

LEGISLATIVE ASSEMBLY OF ALBERTA

Thursday, April 18, 1974

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

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 216 The Alberta Banking Powers Repeal Act, 1974

MR. WILSON:

Mr. Speaker, I would like to introduce a bill, being Bill No. 216, The Alberta Banking Powers Repeal Act, 1974. This is the second in my campaign to urge the government to eliminate or activate dormant legislation contained in the provincial statutes.

[Leave being granted, Bill No. 216 was introduced and read a first time.]

INTRODUCTION OF VISITORS

DR. HORNER:

Mr. Speaker, if I might, I would like to introduce to you and to the members of the Legislative Assembly, a group of 18 foreign service trainees from the Department of External Affairs in Ottawa. These men and women are travelling across Canada prior to being posted throughout the world at our embassies and high commissions. We, in Alberta, are particularly pleased that they should do this cross-country tour and be aware of conditions across our nation.

I would ask them to rise and be recognized by the Legislature.

MISS HUNLEY:

Mr. Speaker, it is my pleasure and privilege today to introduce to you, and through you to the members of the Assembly, some 53 members of the Girls' Parliament. They are accompanied by six of their leaders. They are seated in the members gallery and also in the public gallery.

Of course, we are all hoping, I am sure, that therein sit some of the next members of this respected House. I would ask they now stand and be recognized by the Assembly.

MR. TOPOLNISKY:

Mr. Speaker, it is my pleasure this afternoon to introduce to you and to the members of the Assembly, a group of 20 members of the Golden Sunset 4H Beef Club at Clyde in the constituency of Redwater-Andrew.

They are accompanied by their leader, Mr. Joe Fulks, president Earl Siegall, secretary Donna Fix and a few parents. They are seated in the public gallery. I would like to ask them to rise and be recognized at this time.

MR. COOKSON:

Mr. Speaker, it is a pleasure this afternoon to introduce to you and through you to the members of the Assembly, some 50 members of the Blindman Valley Beef Club, a club situated in one of the major beef producing areas in central Alberta, the Lacombe constituency. They are accompanied by their group leader, Miss Kathleen Brink. They are seated in the public gallery and I sure hope they are there. Would they rise and be recognized.

TABLING RETURNS AND REPORTS

MR. DOWLING:

Mr. Speaker, I would like to table the Thirty-first Annual Report of the Debtors Assistance Board for the year 1973. Copies will be made available to every member.

MISS HUNLEY:

Mr. Speaker, I wish to table an answer to Motion for a Return No. 142.

MINISTERIAL STATEMENT

Department of the Provincial Treasurer

MR. MINIELY:

Mr. Speaker, I am pleased to report to members of the Assembly that Alberta treasury branches have completed an assessment of the cost of money and interest rates on deposit accounts as a result of higher interest rates generally in Canada.

The conclusion is that while it is felt that depositors will have to receive a higher interest rate by approximately 1 per cent, on the lending side the treasury branches do not find it necessary to increase interest rates on home improvement loans, the mobile home program recently announced, the regular farm loan program, loans under the Agricultural Development Corporation program and small business loans.

Mr. Speaker, while the regular prime rate will be increased by approximately 1 per cent, this only affects large corporations in the province of Alberta.

MR. CLARK:

Mr. Speaker, in replying to the announcement made by the Provincial Treasurer might I say that we on this side of the House welcome the announcement. I think it is the kind of announcement that members on both sides of the House can indeed associate with and be very proud of.

I suppose on an occasion like this, Mr. Speaker, I could be forgiven if I were to point out that it's a very solid base the Treasury Branch system in this province is working on. We are indeed pleased that some comments the government made in earlier years about selling the treasury branches - you have seen the error of your ways that time and are using them to greatest advantage at this time.

ORAL QUESTION PERIOD

Petroleum Administration Act

MR. CLARK:

Mr. Speaker, I'd like to direct the first question to the Premier and ask the Premier if the government has had an opportunity to review carefully Bill No. C-18 which is presently before the House of Commons in Ottawa?

MR. LOUGHEED:

I presume, Mr. Speaker - I don't have the numbers, I go by the name, so I would presume that the bill the hon. leader is referring to is the Petroleum Administration Act. Yes, I'd refer that question to the hon. Attorney General.

MR. CLARK:

Mr. Speaker, a supplementary question then, to the hon. Attorney General. Is it the position of the Government of Alberta that Bill No. C-18, which is presently before the House of Commons, accurately reflects the accord which was reached at the First Ministers' Conference in Ottawa held in the latter portion of March?

MR. LOUGHEED:

Mr. Speaker, I get that question back, because of the way it's worded. I think it's fair to say that PART II of the bill does reflect the accord and the limited accord that was reached. Insofar as other parts of the bill are concerned, they, of course, did not deal with the matter of the discussions in Ottawa on March 27.

MR. CLARK:

A supplementary question to the Premier or to the Attorney General. Is it the position of the Government of Alberta that, in fact, there is no time limit on Section 36 of the act, which makes it possible for the federal Governor in Council, if they are not satisfied with the arrangements that have been worked out, in their judgment if they are not satisfied they can, in effect, set a new price for Alberta crude oil. There is no reference to the 15-month limit at all.

MR. LEITCH:

Mr. Speaker, Section 36 to which the hon. Leader of the Opposition refers is contained within PART III of the bill. As I understand the expressed intention of the federal government, it is that PART III would not come into operation except on proclamation. It is, of course, designed to deal with a situation where there is no understanding between the various governments within Canada. With respect to the time limit aspect of this question, Mr. Speaker, there is, within that part, as I read it, no specific time frame.

MR. CLARK:

Supplementary question, Mr. Speaker, either to the Premier or to the Attorney General. Is the Government of Alberta going to make representation to the Commons committee that is now arranging hearings, right away?

MR. LEITCH:

Mr. Speaker, ever since this bill has been introduced into the federal House we have been examining it and considering what representations the provincial government might make in respect of it and in what way those representations, if any, might be made. Both of those matters, Mr. Speaker, are still under consideration.

MR. CLARK:

Supplementary question to the Attorney General, Mr. Speaker. Is the Government of Alberta aware that yesterday the federal Minister of Energy, Mines and Resources, Mr. Macdonald, indicated that he had no feedback from the producing provinces and, in fact, he would welcome feedback and, in fact, welcomed the provinces to come before the Commons committee?

MR. LEITCH:

Yes, Mr. Speaker, we're aware of that.

MR. CLARK:

Supplementary question then, Mr. Speaker, to the Attorney General. Might we expect a decision by the Government of Alberta quickly on whether you will appear before the House of Commons committee?

MR. LEITCH:

Yes, Mr. Speaker.

Natural Gas Prices - Constitutionality

MR. CLARK:

Mr. Speaker, a second question then, to the Premier. It deals with the statement made by Mr. Macdonald regarding the constitutionality of the increase in natural gas prices. Is it the opinion of the Province of Alberta that the federal government has now reversed its position and maintain that Alberta is going beyond its constitutional rights in establishing a much higher price here?

MR. LOUGHEED:

Mr. Speaker, I have some considerable difficulty attempting to respond to that question because all I've heard from it is news reports and other reports. It would depend on the exact way in which the question was framed and the answer was given. Certainly it's very difficult to forecast the present federal government's views of some of these matters, but I would refer hon. members to page 13 of An Energy Policy for Canada, Phase I.

MR. CLARK:

Supplementary question then to the Premier, Mr. Speaker. Has the Premier or the appropriate minister already made contact with regard to the statements made by the federal minister for a clarification on this particular matter?

MR. LOUGHEED:

Mr. Speaker, my recollection of the reports that I received is that the federal minister involved stated that he wanted to consult on the matter with the Alberta government. He has written us in that regard and we presume in due course there will be some discussions.

MR. CLARK:

Last supplementary, Mr. Speaker, to the Premier. Is it still the position of the Government of Alberta that Alberta has acted within its constitutional rights?

MR. LOUGHEED:

Mr. Speaker, I would presume the hon. Leader would be aware of the fact that we would not have introduced legislation of the magnitude of The Arbitration Act unless we were satisfied that we had legal advice that we were on sound constitutional grounds. But on the other hand, one has to be aware of the fact that these decisions may be made in the course of time by the Supreme Court of Canada, and it is not possible for any degree of assurance other than the best advice that we can get.

Natural Gas Prices - Differential Rates

MR. NOTLEY:

Supplementary question to the hon. the Premier. Can the Premier advise, in view of the present controversy, what the status is of the suggestion that there should be a differential rate for residential consumers as opposed to industrial users of Alberta natural gas?

MR. LOUGHEED:

Well, Mr. Speaker, perhaps the hon. member hasn't been following this subject, but I think we have been involved in the natural gas rebate plan for Alberta which will be announced shortly.

MR. NOTLEY:

Supplementary question for clarification. This is with respect to the suggestion that on natural gas which is consumed outside of Alberta there should be a differential rate for residential consumers as opposed to industrial users.

MR. LOUGHEED:

Mr. Speaker, again I think if the hon. member would take the time under the Ontario Energy Board terms of reference such a different rate can be established. What one would hope is that the rate established for residential users in the Ontario market would be less than those for industrial. As I stated in this House last December, it would be

highly desirable if a great deal more Alberta natural gas were used for residential purposes rather than for industrial purposes.

MR. SPEAKER:

The hon. Member for Cypress followed by the hon. Member for Camrose.

Cairns Commission

MR. STROM:

Thank you, Mr. Speaker. I would like to address my question to the hon. Attorney General. Was it the intention of the government that the terms of reference of the commission issued to the hon. Mr. Justice J.M. Cairns cover inquiry into any arrangement or contract giving rise to cause for civil action?

MR. LEITCH:

Mr. Speaker, the short answer to that question is yes. At the time the terms of reference were under consideration by the government, it was the government's intention to have the inquiry as broad as possible and to look not only into conduct that might be a breach of criminal law, but conduct that might also or only give rise to a civil cause of action. It was for that reason that we chose the phrase "unlawful acts", which appears in the terms of reference.

The hon. Member for Cypress did give me notice of the matter he has now raised in this question. As a result of that notice I asked the commission counsel for his view on the interpretation of the terms of reference. The commission counsel, Mr. McLennan, has now written me, Mr. Speaker, and I propose to file a copy of his letter. Briefly it is to the effect that the commission counsel interprets the phrase as including all acts which would constitute a breach of criminal legislation as well as all acts which would give rise to civil causes of action such as conflicts of interest, breaches of fiduciary trust and matters of that nature.

MR. STROM:

Thank you, Mr. Speaker, I appreciate the answer I received from the hon. the Attorney General. If I may, I would like to have one further item cleared up. In Clause (c), then, would it include the words following "unlawfully used" or the meaning indirectly or directly?

MR. LEITCH:

Mr. Speaker, that is not a matter in which I asked the commission counsel's opinion, but I may say to the hon. member that in my view the terms of the commission, as now phrased, would include all of the acts or actions that would be included if one were to add in Clause (c) the words "directly or indirectly".

MR. SPEAKER:

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

Postal Strike - Pay Cheques

MR. STROMBERG:

Thank you, Mr. Speaker. My question is to the Provincial Treasurer. I was wondering if he would advise what steps are being taken by his department to see that civil servants in my constituency will be receiving their pay cheques during the postal workers' walkout?

AN HON. MEMBER:

In mine too.

MR. MINIELY:

Mr. Speaker, I think first it is important for all hon. members to appreciate that Alberta does not run the mails or the postal service. That's a responsibility of the federal government and certainly moving communication within Canada, that is the case. However, hon. members will recall that sometime ago we instituted for the first time in Alberta, shortly after we took office, a courier service. This has been expanded. In

fact, now the courier service is operating and delivering mail to Grande Prairie, Edmonton, Ponoka, Red Deer, Olds, Calgary, Claresholm, Lethbridge, Lacombe and Innisfail.

In addition, the Treasury Department mailing branch has taken additional steps because of this unfortunate situation with the federal mails to try to ease the situation as much as possible.

Mr. Speaker, it would not be fair to say that while we are doing everything we can to expedite the mailing of government cheques, it would still not be fair to say that there will not be problems because there will be problems. We have done, are doing, and will continue to try to do everything we can to expedite a problem that is largely an area of federal responsibility.

AN HON. MEMBER:

Move to Ottawa.

MR. STROMBERG:

A supplementary, Mr. Speaker. Would the minister consider expanding that service to serve Camrose?

SOME HON. MEMBERS:

All Alberta.

MR. MINIELY:

Mr. Speaker, would the hon. member repeat the supplementary?

MR. STROMBERG:

Would the service be expanded to include Camrose? I missed Camrose on that list that you gave.

MR. MINIELY:

Mr. Speaker, that's spoken like the MLA for Camrose. Mr. Speaker, I believe it is correct that we will be having a courier service to Camrose.

MR. FRENCH:

A supplementary question, Mr. Speaker, to the hon. minister. Will the minister give consideration to using Greyhound or other means of transportation to the towns that were not mentioned in your list?

MR. MINIELY:

Mr. Speaker, I think it's an appropriate time to say, in reply to the hon. member, that we will do everything that is reasonable in a situation that is not one of our doing. We are, in fact, doing that. Basically, most of what we are doing is to try to get to main centres in different parts of the province. We cannot effectively and efficiently, during a temporary situation, or hopefully a temporary situation, cover every community in the province of Alberta. That would be unrealistic. However, we will try to do the best we can to get it to main centres within a certain area and that is the approach that has been taken to date. As a matter of fact, the treasury branches, in cooperation with the Treasury Department, are doing what they can during this strike situation in the federal mails, to assist in distributing government cheques.

I want to say again that while we are doing everything we can to ease the burden, it would be unrealistic - when it's the federal mails that are involved - for any of us to assume that there aren't going to be problems and delays, because there will be problems and delays.

MR. SPEAKER:

The hon. Member for Spirit River-Fairview followed by the hon. Member for Vermilion-Viking.

Native Housing

MR. NOTLEY:

Mr. Speaker, I would like to direct this question to the hon. Minister of Federal and Intergovernmental Affairs. When does the government propose to conclude the federal-provincial enabling agreement under Section 40 of The National Housing Act regarding Native housing?

MR. GETTY:

Mr. Speaker, this matter is being handled more directly through our Minister of Municipal Affairs and the Alberta Housing Corporation. I refer the matter to him.

MR. RUSSELL:

Mr. Speaker, at present they are in the final stages of negotiation leading up to the signing for several programs which were announced earlier in the session. I would expect that the native housing one will be signed within a very few weeks.

MR. NOTLEY:

Mr. Speaker, a supplementary question. Is it true that the delay is because of provincial government insistence upon provincial control of all developments?

MR. RUSSELL:

Mr. Speaker, I don't know if it's proper to put it in that context. I will say though, that consistent with this government's policies we're certainly sticking very strictly to the principle of jurisdiction and responsibility.

MR. NOTLEY:

Mr. Speaker, a further supplementary question. Can the minister advise the Assembly whether it's true that once this agreement is signed there will be \$4 million available for Metis housing programs in the province?

MR. RUSSELL:

Mr. Speaker, I couldn't tell the House at this time what the amount of money available will be. The federal minister, of course, is anxious that all the provinces will use the funds to the utmost of their ability. The program, as we have discussed with him, will be based on the producing by the Metis people of the maximum number of housing units in any one construction year.

MR. NOTLEY:

Mr. Speaker, one final supplementary question on this subject to the Minister of Health and Social Development. In view of the statement by the president of the Metis Association that substandard housing contributes to infant mortality, is your department considering any study that would consider the link between poor and inadequate housing on one hand and infant mortality on the other?

MR. CRAWFORD:

Mr. Speaker, I don't think there's been a definitive study directed to those exact terms of reference. I think a lot of assumptions have been made in respect to the issue that the conclusions pointed to in the question probably do bear fairly heavily on general state of health. The general state of health, of course, bears heavily on the question of mortality.

MR. NOTLEY:

Just one final supplementary question, if I may, for clarification. Do I take it from the minister's answer that while there has not been any definitive study on this, is the government contemplating any study?

MR. CRAWFORD:

Mr. Speaker, we would certainly undertake a study if that appeared to be one of the routes to follow to a solution to the matter. I think the routes that are being followed are a general upgrading of health services and of housing at the same time in those communities, in most of which the need is quite obvious.

MR. SPEAKER:

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

Natural Gas, - Rural Rates

MR. COOPER:

Mr. Speaker, my question is directed to the hon. Minister of Telephones and Utilities. Is any thought being given to ways and means, in addition to the announced rebates, to lower the price of natural gas to residents of villages in my constituency who are now paying 85 cents per thousand cubic feet?

MR. FARRAN:

Mr. Speaker, the details of the natural gas rebate plan will be announced shortly in the House. I might say that nothing is contemplated beyond what is contained in that plan. A price of 85 cents MCF may not be unreasonable for a small town or a rural area. The capital cost of widely disbursed distribution systems can be paid by lump capital sums or through the monthly bills for gas to the consumer.

It might be an interesting comparison for the hon. member to know that under the rural gas plan where the consumer is responsible for a capital cost of \$1,700 and gas is being sold by the co-ops for around 55 cents MCF, that is the equivalent of \$1.29 per MCF. So, it is not unreasonable.

I agree that in the large, densely populated metropolitan areas like Calgary and Edmonton, gas is being sold for around 50 cents per MCF. They don't have to face the high capital costs of extended utility lines.

Also the hon. member might be interested to learn that in the big cities and metropolitan areas of British Columbia the consumer price of gas is around \$1.30 per MCF.

MR. COOPER:

A supplementary, Mr. Speaker. Would there be any possibility then that the price of natural gas to these consumers might be raised?

MR. FARRAN:

Mr. Speaker, in days of high inflation and increasing cost, there is always a possibility that the price of all commodities might go up. There seems to be very little chance that things can go down. However, I can say that under the natural gas rebate plan, there will be a shield for Alberta consumers against the escalating world price of gas down to at least the current level.

MR. SPEAKER:

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

MR. LUDWIG:

Mr. Speaker, my question ...

MR. SPEAKER:

The Member for Lacombe with a supplementary.

MR. COOKSON:

I would like to ask the minister, as a part of his answer to the rebate, whether the hon. minister intends to include other forms of fuels in the rebate plan? I am thinking specifically of propane and heating oil.

MR. FARRAN:

Mr. Speaker, the natural gas rebate plan refers specifically to natural gas but there will be power in the act to extend the principle at a later date, if it is considered advisable, to other heating fuels.

So far as propane is concerned, it is now, of course, regulated by the Public Utilities Board under The Gas Utilities Amendment Act of 1973. The propane situation will

be watched very carefully by my department and the Public Utilities Board over the summer months to see if the wholesale price comes down in accord with reduced summer demand.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Minister of Utilities. Is it accurate that the price of propane is now going down?

MR. FARRAN:

Mr. Speaker, it is accurate that the export price of propane is going down due to lesser demand in the United States. It hasn't been brought to my attention yet that there has been any significant drop in the consumer price in Alberta.

MR. NOTLEY:

A supplementary question to the hon. minister. Does the department have any statistics at this time indicating the increase in the field price of natural gas under contract to Alberta utilities?

MR. FARRAN:

Mr. Speaker, there has been no significant increase in the field price for natural gas supplied to the utilities over the past year, but I would say it's probable that many of the producers are waiting in the wings to watch the arbitration awards for TransCanada Pipelines to establish what would be a just and reasonable price for them to ask in light of new commodity values in the general Canadian market.

MR. SPEAKER:

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

Calgary Court House

MR. LUDWIG:

Mr. Speaker, my question is to the hon. Minister of Public Works. Who was awarded the contract for dismantling or removing the marble slabs from the courthouse, Calgary?

AN HON. MEMBER:

Order Paper.

DR. BACKUS:

Mr. Speaker, I will have to take that question as notice as I don't have it right here with me.

MR. LUDWIG:

Mr. Speaker, while the minister is taking that question under advisement, would he also provide an answer as to whether the contract provides for salvage belonging to the contractor or will the Department of Public Works be in charge of salvaging the very valuable marble slabs that are being removed from the courthouse?

MR. SPEAKER:

The hon. member is asking a question of such detail that it would appear that it might be put on the Order Paper, or possibly he might seek the contract under a notice of motion for an order for a return.

MR. LUDWIG:

Mr. Speaker, I appreciate the minister's difficulty and I'll do that.

MR. SPEAKER:

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

Egg Marketing

MR. STROM:

Mr. Speaker, I would like to direct my question to the hon. Minister of Agriculture. Has the hon. minister been made aware of any attempt on the part of the U.S. to import to Canada, eggs at a very low price?

DR. HORNER:

Mr. Speaker, I'm aware of the increasing, shall we say, danger of low-priced American eggs being imported into Canada from the U.S.

One of the arrangements we had with the federal government when we signed the National Egg Plan was the assurance from the former Minister of Agriculture that if we did sign, then the federal government could then regulate the egg industry within Canada. In the last week I've communicated with the present Minister of Agriculture about our concern about their failure to live up to their commitments when we signed that agreement.

MR. STROM:

Mr. Speaker, a supplementary question. Will the hon. minister be checking with the federal government again, and will he be seeking some assurance from them that our egg producers within this province will be protected if the need arises?

DR. HORNER:

Not only that, Mr. Speaker, but I might say that we have no intention of signing any further national commodity plans, vis-a-vis the egg plan, turkey plan or broiler plan, until such time as we get some leadership and clear thinking from the federal government in Ottawa.

DR. BUCK:

Better hope for a change of government then.

MR. SPEAKER:

The hon. Member for Calgary McCall followed by the hon. Member for Edmonton Norwood.

Funeral Advertising

MR. HO LEM:

Mr. Speaker, I would like to address my question to the hon. the Premier. Could the hon. Premier advise whether an investigation was conducted, as a result of the information which I tabled April 9, into the practice of cemetery advertising being mailed to nursing home patients?

MR. CRAWFORD:

Mr. Speaker, I might volunteer to the hon. member the answer to that question. It seemed to me, upon review of the matter after the Premier's request last week to do so, that the three courses that might be followed would be; first, through the federal post office department, to see if there was any way that they could regulate that type of practice. That is being looked into at the present time to determine whether or not a formal presentation should be made to them.

AN HON. MEMBER:

They're all out.

MR. CRAWFORD:

The possibility of speaking directly to nursing home operators, I would have to say, doesn't seem to be a very good one because they have no right to interfere with the mails, although I did consider whether or not, if the mailings were coming in the form of junk mail rather than specifically addressed, they might be encouraged not to distribute them.

I think the other course that I'm satisfied has perhaps already been effective to some extent is that the operators themselves are willing to try to regulate that practice among their members. I hope to have confirmation within a few days that a plan to bring about self-regulation in that respect is being followed by the industry.

MR. HO LEM:

A supplementary, Mr. Speaker. Has the hon. Premier received representation or communication from the Alberta Funeral Directors & Embalmers Association deploring this activity and offering assistance in an investigation in this matter?

MR. LOUGHEED:

Mr. Speaker, it may have. It hasn't been brought to my personal attention, but I'll check and make sure the minister responsible has a look at it.

MR. HO LEM:

A supplementary, Mr. Speaker. Is it the intention of the government to introduce a professional act to cover this field of endeavour? And is it the intention of the government to suspend or request the federal government to suspend the licence of Mountain View Memorial Gardens?

MR. CRAWFORD:

Mr. Speaker, I would have to do a lot of checking before I knew the precise manner of licensing the organization or company mentioned by the hon. member. I think the courses that have already been outlined are the more suitable ones.

SOME HON. MEMBERS:

Oh, oh.

MR. HO LEM:

A final supplementary to the Minister of Telephones and Utilities. Is there any way the minister may stop the follow-up phone calls to the various people receiving the mail in regard to selling cemetery plots to patients?

MR. FARRAN:

Mr. Speaker, it would be illegal for me to cut off somebody's telephone unless they didn't pay their bill.

MR. SPEAKER:

The hon. Member for Edmonton Norwood followed by the hon. Member for Calgary Millican.

Rental Rebate - Senior Citizens

MRS. CHICHAK:

Mr. Speaker, my question is in two parts and I would like to be permitted to ask it in that manner. My question is directed to the hon. Minister of Municipal Affairs. Could the hon. minister advise what provision there is for senior citizens to receive their \$100 rental rebate as provided under The Alberta Property Tax Reduction Plan for those who have not as yet made their application?

MR. RUSSELL:

Mr. Speaker, I appreciate very much the hon. member's advance notice of the question and I am sure all hon. members ...

AN HON. MEMBER:

In caucus?

MR. RUSSELL:

... Well, I have some good news for all hon. members in the House who are interested in it, on behalf of their constituents, Mr. Speaker.

In past years there has been a problem with citizens making applications for forms of renter assistance or property tax rebate beyond the deadline. I am pleased to say that this year we are going to be able to receive renter rebate applications from senior citizens with no time deadline for previous years.

Rental Rebate -- Deadline

MRS. CHICHAK:

Mr. Speaker, my supplementary to that is, what provision is being made, or is there some consideration given in extending the deadline for the property owners to make applications for the 1973 property tax reduction in the amount of \$216? I believe the deadline date is set by legislation.

MR. RUSSELL:

Mr. Speaker, that is correct. The deadline for last year is past and we have been keeping a watch on late applications being received. As a result, we propose to advance the deadline for last year to December 31 of this year, so we hope all hon. members' constituents will be able to receive last year's rebates.

MR. GRUENWALD:

A supplementary, Mr. Speaker, to the minister. Are the 1973 rebates all out for those people who did make applications on time, Mr. Minister?

MR. RUSSELL:

Yes, I believe that is the case, Mr. Speaker.

MR. GRUENWALD:

A supplementary. There are some people in Lethbridge who have not yet received theirs and who applied in early summer.

MR. SPEAKER:

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

Tar Sands Development

MR. DIXON:

Mr. Speaker, I'd like to direct a question to the hon. the Premier. It is regarding a speech made yesterday by the hon. Minister of the Environment to the Engineering Institute of Canada. It is a convention. The question I would like to ask the hon. Premier, Mr. Speaker, is this government policy regarding the tar sands that the hon. minister spelled out yesterday?

MR. LOUGHEED:

Mr. Speaker, I believe the hon. minister was quite clear that he was expressing a view of his own, but also at the same time expressing a view of one of the various considerations the government will have when it has established its statement of guidelines during the course of this summer or fall regarding oil sands development.

MR. DIXON:

A further supplementary question, Mr. Speaker, to the Premier. Then can we also be assured we may not be limited to one or two plants, considering the tar sands are spread out in many areas of Alberta?

MR. LOUGHEED:

Mr. Speaker, I don't think the hon. member can take any assurance in terms of government policy until the statement of guidelines has been made public.

MR. NOTLEY:

A further supplementary question for clarification. Do I take it from the Premier's answer that the statement of guidelines will not be forthcoming until the fall session, or is there any possibility of it being made before the fall sitting of the Legislature?

MR. LOUGHEED:

Mr. Speaker, our hope would be to try to have it in hand during the course of the present summer. But having regard to the many changing aspects involved in energy and the demands upon the time of the energy committee, we certainly don't want to commit ourselves

to a date. We are hoping it can happen during the course of the summer. It may be, because of its complexity, that it's at the fall session.

MR. SPEAKER:

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

Rural Gas Co-ops -- Taxes

MR. R. SPEAKER:

Mr. Speaker, my question is to the Provincial Treasurer. Has the Provincial Treasurer a decision from the federal tax department with regard to the \$1,700 payment of rural gas co-op members?

MR. MINIELY:

Mr. Speaker, I have had conversation directly with the director of the Edmonton office. I recently have made a decision that the way to deal with this matter is to communicate directly with the Minister of National Revenue, Mr. Stanbury, and I am in the process of doing so today. So I have a letter off today to Mr. Stanbury.

In answer to the hon. member, I would like to say just briefly what I have learned to date with respect to the matter. There is no question that the district offices of the Department of National Revenue did send out conflicting advice regarding the \$1,700 contribution of members in the co-op.

As I indicated I think, in replying, Mr. Speaker, to the question earlier, these things are a question of interpretation. What happened was that the local offices gave a certain interpretation and then subsequently Ottawa, in its interpretation division, overruled the correspondence that had gone from the local office. So it's clear now that the only way to deal with the matter is to deal with Mr. Stanbury, the Minister of National Revenue. That's where I'm at on the matter.

MR. R. SPEAKER:

Mr. Speaker, supplementary to the Provincial Treasurer. What position is the Provincial Treasurer taking with regard to this matter in his presentation to the federal minister?

MR. MINIELY:

Well again, my position is that we are concerned because citizens of Alberta have received advice from a district office and then subsequently it has been treated in a different manner. I think I said earlier that I don't think it's my position to interpret the law. In the final analysis, the law would be interpreted in an income tax appeal board. But in my letter I am indicating the conflicting advice that has gone out from the Department of National Revenue to the citizens involved and the fact that this is of some concern to the citizens who are involved. Hopefully because of this and, of course, because the matter is grey, not black or white, Mr. Stanbury will take some action.

MR. R. SPEAKER:

Mr. Speaker, supplementary to the minister. Why, at an earlier date, did the Department of Telephones and Utilities take the position that this \$1,700 could be classed as an expense, and many of the rural co-op members in the province of Alberta have been advised to that effect?

MR. MINIELY:

Mr. Speaker, my examination of the matter is that the Department of Telephones and Utilities did no such thing. In fact what transpired was that the letter that came originally from the federal government's Department of National Revenue to the individual professional advisors to the co-operatives, was passed on and shown to potential members. In other words, it was more the showing of a document which came, in good faith, from the local offices, the district taxation office. As a matter of fact, in speaking with the director of the Edmonton office today, he indicated to me that he felt embarrassed by the situation and that he recognized there was conflicting information.

MR. SPEAKER:

The hon. Member for Calgary Bow followed by the hon. Member for Edmonton Kingsway.

Department of Highways and Transport - Facilities in Calgary

MR. WILSON:

Mr. Speaker, I'd like to direct a question to the hon. Minister of Highways and Transport. Will the minister advise if the Department of Highways is planning any new buildings or major alterations at their existing complex commonly known as 4020 Bowness Road N.W., Calgary?

MR. COPITHORNE:

Mr. Speaker, I would ask the hon. member to put that on the Order Paper, because at this moment I can't tell him what plans are proposed for that area.

MR. WILSON:

Supplementary, Mr. Speaker. Could the hon. minister advise if there are any plans for changes in the traffic circulation patterns at that complex?

MR. SPEAKER:

Possibly if the hon. member's question is a true supplementary to the original one, it would also belong on the Order Paper with its predecessor.

The hon. Member for Edmonton Kingsway followed by the hon. Member for Sedgewick-Coronation.

Queen Bees

DR. PAPROSKI:

Thank you, Mr. Speaker. A specific question regarding queen bees to the Minister of Consumer Affairs.

AN HON. MEMBER:

Green peas?

DR. PAPROSKI:

Does the minister believe that the increased price of queen bees to \$5 is still a very good buy?

[Interjections]

MR. SPEAKER:

Order please.

MR. DOWLING:

Mr. Speaker, bearing in mind that there are many definitions for the words "queen bee" and recognizing that I'm not an authority on the winged variety, I would refer that matter to the Minister of Agriculture who has some experience in the area of honey manufacturing.

DR. HORNER:

Mr. Speaker, as a matter of fact, through the activity of my department and in cooperation with the beekeepers of Alberta, we're arranging for the importation of some queen bees from Mexico at prices substantially below \$5.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Clover Bar.

Civil Service Pensions - Inflation

MR. SORENSON:

Mr. Speaker, my question is to the hon. Provincial Treasurer. Is the hon. minister taking any steps to ensure that civil service pensions maintain parity with elevations in the cost of living?

MR. MINIELY:

Mr. Speaker, the hon. member perhaps wasn't here yesterday during the debate of the bill when my hon. colleague indicated that the recent increase of 5 per cent is related, among other factors, to the rise in the consumer price index in Edmonton and Calgary. As far as future increases are concerned, we will of course be watching what happens in fact to the cost of living, and will consider it after it becomes a fact.

MR. SPEAKER:

The hon. Member for Clover Bar followed by the hon. Member for Smoky River.

Flooding - Special Grants

DR. BUCK:

Mr. Speaker, I would like to ask a question of the hon. Minister of Agriculture. In light of the fact that there is a fairly substantial amount of flooding occurring already, I would like to know if the minister has considered financial assistance to farmers to assist in the pumping of severely flooded farmlands?

DR. HORNER:

Mr. Speaker, if the hon. member knew anything about farming, he would appreciate that the early spring floods at this time of the year are not that dangerous, outside of having a direct effect on buildings or livestock. It would be my hope that they would get in touch with their municipalities who can get assistance through the Disaster Services Agency and the Department of the Environment to alleviate the situation.

DR. BUCK:

Mr. Speaker, I would like to thank the hon. minister for those not so flattering remarks. I would like to ask a supplementary of the hon. Minister of Highways and Transport. Has the Minister of Highways and Transport considered special grants to aid municipalities and counties in replacing already flooded bridges and roadways?

MR. COPITHORNE:

Well, Mr. Speaker, we have a very substantial program to aid municipalities in road construction and bridge construction throughout the province, and it's been very active as a program.

DR. BUCK:

Mr. Speaker, I asked the hon. minister if he was going to set up a special funding grant for purposes such as this, not his rigmarole about how great he is. I want to know if he is setting up a special fund.

AN HON. MEMBER:

You've got to give him a chance to tell it all.

MR. COPITHORNE:

Well, Mr. Speaker, our fund is always special, and has certainly been adequate in the past to take care of any emergencies that have occurred.

DR. BUCK:

Supplementary, Mr. Speaker, then the minister is saying that he will be assisting municipalities and counties, or will he not. That's all I want to know.

[Interjections]

Snow Removal

MR. CLARK:

Supplementary, Mr. Speaker, to the Minister of Highways and Transport. Is the Minister of Highways and Transport in a position today to indicate to the House that there will be special assistance available to those municipalities in east-central Alberta that had very severe problems as far as snow removal is concerned?

MR. COPITHORNE:

Well, Mr. Speaker, many communities throughout Alberta had very special snow problems this winter. East-central Alberta is no different than other parts of the province. This is a municipal problem.

DR. BUCK:

Quite obviously you haven't been there.

MR. SPEAKER:

The hon. Member for Smoky River followed by the hon. Member for Medicine Hat-Redcliff.

Alberta Power - Rate Increase

MR. MOORE:

A question, Mr. Speaker, to the hon. Minister of Telephones and Utilities. Will the minister advise if he is prepared to give assistance in the form of personnel or financing to those rural electrification associations, cities, towns and villages, which are opposing the Alberta Power rate increase application now before the Public Utilities Board?

MR. FARRAN:

Yes, Mr. Speaker, the same assistance will be given to consumer groups that appear before the Public Utilities Board hearing into Alberta Power's application for a rate increase as was given to such associations that appeared before the Calgary Power hearing last year.

MR. NOTLEY:

Supplementary question. Will the same rule apply to consumer groups which will no doubt be appearing before the Public Utilities Board on the question of natural gas increases?

MR. FARRAN:

No, Mr. Speaker. At the moment I haven't provided for such interest-free loans for people appearing on the gas hearing. But Northwestern Utilities' application is by volition of the board on a claim that the company had made more than its allowable rate of return. The Canadian Western Natural Gas application is not to come up until the summer. In any event, the natural gas rebate plan is just about to be unveiled and will have a significant effect on prices of gas.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff.

Cabinet Tour - South-eastern Alberta

MR. WYSE:

My question, Mr. Speaker, is to the hon. the Premier. The hon. Premier indicated to the House last session that the cabinet would be making a visit to the south-eastern part of the province this spring sometime. My question is, has the Premier had an opportunity to set tentative dates at this time?

MR. LOUGHEED:

Mr. Speaker, if I said the spring, I thought that I intended to say the spring and the fall. I think the intention would be the fall, perhaps the early fall.

MR. CRAWFORD:

Mr. Speaker, I wonder if I could have the House's permission to revert to Introduction of Visitors?

HON. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

MR. CRAWFORD:

Thank you. Mr. Speaker, I take a great deal of pleasure in introducing a distinguished group of young people. I will even apply that reference to the coaches who are with them today. I know one of them, and he's not much older than I am. Therefore, he's not very old. In fairness to him, I know he's young.

[Laughter]

Mr. Speaker, the Youth Bowling Council Junior Boys Champions for Alberta are with us today, and a couple of singles champions along with them, and the coaches. They will be leaving on Saturday of this week for Ottawa where they will compete from April 21 to 25 in the Dominion Youth Bowling Council playoffs. I am going to give the House, Mr. Speaker, the names of all. Then after I have given all the names, ask them to stand and be recognized.

The Junior Boys Champions are H. Schmidt, K. Davies, M. Walters, K. Ardron, and B. Baronsfeather with their coaches Metro Maksymiuk and Francis Robillard. The Bantam Singles Champion (Male) with them is G. Mork. I wonder if the coach, Mr. Dave Brown, is also present, I believe the coach for the Bantam Singles Champion (Female), Tiny Hepel, is present and the champion is Christine Ahronson.

I would ask that all of them rise now and be recognized by the House.

ORDERS OF THE DAY

MR. SPEAKER:

Hon. members may wish to know that Their Excellencies, the Governor General and Madame Leger have been unavoidably delayed. Their schedule is now about 30 minutes later than was previously expected.

MR. STROM:

Mr. Speaker, in light of the answers that I was given by the Attorney General, I would like to have Motion No. 2 standing in my name withdrawn from the Order Paper.

HON. MEMBERS:

Agreed.

MOTIONS FOR A RETURN

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

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

1. Copies of all policy papers and position papers of the Alberta Alcoholism and Drug Abuse Commission with respect to operating and treatment procedures.
2. Copies of all correspondence and documents between Collingwood Acres Ltd. and the Alberta Alcoholism and Drug Abuse Commission for the years 1973 and 1974.
3. Copies of all correspondence and documents between Collingwood Acres Ltd. and the Alberta Health Care Insurance Commission for the years 1973 and 1974.
4. Copies of all departmental guidelines issued by the Alberta Alcoholism and Drug Abuse Commission to its staff regarding referral procedures to Collingwood Acres Ltd.
5. Copies of research or feasibility studies commissioned, ordered or prepared by the Alberta Alcoholism and Drug Abuse Commission on the operation of Collingwood Acres Ltd.
6. Copies of all policy papers with respect to the relationship between the Alberta Alcoholism and Drug Abuse Commission and the Alcoholics Anonymous Organization.
7. The number of referrals from the Alberta Alcoholism and Drug Abuse Commission to Collingwood Acres for the years 1973 and 1974.
8. Copies of policy papers of the Alberta Alcoholism and Drug Abuse Commission with respect to volunteer involvement in the Commission's administered and commissioned programs.
9. The terms of reference and job description of the Chairman of the Alberta Alcoholism and Drug Abuse Commission.

MR. CRAWFORD:

Mr. Speaker, before the hon. member addresses himself to that motion, I wonder if I could just ask the House if the matter might stand until the next day. I could briefly give a few reasons for that, primarily, with the number of items that are being asked for in that motion, some slight further consideration of it as to whether or not some minor amendment might be suggested. I would still like to give some further consideration to - I could tell the hon. member that on the whole I see no difficulty over producing this information, but over a few points of wording, in view of precedence of the House in regard to certain types of documents, I might want to make a few suggestions and would ask that it stand over until the next day.

MR. WILSON:

Mr. Speaker, perhaps the hon. minister could elaborate a little further. When he says holding it over until the next day, does this mean until tomorrow or until next Tuesday? I take it that the hon. minister means next Tuesday. That would be fine and if he would like to give me advance notice of the type of thing that he's asking to have changed, when the time comes I'd be happy to hear from him.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

1. Moved by Mr. Diachuk:

Be it resolved that our universities and public colleges be encouraged to:

- (a) grant a preference in favour of Canadians rather than non-Canadians in hiring academic staff, and
- (b) ensure that non-Canadian students have access to all programs of study provided that Canadian students occupy a very high percentage of the spaces available in each program.

[Adjourned debate: Mr. Taylor]

MR. DIACHUK:

Mr. Speaker, in view of the absence of Mr. Taylor, who is away at his brother's funeral today, I would ask leave of the Assembly that this resolution remain in its position for debate at the next opportunity.

MR. SPEAKER:

Does the House unanimously agree with the request of the hon. Member for Edmonton Beverly?

HON. MEMBERS:

Agreed.

MR. SPEAKER:

It will then appear in its present position next Tuesday afternoon.

CLERK ASSISTANT:

Motion No. 2 has been withdrawn.

3. Mr. Moore proposed the following motion to the Assembly:

Be it resolved that the Department of Highways in cooperation with local school authorities be responsible for encouraging the development of a voluntary driver education program at all high schools in Alberta in areas where such programs are not now available.

Moved by Mr. Ludwig:

That the motion be amended by striking all words after "Be it resolved that" and by substituting therefor the following:

"the Government of Alberta ensure the opportunity to every eligible person in the Province of Alberta of a driver education course".

[Adjourned debate: Mr. Dixon]

MR. DIXON:

Mr. Speaker, in speaking to the amendment it has been some time since the amendment and the motion were before the House. Maybe for clarification for Hansard I'll read the motion.

Be it resolved that the Department of Highways in cooperation with local school authorities be responsible for encouraging the development of a voluntary driver education program at all high schools in Alberta in areas where such programs are not now available.

And the following amendment which I'm going to be speaking on, Mr. Speaker, was added:

That the motion be amended by striking out all the words after "Be it resolved that" and substituting therefor the following:

"the government of Alberta ensure the opportunity to every eligible person in the Province of Alberta of a driver education course".

One of the reasons I'm getting up and speaking to the amendment, Mr. Speaker, is because the hon. Minister of Highways and Transport, when he spoke, urged the House to vote the amendment down. I can't for the life of me, Mr. Speaker, see his reasoning. All the amendment does is extend, I think in a constructive way, the original motion, moving it not only from the students in our classrooms taking the course, but every person in Alberta who wishes to take the course and is eligible to take the course. I can see nothing wrong with the amendment. I would urge the hon. minister, when the vote actually is taken, that he reconsider his opposition and vote for the amendment.

I believe that driver education - everyone in this House and elsewhere would support any driver education program. But it's quite interesting when you read this motion and the amendment that the government already had planned to bring in such a program, I understand, even in the Department of Highways and Transport. I'm surprised the original movers weren't aware of that fact.

I'd like to say that there is one weakness in the fact that the Department of Highways and Transport looks after driver training to the full extent, especially if you're talking about schools. I'm sort of sorry to hear that the Department of Education seems to have lost the initiative in driver education, because it does really belong in the school environment.

Going beyond that to outside the schools, of course, we should also encourage it in the areas in particular that we are speaking on in the amendment, to areas that have not at the present time regular classes or courses or where driver schools are not available at the present time. So I say that I can see no reason why the amendment cannot be supported.

The number one in driver education, of course, is proper attitude and training, followed up by traffic regulations. Something we often overlook that I think should be included in traffic safety or anything to do with a safety program, is the rudiments of the mechanical operation of vehicles - just the simple rudiments of the operation of the vehicle. I think they should go out of their way to explain braking power, what distance it takes - I know that is covered in the course, but the actual mechanics of the brakes and how they work, and minor emergency repairs. I think in the safety field you would even want to carry it one step further - the dangers of carbon monoxide. That's the type of thing I think we could extend in the driver education course which will assist greatly, I think, in really making our program a very worth-while program.

If the government is going to go ahead with this driver education program - I understand it is - I believe then we should standardize the course so that we have a really good course. By standardizing, you are going to have to get the cooperation of all the people concerned in our province who are interested in safety: the teachers, the schools, the driver training schools, the different safety councils, all interested people. It is only by cooperation and education that I feel we will really be successful in the driver training field.

It might be interesting to note too that female drivers, whether they be in Alberta or anywhere else, are rapidly catching up with the male drivers as far as accident frequency is concerned. So if we start early in training in schools where we have both the male and female students, this course could help them all to a great extent. I must give the ladies credit and the girls credit because the driver trainers tell me they usually find that sometimes the female students are much more interested in the course than the male students. They are interested in listening to what is going on. The male students sometimes feel, well, I know more than the instructor, and sometimes it is hard to get the points across to them.

As well as driver education, we also need re-education. When I talk about re-education, I mean defensive driving later on in the life of the particular driver whoever he or she may be. I think we can all, every once in a while, slip into bad habits so I don't think it would hurt any of us, whenever we have the opportunity, to take a defensive driving course to improve our driving habits. There is a great tendency these days to just say, well, it's the young drivers who cause all the problems, but that is not so. They probably cause quite a number of them, but they certainly don't cause them all.

I would like to commend the course - the Alberta drivers ground school course sponsored by the Alberta Safety Council - to the Department of Highways when they do implement the program. It's a classroom course that could be used, not only for student drivers, but for drivers of all ages. It's a 10-hour course and it's probably not long enough, but at least I believe it's a good start. But if it's coupled with home study of about another eight hours, it could help motivate beginning drivers to set their ideals above merely being able to steer, speed up and slow down.

A great deal of the classroom effectiveness will depend on how the course is laid out. I think you not only have to have an educational course but you also have to have an interesting course. It will keep the interest of the students whether they be younger or older - keep them interested in the course so they will get much more out of it. So we have to rely a lot on visual aids and emphasize the important points of driving so essential to maintain a good safety record.

The defensive driving course is not for beginners, but it's also a re-educational tool as I mentioned earlier. I am stressing this point because I feel that we sometimes say, well, we've taken, or my son has taken, a course, or my daughter has taken a course and she's going to be the best driver in the world. I think we should also impress on them that it doesn't hurt later on to also take the defensive driving course because it can be just as valuable to them, and probably more so, after they have had some experience in driving.

MR. MOORE:

Mr. Speaker, on a point of order, on Tuesday, March 19, when debating this same resolution and commenting on the remarks of the hon. Member for Pincher Creek-Crowsnest, you ruled, Mr. Speaker, that the debate must be strictly relevant to the amendment. I would hope that the hon. member could keep that debate strictly relevant to the amendment.

MR. DIXON:

Mr. Speaker and the hon. member, I am not talking about feeding horses.

AN HON. MEMBER:

Aren't you?

MR. DIXON:

I'm talking about driver training education. Maybe the hon. member just woke up. Anyway if he listens a little more intently, I'm sure he will realize, Mr. Speaker, without you reminding him, that I am on the amendment, I am on driver training. That's what I'm talking about. This is what it's all about. I'm surprised ...

MR. SPEAKER:

With respect to all hon. members, I would respectfully suggest that debate which would be strictly relevant to the amendment would be debate that would reflect the difference between the amendment and the main motion, and be a reason for adopting the main motion.

Any other debate on the topic itself, of course, would be relevant on the main motion. There is a difference, hopefully, between the main motion and the amendment, otherwise the amendment wouldn't have been in order. It would seem to me that the narrow question which is now before the House is whether that difference is justifiable and acceptable so that the amendment might be approved.

MR. LUDWIG:

Mr. Speaker, may I rise on a point of order. From reading the amendment, the amendment is much broader than the motion, and therefore in speaking strictly to the amendment and the need for it, I believe a much broader latitude would be permissible in dealing with the amendment than with the motion.

So I believe the hon. member was speaking broadly on the amendment to which the hon. member on the other side objected. But I think it's obvious that the amendment is a broad all-encompassing amendment. So it would be rather unusual to have a narrower debate on the amendment than on the motion. The motion is narrower. In fact, not only is the motion narrow, I thought the source was somewhat narrow.

But, Mr. Speaker, I believe the hon. member was on point and he should be permitted to debate the amendment.

MR. SPEAKER:

The hon. Member for Calgary Mountain View seems to be assuming that the amendment has been carried. Once the amendment has been carried it will indeed have the effect of broadening the scope of the motion and of justifying thereafter a debate on that broad topic. But if we now debate the broad topic which is being proposed by the amendment, we're assuming the amendment to have already been carried.

The very question which is now before the House is, in fact, whether the topic should be broadened in this way. That is the point which should be debated.

MR. LUDWIG:

Mr. Speaker, not to take issue with your remarks, I believe the amendment ought to be carried if it isn't.

MR. DIXON:

Well, Mr. Speaker, I shall continue, but if I read the amendment, I would like to emphasize to the House the points I'm trying to make. The amendment to me is an expansion of the main motion. The point I'm trying to get across is that we not only have driver education in high schools, but just exactly as the amendment is saying, we should expand driver education beyond the high schools in areas which do not now have courses available to them. So in effect, what I'm saying is that you not only need the original training, but it doesn't hurt any member or citizen of Alberta to also take a defensive driving course, which is a follow-up after they have had the initial course. So what I'm trying to emphasize is that if we are going to encourage people outside of the students in school to take part in a driver education course, then we have to encourage them. If they don't want to take the initial course, let's encourage them to take the later course after having some experience, which they have in driving, to take the defensive driving course.

Mr. Speaker, I could go into great detail on the course that is available by the safety council and other groups within the province, but in closing I would like to emphasize that before the government implements its plan, it gets in touch with all the people in Alberta who are interested in promoting driver safety, the safety councils, the schools, any interested group or association and works together with them rather than going off and saying, well, we can take a course without consulting the people who are

involved. I think this is a very, very essential thing when it comes to driver education, because you must have the cooperation and the willingness for people to want to take the course to make it successful.

MRS. CHICHAK:

Mr. Speaker, I would just like to make a few comments with regard to the amendment. In reading and thinking over the real impact of the amendment, in particular the words, "the Government ... ensure the opportunity to every eligible person in the Province ... of a driver [training] education course," do cause some real concern.

[Mr. Deputy Speaker in the Chair.]

In that sense I really can't support the amendment. I can envisage that the interpretation might be put on that particular wording that every individual, who now either has a driver's licence and is driving or who hopes to obtain a licence to drive, must have the opportunity available to him or her in this province, and that the government must ensure that that opportunity is available, which then means that the facilities must be expanded to cope with such a demand or requirement.

If, in fact, every person who is eligible, as indicated here, wishes to take up the kind of requirement that is being debated here by this amendment, I can envisage a number of items that would come under consideration and would cause a great deal of difficulty.

The greater demand for a facility to be available to provide such a training course would, of course, affect the kind of cost or price that then would be required to be paid by one who wished to take such a course. Well, we can say, fine, so they pay the price. But the amendment says that we must ensure the opportunity. So if we are to ensure the opportunity for each individual to take that course, then we can look at the requirement or the pressure on the part of the public to provide assistance by subsidizing all those who can show that they are not able to pay for the cost of such a driver training course.

I think there wasn't sufficient thought given to all of the implications when the amendment was being constructed.

As indicated, if the private sector is not able to cope with the demand, we must then provide out of public funds all those facilities that would be necessary or might be requested or required in order to cope with the demand one might envisage. The argument might be, well, not every driver is going to take the course or want to take the upgrading. That may be very true. But when the government is put into a position that it must ensure this availability, then we must look at all implications and all the problems that may arise from such a move.

I have some very real doubts as to the value of this type of amendment or requirement being placed upon any government, whether it is this one or another, particularly in this regard.

The need and recognition for a driver training program certainly is another point. But not in the manner in which the amendment is constructed. It seems to me that the amendment was perhaps simply constructed with the thought in mind that the benefit of such a requirement should go elsewhere than the original mover of the motion. And the mover of the amendment could really see very little wrong with the original motion and thought perhaps that by making a few changes in words and putting the government in a position where we might look rather as though we are not supporting the idea of driver training, if we in fact vote against ...

MR. LUDWIG:

On a point of order. How can the hon. member attempt to read my mind when she is having trouble expressing her own, Mr. Chairman?

AN HON. MEMBER:

Shame.

MRS. CHICHAK:

Well, Mr. Speaker, I think we have Mr. Speaker in the Chair and not Mr. Chairman at this time. And Mr. Speaker, I have absolutely no difficulty in knowing what I have in my mind and I think with the performance the hon. Member for Calgary Mountain View has demonstrated from time to time it is not that difficult to read what might be in his mind.

MR. LUDWIG:

Nevertheless a clean mind, Mr. Speaker.

AN HON. MEMBER:

Want to bet?

MRS. CHICHAK:

Mr. Speaker, I would not wish to enter on that debate on this amendment.

MR. LUDWIG:

You'd be out of order.

MRS. CHICHAK:

However, Mr. Speaker, to be always in order we will return to the debate at hand and the amendment before us.

I just wish to emphasize that I am sure other members will draw other points or views forward as to the impossibility of the amendment and the lack of real consideration of the impact or the impropriety of it, I might say. And so I must express that I could not support the amendment.

MR. GHITTER:

Mr. Speaker, I would like to make a few comments with respect to this amendment because to me it's a typical write-it-on-a-scrap-of-paper, go-on-the-seat-of-your-pants-enter-it amendment and try to get a little bit of seriousness on it. I am truly surprised the hon. Member for Calgary Mountain View would try to present such an amendment to us as he has done.

My reasons are obvious, Mr. Speaker. If one were to look first at the main motion and then were to look at the amendment, one would ask why is it that the hon. Member for Calgary Mountain View decided this amendment should be put forward. And then you must look at his arguments as set out so succinctly, Mr. Speaker ...

MR. LUDWIG:

Hear, hear.

MR. GHITTER:

... on Tuesday, March 19, 1974. The hon. Member for Calgary Mountain View, in presenting his amendment at that time, talked in terms of his great concern over the fact he was broadening the original motion because he was concerned only high school students would have the opportunity of taking advantage of this program. [He] was suggesting this was restrictive and he wanted to "broaden" as he calls it, as stated in his debate, the aspect of the program. And he says, Mr. Speaker:

So I suggest, Mr. Speaker, that those were all nice words that we heard. But we're not really dealing with the problem as it is. ...

And then goes on, and on, and on, ad infinitum.

But Mr. Speaker, unfortunately, the hon. Member for Calgary Mountain View did not read the main motion. Because the main motion did not talk in any way, shape or form of restricting to merely high school students the opportunity of a driver training program. It merely states that the program be conducted at high schools.

Had the hon. Member for Calgary Mountain View been listening to the very fine debate of the mover of the motion, the hon. member, Mr. Lee, when he spoke, and other members on this side when they discussed the main motion, he would have realized the purpose of the main motion was to ensure that the high schools be the location where the driver education take place. The reason for this was clearly expressed by the members on this side of the House. The reason was that many young Albertans and adult Albertans are finding it very difficult to move to the central locations of the province where these programs are being conducted. If these programs were to be conducted at our high schools in this province, then there would be a more central location where all Albertans could take advantage of moving to these locations and taking the program.

But no, the hon. Member for Calgary Mountain View wasn't listening. So instead, as he is sitting there trying to determine some mechanism to obtain the attention of this House, he writes on a scrap of paper this great broadening concept ...

MR. LUDWIG:

Hear, hear.

MR. GHITTER:

... that we are to look at from the point of view of this amendment. Had the hon. Member for Calgary Mountain View or the hon. Member for Calgary Millican listened to the mover of the motion when he stated, as he tried pleadingly to explain to them what he meant in his motion, they would have seen, and again I quote from Hansard:

Mr. Speaker, on the point of order, with regard to whether or not the hon. Member for Calgary Mountain View's amendment is in order, it was my intention when I brought in this resolution to word it so that we would have a place throughout Alberta for high school students, young people who are not going to high schools, adults as well, to have an opportunity to take driver education.

The motion 'certainly does not restrict. And bang, the hon. Member for Calgary Mountain View is so concerned to get on his feet and interrupt, he didn't even allow the hon. member from Spirit River to finish his explanation ...

AN HON. MEMBER:

Smoky River.

MR. GHITTER:

... Smoky River to finish his explanation which would have saved this House a considerable amount of time in dealing with the point of view of this amendment which is just really a waste of time.

Mr. Speaker, in looking at this amendment it doesn't express the wishes, I am sure, of this Assembly at all. We are talking in terms of three factors in the main motion which are very important and which I support. First, that it take place at the high schools. That is not mentioned in the amendment. Second ...

MR. LUDWIG:

On a point of order. There have been a lot of rulings in this House on this particular motion that we are dealing with the amendment and not with the motion. And so the honourable Speaker who just sat before you, Mr. Speaker, had ruled that we have to deal with the amendment and not the motion. And the hon. member, for lack of something better to say, is blabbing away on the motion.

I would also like to point out, while I am on this point of order, that if he is in agreement with broadening the scope of the training, what is he complaining about? If we are all in agreement, let's vote on the amendment and get it over with. We all want to broaden the training and everybody is in agreement on that.

MR. YOUNG:

Mr. Speaker, I submit, on the point of order that the hon. member opposite is trying his best to raise, that he has no point of order at all. The hon. Member for Calgary Buffalo is simply making a comparison between the amendment and the motion in the original form. He is trying to indicate the lack of need for the amendment. He is speaking to the amendment, Mr. Speaker. And I submit the hon. member opposite does not have a point of order.

MR. GHITTER:

Mr. Speaker, on the point of order. For the information of the House a bumper sticker is being circulated in Calgary now which says, "Will trade Edmonton for Fernie". I have amended it so that it says, "Will trade Mountain View for Fernie" and I would like to present it to the hon. member.

AN HON. MEMBER:

Tough on Fernie.

MR. LUDWIG:

Mr. Speaker, I believe that in speaking to that amendment the horse trader ought to be ruled out of order because this is no place for nonsense and he had his time.

AN HON. MEMBER:

How come you are up?

MR. COOKSON:

Mr. Speaker, could the Member for Calgary Mountain View be included in the trade?

MR. DEPUTY SPEAKER:

The Chair would request that the hon. Member for Calgary Buffalo continue with his debate.

AN HON. MEMBER:

Hear, hear.

AN HON. MEMBER:

No.

MR. GHITTER:

Thank you, Mr. Speaker.

In comparing the amendment and the main motion, Mr. Speaker, before I was interrupted on that point of order, the first area of difference between the motion and the amendment is, as I have mentioned, the location of where the driver training education program would take place. And I am more supportive of the fact that it take place at the high schools rather than leave it generally open, as would be the case under the amendment. Secondly, the amendment does not make any reference to the fact that the program take place in cooperation with the local authorities, which I believe to be an integral and very important part of the main motion.

That is the second reason why I cannot support the amendment, because I don't think it is nearly definitive enough and I believe the idea of having it in cooperation with the local authorities is very important. Also, I don't believe the amendment really encourages programs taking place where they are not available to Albertans, whereas the main motion does. I think it is very important we pinpoint in our priorities the fact that we should be encouraging these programs in outlying areas where programs are not readily available.

I think then, in conclusion, Mr. Speaker, that really the amendment offers nothing from the point of view of expressing the wishes of this Legislature to those in Alberta who are interested in what we are talking about with respect to this motion.

The main motion is much more definitive. It's much clearer. Certainly the amendment is not clear and does nothing but kind of muddy-up the waters and cause confusion. I certainly would suggest to all members that their support of such an amendment would indeed not be in keeping with good practice.

DR. BACKUS:

Mr. Speaker, I also would like to speak against the amendment for slightly different reasons than already presented. I am not opposed to Albertans having the opportunity to take driver training, but I don't think the amendment, as it is made, has in fact shown much careful thought or much realistic understanding of the situation.

I was very interested that the hon. Member for Calgary Millican, after getting up and saying that we should support the amendment, then went on to say that he felt schools were in fact the place for driver training, which sounded more as though he supported the original motion.

MR. LUDWIG:

Mr. Speaker, would the hon. member permit a question? Could he point out in the amendment where there is any objection as to where the training is conducted, high schools or any place? Can he point out in the amendment - what's he blabbing about? The amendment doesn't restrict in the broadest ... [Inaudible] ...

DR. BACKUS:

I will, in the course of my debate, answer that question.

As I say, the original motion was much more specific and much more realistic, in my opinion, because, in fact, we will now bring up one or two points in the amendment. The amendment asks that the Government of Alberta ensure the opportunity to every eligible person in the province of Alberta of a driver education course. It doesn't define eligible. We do have certain age limits at the lower end of the scale for driving, and I presume he doesn't mean that every Albertan under the driving age should have it. There

is no upper limit, and apparently he feels that all Albertans, even if they are 90, as long as they can get behind the wheel of a car - the government should see that they have a training course.

MR. LUDWIG:

You might be eligible.

DR. BACKUS:

My second point on the question raised by the amendment is that, in fact, the only area where the government has positive control over driver training is through the high schools, that driver training is conducted by the private sector in other areas of the province. His suggestion that the Alberta government should take over driver training, or at least the financing of driver training, is really suggesting that we should go into competition with the private sector in this matter of driver education.

I don't support this concept because I think if he expects the Government of Alberta to ensure the opportunity, then he is asking the Alberta government to make sure that everybody has the opportunity to take a driver training course. Therefore the only way I can see that this could be carried out would be if the driver training, in fact, were taken over either completely by the Alberta government or financially by the Government of Alberta. It's a very easy problem for people to say that they can't afford to take driver training, and therefore make application for a grant from the government to take the training, in which case I think it would be very hard for the government to differentiate between those who could afford and those who couldn't afford the course and would end up with the government, in fact, having to subsidize the courses almost completely throughout the province for every Albertan. I don't think this would gain much support from the private sector which, at present, is trying to provide some degree of driver training courses in this province.

I think the original motion was more specific, and although I'm all for broadening services in the province, motions that indicate a complete broadening of it, these kinds of motherhood motions, I feel detract from the object of debate with a motion that was put forward which was much more specific. It directed us to debate a concept which was practical, which was viable and which could, in fact, be expanded, and it simply threw in an amendment which made the original motion so broad that I think it's impractical and certainly could not be brought into effect for a considerable time because it would require a considerable amount of administration and very careful programming.

The wording of the motion, "that the Government of Alberta ensure ..." is so forceful in its demand that I feel it not only broadens, but it also ties down the responsibility very much in a way that I find very unacceptable, whereas I feel the original motion was a proposal that could very well be accepted and could very well be implemented.

For this reason, I think everyone should vote against the broad amendment and, in fact, support the original motion for the reasons I indicated, because it was more practical, more specific and yet permitted the development of a program that could be as broad as was, I think, hoped for when the hon. Member for Calgary Mountain View proposed the amendment.

MR. LEE:

Mr. Speaker, I too want to speak against the amendment to the motion, and I want to give a number of reasons for doing this.

One needs only to compare, actually, what is really a substitute motion from the Member for Calgary Mountain View with a very positive motion from the Member for Smoky River to see the real difference between the two, to really see what has been left out of the substitute motion and how, in fact ...

MR. LUDWIG:

Mr. Speaker, on a point of order, the hon. Speaker had ruled that this was not a substitute motion. He ruled that the amendment was in order, and we should at least try to be factual if we can't be relevant. Some of this jibberish does not fit into this debate, Mr. Speaker. The Speaker ruled that the motion was not a substitute motion. If it was, it would have been ruled out of order.

MR. DEPUTY SPEAKER:

The hon. Member for Calgary Mountain View would be accurate on that. I request that the hon. Member for Calgary McKnight maintain his debate.

MR. LEE:

Yes, I believe we all know just what the amendment does do though.

Probably what the amendment is attempting to do, in fact, is to attempt to take credit or to share the credit for what is a very positive motion by the Member for Smoky River. However, in its presentation it can only be termed ill-conceived. As the Member for Calgary Buffalo has suggested, he was surprised that the Member for Calgary Mountain View should bring in such an ill-conceived amendment. I'm frankly not quite so surprised, having observed some of the antics in the past.

However, I do want to indicate three areas in which I think this particular amendment attempts to, and probably would, emasculate the actual principle of the original motion.

The first of these is that the amendment as it now stands leaves out one very important part that was in the original motion. That is, it leaves out any discussion of jurisdictional considerations. The original amendment lays out for us, I think, a proper plan for a co-operative effort between the Department of Highways and the Departments of Education. It is important, I think, that we have within this particular motion some statement about the jurisdictional responsibilities of the various departments of government.

As I mentioned in the main motion itself, it is important that we do recognize that the Department of Highways establish a leading role within the establishment of a driver education program, but also recognize that the Departments of Education have a very important part to play in both the development and the presentation of a driver education program. The amendment to the motion, in fact, eliminates this whole discussion and consequently takes away from this whole discussion of driver education.

The amendment to the motion is, however, deficient in a second manner. This is that it does not specify a priority kind of treatment in driver education. I think it is very important that in the initial motion we have this statement, "in areas where such programs are not available", but the amendment to the motion leaves out this particular statement. The Member for Smoky River has recognized in his motion that there is a deficiency in certain parts of the province in the areas of driver education, and that in order to correct this deficiency in rural parts of the province we do place precedence in areas where such programs are not available.

Coming from an urban area, I think those of us in Calgary and Edmonton and many of the other urban areas realize that we have available to us a wide range of driver education programs. We have available to us the Alberta Motor Association, certain private schools and the Alberta Safety Council programs. These are not available in the rural parts of the province. Consequently it is important that this motion do state some priority in the presentation of a program as the original motion did, which the amendment to the motion has left out.

A third area - one that has been covered to some extent by speakers who preceded me - which is left out of the amendment, is some direction regarding the mechanism by which we might present driver education programs. The Member for Mountain View has pooh-poohed the whole idea of including any mention of high schools, saying that when we talk about high schools we are just offering it for high school students.

Well, as the Member for Calgary Buffalo stated, this is nonsense. We are not talking about who we're presenting the program to when we talk about high schools. We are talking about a mechanism by which these programs can be presented, through the high schools, through the educational jurisdiction.

MR. DIXON:

On a point of order. Because my name was mentioned by the hon. Member for Calgary Buffalo and also by the hon. member now averring it, it wasn't regarding high schools. I would like to read just for the record of the House the original motion as it was brought in by the hon. Member for Smoky River. I'll just read this short paragraph which will show that they had every intention at that time of relating this to high schools ...

AN HON. MEMBER:

Page number?

MR. DEPUTY SPEAKER:

I wonder if the hon. member would just make reference to the page in Hansard and then the members could refer to it.

MR. DIXON:

Page 111, March 12, 1974:

In that regard, Mr. Speaker, when we talked about providing driver education in high schools, I think we have to recognize that there are literally dozens of courses offered in high schools today, both rural and urban, which, in my view, however important they might seem, cannot rate as highly as ...

MR. DEPUTY SPEAKER:

I wonder if the hon. Member - that was the intent of the Chair requesting that the member make reference to the page and then the members from both sides could refer to your point of order.

MR. DIXON:

My point of order - I just wanted to say that the hon. members are misleading the House. In particular when my name was mentioned, I'm here to defend the fact that my argument was correct and theirs were wrong.

They have changed their views and I'm just trying to point out to the House - and I want this read in the record - my point of order is that it was stated that it had nothing to do with high schools, it was for everybody. The original mover of the motion is saying - so that's what I'm reading. I say that because we all, I think, recognize that more than 95 per cent of the young people who are in Grades 9, 10 and 11 in our high schools today will be out on the road shortly after they have reached their sixteenth birthday and have obtained their first driver's licence. Throughout the course of their lives many of them will be driving 20,000 or 30,000 miles, and they go on.

So, I think, to say that the members opposite, as they were saying, referring to the hon. members on this side of the House - the main motion was intended, in my opinion, to relate basically to high school students. Therefore my argument that the amendment covers not only high school students but others stands correct, in my view.

MR. MOORE:

On the point of order, Mr. Speaker, now that we have established the precedent that one may quote from Hansard at length to establish a point of order, in the Hansard of March 19, 1974, Page 394 ...

MR. LUDWIG:

Mr. Speaker, they are engaging in debate.

MR. DEPUTY SPEAKER:

Order.

MR. LUDWIG:

They are engaging in debate.

[Interjections]

MR. DEPUTY SPEAKER:

Order, order, order. Would the hon. member for Smoky River continue on his point of order.

MR. MOORE:

Thank you, on page 394 of the March 19 Hansard I quote:

It was my view, that you could best cover this province, in particular the rural areas, by ensuring that we have driver education available at all high schools. There was no intention, Mr. Speaker, when I framed the motion to restrict driver education at high schools to high school students only. Surely, Mr. Speaker, we have moved from that position held by the former government wherein high schools were only for high school students to a position now within the Department of Education, within the school systems throughout this province, where we are encouraging adults and people in many walks of life and of all ages to come into the high schools not only for driver education, but for many other types of education as well.

Thank you.

MR. LUDWIG:

Mr. Speaker, on the point of order, speaking to the point of order, I believe that since you have now permitted double talk you should let the Conservatives continue with the debate. They are masters at it. They are penalty-killing anyway, they don't want to vote ...

MR. DEPUTY SPEAKER:

I wonder, in view of the fact that there is really no point of order here, that we would permit the Member for Calgary McKnight to continue with his debate.

At this time the Chair would like to advise the hon. members that His Excellency and Madame Leger are in and I gather the first group is just returning from visiting with them. So they apparently have moved ahead with their schedule.

Would the hon. Member for Calgary McKnight continue.

MR. DIXON:

On a point of order, my point of order is this, Mr. Speaker: you're ruling that when you're brought into a debate and you wish to remind the hon. members opposite that you have been misquoted, you're not allowed to do that. Is this a new rule that's been applied in this House? That's my point of order.

MR. GHITTER:

Point of order, Mr. Speaker. Inasmuch as the hon. Member for Calgary Millican has accused or suggested that I have misstated his position, I must apologize because it has always been my impression that the word "at" meant a location and the word "for" meant who would be the recipients of it. If I'm wrong in my definition of the word "at" and the word "for", then I apologize. But when the motion reads that it shall be "at" high schools, not "for" high school students, I don't think there can be much misunderstanding.

SOME HON. MEMBERS:

Agreed.

AN HON. MEMBER:

Except that he can't read.

MR. CLARK:

The appropriate minister is up.

MR. FOSTER:

Perhaps the Hansard record should disclose, Mr. Speaker, that the privilege which the member is attempting to gain in speaking to this House should, I believe, be a point of privilege and not a point of order.

MR. FARRAN:

Mr. Speaker, in order for me to understand the hon. Member for Calgary Millican's point of order, I wonder if he would permit a question on his point of order.

MR. DEPUTY SPEAKER:

It wouldn't be fair to the hon. Member for Calgary McKnight who has been wishing to get up and continue his debate at this time.

MR. LEE:

Mr. Speaker, I thank you for your ruling on this item, a recognition, in fact, that there was no point of order, that it was simply a diversion to take away from the impact of the debate.

I was saying, though, that the amendment to the motion does leave out a third very important part. That is the direction which was in the original motion regarding the mechanism by which we could deliver driver education programs. We discussed whether it was "at" or "in" or "for" high schools. I think that those of you who have experienced any kind of a continuing education program in a rural area will recognize that the high schools within the province are, in fact, the very important mechanism by which we do deliver continuing education programming, not only for high school students, but for the population at large in rural areas.

The motion as it originally read provided this kind of mechanism. I think it is very important that high schools, the education jurisdictions, were mentioned in the original motion. The amendment to the motion leaves out this very important aspect.

So, Mr. Speaker, I would urge all members present to vote down this very ill-conceived amendment to the motion. It ignores the very import of the original motion. Once again I would urge members to vote down the amendment.

MR. COOKSON:

Mr. Speaker, if I may rise and enter into this rather facetious afternoon and call the attention of the Assembly to what I would consider a very clumsy effort on the part of the hon. Member for Calgary Mountain View to thoroughly emasculate a resolution which I think is important to all the people of Alberta.

He did this simply by dragging in a red herring, for lack of a better word, in an attempt to defer and delay a positive vote on a constructive resolution brought in by the hon. Member for Smoky River. The amendment that the hon. Member for Calgary Mountain View proposed deleted the word "voluntary" which, I think, is important. It also deleted the words "high schools"; this has been mentioned a number of times and its importance. It also deleted a section which pointed out the importance of making this program available to various parts of the province and in particular to those areas that today find it very difficult, if not impossible, to have some form of driver instruction.

I am not sure what the hon. Member for Calgary Mountain View had in mind. He has attempted to explain. I am sorry that he is not in his seat at the present time. It is just about as vacant as it usually is. But in his amendment, he proposed to broaden it. You know, one of the roles of the opposition in the Assembly is in some way or another to curb the costs of the province, to control costs. They go through the estimates, et cetera with a fine-toothed comb in an attempt to determine where money is expended in a needless way. The member has, in effect, broadened it to the point where it becomes an almost ridiculous amendment.

There is no provision today to prevent all eligible people from taking driver education. This seems to be what he is spelling out in his amendment. The possibility is eligible. Certainly the cost is greater to some more than others, but there is an eligibility.

I was trying to calculate roughly what it would cost if we were to initiate the amendment to the motion which ensures the opportunity to every eligible person in the province of Alberta of driver education which is present at the present time. What he has done, in effect, is broaden it to something like possibly a million people in the province. I have no quarrel with this, but the practical feasibility of incorporating a problem of this magnitude into the estimates of the province is just insurmountable. So what, in effect, he did was to bring this amendment in and thoroughly disrupt the real intent of the original motion. That was something that this province has sadly lacked for a very long time. In fact, in all the years of the former government, no really positive attempt was made to promote driver education in the schools.

I hope the Minister of Highways and Transport, who is here this afternoon, will heed these comments, as well as the Minister of Advanced Education and the Minister of Education. These various departments will, I hope, sometime in the very near future in some way find funds available, find a way of wading through all the bureaucratic red tape and the problems involved, to incorporate a good driver training course in the province.

I happen to have a young fellow 16 years of age who just recently took driver training. He had to go 30 miles to take this course. I find myself somewhat embarrassed driving with this young fellow in the car because he seems to detect faults in my driving which are definitely there. There is no question about that.

So I think the intent of this resolution, which the hon. Member for Calgary Mountain View attempted to thwart with his amendment, was to promote a good constructive kind of program in the province to give, in particular to those young people who are driving for the first time, an opportunity to participate in a standard type of program, a program that would be available to all the people in the province and in particular to these rural areas which find it an extreme difficulty and expense in getting training.

I think, Mr. Speaker, that we should simply defeat the amendment and carry the original resolution. I was wondering whether we could do that in the next two minutes, but this might be hoping a little too much. So perhaps, Mr. Speaker, I would beg leave to adjourn the debate.

[The motion to adjourn debate on the amendment was carried.]

MR. HYNDMAN:

Mr. Speaker, I move we call it 4:30.

[The motion was carried.]

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

Bill No. 201
An Act to Provide for the Protection of News Sources

MR. LUDWIG:

Mr. Speaker, in rising to speak to second reading of Bill No. 201, I wish to point out that since last having debated this bill in this House, much has transpired on the issue. I believe much has happened that perhaps would entirely negate some of the position taken by the honourable members opposite on the need or the benefit of this kind of bill.

I am well aware of the fact, Mr. Speaker, that some of the problems that this bill envisions have not, in fact, arisen in Alberta. But they have arisen in many other parts of the world and they can arise in this province and in this country. In fact some of the high ranking press people in Canada have met in eastern Canada and passed a motion supporting this type of legislation. When I listen to some of the members opposite who have weekly papers, I find that in statistics gathered in the United States, weekly papers have the least reliance on confidential sources of news. Therefore, it is well to understand that they could be indifferent to something like this. It's common when something doesn't affect them that they would be pleased to leave it alone.

But the issue has come to the fore very seriously in the United States and it may well be that passage of this legislation may be in advance of the problems which could arise. Nevertheless, I believe it is the responsibility of the opposition, if it has any progressive attitude towards problems of this nature, to be ahead of the government in raising these ideas. The government, once they get in, become complacent. If the new idea doesn't come from the front bench it isn't worth considering. That is why some governments will not last very long in office.

Many articles have been prepared ...

MR. McCRAE:

Would the hon. member permit a question?

MR. LUDWIG:

Yes, Mr. Speaker, I'll take a question from the hon. member. He seldom gets a chance to say anything in the House. I'll entertain a question from him.

MR. McCRAE:

Thank you. Just to help me make up my mind on this splendid bill, as you've told me it is, are you suggesting right now that your bill is so far ahead of its time that we don't really need to consider it now seriously?

MR. LUDWIG:

Mr. Speaker, anything would be way ahead of the time with the hon. member.

SOME HON. MEMBERS:

Agreed, agreed.

MR. LUDWIG:

Yes, and I would say that if he doesn't understand he should sit quietly and listen because I can only give him argument and not comprehension. If he doesn't understand that's his own problem.

I've stated that this issue has rather prominently come to the fore in the United States recently. There have been lawsuits, there has been imprisonment of reporters who would refuse to disclose the source of the news, the information that they published. One

might wonder, so what? But I believe that we're not concerned even about the well-being of the press so much as about the right of the people to know.

For instance, if some news reporter got a little bit of hanky-panky on some minister, a bit of something untowards, something unacceptable, and got it from an employee in the department and he's got a good tap, he's got some information that there's something unacceptable going on and it has happened, then this reporter, if he reported the news, would be forced to disclose the source of his information and maybe jeopardize the future employment of a civil servant. But often civil servants, unless they're told by some publicity bureau or some authority higher up that they're not to talk to the press, are anxious to tell. They are not all secretive. They don't all want to sort of keep everything confidential unless the minister wants to make an announcement on Orders of the Day or to have a publicity bureau release. And the government has a tendency to always tell you what they want you to know and not when they've goofed on something.

So reporters do rely on confidential sources of information, Mr. Speaker, and that is why I believe they should be protected in order that the public be informed and be assured of a steady flow of information concerning an item. This legislation may be timely. As I've stated, the problem has not arisen too seriously in Alberta but that's no reason to wait, as in much other reform, until the problem becomes almost intolerable and then to bring in legislation. That is the wrong approach. I believe that many people, especially those who are conservatively inclined, have a tendency to wait until they are forced to act. In fact this has been established in the articles and debates that rage back and forth in the United States at the present time. There is that conservative element that says, well, we've managed so far, not too many reporters went to jail so the system is working.

There's the other progressive side that takes the view that we have a problem and we should legislate. In fact 18 of the United States now have legislation on their books, on their statute books, protecting reporters and journalists from having to disclose the source of their news. No disaster has befallen any state, nothing has gone wrong. This is now something that is accomplished. I'd just like to read some statistics which refer, of course, to the United States figures, but it is dealing with the use of confidential information, Mr. Speaker.

In interviewing 455 newsmen of daily newspapers the statistics show that 22 per cent depend on regular confidential sources of information and 11.6 per cent depend on first-time confidential sources. It shows that a third of all the news that newsmen circulate or publish is obtained from confidential sources. I wonder what the situation would be if they no longer could do it. Much of the news that the public wants and is entitled to know would not be available. There is an indication that the trend is developing where there is perhaps a need for such legislation.

In dealing with underground newspapers, in interviewing 35 newsmen it was found that they rely 23 per cent on regular confidential sources and 15 per cent on first-time confidential sources, for a total of 39 per cent of their information that comes from confidential sources.

In doing a poll on national network television, 48 newsmen were surveyed and it turned out that a total of 37 per cent of their news was from confidential sources. I believe that sometimes even in this province we will get news that stems from a confidential source, a leak in City Hall or someone who is working high up and doesn't approve of the manner in which government operates - someone who might feel that he has not fallen in line with the policy of the government in not disclosing information except perhaps through the Bureau of Public Affairs. So it can happen. In this province, in fact, there was a near case in Calgary where a reporter sprung some news and was hard-pressed to disclose where he got it from. Fortunately he resisted and agreed to go to jail rather than declare the source of his information. So there is a need for this kind of legislation.

In further dealing with the statistics in surveying local radio and television, 100 newsmen were surveyed and it appeared that a total of 20 per cent of their news was from a confidential source. I'm saying, Mr. Speaker, that perhaps a lot of the news in this province may stem from confidential sources, and from time to time we get a news break of the type the public wants, is entitled to have and would not have if the reporter could not have a confidential source of information.

In dealing with news weeklies, 50 per cent of their information comes from a confidential source, Mr. Speaker. In assessing other magazines and free-lance magazines, 97 newsmen were interviewed and 36 per cent of their news came from a confidential source - both first-time and regular.

So this is a vital issue, Mr. Speaker, and the reason the issue has become so greatly discussed and debated in the U.S. is that the problems were brought to a rather sharp focus with the arrest and imprisonment of three reporters. More were arrested, but three were imprisoned - one in particular who had a source of information from the Black

Panthers. He had made some disclosures of information he had. He was requested to testify as to the source of his information. He refused and he ended up in jail. In fact, the judge who tried him had recommended that perhaps legislation would solve the problem, but he was obliged to apply the law as it is in the United States.

So, Mr. Speaker, we're not that much advanced with this problem in Alberta as we might think we are. With all due respect to some of the hon. members who feel that since we haven't got the problem let us just sweep it under the rug, it can't happen here. This is not true, Mr. Speaker. It can happen here. Certainly with the influx of population to Canada, with everything moving rapidly, certainly with governments getting involved in almost everything in Canada, news reporting and the ability to get confidential sources of government activities is important. It is very important and I believe it won't be too long down the line, not too many years from now, when we'll probably have several of these problems on our hands and then we'll be scrambling to see whether we should have legislation or not. We should therefore move in advance of the times and bring this legislation in so that we can have it if the need arises.

I would just like to quote the preface to an editorial report dealing with newsmen's rights. It's the same article that I used for quoting statistics showing which news sources are confidential. It states:

The press and the government have been set on a collision course over a question that poses a constitutional dilemma and holds wide political implications ...

This deals with the United States' situation and the decision to imprison these three news reporters.

It is whether members of the press may legally refuse to divulge their confidential sources and information to grand juries and other agencies of government. At least three newsmen have gone to jail in recent weeks for their refusals and others face the same fate. The Supreme Court has spoken on the issue, but by no means has settled it ...

But this issue is up in the air, and when I stated that 18 states in the United States have brought in legislation of this type, it shows a serious concern by legislators who are not so concerned about whether the press, the media can take care of themselves, but they are more concerned about the fact that the people have the right to know. There are numerous articles written under the heading The Right to Know, advocating that we protect this situation by insuring the protection of those who will get news.

There's one instance, at least one article, Mr. Speaker, which deals with the fact that there may be an irresponsible situation where some protected, some shielded reporter may abuse the privilege, but this has been very rare. I'm sure that even the media, the responsible press and media, would not tolerate this thing. It would be much better [to take] the risk of someone, sometimes, abusing this privilege than to be in a position where the public would be denied certain vital information because the reporter would rather not use it than disclose the source. This is the premise of this bill, Mr. Speaker. It says:

Though declining to prove newsmen immunity from prosecution when they refused to testify, the Court did suggest that Congress or the state legislatures might enact laws offering such protection ...

This was a recommendation from a course that imprisoned these people, these reporters, that maybe it would be better if this kind of legislation were enacted and the law would be clear. As I stated before:

These so-called "shield laws" already exist in 18 states in some form or other, and several other states are likely to consider adopting them in the 1973 legislative sessions ...

So this is not an issue that can be ignored, Mr. Speaker, and I believe that if the legislation may be in advance of the times, may be in advance of the problems that we have in Alberta at the present time, it certainly is not too early to discuss this issue and have it debated and to determine whether we should have such legislation in the province.

I believe it is most unfair to have two or three of the newspapers say, well, we don't need it. The law isn't obligatory. The man, if he wishes to disclose the source, may do it. It just says that if he doesn't want to, he doesn't have to. It is not really the concern so much for the media and the press as the concern - as is evidenced in most of the periodicals that deal with this issue and most of the articles that deal with this issue - the concern is the people's right to know and not to be denied any opportunity of perhaps suppression of news or hush-hush kinds of situations where reporters might otherwise have reported.

Thank you, Mr. Speaker.

MR. NOTLEY:

Mr. Speaker, I certainly rise to support the principle of Bill No. 201. As the member pointed out when he made his introductory remarks, there are no doubt many criticisms that one can make about some of the implications of it in the short run, but when we discuss the principle of the matter, I think it's a sound principle for a number of reasons.

The first reason, in my judgment, is that in any democratic society it's necessary to have a balance between the legislative and executive functions on one hand, and a free press on the other. There really is no doubt that when one examines the record of any democratic country, a free and vigorous press is one of the best and most workable guardians of individual liberty.

Now, the argument can be made that in a system of responsible government the Legislature can fulfill that function adequately and that one of the responsibilities of the opposition in a system of responsible government is to be a watchdog on the government and to make sure that the rights of individuals are not trampled upon. And that's true. But having said that, Mr. Speaker, I think if we review the record carefully, we'll find there are many instances, even in our parliamentary system, where the issue of individual liberty has not been raised in the Legislature or in Parliament, but rather has been developed as a result of a fearless news reporter who goes out, digs for the facts, has the courage to write a story and then belongs to a newspaper chain, a radio station or what-have-you that has the courage to carry it.

That leads me to the second point, Mr. Speaker. We need, if we're going to have a free press, a fearless press. And that requires some protection. That protection, as the member has suggested in this bill, of not having to disclose the sources, will allow the reporter who wants to dig the opportunity to do so, to take advantage of the leaks that may arise from time to time and to find the story and bring that story to light. I think the more we can do that in a free society, the stronger our democratic system will be.

Now the argument can be raised, and perhaps with some legitimacy, that there will be individual reporters who will take advantage of this bill, who, by not having to declare their sources, will act in an irresponsible manner. Frankly, I don't think that is going to be a problem. I think that the professional ethics of the press are such that the self-discipline of the profession will in large measure safeguard the irresponsible abuse of the principle contained in this bill.

When I think, for example, Mr. Speaker, of the present controversy in the United States over the whole Watergate question, I think we have to keep in mind that it was largely due to the digging of reporters and the research of reporters that that issue came out in the open at all. It wasn't as a result of legislative action; it wasn't as a result of the opposition or the democratic party in Congress, but largely due to the investigative work of two reporters for the Washington Post who did the job of following up the leads, of tracking down the leaks from various officials, putting together a case and, I think, bringing to light one of the major scandals that has ever taken place in any country. Now I'm not suggesting that scandal mongering is the objective of a press, or the major reason for being. But nevertheless when these things do take place, I think it is incumbent upon the agencies in a society to make sure that the public has access to information. And in the case of the tragic circumstances south of the border, I think a major reason for this issue now being before the American people, so they can make a judgment on it, is the courageous work of a few individual reporters.

And so, Mr. Speaker, just in general summary, if we're going to preserve liberty, it's my judgment that we need a free press. And if we're going to have a free press, that should be, as I said before, a fearless press. In order to achieve that objective, I think the suggestion made by the hon. member and the principle contained in this bill of safeguarding the sources of information are a reasonable and genuine protection for the pressmen of this province. I would urge the members, even if they aren't in agreement with all the details, to at least consider the principle because I think it's a principle worth support.

SOME HON. MEMBERS:

Agreed.

MR. KING:

Well, Mr. Speaker, we have the Social Credit party in the vanguard today of that same great social issue on which they found themselves in the vanguard in 1937. We went through this debate, Mr. Speaker, last year ...

MR. LUDWIG:

Will you concede that this debate is too long?

MR. KING:

That's very difficult to say.

MR. LUDWIG:

Yes, I bet it is.

MR. KING:

We went through this debate, Mr. Speaker, last year in the last session of the Legislature on essentially the same bill. I made some comments there which I would like to repeat in their substance here this afternoon and then I would like to make a few additional comments because just as the hon. member opposite has not changed his position on the issue, neither have I.

Last year I attempted, at least, to be a little more humorous about the events of 1937 ...

MR. LUDWIG:

On a point of order - or at least I rise on a point of privilege. The hon. member's states that I have not changed my position on the issue. I certainly have. I have become more convinced than ever that we need this bill, Mr. Speaker. So the hon. member ought not to make any foolish statements in this House, Mr. Speaker.

AN HON. MEMBER:

You're out of order, Albert.

MR. KING:

Mr. Speaker, the hon. member opposite, or at least his predecessors, rode into power in 1935 in this province, dedicated to the proposition that they were going to create social, economic and, I think, spiritual equality and justice for every person in the province. Between 1935 and 1937 they succeeded to an extremely creditable degree. So in 1937 they decided they would turn their attention to creating justice and equity for everybody through the media in the province, and particularly they needed to create equity for themselves as their Government House Leader said at the time.

So in 1937 they introduced - the hon. Mr. Low, on behalf of the government - An Act to ensure the Publication of Accurate News and Information. It had some very interesting provisions that I presume the hon. member opposite ...

MR. LUDWIG:

Mr. Speaker, on a point of order. On a point of order.

AN HON. MEMBER:

Sit down.

MR. LUDWIG:

Somebody ought to advise the hon. member that Mr. Low is dead, like Stanfield has been for a long time.

AN HON. MEMBER:

That's not a very nice thing to say.

MR. KING:

Mr. Speaker, I didn't quite get the annotation from Beauchesne that that point of order was based on. Would you give me the annotation please?

MR. LUDWIG:

The same ...

MR. DEPUTY SPEAKER:

Order, order. Would the hon. Member for Edmonton Highlands please continue with his debate.

MR. KING:

Mr. Speaker, I thought the hon. member opposite, being the soul of reason and moderation, would be interested to listen to my remarks, not so much that they could educate him because I know that he is already the best educated person in the Assembly, if not the province ...

MR. LUDWIG:

Next to you. You're the best.

MR. KING:

Mr. Speaker, if I could read just a couple of very brief excerpts from the 1937 Act to ensure the Publication of Accurate News and Information, because I'm sure the hon. member opposite must have had them in the back of his mind when he drafted this legislation.

Every person who is the proprietor, editor, publisher, or manager of any newspaper shall, upon being required to do so, make a return in writing setting out every source from which any information emanated ... and the names, addresses and occupations of all persons by whom such information was furnished.

AN HON. MEMBER:

Shame, shame.

MR. KING:

Now, Mr. Speaker, you can't just say that that is going to happen without providing some penalty for failure of the media to comply. So it was only logical that the government, in drafting this legislation, should have a section of penalties.

In case the proprietor, editor, publisher, or manager of any newspaper has been guilty of any contravention of any of the provisions of this Act, the Lieutenant Governor in Council ...

that is to say the Social Credit cabinet of the day,

... upon the recommendation of the Chairman, ...

who happened to be a Social Credit MLA and a member of the government caucus

... may by order prohibit ... the publication of such newspaper either for a definite time or until further order ... [or] anything written by any person specified in the order, [and may prohibit] the publication of any information emanating from any person or source specified in the order.

Now that means in effect, Mr. Speaker, that not only could the media be shut down, but in fact, if the source of information was identified, then all media in the province could be prohibited from reporting anything that man or woman might say on any subject whatsoever.

AN HON. MEMBER:

Shame, shame.

[Interjections]

MR. KING:

Then, Mr. Speaker, being fearful that this might not be a sufficient constraint upon the honesty of the media, they also provided for fines of up to \$1,000 for any contravention of the Act.

Now, Mr. Speaker, there is no doubt that a good deal of very thoughtful preparation went into the drafting of that Act. There is no doubt that they attempted to develop a piece of legislation which would faithfully reflect the deep convictions of the Social Credit party of the day. I think they succeeded to a really commendable extent. I think that was an accurate reflection of the Social Credit belief at the time. And the Act was passed by the Legislature.

But that, a significant milestone as it was in the development of the province, was not the end of the matter because interestingly enough, Mr. Speaker, that bill, when it was passed into law, did not receive the assent of the Lieutenant Governor in Council. It's a famous piece of legislation, Mr. Speaker, and I can't understand why the hon. gentlemen opposite aren't more proud of it than they are. That legislation is famous in

the constitutional law of this country because it was the last piece of provincial legislation, at least to the present time, that has been refused Royal Assent upon the direction of the Governor in Council, that is the Governor General and the federal cabinet. It was reserved for the signification of the Crown and it never did receive Royal Assent.

As a matter of fact, when we consider our position vis-a-vis the federal government in terms of royalties, export tax, control of natural resources, this is a piece of legislation that we study.

The Social Credit government was so upset that this worthy piece of legislation didn't receive Royal Assent that, in fact, they took the case to the Supreme Court of Canada. I admire a government that has the courage of its convictions and says that in spite of the fact that the Governor in Council has refused assent, we're going to go to the Supreme Court of Canada or to the Privy Council if we have to, to prove the rightness of our position, which is what they did. Unfortunately it didn't prove the rightness of their position because the Supreme Court of Canada, in deciding that the federal government had acted within its power, also decided - and this is the significant thing, Mr. Speaker - that it was outside the competence of any provincial legislature in Canada to enact legislation which in any way affected the freedoms of the operation of any of the media, and particularly anything which would proscribe their freedoms.

What I'm trying to get at, Mr. Speaker, is that it was the direct result of the actions of the predecessors of the honourable gentleman opposite which culminated eventually in a case before the Supreme Court of Canada, in which that Supreme Court said that legislation such as is being proposed today by the hon. member opposite is not within the competence of a provincial legislature to pass.

Now, not only is that the current fact of constitutional law in Canada, but I think that at the time the decision was made by the Supreme Court it was a valid decision, and I think it remains a valid decision today. It distresses me, as a resident of Alberta and a citizen of Canada, it distresses me immensely that an hon. member with a legal background should rise in a provincial legislature and propose the enactment of law because of the deficiencies of the law of another country, and because of the deficiencies of the tradition of another country. And to hear the hon. member opposite stand in this Assembly for 15 minutes and suggest that in Alberta we need this kind of legislation because of the deficiencies of the American tradition and the American law, suggests to me that instead of contesting seats in this jurisdiction, he should be down trying to do the Republicans some good in Michigan or California.

AN HON. MEMBER:

Send him to Fernie.

AN HON. MEMBER:

That's tough on Fernie.

MR. KING:

Mr. Speaker, I am confident the hon. member opposite would be as much help to the Republicans in the United States as is their current standard bearer.

MR. LUDWIG:

Mr. Speaker, on a point of order. I believe the hon. member's divergence from the bill has been tolerated long enough and you have some responsibility to bring him down.

AN HON. MEMBER:

Oh, go on.

MR. LUDWIG:

If not ...

MR. DEPUTY SPEAKER:

The hon. Member for Calgary Mountain View has no point of order and I would suggest the hon. Member for Edmonton Highlands continue with his debate please.

MR. LUDWIG:

Mr. Speaker, what is the citation for your decision? I have not completed my remarks. I was interrupted on a point of order and I ...

MR. DEPUTY SPEAKER:

If the hon. Member for Calgary Mountain View continues to rise on what he professes to be a point of order, the Chair will have to consider that he is rising to close debate. And I don't think that would be in the best interests either. The hon. member has risen several times and interrupted the debate. I would suggest the hon. member ...

[Interjections]

... Order, please. The hon. Member for Edmonton Highlands may continue with his presentation.

MR. HENDERSON:

On a point of order, Mr. Speaker. I suggest the hon. Member for Calgary Mountain View has every right to stand in this House and state his point of order before the Chair cuts him off. It is incumbent upon the Chair to listen to his reasoning, even though he may not agree with it. He is certainly entitled to the opportunity of presenting his point of order, whether the Chair thinks half way through it that he is on a correct point of order or not.

MR. LUDWIG:

Mr. Speaker, I would like to continue with my point of order. I believe the issue of relevance in debating the principle of a bill has been ordered upon, has been discussed and has been debated in this House on numerous occasions. And I believe, with all due respect to the hon. member's knowledge of history, we are debating the need for protection against disclosure of source of information. Although his historical account may have some indirect relevance to the bill, he is not dealing with the need of this legislation today. I believe you permitted him - that his debate has deteriorated to the point of gibberish and it is not relevant to this bill. Mr. Speaker, you have a responsibility in this House. And let's have an ordinance to relevancy of the debate.

MR. FOSTER:

Speaking on the point of order, the hon. member opposite who raised the point of order has already acknowledged that the historical comments of the previous speaker may be indirectly relevant. Those, I believe, were his words. I take that, Mr. Speaker, to be an admission. Surely the historical significance of the legislation, its relationship constitutionally to the jurisdiction of this House, is most relevant to the point in order.

MR. KOZIAK:

Mr. Speaker, on the point of order. How much more relevant can debate be than to suggest that the bill presently before the House is not within the powers of this House to pass? If anything has got to be relevant to debate, that has to be relevant as to whether or not we should even consider the bill. The hon. Member for Edmonton Highlands has very capably brought forward the decision of the Supreme Court of Canada on a previous bill in this same area and the Supreme Court of Canada has ruled it was without the jurisdiction of the Province of Alberta to pass legislation in that area. That, Mr. Speaker, surely must be the most relevant information brought to this House during the course of the debate this afternoon.

SOME HON. MEMBERS:

Agreed.

MR. KING:

Mr. Speaker, if I could continue with a few more comments.

The conclusion I wished to draw was that in the English tradition the press has long recognized that its greatest freedom lay in what might be described as the ambiguity of the situation. Its greatest freedom lay in that body of tradition which has been established in individual instances and that body of precedent which has been created in those instances which have gone to the courts of this land and of the United Kingdom.

I would say, Mr. Speaker, that it is obvious, not only in Canada but in other jurisdictions of the British tradition, that the greatest danger to the freedom of the press lies in those attempts to define it or to define its boundaries or circumscribe the boundaries. I would cite, as a Canadian example, some of the unfortunate experience of the press in the province of Quebec in the mid and late forties, and some of the more recent unfortunate experience of the press in African states of the British tradition.

Mr. Speaker, a comparable or at least a similar bill was introduced in this Legislature at the last session of the Legislature. It was done in response to no request of the media in this province. Not only was that the case, but when it achieved a similar debate in this Legislature last year it brought forth no comments of approval from any of the media in this province. And, in fact, we can point to editorials, we can point to the printed opinion of the media themselves, the people whom we propose to affect, to their concern that such legislation, which has the superficial appearance of protecting them, was in the longer term and more extensively going to pose a serious threat to them. I would remind the honourable gentleman opposite of the editorials which appeared both in The Edmonton Journal and The Calgary Herald opposing the passage of such legislation as he stands today in this Legislature to recommend for our consideration again.

Mr. Speaker, the only reason I made reference to the American situation was because it was so much a part of his comment and so much the underpinning of his feeling that legislation such as this was necessary. I would really like to compare the situation that exists in the United States with the situation that exists here in Canada and in Alberta.

It has never been the position of the courts, which in this country are the greatest protectors of the press, because it is in the courts that the body of precedent and tradition is developed - it has never been their tradition in this country to be interpretive of legislation. They have applied legislation literally without attempting in any significant degree to determine what the intent was behind the words which were printed.

One of my concerns, Mr. Speaker, is that as soon as you begin to legislate, you severely circumscribe the opportunities of the press because that situation is going to be judged and that legislation is going to be judged by a court whose tradition is to apply inclusions and exclusions literally and whose tradition is not to interpret what might have been the intent behind the legislation.

That is not the situation in the United States where the Supreme Court of the country has a long history of an interpretive responsibility and of the protection of the rights of bodies such as the fourth estate. I think that makes a significant difference between the Canadian experience and the American experience.

That, Mr. Speaker, if I could conclude, is why I am so distressed that someone with a legal background, someone who for many years has been a member of this Legislative Assembly, should rise and with 350 years of British tradition behind him suggest the need for legislation because of the deficiencies of the American tradition and the American legislation. That disturbs me, Mr. Speaker.

What disturbs me even more, is that the gentleman should present for the approval of this Legislature a piece of legislation which is beyond the competence of the Legislature, which is known to be beyond the competence of the Legislature, because of a decision of the Supreme Court of Canada on legislation which emanated from those honourable gentlemen.

Thank you, Mr. Speaker.

MR. HENDERSON:

I want to speak just very briefly to the bill, Mr. Speaker, and start out at the outset by saying that I certainly oppose the bill in principle, and I think in addition, for the reasons the Member for Edmonton Highlands has stated or may have already stated as well. I can no reason why any member of society, be it a newspaperman or otherwise, should be excluded from the responsibility of being accountable for his statements, particularly when he gets into a matter of law. I find it difficult - in fact, if I had to do it the other way, I'd like to see them a little more accountable for some of the statements they make at times. Certainly to provide legal protection for anybody of this sort, I suggest, clearly is not in the public interest.

If a bill such as this were on the statute, even if it were within the jurisdiction of the province, one could envision it would protect a vindictive newsman from saying almost anything he wanted and still be held unaccountable before the courts. I suggest, just as every member of this Legislature is accountable to the Legislature itself and to the public, that it's certainly in keeping with the same principle that members of the press be similarly held accountable for their actions to the courts of the land.

MR. FARRAN:

Mr. Speaker, I listened carefully to the hon. Member for Calgary Mountain View and somewhere in the echoes of my mind I felt that I had travelled this road before.

MR. LUDWIG:

There is a hollow chamber there.

MR. FARRAN:

Have you ever had the strange feeling, Mr. Speaker, that you've been through it all before - you know, like Bridie Murphy - in a former life? Somehow the record player in Calgary Mountain View has got stuck. As Confucius says, Mr. Speaker, original thoughts not come very often except from Mao. I appreciate that there is no rule against repetitious debate, except in the same session. One must forgive the hon. Member for Calgary Mountain View if he's so busy in his practice that he has to serve up old motions like cold fish and chips that were left over from supper last night. Actually this is not the only time that he's done this lately, that he's been back to the fridge for an old piece of lard. I suggest, Mr. Speaker, it's getting so rank and stale that he should clean out the fridge, empty though it may be. One must admire his persistence though. He's very persistent, Mr. Speaker. It's, you know, the sort of persistence I suffered when my son was trying to learn the violin. I suppose, Mr. Speaker, he keeps banging his head against the wall because it will feel so good when it drops off.

Anyway, Mr. Speaker, I don't get much time for television nowadays. My duties keep me chained pretty well to the desk, so I don't suffer from reruns of old movies like some people. So perhaps I can take it better than most, whether it's a rehash of an old stew or not. But I am reminded, Mr. Speaker, of Shakespeare's Macbeth - and he was nearly as desperate as the hon. Member for Calgary Mountain View - who said something that went like this: "To-morrow, and to-morrow, and to-morrow, Creeps in this petty pace from day to day." See, it was just getting him down. And then he went on and said, you know, "It is a tale/Told by an idiot, full of sound and fury,/Signifying nothing." And I believe this perfectly describes this bill from the hon. Member for Calgary Mountain View.

MR. WILSON:

Mr. Speaker, on a point of order.

AN HON. MEMBER:

He woke up. Good morning.

MR. WILSON:

I would draw your attention to Section 127(1) of the parliamentary rules and forms that we operate under. It certainly seems that the hon. minister opposite is in breach of that rule and is not debating the bill before us at this time, Mr. Speaker.

MR. KOZIAK:

What number is that?

MR. FARRAN:

Well, Mr. Speaker, I'm sorry. I apologize if the hon. Member for Calgary Bow didn't appreciate my preamble. I'll get down to the meat of the speech.

AN HON. MEMBER:

Fresh meat?

MR. FARRAN:

He may have heard it before.

Mr. Speaker, this is an interesting bill which certainly demands considerable detailed thought. I think though that this bill, introduced by the hon. Member for Calgary Mountain View, may appear to have some superficial merit in the light of current events in the United States. But I believe that no hasty conclusions should be reached on the basis of experience in another country, which may not have either the laws or the accumulation of jurisprudence that exists in the British Commonwealth.

Our experience goes back many years, back as far as the days of the Gutenberg Bible and William Caxton and the invention of moveable type. Centuries ago the issue of freedom of the press was determined. The occasion, in journalistic history, is reckoned to date from a time when a guy called John Wilkes was put in jail rather than surrender to government pressure. He was called a pamphleteer in those days, like Dr. Johnson. It was in a sort of sneering way. But I think it's fair to say that the broadsheets of those days were, in effect, a primitive newspaper. Wilkes was acclaimed a hero by the people, and like any worthy newspaperman since, he was subsequently elected to parliament. I'll pause there for applause.

[Interjections]

Those were actually certainly rambunctious days when the press seemed a little more free than it is today, Mr. Speaker, despite the enshrinement and hallowing of the freedom of the press principle in written bills of rights in recent years. They were the days when perhaps the heap of government legislation was not quite so high, when the bills and acts had not accumulated in geometrical progression to the point where the population explosion may be solved by the suffocating effect of the paper. They were the days, Mr. Speaker, when red-blooded citizens like Bob Edwards in Calgary were ready to settle arguments with their fists without fear of charges of assault and battery. For instance, those were the days when kids were spanked and when criminals were considered a menace to society rather than a sort of gold mine to be exploited by social workers with their mickey-mouse degrees.

In the absence of restrictive laws the press did prosper and did continue to maintain its freedom in a free society. So the lesson of John Wilkes was well learned by our system. From time to time, when politicians became afflicted with that compulsive mania they sometimes have for making laws and for regulating everything from the cradle to the grave, there were clashes with the press. But the press stoutly resisted and said, look, leave us alone. We understand your motives and they are of the very best. But we don't really need any regulation or restriction. Thanks, but no thanks. Because if the press once accepts this gift of special privilege enshrined in law, which is being offered to them by the hon. Member for Calgary Mountain View without too much thought, then the press has a suspicion that inevitably somebody will raise the question of licensing newspapers.

The hon. Member for Edmonton Highwood tells you that in history - fairly recent history - the suggestion was raised by the party from which the majority of the members opposite come. It has been raised right here in Alberta - licensing newspapers. Well, we have precedents in Canada. What happened to radio and television which are other areas of the media? They were regulated first of all for the basic principle of preventing chaos on the airwaves, on the Hertzian waves. Then the granting of franchises by value judgments - they could protect the economic viability of the guys who came first. Then the government got into considerations for granting franchises and licences which were not concerned with either financial viability or chaos on the airwaves. They began to think about controlling content. They do it to this day in Canada despite bills of rights - the content of programs on radio and television.

Sometimes they give licences to political friends. They retaliate sometimes in a way that some governments can retaliate if the line is not being toed properly by the operators of the station. They can threaten to take away their licence if they don't obey a dictate from the CRTC. They try to direct policies, probably good policies from the point of view of Canada, through the control of content in the market, and they want to get everybody into some sort of similar nationalistic mould. It began to think of the media as an education media delivering a message. This is, in effect, another job of the federal Minister of Communications, supposed to be my counterpart on a federal level, the Hon. Gerard Pelletier. Really the newspaper retort to that type of approach is very similar to that of Ernest Hemingway's when a bright young co-ed asked him what message his books contained and he said, "Look, messages are for Western Union, I write for entertainment".

At the moment anyone can start a newspaper or a broadsheet or a tabloid - anyone in this House, anyone in Alberta, anyone in Canada. You don't need a licence. You don't have to be able to spell. You don't have to be able to write. All you have to be able to do is sell ads and sell a few papers ...

AN HON. MEMBER:

You should know.

MR. FARRAN:

... but he doesn't need a licence. The aspiring journalist doesn't need a licence. He doesn't have to shut down 48 hours before an election, like radio and television. He doesn't have to accept any controls on content. Even the renowned Senator Keith Davey, who recently had a stab at the press in a Senate commission of inquiry into the media in Canada, conducted a very lengthy inquiry in Ottawa and stuck his political nose into somebody else's business. He only went so far as to suggest self-regulation through voluntary press councils in the industry.

There is an exception. The press is interfered with indirectly in Canada by the post office. Of course everybody is being interfered with by the post office nowadays. Thank goodness we have a courier service to Camrose. They give a privilege to the newspapers of what they call second-class mailing privileges. They get a slight discount on the mailing. They don't have to pay by the piece, they pay by the pound, which with some newspapers is probably the way it should be. Then, in order to get this privilege, the post office insists on specifying what is a newspaper in their opinion, on the number of subscribers a newspaper has to have in order to qualify to be a newspaper, the amount of advertisements they carry as compared with editorial copy. And they do demand access to

the records of a newspaper. They lay down regulations on frequency of publication. In other words, as soon as a privilege is granted, they give you a little bit off on the postage, then they expand the foothold and expand that toe in the door into a wider and wider breach.

One of the first things I spoke on when I was elected as an MLA to serve in this historic House was an attempt by the opposition to regulate the press gallery. I don't know if you remember that last year - sorry this is the wrong text, the year before last, 1972 - I took strong objection ...

[Interjections]

... it's my speech and I've given it without notes before, Mr. Speaker. I took strong objection to that because I didn't believe it proper that the House should interfere with the press. The press gallery sits up there in a position of isolated splendour which has grown through tradition. We don't go into their gallery, they are not supposed to come into ours.

AN HON. MEMBER:

Why not?

MR. FARRAN:

They sit there. You know, they are special watchdogs for the public of what we are doing. By and large they do a pretty good job, even though some of us, sometimes, don't always appreciate it, just as those guys way back in the early days - you know, the dinosaur prehistoric days of Social Credit - didn't appreciate it either.

AN HON. MEMBER:

Hear, hear.

MR. FARRAN:

I, always, as a journalist objected to the sportswriters getting together in a little club so that those who had membership cards could go into the press box at the football game and get a free look at football. They would keep out people from small newspapers like the Beverly Page or the Calgary North Hill News. They would run a tight little club to make sure that nobody who wasn't a member got a free look at a football game. Now that went ...

DR. BUCK:

Mr. Speaker, on a point of order. Is this a filibuster or is he speaking on something?

Mr. Speaker, is this relevant to what he is speaking on?

[Interjections]

AN HON. MEMBER:

Carry on.

MR. FARRAN:

Yes, Mr. Speaker, I might say that this particular speech is now part of precedent and jurisprudence having been through the test once and come through safely. So it must be in order.

It went absolutely against my notions of basic freedom of the press and if that charming little lady who runs the Beverly Page wants to go into the press gallery nobody should deny her, by control or regulation, that right or deny it to any other representative of the media.

Let me just say something here.

AN HON. MEMBER:

It's about time.

MR. FARRAN:

Well, I agree. I left myself wide open there.

AN HON. MEMBER:

Adjourn the debate.

MR. FARRAN:

Legislators seldom give anything without taking something away and you all know that. You're all in the game. You've been on both sides of the House.

SOME HON. MEMBERS:

Time.

MR. FARRAN:

They argue that with every privilege there goes a responsibility, and it's a very convincing argument. Far better for newspapers in their own interest to be like citizens with no special powers, the same law as other citizens, no special privileges. Certainly as a journalist, I would have said that I preferred the judgment of the court that recognized the watchdog role of the press to the judgments of any legislative body or licensing authority.

Mr. Speaker, I beg leave to adjourn debate.

MR. DEPUTY SPEAKER:

Is it agreed that the debate be adjourned as moved by the hon. minister?

HON. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, as to business this evening. The House will not be sitting, but the Estimates subcommittees will be functioning beginning at 8:00 o'clock. I will just outline the committees which will be sitting: Subcommittee A in the Carillon Room, Department of Health and Social Development, continuing review of those estimates; Subcommittee B, Department of the Environment, in Room 208; Subcommittee C, Department of the Solicitor General, in Room 108, and Subcommittee D, Department of Municipal Affairs, in Room 312.

Tomorrow the House will proceed into continuation of study in Committee of the Whole beginning with Bills No. 1 and 10 on page 1 and continuing on page 2.

I now move that the Assembly, but not the committees, do now adjourn until tomorrow morning at 10:00 a.m.

MR. DEPUTY SPEAKER:

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

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

