roared. Very interesting. It's a respectable House, Mr. Speaker.

In dealing with complaints, I've made it quite plain on more than one occasion that if you extend the jurisdiction of the ombudsman to deal with local affairs, we may need to add additional staff, perhaps someone who is experienced in that regard. But it would be better if the ombudsman's office was kept as one office in the province and not to proliferate offices through the cities. Also, with the experience the Ombudsman has had, Mr. Speaker, in dealing with problems provincially, and with the background and staff he has developed, and with his experience in investigating, it would be a tremendous asset in dealing with local problems. So it would be easy to get a deputy or get additional staff, of whatever nature he would require, to take on the additional matter of complaints from cities. But as I stated, I was not sticky as to whether it should be by a deputy or additional staff or two; or maybe one to deal with school boards and one to deal with municipalities. That is something that can be worked out. The main thing is to determine whether we want to extend the jurisdiction of the ombudsman's office to dealing with local authorities.

I want to make one more observation. In the event that complaints against the province trebled, for instance - there are a few - we would have to look at maybe getting additional investigators. If the ombudsman could not handle the volume of work you would have to get deputies. It is like some departments where they find the minister can't handle it, and they have been added to or even split up sometimes. But I am urging the hon. members to consider this as the next step, the logical step towards reform in this area, and there could be some experimentation.

AN HON. MEMBER:

Another question?

MR. SPEAKER:

If there are going to be any more questions of the hon. member it will be necessary for him to have the leave of the House to extend his time.

SOME HON. MEMBERS:

Agreed.

MR. LUDWIG:

I am willing to entertain questions, Mr. Speaker, if they wish to give me some ...

AN HON. MEMBER:

No.

MR. SPEAKER:

... [Inaudible] ... who are now seeking the floor wishing to ask questions. If not, I'll recognize the hon. Member for Drayton Valley.

AN HON. MEMBER:

No more questions.

MR. SPEAKER:

The hon. Member for Edmonton Norwood has a question.

MR. FARRAN:

I was intending to continue debate, Mr. Speaker, but I don't know if you recognize me or not.

MR. SPEAKER:

I believe I have recognized the hon. Member for Drayton Valley.

MRS. CHICHAK:

Mr. Speaker, I have a question of the hon. member if he will consider answering it. I am a little concerned in forming my debate or position on this bill. Could he advise as to what he has in mind, who would the ombudsman then report to? Would he still report to the Legislature?

MR. LUDWIG:

No, he would report to the government against whom the complaint is made. And that would be - if he complained against His Worship in Calgary, if someone complained to the ombudsman - he would make a recommendation to them because there must be no misunderstanding about the function of the Alberta ombudsman. When you complain against a minister or his department, he cannot overrule or deal with anything at all. He merely recommends that this is not quite right, and can you do something? For instance, they tell some minister, can you answer the letter you got last summer? And the same thing can happen locally. I don't see any encroachment on the jurisdiction, say, or the autonomy of a school board if somebody wrote to the chairman of the school board and said, we have a complaint about your board and about you not answering a letter that he wrote to you last Christmas. That is the situation.

MRS. CHICHAK:

Mr. Speaker, I think I didn't make my question clear. What I was asking was, whether the ombudsman would make his annual report to the Legislature as he is now required to do or would there be two bodies, two masters, he would then serve and make separate annual reports to?

MR. LUDWIG:

Mr. Speaker, he would report to whichever city or council they had complaints against. They'd have to read them or he could publicize them. If they didn't want to be involved with the ombudsman, the ombudsman can publicize the complaints and his disposition of them as he publicizes complaints against the provincial government in his ombudsman report. But that would be a minor matter because many small municipalities may have only one complaint and he would not have to file a report. He would merely send them a letter and that would be the end of it. But I believe that against Calgary and Edmonton they would deal with the people as much as the government does. They might have a number - and he may well make an annual report. But that is something that can be worked out in the mechanics of the legislation.

MR. COOKSON:

Mr. Speaker, if I could ask a question of the member. I think it is safe to say that school committee members and municipal councillors are in a sense ombudsmen. I am wondering whether the intent of your bill is to, in effect, replace all the school committee members and municipal councillors in the province?

MR. LUDWIG:

Mr. Speaker, I am also pleased with this question because in my last year's speech I dealt with this issue greatly. We are all ombudsmen here.

AN HON. MEMBER:

Agreed.

MR. LUDWIG:

Ask any member of Parliament about an ombudsman and he'll tell you, well, he's the ombudsman. But he hasn't got the time and sometimes not the ability, the staff or the right to investigate in detail to make a proper report. And so I am sure that local aldermen are ombudsmen. But what do you do when you complain against the man who thinks he is the ombudsman - an alderman or the mayor, for instance? He feels, I am the answer to all your problems. What do you do when someone who is appointed by council, some commission or someone, may run afoul of his responsibilities? Do you go to the council to show that our administration is a little lax, a little loose or a little corrupt even? That can happen. You have to - the main reason for an ombudsman is to have someone independent to complain to. When you talk about - I know a lot of MLAs are ombudsmen, but it is limited. You can't complain to a minister sometimes who is very busy about someone in his department who is arrogant with the citizens. I am using that as an example and not saying it happened. But quite often those of you who deal with a city know there is arrogance sometimes and contempt and negligence and indifference. So if you are going to complain to those people who are trying to convince the people we have the best government going and the best mayor in the world, how can anybody possibly complain against them? You see, you don't complain to the council about council. You complain to an ombudsman. That is the main test.

DR. PAPROSKI:

Mr. Speaker, may I ask a question please?

MR. SPEAKER:

It would appear that we are having a piece-meal rebuttal from the hon. Member for Calgary Mountain View on the basis of the ... and I would respectfully suggest to the hon. member that he might make his query when he gets his turn in the debate.

The hon. Member for Drayton Valley.

MR. ZANDER:

Thank you, Mr. Speaker.

Mr. Speaker, the first time I saw the bill, I thought it had some merit. The second time I saw it, I still thought it had a little merit. The third time I saw it, I thought - something like I enjoy a mosquito in the spring. You find the noise gets to you, you let it settle and then you finally swat it and kill it.

[Interjections]

When spring ever comes.

Mr. Speaker, it has merit only to one degree and that is there is a possibility, if there was the limit - if one could anticipate the limit of complaints. If, as the hon. Member for Calgary Mountain View stated, there would be a colossal amount of complaints, then I cannot understand how one man with a staff, no matter how large it would be, would possibly be able to handle such an investigation job. As the hon. member also said, he has on numerous occasions received requests for an ombudsman of that nature from municipal governments. We have two very fine organizations - one is the urban association and one is the rural association. To my knowledge, over the past 20 years, I have never seen a request or resolution by any of these two bodies come forward and ask the government for the establishment of an ombudsman to investigate some of the work they are doing.

I think in the main mostly the councillors and the aldermen elected do a job which is quite comparable to a job of an ombudsman. And surely we are not, at this time, prepared to say they are handling the public, or ratepayers or taxpayers, in whatever municipality

we look at, to a lesser degree than what should actually be done, compared to other municipalities.

In dealing with the ombudsman and the size of the investigation force that would have to be available for him to do a job, Mr. Speaker, I can only envisage that a man would have to have the wisdom of Solomon. He would have to have an army the size of the United States army to take care of all the investigations. Could you imagine if there was a complaint against an alderman for having a street not paved, or a hole not filled. I can also imagine, [one against] a local councillor in a rural area for not placing a culvert low enough or too high or running the water where it shouldn't be running - and I can just envisage so many complaints. And they can really be dealt with by the local government. They are right as close as is possible, as these people can get to the people.

The provincial government, the MLA, is just a little further removed than the local councillor or the alderman. I think, after my experience on council, and I've been there some 20-odd years, I have found that many times if the ratepayer or the taxpayer of that area finds that he has an injustice, he then appears before the whole council. I can't accept the fact that all five, six or seven members of the council would be so prejudiced against the ratepayer of another area that they would not consider his complaint. They do have - they meet two to three times a month - and certainly these complaints can be brought to the local council.

However, when we look at the urban association, they have never requested it. I can't possibly envisage the Mayor of Calgary requesting an ombudsman. I also cannot envisage, perhaps, the Mayor of Edmonton requesting one. He simply said that he would like to perhaps have a close look at it. And perhaps the hon. Member for Calgary Mountain View is something like the John of the old days in the desert, preaching in the wilderness, and he finally got his head cut off. So maybe after four years of being a prophet in the wilderness with the former government, he's now into the third year of this government. This makes it a total of seven years. And since he hasn't convinced his members on the opposite side, at least not, so he says, in four years, he has one more year to go for this side and then you can call it even.

Mr. Speaker, it has, I think, an ombudsman in dealing, not with a complaint against a certain alderman or a certain member of council. I believe if we eliminated that part only and said that we would set aside an ombudsman to rule on the actions of council, I would go along with the idea. Because certainly a council as a whole must agree on some of the works and performances they make. And if the ombudsman is going to look at the actions of council, I can see some merit in it. But individual local complaints against either the aldermen, the school committee or a member of the school committee, is just walking cut in the desert again. Because unless we can pinpoint what the duties of an ombudsman for municipal purposes will be in dealing strictly with the affairs of the county or the city council as a whole, I can't see that - whereas we could hire a sufficient work force to at least give the ombudsman eight hours of sleep a day.

The hon. member stated also that he has made a survey, and maybe he did, Mr. Speaker. But I ask you, hon. member, have you ever approached the association of urban municipalities? Have you ever approached the ...

MR. LUDWIG:

I would like to answer that question. I had written ...

MR. ZANDER:

Would you sit down till I'm finished.

MR. LUDWIG:

He asked me a question.

MR. SPEAKER:

The hon. member hasn't been asked to answer a question.

MR. ZANDER:

Thanks.

Now if you would have appeared before them and started your work at the local level appearing before these bodies which represent urban people and the rural people - this council membership represents them and if you are going to do any homework you are going to have to go to those bodies to find out just what do they want. And unless you can prove to the executive and to the membership that an ombudsman is needed in the province to deal with the affairs of municipalities, then I feel the hon. member has just wasted

his time and his postage writing to individual mayors and aldermen to try to get their opinion, because they are only individual opinions.

With this, Mr. Speaker, I will close and I would say that perhaps next year, Mr. Speaker, we will have this same bill on the Order Paper and then perhaps it will be time that we swatted one. Thank you.

MR. LUDWIG:

I rise on a point of order to dispel a couple of impressions that the hon. member created. I had contacted the municipal association, Mr. Speaker, and ...

[Interjections]

MR. SPEAKER:

Order please. Order please. The hon. member is entitled to make explanations concerning parts of his speech which may have been misunderstood, but of course the rule is strictly that he may not introduce any new matter.

MR. LUDWIG:

Yes, Mr. Speaker. The hon. member raised by way of a question if I had contacted the Alberta association of municipalities. I have done that. I received favourable response and I will pursue this matter further, and I'm sure I will get as good a hearing there as I'm probably getting in this House, Mr. Speaker.

AN HON. MEMBER:

It's too late now.

MR. BENOIT:

Mr. Speaker, I would like to express myself briefly in favour of the principle of this bill and explain, if I may, in a moment or two, why I have changed some of my views in the past seven years since some of the original debates with regard to the ombudsman.

Beginning here with this matter of an ombudsman for the municipality, there are so many ways it could be done that there seems to me no problem in working out the technicality. It's just a matter of choice whether one will have a deputy ombudsman or a municipal ombudsman working with the provincial ombudsman, or the ombudsman might have a couple of assistants, one to deal with municipalities and the other to deal with schools and hospitals. But those are matters of detail and I think there would be no problem working them out favourably.

Mr. Speaker, one of the things that I was most opposed to when we first talked about an ombudsman, was the fact that he would be replacing the councillor or, particularly at the provincial level, the MLA. I always felt very strongly that the MLA was to do the work that the ombudsman is being called upon to do. But the longer I am in politics, the more I see the need for someone who is completely impartial.

One of the weaknesses of our present party system of politics is such that many human beings, both in office and out of office, have a very hard time arranging their attitudes, feelings and emotions so that they can make a direct approach to their MLA. If their MLA happens to be on a different side of the party fence than they are, very often they don't feel that they want to approach him. They don't have the confidence to approach him. If the MLA is inclined to be a person who is biased in any way, they may feel that they can't get a rapport with him. So the same thing happens when it comes to councillors and school boards. It's a matter of personal approach, and lots of times people don't feel they can approach their elected representatives the way they should. This is not the fault, necessarily, of either their elected representative or the individuals who want to approach. It's a personal matter. Lots of times the councillors, while they are not party system, are associated personally with party politics at the provincial or federal level, and this has its adverse effect upon those people who want to approach them.

In the case of a council, it is the business of the council to represent all of the people in a municipality, and very often a person who is aggrieved feels that the rest of the people in the municipality are against him as well as the council. So then they have no one to appeal to or to approach. So I think, Mr. Speaker, that there is much merit in having an ombudsman at any level of government.

With the provincial government imposing itself upon and intruding more and more into municipal and other local government affairs these days, I feel it is becoming more and more difficult to draw the line between who is responsible for some actions. So when someone feels aggrieved and thinks that the provincial government has been responsible, it may, in fact, have been a municipal government. Therefore, he makes his complaint to the

one ombudsman, and what the hon. member who is introducing the bill has said is very important - that there should be only one ombudsman to whom the people appeal because they will be familiar with that one. He, in turn, through his office and the services of his office, will direct the appeal to the person who is responsible for municipal or hospital administrations. That way the people of the province will know there is one person who is impartial, whose business it is to look after their needs, their grievances.

Mr. Speaker, the ombudsman does more than just look after the grievances of the people. His influence, psychologically and politically, is a good influence upon the elected members of any level of government. As long as all the elected members are aware of the fact that there is someone monitoring their activities, they are more inclined to be considerate and concerned about what their actions will do to the people upon whom the actions are perpetrated. So every safeguard we can build into our political system to make certain that the people who are elected do the thing that they are elected to do, I think needs our consideration.

For that reason I favour this idea of having the ombudsman look after levels of government other than provincial. Because many people have been aggrieved, but not nearly as many as the hon. Member for Drayton Valley indicated when he said that it would take an army as large as the United States army to look after all the grievances that come in from municipal government. My experience with municipal governments is that they carry out their work very efficiently, generally speaking, and that they are just as efficient as the provincial government, if not more so in some respects. Therefore I don't envision there being that many more complaints. We already know that the existing Ombudsman has to turn away many of the complaints because they have been misdirected. They were complaints really that were at the door of the municipal government. So considering how many calls he has, there might not be many more that would be brought in as a result of this additional scope that would be given to him.

So I urge, Mr. Speaker, all members to give serious consideration to this in light of the good effect that has been brought upon the provincial government, via the existing Ombudsman's office. I can see nothing but good stemming from extending those services to other levels of government.

I do not see that the ombudsman will take away from the work of the MLA, the councillor, the school board trustee or whichever elected representative it is. There is plenty of work for them to do and if they are really honestly seeking to serve the people, the people will find that out. Once again it is the problem of knowing who to go to. Many people are told at the local level, go and see your MLA or go and see your member of Parliament, depending on what the problem is.

Many people in the city have no idea who their MLA is, particularly in a city where there are 15 MLAs and people are not at all conversant as to what districts are represented by what MLAs or even what electoral district they live in. Therefore, it is necessary to have someone, when they can't find their local elected representative, whom they know they can go to, who will either handle it or give them immediate direction as to where they should go.

Mr. Speaker, I see nothing but good in this Bill No. 200. Details will have to be worked out. Experience will have to be applied, after some experience has been had, so that the office will work efficiently. I believe it can be done so that all people of the province, at all levels of government, will benefit from an ombudsman who will look after all the grievances that people cannot first take to their local level and have dealt with there.

MR. FARRAN:

Mr. Speaker, I beg leave to adjourn debate. In doing so, Mr. Speaker, I would just like to say what a pity I think it is that the Loyal Opposition deliberately talked this bill out.

MR. SPEAKER:

May the hon. minister adjourn the debate?

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, as to business of the House tomorrow, Friday, we will return to the Budget debate, being Government Motion No. 1.

I would now move that the House adjourn until tomorrow morning at 10:00 a.m.

MR. SPEAKER:

Having heard the motion for the adjournment of the House by the hon. Government House Leader, do you all agree?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

The House stands adjourned until tomorrow morning at 10:00 a.m.

[The House rose at 5:30 o'clock.]