

LEGISLATIVE ASSEMBLY OF ALBERTA

Friday, May 24, 1974

[The House met at 10:00 o'clock.]

PRAYERS

[Mr. Speaker in the Chair]

INTRODUCTION OF BILLS

Bill No. 229, The European Flood Relief Repeal Act, 1974

MR. WILSON:

Mr. Speaker, I beg leave to introduce a bill, being Bill No. 229, The European Flood Relief Repeal Act, 1974.

MR. FOSTER:

What's that?

MR. WILSON:

The European Flood Relief Repeal Act.

[Leave being granted, Bill No. 229 was introduced and read a first time.]

INTRODUCTION OF VISITORS

DR. WARRACK:

Mr. Speaker, it's a great pleasure this morning for me to have the opportunity to introduce to you and through you to the members of the Legislature, the Prairie High School from Prairie Bible Institute in Three Hills in my constituency. They've been up since about 4:00 o'clock this morning to be here on time. They are going to be visiting the provincial museum. They are here to take part in the proceedings of the morning at the Legislature. They are some 60 in number in the members gallery, accompanied by teachers Mr. Roger Armbruster, Mr. Winston Tilzey, Mr. and Mrs. Howard Tromsness and Mr. Ken Perner.

I would ask all hon. members if they would join me in welcoming them to the Legislature and would ask them to stand.

MR. DIACHUK:

Mr. Speaker, I take pleasure this morning in introducing to you and through you to the members of this Assembly some 24 Grade 3 and 4 young ladies and gentlemen from my constituency. They are from St. Leo School [and are] accompanied by a teacher, Mr. Ron Jiry and two volunteer parents, Mrs. Stoklosa and Mrs. Watamanik. I would like them to rise and the members of the Assembly to give them the proper recognition. Would you please stand.

TABLING RETURNS AND REPORTS

MR. FOSTER:

Mr. Speaker, I'd like to table the annual report of the Department of Advanced Education.

SOME HON. MEMBERS:

Bravo, hurrah.

MR. FOSTER:

Hurrah.

I'd like to file, Mr. Speaker, at the same time a document, for the information of the members of the Assembly, which will be circulated to them. It's a document the department is making available to all Grade 9, 10, 11 and 12 students in the province of Alberta giving them information on post-secondary opportunities.

I would direct the members' attention specifically to the last four or five pages where they will find a complete listing of all courses offered at all institutions in Alberta.

AN HON. MEMBER:

Hurray.

MR. LUDWIG:

Is the law faculty included?

MR. KOZIAK:

Ludwig for mayor!

ORAL QUESTION PERIOD

Meat Industry - Labour Relations

MR. CLARK:

Mr. Speaker, I would like to direct the first question to the Minister of Manpower and Labour and ask him at what stage are the negotiations between the meat cutters at Swifts, Burns and Canadian Packers and their employees?

MR. SPEAKER:

Unless the department is participating in the negotiations, there would be some difficulty in seeing how this would relate to the duties of the hon. minister.

MR. CLARK:

Mr. Speaker, due to the fact there is, likely, going to be a strike in Alberta on June 5 the department should be involved.

DR. HOHOL:

Mr. Speaker, I should like briefly to give this information to you and the House. Canada Packers Limited with four plants, Burns Foods Limited with two plants, Swift Canadian Company Limited, two plants, are presently negotiating with the Canadian Food and Allied Workers. The dispute is a difficult one. It's national in the sense that the companies have other companies across the nation and may or may not be involved in any consequences of the dispute if it is not settled.

I should like to make this information known publicly. It is important because of the gravity of the dispute. With the majority of the food cutting industry being in Alberta, it's of particular consequence to this province. Accordingly, we have taken the initiative to appoint a nationally known, highly distinguished and reputable conciliator,

a gentleman by the name of Mr. Bill Dickie, the Deputy Minister of Labour of the Government of the Province of Alberta - of Ontario - excuse me. He is going to be backed up by another gentleman who, I think, both sides will agree is one of the best labour people in Canada, our own Mr. Bob d'Esterre, Chairman of the Board of Industrial Relations. He will be backing up Mr. Dickie, but Mr. Dickie is the official conciliator or, excuse me, mediator. Mediation begins in Calgary this afternoon.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Minister of Agriculture. When we pursued this matter in the House on Thursday, May 9, the minister indicated the government was taking steps to have emergency plans available relating to the marketing of livestock and subsequent slaughter. Would the minister be in a position now to indicate to us what those plans are?

DR. HCFNER:

Mr. Speaker, as my colleague the Minister of Manpower and Labour has pointed out, the strike, if it comes, will involve the three major packing plants and therefore we will have to depend upon the smaller plants in Alberta to take up some of the slack. That means, in effect, giving them some assistance in relation to marketing and storage if they have to become involved in increasing their slaughter. These plans are going ahead in that area.

There are a number of plants in Alberta which will not be affected by the strike. These plants, at the present time, normally carry out about 25 per cent of the kill which takes place in Alberta. We would hope we might be able to expand that, to close to 50 per cent of the normal slaughter. I am sure my honourable friend can appreciate that if the strike should become a national one, the situation will become very serious indeed.

MR. CLARK:

A supplementary question to the minister. Have officials of the Department of Agriculture been in contact already with the operators of the smaller plants the minister refers to?

DR. HORNER:

Yes, Mr. Speaker.

MR. CLARK:

A supplementary question, Mr. Speaker, to the Minister of Consumer Affairs. In light of the fact that it is indicated there would be, perhaps, a one week supply of meat for Alberta consumers, what steps has the Department of Consumer Affairs had under consideration, since May 9 until now, in the event of this strike taking place?

MP. DOWLING:

Well, as has been indicated, Mr. Speaker, the Minister of Agriculture has covered the subject pretty amply and has taken all the necessary steps which can be taken at this time.

We had, as late as some 15 or 20 minutes ago, further discussions on the subject. He knows my feelings and I know his.

MR. SPEAKER:

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

Syncrude - Labour Relations

MR. NOTLEY:

Mr. Speaker, I'd like to direct this question to the hon. Minister of Manpower and Labour as well and ask him whether he is in a position to report on what progress, if any, is being made on the on-site agreement between Canadian Bechtel and the construction trades in the McMurray region?

DR. HOHCL:

I should like, sir, to report progress. We've worked strenuously and it could well be that very shortly we will conclude discussions with the parties that are important to meet with and then be able to report progress and possibly action in the House.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. minister. Can the minister advise the Assembly whether the government has developed any contingency plans that involve legislation if an on-site agreement is not reached through negotiation?

DR. HOHOL:

Mr. Speaker, I would like to be very clear on what the issue is that we are talking about. In specific terms it's what we have learned to call Condition A of the Syncrude agreement which calls for an effort to come as close as possible to what is referred to in labour relations as labour peace during the length of a project.

There is some question as to whether or not the legislation makes it possible for the parties to such an agreement, if they could reach it, to, in fact, reach it. So it will not be and never has been the intention of this government - and we have tried to make this clear since last August to all the parties and to the Legislature - that we would not legislate a no strike-no lockout agreement. But if it were necessary to amend the legislation to make it possible for the parties and the principals involved on the project, then we would certainly do everything we could to remove any real or apparent impediment to the parties concluding that kind of agreement on their own. But it's not the intention of the government to legislate a no strike or a no lockout circumstance on that or any other project.

MR. NOTLEY:

Mr. Speaker, a supplementary question to the hon. minister. Can the minister advise the Assembly whether or not the government has been requested by officials of Syncrude for intervention, through legislative changes if necessary, to achieve a satisfactory on-site agreement?

DR. HOHOL:

Yes, we have been [so requested] and also by other parties. Of course, being in a way partners to the agreement, it is our wish also to have labour stability on the project on behalf of Albertans. What has to be clear is that that is what has been asked for, that we provide the circumstances and the parties themselves reach that situation. We have made it clear to Syncrude and to other principals that we would not, in fact, legislate that circumstance, because a sort of shotgun marriage between the unions and the building trades, I personally know, is not in the best interests of the industry. They simply wouldn't have to follow it. What we had hoped for, Mr. Speaker, was that the parties, in an informal way, would develop the kind of approach that might have been followed up by legislation to make it legal and within the Act. That was impossible after about 32 meetings. Therefore we are working on the possibility and working hard at getting any impediments in the legislation removed so the parties can then get together and develop their own agreement.

MR. NOTLEY:

Mr. Speaker, just one final supplementary question for clarification, then. Do I understand from the minister that at this time there is absolutely no consideration on the part of the government of any legislation which would qualify the right to strike in the McMurray region?

MR. SPEAKER:

The hon. member is really repeating previous questions, in a slightly different form, which would require a repetition of previous answers.

MR. NOTLEY:

Mr. Speaker, with great respect - on a point of order, not really. The question I asked before was, whether or not there would be a legislated on-site agreement. The question I'm asking now is, whether or not the government is considering any changes in the legislation which would affect the right to strike.

MR. SPEAKER:

With great respect, I must say the question has been answered.

The hon. Member for Calgary Mountain View followed by the hon. Member for Sedgewick-Coronation.

Black Bear Slaughter

MR. LUDWIG:

Mr. Speaker, my question is with relation to the very important matter of wildlife conservation, and I should probably direct it to the Minister of Lands and Forests who I believe is responsible in this area.

Would the hon. minister advise us if any study or any survey has been conducted with relation to the serious loss of wildlife, and I'm referring to the bear slaughter in the Peace River area, and in particular with relation to loss of cubs that were left parentless after about 800 bears were killed. Was any survey conducted to determine whether this was a problem?

DR. WARRACK:

The hon. member is correct on the one count, Mr. Speaker - that I am, indeed, responsible for fish and wildlife.

We're keeping a very close watch on the entire matter of big game populations as well as other wildlife populations, including the black bear population in the Peace River area. There was, of course, no slaughter, Mr. Speaker.

MR. LUDWIG:

Mr. Speaker, a supplementary. Is there anything we can do with relation to this problem, to prevent the hon. minister beating around the bush when I ask ...

MR. SPEAKER:

Order, please.

MR. HENDERSON:

Mr. Speaker, I rise on a point of privilege and beg the indulgence of the House to return to Introduction of Visitors.

SOME HON. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

MR. HENDERSON:

Mr. Speaker, with thanks to the House I would like to introduce to the members today a class of 60 Grade 9 students from my home town of Devon. They are accompanied by their teachers, Mrs. Vera Holman and Mr. Ken Baptist, and are seated in the public gallery.

Devon is known for its oil production, Mr. Speaker, but our finest product really is our children. I would like to ask them to stand and be recognized.

ORAL QUESTION PERIOD (CONT.)

MR. SPEAKER:

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

Lead Hazard - Electric Kettles

MR. COOPER:

Mr. Speaker, my question is directed to the hon. Minister of Consumer Affairs. Has the Department of Consumer Affairs had any communication with the federal consumer affairs minister, Herb Gray, as to the excessive lead levels found in water boiled in some lines of electric kettles?

MR. DOWLING:

Mr. Speaker, any item that we consider to be a hazardous product, or that we have communication on relative to its being a hazardous product, is automatically forwarded in great haste to the federal Minister of Consumer and Corporate Affairs. We have done that in the past with all items that come to our attention, either through the news media or by notification from the MLAs on either side.

MR. COOPER:

Supplementary, Mr. Speaker. What steps does your department take to protect the public against the use of this line of kettles in this particular case?

MR. DOWLING:

Mr. Speaker, as I indicated, The Hazardous Products Act is a federal statute and that kind of problem is their problem, not ours. We simply notify the hon. minister federally that there is a product which is a hazardous product and it's entirely up to him. There is no way we are going to infringe on [federal] jurisdiction.

MR. GRUENWALD:

Supplementary, Mr. Speaker. Has the minister notified the federal minister of the hazardous product, namely these tea kettles?

MR. DOWLING:

Yes, we have. And we have notified him on others, including sprays for removal of various things in the kitchen and so on.

MR. SPEAKER:

The hon. Member for Calgary Buffalo followed by the hon. Member for Clover Bar.

Dow-Dome Project

MR. GHITTER:

Mr. Speaker, my question is to the hon. Minister of Federal and Intergovernmental Affairs. I'm wondering, first, Mr. Speaker, whether or not the minister has received any official notification from Ottawa relative to the Dow-Dome approval we are reading about in the press?

MR. GETTY:

Yes, Mr. Speaker, we have received that information at the official level and through the transcription of the federal cabinet statement on Dow-Dome.

MR. GHITTER:

Supplementary, Mr. Speaker. I'm wondering what the official provincial government position is, now that the report has been made public.

AN HON. MEMBER:

They'll wait for the Premier.

MR. GETTY:

Mr. Speaker, in dealing with the federal approval of the Dow-Dome project, I would like to make certain that the members separate that project in their minds from the SOAP proposal in the project and the problems that are being encountered between the two

governments with regard to that project, separate from the Dow-Dome project, although both are involved in petrochemicals.

As for federal approval of the Dow-Dome project, we find that it does go part way - only part way - but it does go part way to meeting some of the concerns which the Government of Alberta expressed and which would have to be met before full endorsement of the Dow project.

Mr. Speaker, I think federal approval does make a recognition of our concerns and goes part way to meet them. I am further encouraged, Mr. Speaker, regarding the Dow project, by a considerably improved new proposal which has been negotiated by my colleague the Minister of Industry and Commerce with the Dow Company.

Those new proposals are presently before the government and will be considered by the Executive Council very soon. After that consideration has been completed we will be able to make a further statement to the House.

MR. GHITTER:

One further supplementary, Mr. Speaker. I am wondering if the hon. minister would advise as to whether or not there are any conditions placed by the federal cabinet upon the Dow-Dome approval?

MR. GETTY:

Yes, there are in a way, Mr. Speaker. They are going to require that Dow apply before the National Energy Board for an ethylene permit to export ethylene. They have recognized that it would be in the best interest of Alberta if there were a fixed, guaranteed minimum term of that export permit, so that the export of ethylene would, in fact, go to a non-competitive market for a period of time. That does, as I pointed out earlier, go part way to meeting the concerns of the Government of Alberta.

Dow-Dome Project - Relocation Plans

MR. DIXON:

Mr. Speaker, I would like to ask the minister a supplementary question. Following the minister's statement then, has the Dow-Dome company now lifted its threat to move elsewhere since the Alberta government has encouraged it a little bit so that it will be able to build here?

MR. GETTY:

Mr. Speaker, I have never recognized that there was a "threat" from the companies.

DR. BUCK:

Mr. Speaker, may I ask a supplementary of the hon. minister? In light of the fact that there is a lot of money involved in the preparation of this project, would the hon. minister be in a position to advise approximately when the company would have some idea whether they could go ahead or not? Is it a two-week period or do we have to wait until after the federal election is over? Does it hinge upon the federal election?

MR. GETTY:

Mr. Speaker, in the process that the Government of Alberta will be participating in, I think we will be able to deal with the Dow proposal very quickly. As I pointed out, the Minister of Industry and Commerce has been actively negotiating what, in my assessment, is a considerably improved proposal from the Dow company.

However, I should point out that in terms of timing, the federal government has requested that Dow apply again before the National Energy Board for an ethylene export permit and therefore we will not be able to control whatever timing is involved there. But in terms of our consideration of the new and improved Dow proposal, I believe we will be able to handle that probably within the next two weeks.

Dow-Dome Proposal - Citizen Participation

MR. NCTLEY:

Mr. Speaker, a supplementary question to the hon. minister. Last week the Premier mentioned possible participation by Albertans in the Dow-Dome proposal. I am wondering

whether the minister is in any position to advise the Assembly what steps have subsequently been taken, and what possible route is available, for participation by Albertans in the Dow-Dome proposal?

MR. GETTY:

Mr. Speaker, that is one of the matters which the Minister of Industry and Commerce has been negotiating with the Dow Company and I must say that the Dow Company has been perfectly willing to participate in those negotiations. However, they are still negotiations. I would only say to the hon. member that, in fact, there is provision and negotiations to have as great a participation by Albertans and Canadians in the total project.

MR. NOTLEY:

A supplementary question, Mr. Speaker. Will the vehicle of participation be the Alberta Energy Company?

MR. GETTY:

Well, I wouldn't rule it out and it's certainly possible, Mr. Speaker. It has not been finalized that that would be the vehicle. There are a variety of alternatives which the government would consider.

Dow-Dome Project - Relocation Plans (Cont.)

MR. DIXON:

Mr. Speaker, a question for clarification, following the minister's answer to my question regarding the possibility that the company would move elsewhere. Am I correct in assuming that the company never announced that they would move to another location if they couldn't get satisfaction from the Government of Alberta?

MR. GETTY:

Well, Mr. Speaker, I think the hon. member used the term "threat" earlier, and I said that I never recognized any threats being made. I think any company would say, if we can't do something here and we need a product, then they would certainly consider alternatives to go somewhere else to get that product.

But at the same time I think the Premier pointed out that the Government of Alberta feels very strongly that the interests of the people must first be protected before approving any proposal, and that we would not accept a proposal that was not in the best interests of the people and would be prepared to see it go elsewhere, if in fact, it was not in Alberta's best interests.

MR. SPEAKER:

The hon. Member for Calgary Millican with a final supplementary followed by the hon. Member for Clover Bar.

MR. DIXON:

Mr. Speaker, in a direct question to the hon. minister. There was no indication from the company to the government that it would move elsewhere?

SOME HON. MEMBERS:

Oh, oh.

MR. GETTY:

Mr. Speaker, I believe I just answered that question.

SOME HON. MEMBERS:

Agreed, agreed.

MR. DIXON:

Mr. Speaker, maybe I can make it a little simpler ...

AN HCN. MEMEER:

You cught to be good at that.

[Interjections]

MR. DIXCN:

... for the hon. minister. Mr. Speaker, what I'm trying to acquire from the minister is that the company never did, according to him, contact the government and say it was going to go elsewhere. That's all I want to establish.

MR. GETTY:

Well, again, Mr. Speaker, that was the context of the answer which I gave to his first question.

MR. SPEAKER:

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

Correctional Institutions - Wardens

DR. BUCK:

Mr. Speaker, I'd like to address my question to the hon. Solicitor General. First of all I'd like to compliment her [on the fact] that she has a deputy, finally.

I would like to know, Mr. Speaker, if she is in a postion to inform the House when we are going to have some wardens appointed at the provincial correctional institutions.

MISS HUNLEY:

Mr. Speaker, in due course we'll appoint a director of corrections, and in consultation with the director and the deputy we will be appointing wardens.

MR. LUDWIG:

Mr. Speaker, a supplementary. Has any thought been given given to increasing the original salaries offered to the wardens, in order that we might attract some people in this field?

AN HON. MEMBER:

How about Walter?

MISS HUNLEY:

Mr. Speaker, the advertisements for wardens do not specify any salary schedule, which we feel leaves us open for negotiation.

MR. LUDWIG:

Mr. Speaker, do I gather from that answer that the department is prepared to offer higher salaries in order to attract people capable of assuming jobs as wardens in the province?

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by ...

MR. LUDWIG:

Mr. Speaker, a supplementary. The minister didn't indicate whether she knew the answer or not. I thought it was a proper question, Mr. Speaker.

[Interjections]

MISS HUNLEY:

It was an answer. It wasn't a question.

MR. LUDWIG:

Mr. Speaker, may I reword the question? Is the government, then, prepared to offer higher salaries to attract people who are capable of handling jobs as wardens in this province, because to date they have not been able to ...

MR. SPEAKER:

Order please.

MISS HUNLEY:

Yes we are, Mr. Speaker.

MR. LUDWIG:

Thank you.

MR. SPEAKER:

The hon. Member for Sedgewick-Coronation followed by the hon. Member for Medicine Hat-Redcliff.

Oil Spills - Killam

MR. SORENSON:

Mr. Speaker, my question is to the hon. Minister of the Environment. It concerns a headline in Tuesday's Edmonton Journal, "Oil spills over 40 acres of farmland." Is the hon. minister intending to dispatch investigators to the Killam area to attempt to determine what is causing the recent high incidence of oil pipeline spills?

MR. YURKO:

Mr. Speaker, we've had three breaks in that area in the last few months. The board is conducting an investigation into these breaks. They haven't as yet received their reports on the first two. It will take some time before the third is analyzed. But I would say that, on the basis of experience with iron pipe or steel pipe in the area, for example, the Strathcona water supply, we do know that the soils in the area are quite corrosive.

MR. SORENSON:

Supplementary to the minister. Is the interprovincial pipeline monitored on a regular basis by Department of the Environment personnel?

MR. YURKO:

Mr. Speaker, this is one area of responsibility that is carried out by the board on an accord agreement between the board and the department. However, when a break occurs, the department is on the job in every case. The board immediately notifies the department, and the department goes out to investigate if the situation is serious.

MR. SORENSON:

Supplementary to the minister. Could the Department of the Environment suggest to Interprovincial Pipeline Limited that they supplement their aircraft patrols with ...

MR. SPEAKER:

Order please. Possibly the hon. member might make his recommendation directly to the company.

The hon. Member for Wetaskiwin-Leduc with a supplementary.

MR. YURKO:

I might offer some information in that regard.

DR. BUCK:

Let him ask the question, then.

MR. YURKO:

Pressure fluctuations are used in big lines to determine whether breaks have occurred, particularly large breaks. This break was spotted within a very short time after it occurred. The actual amount of oil that was released, about 12,000 gallons in a line that's pumping 900,000 barrels per day, wasn't very much, really. So it was caught fairly quickly. But because of the size of the line and the pumping pressures, the escape, even in a matter of minutes or over an hour, was quite substantial. But the break was noticed because of the pressure fluctuations at the pumping station upstream.

MR. HENDERSON:

Mr. Speaker, I'd just like to ask the minister a brief supplemental. Could the minister advise the House whether he knows if the line was operating at, or above, its licensed operating pressure?

MR. YURKO:

I don't have that information offhand. But that will come out in the investigation that's conducted.

MR. SPEAKER:

The hon. Member for Medicine Hat-Redcliff.

Nursing Training

MR. WYSE:

My question, Mr. Speaker, is to the hon. Minister of Advanced Education. My question is: when is the provincial government planning to phase out nurses' training in the hospitals or the hospital schools and transfer it to the colleges?

MR. FOSTER:

Mr. Speaker, we have deliberately stated that it would be done on a phased basis and we have deliberately not selected a specific time, at this point. We have to discuss this with all the parties involved, including the hospitals, the nursing profession and representatives of the institutions.

Our intention is not that hospital-based nursing programs should terminate tomorrow. That would create severe dislocation and disruption within the institutions. Secondly, public colleges and other post-secondary institutions simply aren't equipped to accept them on that immediate a basis.

So, I've simply said, we'll be doing it on a phased basis. It will be orderly, hopefully, and will accommodate the interests of all parties involved. That will result after several discussions have been commenced and concluded by my colleague, the Minister of Health and Social Development, myself and other interested parties.

MR. WYSE:

A supplementary question, then. What hospitals in the province will this involve or affect?

MR. FOSTER:

Mr. Speaker, I know there are six, but I'm afraid I don't know all the names. I can get the material if you'd like.

Federal Feed Grains Policy

MR. NCTLEY:

Mr. Speaker, I wonder if I could ask the Minister of Agriculture a question? Yesterday I raised the question of the new feed grains policy and he wanted some time to review it. I wonder if the minister is in a position today to advise the Assembly whether or not the Government of Alberta agrees with the major provisions of the new feed grains policy?

DR. HCFNER:

Mr. Speaker, I still haven't had all the information I would like in regard to that. I would hope to be able to be in a position to make a more full statement the first part of next week.

MR. SPEAKER:

Might I just say that if the hon. member is intending to get the government's opinion concerning someone's policy, that sort of question does not come within the scope of the question period.

ORDERS OF THE DAY

[Mr. Speaker left the Chair.]

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COMMITTEE OF SUPPLY

[Mr. Diachuk in the Chair]

MR. CHAIRMAN:

The Committee of Supply will come to order.

Department of Culture, Youth and Recreation (Cont.)

MR. SCHMID:

Mr. Chairman, in reply to the question by the hon. Leader of the Opposition regarding the hockey team from Hamilton, I would now like to state that this team was sponsored by the Hamilton City Police and consisted of a number of underprivileged children who combined to form a hockey team.

The team sponsors contacted the Department of Culture, Youth and Recreation at the time and asked whether or not a bus would be available. The department's bus was available for that day and we approved the use of the bus to transport them from Edmonton to Jasper. However, this bus broke down so we had to make emergency provision for another bus which then took the team from Edmonton to Jasper. The team itself, however, was sponsored, paid for, or financed - whichever way you would like to put it - by the people in Jasper and Hinton, and, of course, as mentioned before, by the Hamilton City Police. There were no funds of the province of Alberta involved in lodging or boarding them.

MR. CLARK:

Could I just follow that along then? It would be fair for me to conclude from what the minister is saying there were no public funds used, as far as this hockey team from Hamilton, Ontario was concerned, other than for the chartering of a bus, in that the one the department has broke down. There were no other public funds involved in any way, shape or form?

MR. SCHMID:

That is my information. No other public funds in any way, shape or form. That is correct.

MR. CLARK:

Could we then pursue another area?

Last fall there was a group of people who went from Alberta to Japan, I understand, at the request of people from Japan, to put on a series of hockey clinics. I wonder if the minister would like to outline the circumstances involved there.

MR. SCHMID:

Mr. Chairman, the Province of Alberta had the pleasure of welcoming a delegation from the Government of Hokkaido - I think it was, in fact, the governor and some other people. At that time an agreement was signed for cultural, sports and other exchanges between the two, you could say provinces, and we agreed that we would start out by providing hockey coaches for Hokkaido and they, in turn, would send two judo coaches to us. This was the start of a program which hopefully will expand much more in the future.

MR. CLARK:

Could you please tell me what public funds were involved, who were the people who went and how they were selected?

MR. SCHMID:

The funds involved were, if I'm not mistaken, the travelling expenses only to Japan because room and board and all other expenses were paid by the Hokkaido government.

On the other hand the travelling expenses for the judo people coming over here will be paid by the Hokkaido government and we will look after the lodging and their room and board while they are here.

The people selected: we contacted a number of hockey coaches who were, we felt, free at the time, were able to take two months off to coach hockey. I would have to get - the name of one of the gentlemen was Milt Hohol, I have to get the name of the other one. I think he was from Grande Prairie. The names changed about two or three times since we couldn't find somebody who could get two months off to go to Japan at the time.

MR. CLARK:

Just following that up. Can I ask the minister if it isn't true that he asked the Alberta Amateur Hockey Association for a list of people who, they thought, could go. Secondly, did the minister receive a number of letters, a number of protests from people, with regard to the selections which I understand were made in the end by the minister?

MR. SCHMID:

Mr. Chairman, I did not receive a single letter protesting who went. There was one enquiry if another person could be included also if there is another exchange like this. Of course, the Alberta Amateur Hockey Association said they would be pleased to provide names. We took the names of the Alberta Amateur Hockey Association, contacted those people, and the one I think who was available, in fact the gentleman from Grande Prairie then really went to Japan.

MR. CLARK:

And frankly were both gentlemen, both Mr. Hohol, - I believe the other fellow's name is Mr. Head - were they both recommended to you by the Alberta Amateur Hockey Association?

MR. SCHMID:

I am not aware now, Mr. Chairman, if both were recommended by that association. But I know we took the recommendations of that association, contacted the people and took the ones who were available. We had one first, another had to decline because of the time involved or whatever it was - in fact, I think, we had even to recontact the amateur hockey association to finally get some names so we could get those people and send them to Japan.

MR. CLARK:

Will the minister go back and check his files and see, in fact, if the names of both Mr. Head and Mr. Hohol were recommended by the Alberta Amateur Hockey Association, because my information is they weren't, that Mr. Head was recommended and Mr. Hohol wasn't. The selection of Mr. Hohol was a personal selection by the minister. If that's the case, let's say so, and we can get on to the next item.

MR. SCHMID:

Mr. Chairman, I said the people who were recommended to us by the amateur hockey association were contacted and had been asked. Some declined and Mr. Head obviously accepted. The other one may have been a recommendation - it wasn't my personal [selection].

Let's put it this way. Since I don't know anything about hockey, I asked a number of people who else would be available who would be a good representative in Japan coaching hockey. I was told there is this other person. This is when I said, okay, let's send him. Very much so.

MR. NOTLEY:

To clarify this then. I take it from the minister's answer that no other recommendations from the Alberta Amateur Hockey Association were able to go, in fact, other than Mr. Head.

MR. SCHMID:

That could be taken as correct. At the time we contacted them, I think he was the only one who was finally left to go. That was my understanding, yes.

MR. CLARK:

Just so we are absolutely sure what we are talking about. The minister is telling us now from names which were recommended by the Alberta Amateur Hockey Association, there was only one person who could make this trip. Is that what you are telling us?

MR. SCHMID:

Mr. Chairman, maybe we could hold that in abeyance. I'm sending for my files to see how many names were recommended to me.

MR. CLARK:

It isn't a matter of how many were recommended to you. You are telling us Mr. Head was the only person who could go. That's what we are trying to establish. Frankly then I would like you to check your files also and tell us who you consulted with in the hockey field who recommended that Mr. Hohol go.

MR. SCHMID:

Mr. Chairman, of course I can do so. First of all I think the hon. minister himself has the privilege to contact his staff, his department people who by the way were employed by the former minister of youth - and I have full confidence in them. If he doesn't have that, then he is too late now because he is no longer minister of the department. I asked those people whom they thought I could take. I gave them a number of names because the Alberta Amateur Hockey Association was too slow in submitting those names. I made the decision and finally sent them to Japan.

MR. LUDWIG:

Cool it, Horst.

MR. CLARK:

You are trying to draw a red herring across the way, my friend. Let's get ...

MR. SCHMID:

No more than the hon. member of the Opposition does.

MR. CLARK:

Let's get back to the matter at hand. Is the minister now telling us that it was on the recommendation of all the officials in his department?

MR. SCHMID:

I'm afraid I didn't catch the question, Mr. Chairman.

MR. CLARK:

I'll try to phrase it again. Is the minister now telling us that he made the selection of Mr. Hohol on the recommendation of the people in the recreation branch of the department?

MR. SCHMID:

Mr. Chairman, into a decision of any sort go a number of recommendations and a number of suggestions. Whichever is felt to be the best recommendation or the best suggestion, of course, is the one that is finalized and approved.

MR. LUDWIG:

Mr. Chairman, when I look at this budget there are just millions of dollars of grants, and some of them are large sum grants, but I think over \$10 million. Two of the grants are allocated to specific projects, one in particular to the British empire games in Edmonton and I have no quarrel with that. But there are roughly \$6 million to \$7 million of grants in this area and perhaps a lot of flexibility in the manner in which these grants are dished out. I'm not alleging that it is a sort of Conservative slush fund, but it could be unless the Opposition is alert and gets specifics as to where this money is going.

I'd like to make an appeal on behalf of a certain group of athletes in this province. In my opinion it is the most important group of athletes and it will determine our future standing in the athletic field, perhaps throughout the world. It's based on an often-made expression by one of the top sportscasters in Calgary, Henry Viney, that we should involve as many participants as possible. I know the minister subscribes to this view but I'd like to get some specific facts and figures from him as to what we are doing in fact to promote and to extend the activities of the little league teams, the pee wee teams, and not particularly in the two areas of baseball and hockey, but in all other sports.

There are many children who can't participate in little league football. They are not built, or their makeup does not lend itself to participating in contact sports. Quite often a child like that is sidelined. He might play a bit of baseball, but if he isn't talented in that regard he has to take part in other sports such as badminton, tennis and even golf. It's a fairly well-recognized sport. I wonder whether any real initiative is being taken to involve all children in some form of sports.

I'm also looking at soccer. I think that soccer is not an expensive game to put across. It's played in schools. But it sort of dies before they get old enough to really Not too many of our high school students really go into the soccer area later on. Some do, but by and large it's a game that is being played a lot by ethnic groups. It's a good league now, but a lot of benefit to the young people in this province is lost because there does not appear to be enough encouragement at the lower level. I'm talking about the elementary schools right now.

I know the minister has a program where they help in this regard, but I would like to recommend that they place a lot of emphasis on this. When they get higher up, when they are playing almost at the level where they are perhaps looking at contracts, some of the better ones, they can carry themselves. But there are many who just don't get into competitive playoffs because they can't afford it. They go around scrounging money here and there. Some community-minded citizens take up the cause and sacrifice their time. They will scrounge money and they will manage that way. But I'd like to see the emphasis switched from some of the help that is being given now to this particular area; through provincial leadership - I'm not saying that the schools are not doing a good enough job - and emphasis to give this area a real boost. Not merely to say, well, can you stand a little money? Give them some money. But to see through follow-up that this is carried on so that by the time these children get into high school they have formed the habit of participating actively in some sport. I think that would solve a lot of problems of people not being able to stand up and fend for themselves later on in life.

You will find that very few athletes, very few sportsmen have trouble competing in this world. But many don't develop that spirit of competition when they are small, and it seems to be a handicap. So we can solve a lot of the problems we have in this province due to lack of motivation of adults by continuing the emphasis on sports participation. Competitive sport develops certain types of attitudes and character in these young people that make them very worthy citizens later on.

Further, it gives them the habit, or at least the incentive to stay fit and to be less of a drain on the health care facilities in this province. The health care program is very costly and it isn't only the elderly who create that cost. Many people who are younger are not healthy. They never participate in anything. They don't have any incentive to stay healthy. This has to be brought up in them from the beginning.

I'd like the minister to tell us whether he has any real program to shift the emphasis to create habits of competitive sport and habits of fitness and good health in the small children of this province, Mr. Chairman.

MR. MC LEM:

Mr. Chairman, following the remarks of my honourable colleague to my left, I would like to suggest for the minister's consideration the setting up of the Alberta athletic commission. I feel that an Alberta athletic commission, operating at arm's length under the minister, certainly would achieve many of the things we desire in the area of amateur sports. For instance, it would encourage and develop the potential among our young people. The commission could also look after such things as the development of facilities throughout the different areas in our province.

Also coming under the jurisdiction of the Alberta athletic commission should be the drafting of regulations in regard to the contracts of our young athletes in this province. I feel that the minister would be well advised to give consideration to the setting up of the Alberta athletic commission as is done in other provinces to take away the direct contact which the minister now has with the divvying out of various funds. I think it certainly would be well accepted by the people of Alberta.

MR. SCHMID:

Mr. Chairman, first of all of course, it is well-known that all the last government could afford for administration in sports for each sports organization was a measly \$300 per year. This government increased that amount to \$3,000 plus expenses for travel and other things which can amount to as much as \$12,000.

It is also well-known that the last government made some amounts available for recreational facilities which gave the citizens of the cities 20 cents per capita per year as compared to \$1.60 per capita [given by] others. This government increased that amount from 20 cents to \$1.65 per capita.

Mr. Chairman, under the operational grants, this year alone \$983,000 will be given to the different recreational boards. Then it is up to the organizations where they are going to channel those funds for help in recreational activities. Where most of the time it's in sports, of course, it can be given to other segments of recreation too.

I should also state, of course, that the grant increase to the provincial organizations, as I mentioned before, is a base upon which we hopefully can build. I am very much aware that physical fitness and sport accommodations are of major importance and I thank the hon. Member for Calgary Mountain View for stating so. Maybe he also knows that we are participating, for instance, in the development of our top athletes with the federal government which could cost as much as \$35,000 per year. We have funded the Alberta Summer Games by as much as \$100,000 for them to be held this year in Calgary, and next year and the following years, of course, in other places in Alberta.

We have, in reply to the Alberta Athletics Association, because Alberta seems to have the support of at least 50 different sports organizations in Alberta, funded that organization this year with \$63,000. The entire return from the Olympic lottery fund will again be channelled into amateur sports. So I think, Mr. Chairman, this government really has done a great deal for the promotion of amateur sports, physical fitness and competitive sports.

MR. LUDWIG:

Mr. Chairman, I didn't intend to arouse the hon. minister to defend what he is doing. I am aware of it. I merely stated that I would like to see more emphasis and follow-up placed in this very level of children who are perhaps not participating. There are those who can manage in some schools which are in more affluent areas, and are doing all right. There are many lower income areas - the less affluent areas - where they're not doing as well. Sometimes a lot of the top athletes and the top scrappers and the top people in any field come from east of the tracks, because the odd one was able to fight and compete. But many of them need more guidance and leadership, not just in money. Money alone doesn't solve everything. It helps. And if some of these people had money, perhaps in many instances they would be organized to proceed.

Even with little leagues, quite often the best intentioned leaders will pick those who excel and persevere, and you end up with having 40 or 50 participating in some games, where there are 2,000 young people involved who participate in gym exercises during school. But after that it's a long year.

I think the hon. minister is aware of what I am saying. But I commend him for spending more money. I think this province can afford to place emphasis in this area at the present time. They often like to harken back to what the previous government did. I

would like to tell them that if they go to schools, we provided some of the finest gymnasiums in the world in every school. In fact we get criticized for having done it.

This is one step in the right direction but it all has to be done one thing at a time. I think we can now afford to. We have the facilities. We can't say we haven't got the grounds for it because there are millions of acres of unused land in this province and that is the way we should go.

Just giving some community association \$3,000 - or some little league group \$3,000 or \$10,000 - does not assure that 90 per cent of the young people in that area participate in any kind of year-round organized sports activities. I am saying that perhaps we can't lead everybody by the hand but, on the other hand, we should provide leadership, guidance and incentive, not just by money but by encouragement and perhaps placing emphasis on these matters in schools to see that we develop this kind of movement throughout the province. I am saying it will pay dividends a hundred-fold if we spend some money now and if we provide the proper people to go ahead and encourage this kind of activity.

It is easy for some one to stand up [and say] that I am checking the hon. minister's spending, checking his staff, but there are certain areas in which he has to provide in this regard. I am making this pitch to the minister because I think he is oriented in that direction. I am not criticizing him but I am not at all satisfied about providing more money. We can provide three times as much money and find out that 75 per cent of the children of the whole province are not benefiting. There are those who are more active and more organized and there are some boys who play hockey, baseball and football. There are families like that and they come out very well. But there are others who don't. This is where you need the special concern of the government.

I'm not just making a pitch for the city areas because by and large they have more opportunity. Some small areas, smaller towns have good community or civic minded people who provide leadership for free and organize all sorts of games, but as I have stated before, and I believe it's a fact, the majority participate only in those matters that the school provides and that's the end of their activities for the rest of the year.

I think that the minister ought to increase his activities in this particular area, with no intention of criticizing what he has done to date. You can't do this in a year but this has to be a sort of program that starts with them when they are five and continues until they are on their own. I think that it will pay great dividends if we do this.

Thank you, Mr. Chairman.

MR. CHAIRMAN:

Would the members of the committee permit the Attorney General to introduce some guests?

SCME HON. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

MR. LEITCH:

Thank you, Mr. chairman, and members of the Committee. I have a real pleasure in introducing the 117th Boy Scout Troop from McDougall Church in my constituency in Calgary. They are accompanied by their leaders, Mr. Dubauskas, Mr. Wilkins and Mr. Foster. They have had a long journey to be here today. I want to congratulate them on their interest in the proceedings of the House and ask them to rise and be welcomed.

COMMITTEE OF SUPPLY (CCNT.)

Department of Culture Youth and Recreation (Cont.)

MR. HO LEM:

Mr. Chairman, I was just wondering whether the minister would care to respond to my suggestion as to consideration being given to setting up a commission called the Alberta athletic commission to do the detail and daily divvying out of these funds rather than through the minister's office. To set up a program as I have suggested, to be approved by the minister, of course, would take away a lot of the criticism which might develop as a result of the direct contact that he's given to the divvying out of funds as is being done now. May I have some comments on that?

MR. SCHMID:

Mr. Chairman, certainly we will consider at all times any suggestions brought forward by the hon. members from the government or the Opposition. If it is found that they have merit we will certainly seriously consider them.

MR. RUSTE:

Mr. Chairman, I'd like to just refer briefly to the 4-H movement and some of the concerns I've had expressed about the watering down of this. I hope the minister concurs with me that this is a viable program. We don't want to water it down at all. It's an important one and it stands on its own. Certainly I would hope that he would keep it that way.

Another one deals with the matter of school sites. I think I've raised this before. This goes back into the historical part, of course. Now, many of the communities have booklets printed or books published about their history. I would just suggest to the minister that he look at something in this field to provide an incentive for these communities at some central point in each community, to relate back to the history of the small, red schoolhouse, as it has been termed many times. I think it would be a pretty important and a useful thing to have. Many people here in this building have attended these little schools. I think it would be too bad if that isn't recorded in some suitable way in the educational history of the province of Alberta.

The last point I'd like him to relate to is: what is the circulation in numbers of the cultural heritage publication referred to yesterday, and how is it decided who will receive it?

MR. SCHMID:

Mr. Chairman, I think the hon. member refers to the Heritage magazine. It is sent out strictly on request. For instance, if people request it and would like to have it sent to them they write to the editor and they receive the magazine. However, we do send the Heritage magazine to all ethno-cultural groups as well as all school libraries.

I would also like to thank the hon. member for suggesting more efforts in recording the history of what he refers to as the little red schoolhouse. Again, even there we have just started on a program, as the hon. member may be aware, of the ever greater preservation of our heritage resources. Hopefully, some of the money can be spent on recording just that type of history.

MR. CHAIRMAN:

I wonder, Mr. Ruste, if we could just revert to introductions by the hon. Member for Sedgewick-Coronation. Is that agreed?

SOME HCN. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

MR. SORENSON:

Thank you, Mr. Chairman. I wish to introduce to you, and through you to the members of the Assembly, 38 Grade 8 students from the Coronation Public School. They are accompanied today by their teachers, Mrs. Howg, Mr. Lebaron and Mr. Taylor; and by parents, Mrs. Biggs and Mrs. Bruggencate.

It's been a two-day affair. The group arrived yesterday and has been enjoying the city life. They are situated in the public gallery. I would ask them to stand and be recognized at this time.

COMMITTEE OF SUPPLY (CONT.)Department of Culture, Youth and Recreation (Cont.)

MR. FUSTE:

Mr. Chairman, further to the minister. What is the circulation now, shall we say, of the Heritage magazine? And another point, are these not automatically sent to the senior citizens' homes?

MR. SCHMID:

Mr. Chairman, I thank the hon. member for the terrific suggestion he just made. Maybe we should look into that also.

The circulation, I think, should be around 15,000. At least it was 15,000 at the end of January, which was the last report I received.

MR. WILSON:

Mr. Chairman, I'd like to ask the hon. minister to describe briefly the role of the Calgary special projects office, particularly in regard to financial matters.

MR. SCHMID:

Mr. Chairman, the special projects office in Calgary looks after the special programs of the Department of Culture, Youth and Recreation. A typical program is, for instance, the Bowness High School program, of which the hon. members should be very much aware; also, a program that I think was initiated just recently with the Calgary Boys Club. Other programs are, for instance the Foster Grandparent Program in the Calgary area again - and all those types of programs where more than just one division would be involved, rather than being directly related to recreation, culture or youth.

MR. WILSON:

Mr. Chairman, to the minister. Does it have anything to do with PEP funds? Does the operation of the PEP funds come through there too?

MR. SCHMID:

Well, of course, since PEP or STEP funds are special programs rather than ongoing programs, this, of course, is part of the operation of that office too.

MR. WILSON:

Okay. Mr. Chairman, then, to the minister. So that I can fully understand the situation regarding the grants from the minister's department - he provided some information yesterday and, on reflection, I find that I am still in the dark a bit. Perhaps he would have a little patience and explain it to me. For example, the Scandinavian Association which you were using yesterday, Mr. Minister, when that grant was made, was it an unconditional grant to buy a building, and there would be no caveat placed on the title or anything in the event they sold it? To repay it - or things of that nature - it's just a straight, outright grant, is that the situation?

MR. SCHMID:

Mr. Chairman, of course, any time a grant is given to an ethno-cultural association the prerequisite is that that group is ongoing. In other words, as government, we do not place a caveat on the title of any land.

I have to take a local organization now - for instance, our support to the Youth Unity Centre does not place a caveat on that centre because the provincial government gave money for, at the time, the building of that centre. The same, of course in Calgary. The Calgary Scandinavian Centre is a group that has dedicated itself to having a Scandinavian centre. This is now established - the value of it, of course, is much more than the money that the provincial government is putting up. We said, we can't give you an outright grant, but in return for the grant we are giving you we expect you to put an additional amount into the building that you are purchasing, for the improvement of that building, which would be of equivalent value to the money the provincial government is providing. That was an actual condition of the grant.

MR. WILSON:

I see. So is there a contract entered into with the association, for example, to the extent that you just outlined, that they had to spend additional money themselves equal to the amount of the grant? Do you have a written contract with them to that effect? Do you have a signing ceremony and pay them the money in one big cheque? Or how do you handle that?

MR. SCHMID:

The way this is done, Mr. Chairman, in all these types of programs is that we request vouchers and proof of expenditures and of time spent in labour. This is taken as proof that this money has been spent the way it was supposed to be spent. So far we have operated this way 100 per cent. We have always received either vouchers for time and labour, vouchers for materials or vouchers for expenditures that are in relation to the funds expended.

MR. WILSON:

So there is no written contract as such?

MR. SCHMID:

No, no contract.

MR. WILSON:

So then you agreed to give them a grant - \$19,000 I think you said yesterday - and then you would disperse those funds to the association as they submitted invoices to you and these invoices were for the work they were to do after they moved into the building, sort of thing?

MR. SCHMID:

That's right.

MR. WILSON:

Well then, what did they use for interim financing to buy the building? I understood that was the real purpose of the grant in the first place, to buy the building.

MR. SCHMID:

Well, Mr. Chairman, an arrangement was made. Since they needed some money immediately we did not question whether they would apply the immediate fund they received to the purchase of the building, and then put the material, time and labour in themselves, or get the money from somewhere else, like a bank loan, and then get the material later. This wasn't really of concern to us. To us the concern was to provide the Scandinavians in Calgary with a centre, to help them in the best way possible but at the same time to ask them to submit to us vouchers for material and labour spent on this building.

MR. WILSON:

I see. So they received the funds over a period of time, say, \$2,000 a month in a series of cheques or something like that, eh? Okay.

How was it first brought to the minister's attention that the Scandinavian Association needed this assistance? Did this come through the Calgary special projects office or

[through] other areas of your department? Did the association write directly to you, or was this a project that was brought to you by the local MLA or by some other method?

MR. SCHMID:

Mr. Chairman, the MLA responsible for this constituency had talked to me about it at one time. I was also contacted directly by the association. I was at one time visiting down there and a number of Scandinavians talked to me at an ethno-cultural function. As maybe any member on the opposite side who was at one time a minister knows, many of these different things seem to come together like in a mosaic and then, of course, you make a decision [on the basis of] what the requests are, the value of each individual request, the number of requests you receive for any project, how much support there is - does it have sustaining support or is it just a flash in the pan as one could say. Then, of course, the decision is made accordingly.

In this case I can say that it was actually a combination of many requests, letters, personal conversations and a request by the MLA to contribute to that program.

MR. WILSON:

Thank you, Mr. Minister. Further, could you advise, were the labour invoices you received from this association paid out of PEP funds? You said there was a grant and they had to submit invoices to cover it. Was the labour portion of that PEP funds, and some of the material too?

MR. SCHMID:

In fact, Mr. Chairman, the labour portion of those invoices was paid out of PEP funds.

I should also state, of course, in combination, materials funds were also considered to be part of the project so they also came out of PEP funds.

MR. WILSON:

So in other words, the entire grant was a PEP fund grant?

MR. SCHMID:

That's right, Mr. Chairman.

MR. WILSON:

Thank you.

Is there any other information that the minister would like to give us about initiating these kinds of projects in our own constituencies? Would the minister advise as to areas he would like us to be alert to, to assist other ethnic organizations in a similar manner?

MR. SCHMID:

Well, Mr. Chairman, the question of the hon. member is rather strange to me because in his own constituency we have a most excellent program of support of the Bowness High School which again is one of those PEP funds he refers to.

Maybe what I should do in this case is table the report of that program. He knows how those are initiated. He knows the success as well as the initiation of the program.

MR. WILSON:

Well, Mr. Chairman, I sure thank the minister for the commercial for myself and the Calgary Bow constituency. We appreciate the assistance the minister is continuing in regard to the project of Calgary Bowness High School.

I was referring actually though, Mr. Minister, to other ethnic groups. Is there a policy you have in your department to help ethnic groups establish facilities, buildings and things of this nature that we could refer to and fully understand?

MR. SCHMID:

Mr. Chairman, the policy of this government is to help, as I stated yesterday, our ethno-cultural groups to retain and share with the rest of Albertans their rich cultural heritage. To some it's important to retain the language. For example the Ukrainians would like to have a number of classrooms built. Others, like the Filipinos, have asked us to help them so they can buy the special kind of material they need to make up costumes for dances. To others, of course, it's the building of a centre where they can meet,

because they don't have any meeting rooms. So each individual ethno-cultural group has its own specific particular problems. This is why we established the Alberta Heritage Council; to have them consider and advise us in this matter and, of course, combine all the other things to make a decision accordingly.

MR. WILSON:

Thank you, Mr. Minister. Does your Appropriation No. 2818, the Cultural Heritage Branch, include PEP funds this year?

MR. SCHMID:

No it doesn't, Mr. Chairman.

MR. WILSON:

Well, Mr. Minister, perhaps you could explain. Last night, I believe, you told me that the grant to the Scandinavian Association came from last year's Appropriation 2818. Today you tell me it comes from PEP. I'm just wondering.

MR. SCHMID:

Mr. Chairman, the hon. member asked me yesterday where the funds for the support of cultural organizations usually come from. I said normally, normally, from Appropriation 2818. If he checks Hansard it will say so.

MR. CLARK:

Mr. Chairman, I'd just like to get back to the matter I raised earlier with the minister. Will the minister table the correspondence with the Alberta Amateur Hockey Association in which they recommended names to the minister for the trip to Japan?

MR. SCHMID:

Mr. Chairman, of course, I would be willing to do so, providing I get authorization from the Alberta Amateur Hockey Association to table these documents.

MR. HO LEM:

Mr. Chairman, I would like to ask the minister regarding the Alberta Heritage Council, how it's made up, the number of members, and also what authority or what role they play in the discussions relative to issuing assistance and funds to the various ethnic groups that make application to your department.

MR. SCHMID:

Is the hon. member referring to the Alberta Heritage Council?

MR. HO LEM:

Yes.

MR. SCHMID:

Oh. Yes. Maybe I should start out this way. The Alberta Cultural Heritage Conference in 1971 had as one of its major requests the setting up, maybe I should say, of a council. We then wrote to representatives of each ethno-cultural group asking them to contact other groups within their own ethno-cultural group and either appoint or elect a representative to the Alberta Cultural Heritage Council. This was done. They met. They selected and elected an executive and this executive is now in operation. On matters of advising the government, whether it's for funding or for helping new ethno-cultural groups or for the promotion, I would suggest, of helping them to retain their cultural heritage, all these are functions of the Alberta Cultural Heritage Council [acting] in an advisory capacity to the minister.

MR. HO LEM:

Mr. Chairman, to the minister. I know of a number of members on this council. I am rather impressed with the appointments and I agree [with them]. But I think one area which is missed in that the members do not report back to the community itself. I am talking about that ethnic community. I think, as a member of a minority group, certainly I would - and I am sure other members would - like to hear a report as to what is going on in this council.

MR. SCHMID:

Mr. Chairman, I appreciate the concern the hon. member expressed and I will certainly make sure that the representatives on the Alberta Cultural Heritage Council do report back to their individual groups.

There is one thing I missed which maybe the hon. member might be interested in. The way it was set up was that for a certain number of persons of a particular ethno-cultural group there was one member, regardless of how many. So it came about that, because of that, there are more for instance, of the Anglo-Saxon group on the council than of the Chinese community. But it has been found to work very well and there have actually been no complaints since the Alberta Cultural Heritage Council was established. Before, there were some because it was felt there wouldn't be enough voice from a smaller group, but they have found now that it is an excellently working council so they haven't had any complaints since.

MRS. CHICHAK:

Thank you, Mr. Chairman.

I would just like to relate back to the request posed by the hon. Member for Olds-Didsbury, Mr. Clark, with regard to the group which was to be in Japan for the two-month period. I wonder if the minister, if he is tabling or providing any information with regard to that, would please consider including in the information the qualifications of the people who went from the department and their remuneration; in other words, the qualifications that made them capable of inclusion in the group, what assistance or benefit they would be to the hockey group, as well as the remuneration they were getting with that trip.

MR. CLARK:

Just to follow along, I would also ask the minister to tell us how many years each of the people involved have been involved in coaching minor hockey in the province and how many years they have been involved in the Alberta Amateur Hockey Association, too. If we want that kind of information, let's get it. There is a very obvious reason why one of the people was selected. ... [Inaudible] ... minister's son.

MR. SCHMID:

Mr. Chairman, since that remark was made, which I didn't appreciate ...

[Interjections]

... maybe I should state that I think no matter who anyone is he still has the right to be a human being, has the right as much as the privilege to do the kind of things he is doing best and do them - in fact, if possible at all, even represent somewhere else, the Province of Alberta if he is excellent in his kind of position.

MR. DRAIN:

Thank you, Mr. Chairman.

Since the waters of progress have been muddied in a very profuse manner, I might as well throw a little mud around as well - however, not in that context.

I have had a little difficulty in defining the term culture. It is a rather obscure term. I did have it defined basically very clearly, in a manner I appreciated. I attended a graduation at which we had the Crowsnest Pass Philharmonic Symphony Orchestra playing.

One thing I would like to bring to the attention of the minister is that a lot of the cultural work and development which is being done in the province of Alberta is being done by people who dedicate many, many years of their lives towards that. We do have certain things that we recognize, such as greetings from the Premier and Lieutenant-Governor for a golden wedding celebration, recognition of the farm people and the master farmers. I would suggest or propose that the minister give consideration to some acknowledgement in the form of a certificate, not spending money or grants or anything else, but just acknowledgement of those people in the province who, by their own initiative and efforts, have done so much to add to the recreational and cultural development we do have in the province, something that could well be a fine gesture and would not, in reality, cost a lot of money.

MR. SCHMID:

Mr. Chairman, one of the greatest difficulties I think in all those many programs which are really being handled so excellently by the thousands of volunteers we have in

Alberta - whether it is in hockey, in soccer, football or whether it is the opera or symphony, whatever it is - is the problem of how really to express the appreciation of the people of Alberta for the countless hours that are being spent by these volunteers. While we have an Alberta achievement program which does try - by at least recognizing one, thereby expressing the appreciation to so many others - it is very difficult to do so.

Since the hon. members across - before another member mentioned the 4-H program - even there we have only a small program of where we say, for five years voluntary service you get a signed certificate, which, I am quite sure, doesn't really express ... [Inaudible] ... of how many hours have been spent. But at least it is some token of appreciation. Maybe we should look into a similar kind of recognition in other programs as well.

I appreciate the hon. member's thinking on that kind of thing.

MR. RUSTE:

Mr. Chairman, earlier I posed three points and the minister answered them. I don't think he elaborated on the 4-H movement part. If he would.

MR. SCHMID:

Yes, Mr. Chairman, I would be happy to do so. May I state the 4-H program, especially in the Department of Culture, Youth and Recreation, is still one of major importance and priority because really it is one of the very few programs available to young people in rural Alberta. The regional council of 4-H has done an excellent job in trying to help the 4-H people. We have increased the grants financially. We have tried to provide additional help to them from our summer student employment program, which, of course, we couldn't do before because there were no additional moneys. We did that last year. We are trying to help them again this year with additional funds out of even the department appropriations. So in all ways possible we try to help 4-H achieve its goal.

I should also state, of course, that in the regularization of the Department of Culture, Youth and Recreation, the only unchanged representatives in the different districts of Alberta were the 4-H people because we felt they really should be the only ones who should still be applied to for 4-H programming. However, if any other help is needed, hopefully they will help us with other programs we have out there.

MR. HO LEM:

I wonder if the minister could advise the status of the application submitted to him by the Foothills musical society or the Foothills Opera Society?

MR. SCHMID:

Mr. Chairman, how could I explain that now? I have asked that a memo be sent to me on the status of the Foothills Opera Society. The memo I received, I can perhaps state, wasn't quite satisfactory to me. We are still looking into that because, as the hon. member may know, there is a Southern Alberta Opera Association, which, of course, is getting its 10 per cent of its budget grant. I would have to look into the budget of the Foothills Opera Society first before we could possibly determine if, and for how much, they are available for a grant.

MR. SORENSON:

Mr. Chairman, to the minister. A group, known as the Mennonites, is celebrating the one hundredth anniversary of its arrival in Canada from Russia. I am just wondering if the government is participating in any way in these celebrations? I am thinking of a point-of-interest sign or something along that line. Are you aware of it?

MR. SCHMID:

Mr. Chairman, I can state in this case that we have started on ethno-cultural signs only just recently. The hon. member is interested in things like this, I know. We are also going to erect a sign this year on the seventy-fifth anniversary of the Doukhobors' arrival in southern Alberta.

The Mennonites are receiving a small grant - in fact they had a conference here very recently - for that kind of celebration. Also, of course, we would look into the erection of an ethno-cultural highway sign for this kind of purpose.

MR. CHAIRMAN:

Are you ready for the question?

The resolution as moved by Mr. Young of Subcommittee C:

Resolved that a sum not exceeding \$21,476,580 be granted to Her Majesty for the fiscal year ending March 31, 1975 for the Department of Culture, Youth and Recreation.

[The motion was carried.]

MR. SCHMID:

Mr. Chairman, I move that the resolution be reported.

[The motion was carried.]

Department of the Attorney General

MR. YOUNG:

Mr. Chairman, Subcommittee C has had under consideration Vote 12, the estimates of expenditure for the Department of the Attorney General and begs to report the same. I therefore submit the following resolution:

Resolved that a sum not exceeding \$20,014,050 be granted to Her Majesty for the fiscal year ending March 31, 1975 for the Department of the Attorney General.

SOME HON. MEMBERS:

Agreed.

SCME HON. MEMBERS:

Question.

Appropriation 1202 General Administration

MR. LUDWIG:

Mr. Chairman, in dealing with General Administration Vote 1202 I'd like to make a few comments about the department.

First of all, I'd like to commend the Attorney General for appointing the Kirby Commission. I believe it is conducting a very good inquiry. A lot of publicity has been focussed on the problems that exist today in the administration of justice in this province. I believe that, bearing in mind who the chairman is and the staff he has with him, we should certainly find what the problems are. I believe they will be making several reports. I understand they will not be tabling a major report, but will be making reports as they deal with each specific problem as it is completed. I understand that the report dealing with the legislation with regard to the coroner and problems in that area has already been submitted. At least I have a copy.

But having said they have made a good move in that regard I think there are a number of problems in the administration of justice in this province that are and were well-known to the department and perhaps to the people of this province. I would like to see a real run-down given us with regard to the program which started in the Attorney General's department and is now continued in the Solicitor General's department, the driving while impaired problems. Although it is a very popular program, most people don't become involved. So anyone who is asked on the street what he thinks of that program says it's terrific. I believe it was a major move and a good move. But we now have to look back at the figures. We have to determine whether we are not expending too much energy in one area, police time, et cetera, in stopping thousands of people to perhaps get one charge laid. The statistics show that perhaps ordinary patrols in checking of impaired drivers do an equally good job. I admit that the publicity of this program had a beneficial impact on the attitudes of people with regard to impaired driving and other traffic offences, but we should review the program now.

We should review whether we're not in fact placing too much emphasis on stopping people, because that may have detracted, to a certain extent, from the general high level of patrol activities of police in this area as it existed previously and as it exists now. I believe that if the police who are charged with the responsibility of enforcing the law

in this province were instructed that this has to be an ongoing thing at all times, [they would] not feel that there is one special program dealing with Check Stop and that that is enough. I believe that if this were the complete attitude of all police forces doing highway patrol and street patrol work in the cities at all times the public will not feel that there is a program here and someday I may be stopped. The whole enforcement of traffic laws, driving violations and impaired driving must be a completely and entirely all-out program to deal with this problem. I'm not saying that Check Stop didn't have a beneficial impact, but I'm not certain that we don't get cycles of heavy violations of impaired driving legislation. We get figures that indicate that although the public is aware of it and the public appreciates what is being done the problem continues.

I'm not suggesting that anyone, by waving a magic wand, can eliminate the problem. But I think that more and more emphasis can be placed on this problem so that the public will know that there is just no way that anyone can hope to get away. It isn't just enough to say, well, there is not likely to be a Check Stop group, so I will drive while I'm impaired. They do it. So there are people who have not got the message yet. I think in this regard more emphasis should be placed on the overall enforcement of impaired driving legislation.

I also think that even though we often have to defend people and put up pleas for lenient disposal of these charges, the time has come when the problem has reached a level where we can lower the boom, as it were, on this problem by making it plain that we will not tolerate small penalties for impaired drivers. I think the public generally is paying, by way of increased insurance rates, for the violations made by drinking drivers. So the public will support making it very difficult for a person who drinks and drives to be able to continue to drive.

Sometimes when you look at individual cases you feel that there are situations where the law is adequately harsh. But some people are just not getting the message. I take the position that we can toughen up. We can make it tough, not just on those who haven't got money but tough on those who have money. For instance if a businessman knew he was going to have a \$1,000 fine for impaired driving, he can pay it. He can pay it a lot easier than the working man can pay \$200. So I think the message should get out.

I hope there will be at least a recommendation in this regard from the Kirby Commission. But the message has to get out that just money alone isn't sufficient. If a man can afford to pay a fine and afford a chauffeur, then perhaps he's getting away a lot easier.

I wish to also take my stand again on the grievance of citizens in Calgary particularly who are not happy with the fact that really we have two systems of provincial courts in this province. I'm not acquainted at all with the facts of differences in levels of fines in other areas of traffic offences. I'm concerned with impaired driving offences. The time has come when we just simply have to, not so much lower the penalties we're paying in Calgary, but do something about Edmonton. It's inequality of treatment. I'm of the opinion that the problem can be solved perhaps when the Kirby report is handed down. Perhaps we should bring it all under one jurisdiction, as it were.

It's under one jurisdiction now, and I know the hon. Attorney General cannot tell the judges how to impose penalties, but somebody is setting the standards. Somehow it developed that in Edmonton they get off easier. It's only 30 minutes difference in time of travel, but we appear to be in a different system. So my position is that I believe somebody ought to get the message in Edmonton. The provincial court system has to get the message that it's about time that the level of fines for impaired drivers was in the \$500-plus bracket instead of \$100-\$150, et cetera. I'm in no way recommending that we impose a minimum fine in this area because there are needy cases where a judge has to be able to let a person off easier - he can't pay, he might be an alcoholic and require special treatment. So we don't want a man like that fined with the statement saying, well, you can't pay, you are going to jail, period. Sometimes a minimum fine plus a serious recommendation for treatment is adequate under the circumstances.

I believe that even though the hon. Attorney General is no longer charged with the system of prisons et cetera, there was a problem with this, in the province, when he handed over that part of his department to the Solicitor General. I'm not at all satisfied that this problem is adequately dealt with at the present time. It has not been. Three years after the new government took over, our problems are worse than they were before.

I'm not at all interested whether they inherited the problem. Certainly there are problems. Changes, advancement and reform are ongoing things. You can't change things overnight. But I think there has been a sad neglect in this area.

The hon. Solicitor General, in my opinion, is not measuring up to her responsibilities when, some number of months after her appointment, we still have a lot of things in limbo, as it were. We can't get adequate, competent staff, that is, after they were well aware of the problems. They knew what the problems were when the previous government was in

office. It's not a case of not knowing. It's a case of not being able to move. It's not a case of not being able to afford to solve the problem. It's a case of just - I would like to use the statement - some incompetence in the area.

One other criticism I'd like to make of this government's handling of part of the Attorney General's department was the transfer of the Companies Branch to the Consumer Affairs Department. Now the minister isn't in here, but he's not doing a job. I believe that the Companies Branch ought to be in the charge of, at least, someone who knows what the problems are. Almost two and a half years after this present government took over, the situation in the Companies Branch has deteriorated gradually. That not too many law firms are of the opinion that ...

MR. CHAIRMAN:

Mr. Ludwig, you have strayed far from the appropriation we are discussing. I wonder if you could confine your comments and discussion to the Department of the Attorney General. When the question of the Consumer Affairs Department comes, that would be the time to do that.

MR. LUDWIG:

Yes, well, Mr. Chairman, I'm merely stating that under General Administration of the Department of the Attorney General, I'm taking the position that I would like the Companies Branch back in his department. I believe that the hon. Attorney General is well aware of the problems we have had.

We have had it under the Provincial Secretary before. We have had it under a layman before. But that is one area which I would like to see under the Attorney General, or someone who is acquainted with the problems and ramifications of the Companies Branch. It's an important part of our business and right now it isn't providing the service which is expected of it.

We felt there would be an improvement if they sort of decentralized the operation of the Attorney General. We all know that he has had an overload of work - in fact, too much work to be personally involved. But it was a step backward. Perhaps some recommendation ought to be made to bring it in, and let's get on with the job. Because the legal profession, particularly, is most disenchanted with the manner in which this problem is handled.

Another problem which I think has not been adequately tackled by the hon. Attorney General is the question of the Public Trustee, which at one time was set up to deal with those estates which normally could not be handled through the profession. Right now it is a pretty good, large law firm handling estates which are normally handled and probably as adequately, effectively and cheaply by the profession.

If we feel that perhaps the legal profession is not discharging its responsibility in handling estates, then let's stand up and let's say, let the government handle all the estates - if we feel it is not adequate.

But let's not be in a position where we are competing. We are competing with a government agency. We are paying taxes to support the Public Trustee's department and they are, in fact, in business handling estates. I will not quarrel with the government if it stands up and says, we are going to let the Public Trustee handle all the estates, if that is the way they want to go. Not to be in the position where we are hiring staff - we are hiring more bureaucrats to handle more, and more, and more legal business. I'm saying there are instances where they must, but I don't believe that we have to set them up so they can pick and choose. In fact, they can refuse to handle an estate, but they generally don't.

Mr. Chairman, I'd like to invite the hon. Attorney General to comment on the remarks I have made, and particularly [cn] what he thinks of the manner in which the Companies Branch is operated.

I'd like to make another statement with regard to the Crimes Compensation Board - I don't think we will be dealing with these section by section, but the time has come when we have to take a second look at the type of awards they are making. Pain, suffering and personal injury have to be looked upon as proper compensation factors in handing out awards.

I was involved in one case where a person got his face and body slashed. He was mangled for life and they gave him a few paltry dollars for loss of time from work. This party was not compensated adequately at all. It was like giving him a candy and telling him to quit complaining. He received very little for his loss of work, but he received life-long damage. I believe we should take a second look at that.

Mr. Chairman, with just those few remarks I would appreciate a response from the hon. Attorney General.

Department of Culture, Youth and Recreation (Cont.)

MR. SCHMID:

Mr. Chairman, with the permission of the hon. Attorney General, may I reply to the hon. Leader of the Opposition. My statement was incorrect that the fare for the coaches' trip to Japan was paid by the provincial government. It was also paid by the Hokkaido government.

May I also state one of the main reasons only one member of the Amateur Hockey Association was taken at the time was because our member of the staff, Dave Gablehouse, was originally scheduled to go to Japan. He was accepted by the chiropractic school, or whatever it is called in the United States, and he had to leave on short notice. We had to find an immediate replacement so as to not have to cancel completely the coaching clinic in Japan.

MR. CLARK:

It would also be fair to say, wouldn't it, that the province gave \$1,000 to each of the people going, to look after the living expenses over there?

MR. SCHMID:

That's correct, Mr. Chairman, yes.

MR. CLARK:

And it would also be true to say that the Alberta Amateur Hockey Association recommended more than one name?

MR. SCHMID:

Well, Mr. Chairman, I did not say that they recommended more than one name. I said, that Mr. Ken Head was accepted as the one who was available. I think there was another person involved who couldn't go because of time involvements. In fact, it was the Amateur Hockey Association which asked us to cut down the time from three months to two months because they couldn't find anybody who would like to go for three months. They couldn't take off that much [time] from work.

Department of the Attorney General (Cont.)

MR. LEITCH:

Thank you, Mr. Chairman. I wish to take this opportunity to make a few comments about the department, indicating things which have been done, things now being done, and the things we anticipate doing in the future. To make it easier for members to follow, I'll make them in the order in which the appropriations appear in the estimates.

Dealing first, Mr. Chairman, with the item, General Administration, Appropriation No. 1202, there is a very major apparent increase in that appropriation. I want to call the members' attention to the fact that the increase is apparent and not real.

There are about 24 additional people added to the departmental staff this year, which really, in essence, represents an increased workload and the personnel who are required to service that workload. But the bulk of that increase, in fact, just somewhat \$1 million of the increase, occurs because we have included in that vote stationery, postage and repairs to equipment, which in prior years had been included in various votes throughout the Attorney General's appropriations.

The next vote I would like to make some comments about, Mr. Chairman, is 1204, the Alberta Securities Commission. There I simply want to say that we have felt for some time

that there needed to be an extensive review of the Alberta Securities Commission in two principal areas. One relates to the administrative practices we are following and in particular the question whether that ought to stay within the Attorney General's department or whether it ought to go to some other department. When we look to other government organizations we find that in some instances it is within the Attorney General's department. In others it is within the Solicitor General's department and in still others it's within the Department of Consumer Affairs. There is, in some respects, a very close relationship between some of the work done by the Department of Consumer Affairs and the Securities Commission, particularly in the area of administration of funds. For example, under the Superintendent of Insurance, which is in the Department of Consumer Affairs, are the mutual funds and the responsibility of administering them.

We are also concerned about whether there doesn't need to be a very exhaustive review of the legislation under which the Securities Commission operates. This is a field that is undergoing constant change. It may be that there need to be significant changes in that legislation. In that respect I am hopeful that we may get some comments and recommendations from the commission that is currently completing its inquiry into the Cosmopolitan matter. One of the terms of reference to the commissioner there was to make recommendations if he felt there ought to be changes in some of the legislation which is similar to the type that is being administered by the Securities Commission.

With that objective in mind, I have had discussions with the Chairman of the Alberta Securities Commission, Mr. Rose, who has just recently retired. I am hopeful that he will undertake the task of doing for us a review of the nature I have described.

Mr. Chairman, the hon. Member for Calgary Mountain View raised the question of the compensation that is awarded by the Crimes Compensation Board which is under Appropriation 1214. His point, as I followed him, was that an individual who had been badly scarred and suffered some other losses, including loss of income, had received relatively nominal payments covering only his cut-of-pocket expenses and if anything else, in a very limited amount. That is a valid point and it's one we have under consideration.

I do want to call to the committee's attention though, Mr. Chairman, that the restrictions on what that board can award are contained within the legislation which created it. There is a restriction on making an award for pain and suffering. The question we really now need to deal with is whether that restriction ought to be removed. We will, during the course of the coming months, be giving very careful attention to that.

Mr. Chairman, under Appropriation 1220 which provides for the salaries of the provincial judges, I would like to make a few comments. Starting with the beginning and starting with the philosophy that we held, Mr. Chairman, I would say that it can be stated very briefly and very simply. I don't know of any reason Alberta shouldn't have the finest provincial court system in Canada. That has been our objective from the beginning. After some months in office, and after reviewing the operation of the provincial courts in some detail, I was satisfied that if we were going to have that kind of system - the kind of a quality system that we should have in Alberta - the best way or first step to go about getting it was to have a body outside of government do a complete and exhaustive review. There were several reasons for reaching that decision.

First of all, I think one gets a degree of objectivity from people who are outside of government, outside the department, when looking at that kind of operation. In addition, we wanted a vehicle which would give the public of Alberta a forum to which they could bring their views and recommendations. That was essentially what led to our appointing the Kirby Board of Review. They have, as I am sure all members of the committee are aware, been working very, very hard at the terms of reference they have been assigned. I am most impressed with the quality of the report they have already submitted with respect to coroners, and I am looking forward with a great deal of anticipation to their future reports on the provincial court system.

Perhaps I should put it this way, Mr. Chairman, I am satisfied that to develop an outstanding provincial court system, we need to pay the judges a salary that will attract able and dedicated people. Mr. Chairman, two or three years ago the salary ranges of our provincial judges was \$12,500 for non-legally trained members of the bench, and \$20,000 for legally trained members. There were also some variations between those two figures, as from time to time the prior administration had made individual arrangements with judges they had appointed.

I never had any doubt about the fact that paying legally trained judges a higher salary than was paid to non-legally trained judges was wrong in principle. It inevitably created the impression that there were somehow two levels or qualities of justice being administered by that court. We reached the decision that that discrepancy should be done away with. It was then a question of how quickly. Should we do it all at once? Should we phase in the changes and bring them to equality over a period of time? We decided on the latter course. In the first budget, significant raises were given to all the provincial judges and the gap between the legally trained and the non-legally trained was closed.

In the current budget, Mr. Chairman, we have proposed a complete closing of that gap. We have also proposed that the judges be all raised to an annual salary of \$30,000 per year commencing on April 1, 1974. That will involve a raise from \$25,000 to \$30,000 for the legally trained judges, and a raise from \$19,500 - I believe - to \$30,000 for the non-legally trained judges.

I commend that change to the members of the committee. I think it was wrong in principle to have a difference in pay and also believe that in raising the salaries to the \$30,000 level, we will be able to attract - and are attracting - very able and dedicated people to the provincial bench.

I should say that that salary level, I believe, is now the second highest in Canada for provincial judges. Ontario, as a result of a very major raise given just recently, has a somewhat higher level. I think it goes to \$34,000 or \$35,000 in Ontario. The other provinces - particularly our neighbouring provinces to the east of us - are very, very much lower. I anticipate that they too in the immediate future will be making substantial raises.

A few comments, Mr. Chairman, about the Legal Aid Plan which is Appropriation No. 1226.

I merely wish to call the committee members' attention to the fact there is a significant raise of 28 per cent in the budget and that in part reflects the fact that we are now operating under an agreement with the federal government whereby they pay either 90 per cent of the criminal legal aid funds, excluding administration costs, or 50 cents per capita, whichever is the lesser. As a result, we've left our contribution to the Legal Aid Plan as it was last year and the increase flows in part from that contribution coming from the federal government.

The effect there, Mr. Chairman, will be to materially increase the civil legal aid because the criminal legal aid out of the entire budget was meeting the requirements or the demand, if you like, whereas there were a number of civil legal aid cases, particularly in the matrimonial field which, because of the priorities that have been assigned to them by the legal aid committee, were not being funded. I anticipate a significant additional number of cases in that area will be funded as a result of this increase in the legal aid budget.

And then, Mr. Chairman, turning to Appropriation 1232, which is the Land Titles Office, Calgary, I want to call attention to some changes we have recently made in the system of operating the Land Titles Office.

In the years 1972 and 1973 the service within the Land Titles Office, which for a long time had been of a questionable level, deteriorated. That deterioration really flowed from two causes. One was that the nature of the system didn't permit a rapid expansion to handle rapid increases in business, and the second was that we had a very, very major increase in the flow of business through the Land Titles Office during those two years. My memory is that it was something just over a 50 per cent increase in transactions within the Land Titles Office during that two-year period.

The result was that there was a wholly unacceptable delay in the Land Titles Office in getting documents registered. That situation was aggravated because we were at the same time endeavouring to change over to a system of loose-leaf titles as opposed to a system where a number of titles were in a bound book.

We've recently introduced, in an effort to cure the delay problems, a new system and the essential feature of the system can perhaps be best understood by explaining the existing system.

Under the existing system a document moves through five departments between the time it comes into the building until the new title comes back out if, say, they are dealing with a transfer. So rather than have it move through five departments we've changed the system whereby the transfer comes to a group of people and they do all the steps that were normally done as it moved through the five departments. They take the document, do all the steps that are necessary from the time it comes in the door until the title is returned.

We started that in Calgary because Calgary was a more appropriate place to begin such an experiment. We intended it to be experimental only in the initial stages. We found that we couldn't limit it in its anticipated size. We started it by using a few law firms. The other law firms objected and wanted to become a part of the experimental system. So we have expanded it more rapidly in Calgary than we had initially intended. We've had some administrative problems because of that large and rapid expansion but, on the whole, Mr. Chairman, I'm delighted with the new practice in the Land Titles Office.

We now have reduced the time it takes to get a title back after you bring the document in from a matter of weeks to a day or two days. It's a very major, substantial improvement. We're going to bring it to Edmonton as rapidly as we can, Mr. Chairman.

Now I would like to turn my attention to some of the additional points raised by the hon. Member for Calgary Mountain View and deal first, Mr. Chairman, with the question of the Check Stop program.

While the administration of that program is now with the Solicitor General, and I won't comment to any extent on that area, I think it appropriate for me to comment on the reasons for it coming into existence and relate them to the hon. member's argument that what ought to be done with impaired drivers is a crackdown and tougher punishments and things of that nature.

Let me say at the outset, Mr. Chairman, that's the kind of thing that everybody all over the world has been hearing ever since we've had automobiles and liquor. It's time for a crackdown. It's time to do something about this problem. Without exception, Mr. Chairman, that has really never worked and that's why we went to a different program.

There still is a misconception about the purposes of that program and the hon. member, in making his statements, repeated that misconception. He talked about this vast deployment of police power in order to catch the odd person who was impaired, and referred to stopping a great many people in order to get one charge laid. That, Mr. Chairman, was never the purpose of that program. To illustrate or to emphasize the purpose of that program I'll go back and give a little bit of my philosophy about the impaired driver and why the other programs weren't working.

There are really two reasons. The first one is that I'm absolutely convinced, and I think all of the studies that have been done on this throughout the world support it, that the degree of punishment, the severity of the punishment has very little to do with the level of impaired driving. I'm convinced that you can suspend peoples' licences for a year or two years, you can increase the fines, you can impose mandatory jail sentences yet all of those things are going to have very little bearing on the incidence of impaired driving. And why? The answer is really very simple. They are not going to have any effect on the incidence of impaired driving because people know that they are able to drive while impaired without being picked up. They've been doing it for years. And so they know that the risk of being detected is so low, in their view, that the level of punishment isn't going to effectively deter them. And surely there isn't a member in this House who from his experience, whether he drinks or not, does not know that to be the case. So you had to find some other way to get at the problem.

What can be the only other way? The only other way is to make them aware that the risks of being picked up are higher and that's really what the Check Stop program was designed to do. Remember this, without that program a person would become impaired and say, I know from experience I won't get picked up unless I do something horrendous on the streets - get in an accident, drive up over the curb, run through a red light - that's the only way I'll get picked up. And all the while, short of doing those things, he's still a menace and our accident statistics clearly indicate he's a menace.

Let me give you one piece of evidence to support that fact. The law prohibits driving when you have more than .08 alcohol in the blood stream. For years the medical people have been saying to us that with a concentration of less than that you are still a menace as a driver, that even with a lower percentage than that your driving abilities are reduced. But in order to avoid arguments about civil liberties and things of that nature, the Legislature went to the little higher level of .08 at which they could say nearly everybody's ability to drive is impaired.

Then let's look at the level of impairment or of alcoholic concentration in the blood stream in the people who have come to the attention of the police. In an effort to find that out, I asked for the results of all the breathalyser tests that have been taken, I think, over a year or a year and a half. Do you know what the average breathalyser reading was? It was .18. It was .18! And do you know why that is so? That's so because the law is that the policeman is not entitled to arrest unless there is some indication from the way the person is driving that he is impaired. And the police, to be on the safe side, were not stopping people or not charging them or not taking them in for breathalyser tests unless they had staggered or driven in such a way that it was very clear to the policeman that he had reasonable grounds for asking him to take a breathalyser test.

The result was that the average reading was .18. You know, you don't need to be much higher than that to be unconscious. Basically, all the people between .08 and .15 or something, which would be the lower scale of the readings which led to the .18 average, were not coming into contact with policemen.

So it was clear. You can use the system the hon. Member for Calgary Mountain View suggests, but it isn't going to do anything more than continue the old practice which clearly wasn't successful. So what we've experimented with - and that's why we gave it

massive publicity - was that we wanted people to be conscious that if they drank and drove, there was a real risk of being stopped. All the information I've been getting back from people who are conscious of this program indicates that it's accomplishing that objective.

One more thing I want to say about it. At the beginning we said, this is an experimental thing. We intend to run it for a year and assess its results. It may not be the solution. But certainly all that's been tried before, the system we had and the one the hon. Member for Calgary Mountain View argues in support of, wasn't working. So we've tried a new tack. We've said it will be for a year.

At the end of the year, we'll be able to assess it. We'll have some statistics on accidents in Alberta involving the impaired driver. We'll be able to ascertain whether there has been any improvement in those statistics, particularly in the area outside the major centres where the disastrous accidents occur. The majority of the people who are killed on our highways are outside the major population centres. At the end of the year, I'm sure the hon. Solicitor General will be assessing the effectiveness of the program and considering whether there shouldn't be changes to make it more effective.

I really want to conclude my remarks in this area by simply saying that I don't think there is anyone more aware than this government of the horrendous and tragic loss that's occurred, that's occurring because of the impaired driver. We have endeavoured to bring in a program that we think, we hope, will make some improvement.

The idea that we could accomplish the same thing by increasing the severity of the punishment, I just don't think is supported by experience either in this country or anywhere else in the world. We have to find a new system.

One further comment, Mr. Chairman, in respect of the impaired driver and sentencing. The hon. Member for Calgary Mountain View raised the question of inequality of treatment, which we discussed in the House earlier. I've explained to him that the provincial judges have this under consideration and he understands and has expressed in his comments the restraints that are on government in that area.

I should draw to his attention though that while over the years, I think the fines have been lower in Edmonton than in Calgary, the impaired drivers project which had its birth in Edmonton was used much more extensively here and is gradually being extended to other parts of the province. While I can't say positively, because I haven't checked all the figures, it's my belief that in Edmonton the great majority of the persons appearing on impaired driving charges had, as part of their sentence, a probation requirement that they attend that program. That, of course, is part of the punishment factor.

A last comment on the question of the Companies Branch, Mr. Chairman. The Member for Calgary Mountain View suggested that it should be in the Attorney General's department because it should have a legal person at the head of it. I don't think that's a valid argument for having it within the Attorney General's department. Largely, that is a matter of administration. There is very little legal work involved from the minister's point of view in connection with the Companies Branch. It is used primarily by lawyers, but the actual operation of the Companies Branch is primarily an administrative rather than a legal matter.

We are conscious, as I know the Minister of Consumer Affairs is, of the service problems that are in the Companies Branch. I'm sure he will be commenting on that when his estimates are here. But I do want to conclude by saying that from my experience with the Minister of Consumer Affairs and his capacities and his determination to see that things are well done, I have no doubt that when he's had some time - and that branch hasn't been with him very long - he will be making very major improvements soon.

MR. LUDWIG:

Mr. Chairman, I'd like to comment on a few of the remarks made by the hon. Attorney General. First, with regard to the Companies Branch, regardless of whose jurisdiction it is under, the set-up and the service at the present time is not adequate. If the hon. Attorney General or the Minister of Consumer Affairs feels that I am not correct, canvass those people who are involved. I find it is difficult to get good service. They have a tremendous staff. They are not adequately housed. They haven't got enough staff. Their facilities appear to be almost like living out of a suitcase. It's temporary.

This thing is a major part of our way of doing business and something has to be done quickly to solve it. It's not an insurmountable problem. It's not that we don't know what to do. The question is to get it done. As far as I'm concerned, I can stand up here and safely say that the service is not good enough. It's somebody's responsibility here. Get with it.

I've raised this on several occasions. It doesn't affect just me, it affects every business, not just the legal profession. It affects the thousands of companies we have.

And that part of it is not good enough. If somebody thinks it's good enough, let's leave it the way it is. I'm saying it isn't.

[Dr. McCrimmon in the Chair]

With regard to the impaired driving program, I'm not at all taking the position that the Check Stop program didn't have a beneficial impact. But it did not solve the problem. Much is being done, more can be done.

As far as the deterrent effect of penalties and suspension of licences, I disagree with the hon. Attorney General. I believe there is quite a deterrent effect when somebody knows he may not drive for a year. That's a caution to him.

The weakness of the whole system is that we don't do anything until the man's judgment has been impaired and he's not really thinking properly. We don't get them before they get to the car. We say we can stop and frisk everybody when they're in the car. But somehow we could solve a lot of the problems if anybody in the saloon or in the beer parlour knew that his car was parked, that there was a Check Stop program right there and that he was going to be checked. Maybe that's a step that needs to be taken.

Much as I feel that people who drink and drive are a terrible menace, you can't help but feel slightly favourably disposed to a person who is very sensible, very responsible, gets his judgment impaired, not to the extent that he can't make decisions or can't be mobile or can't move, gets in the car and then he doesn't really appreciate what he is doing as he did before he went and had his first drink. So maybe between that first drink and the car, maybe something can be done.

But I'm of the opinion that even though the hon. Attorney General states, maybe with some justification, that increasing the penalties has not solved the problem elsewhere, I'm saying it's the best deterrent we have right now. The matter of the greater risk of being found out is also a factor. But maybe not one thing, maybe we have to use several approaches and maybe we have to try to perhaps take the Check Stop program and have one handed to a person who has had three or four drinks in the pub and he's going to drive. Many people after their third or fourth drink think they can drive better than they did before they came in. Maybe that is a level we have to look at. But neither the system we had before solved the problem, nor has Check Stop solved the problem, although each additional step we take perhaps eliminates a few more accidents. So whatever can be done I think is a step in the right direction. I'm not critical of either program, but the real answer to the problem is not before us at the present time.

I'm not just sure what can be done but I've often wondered whether anything can be done with regard to this problem before they get in the car. If it pays to stop thousands of people on the highway, why doesn't it pay to have the police stationed outside a pub where people drink from early afternoon until closing time? All walk out and most get away with driving while impaired because they are not being stopped.

[Mr. Diachuk in the Chair]

With regard to provincial judges, I always believed that that was the highest court in the land for 95 per cent of all criminal cases. I've never been able to reconcile why those were not every bit as important in pay, facilities and prestige as the higher courts. We are dealing with people's liberties and whether it's a small charge or whether a person doesn't want to go to Supreme Court, the same principles are involved, the same principles of liberty and human rights are involved as elsewhere. I commend the hon. Attorney General for moving in that direction.

I want to make one comment though with regard to pay. \$20,000 three years ago bought as much as probably \$27,500 or \$30,000 buys today. So the raise is not all that significant. It's important to raise them so they don't lose ground. When we say, well, three years ago they were paid only \$20,000, that \$20,000, in my opinion, buys perhaps, in some instances, as much as \$30,000 today. So if the hon. Attorney General should move to bring the provincial judges in line with what is expected of them by way of ability and performance, I'm sure not too many will object.

I think one comment in this area should be that there should be an adequacy of judges. I know in Edmonton they've had serious problems where delayed justice was, in fact, creating harsh situations, creating unjust situations for certain individuals. We should provide that we not only have adequate facilities - I know we'll have them in the future, we should move rapidly in that direction - but provide sufficient judges to deal with the increased load of the system. Due to population, I don't know whether there is increased crime or not, but we do have a problem of adequacy, numbers of judges.

Another thing I think could be levelled by way of criticism at the administration of justice at the provincial judges' level is the fact that it still, to many observers appears to be a factory, an assembly-line type of dispensation of justice. I didn't use the word, "dispensing" with justice - but the meting out of justice. I'm surprised the

system works as well as it does. They have a tremendous volume. They are pushed, they are rushed, they are adjourning and the system tends to clutter itself up. I'm quite confident that the Hon. Mr. Justice Kirby and his commission will perhaps have something to say about that problem.

I don't believe there is anything else I wish to say with the exception of the coroners report, now we have it, we should waste no time in having legislation here once the hon. Attorney General has had a chance to study the report, to move in that direction. That is also a concern of the public.

Thank you, Mr. Chairman.

MR. NCTLEY:

Mr. Chairman, I would just like to make a few brief observations on the estimates of the Department of the Attorney General.

First, I wonder if the Attorney General would perhaps outline for us his role as the constitutional advisor to the government. As I recall when the hon. minister Miss Hunley was appointed Solicitor General, one of the reasons for the establishment of that department was to free the Attorney General for other duties, among which was the ability to provide ongoing constitutional advice to the government. I noticed in his giving his review today he covered many aspects of his department but didn't cover that one.

I'd be interested to know just what the normal approach of the Alberta government is in obtaining constitutional advice. That is, are there particular firms that we normally rely on? Do we try to obtain advice from outside the province? In other words, what is the normal route to obtain ongoing constitutional advice?

Mr. Chairman, dealing with some of the points that have already been discussed during the estimates, I'd like to say first of all that I want to commend the government for the establishment of the Kirby Board of Review. Last session we had a long and heated debate, and the fact that today the debate on the estimates of the Attorney General is generally so calm and placid compared to last year is, at least I think, an indication that the government did move, belatedly, but nevertheless did move to appoint the Kirby Board of Review. We'll all be looking forward to the recommendations of that board of review when they are made with respect to the lower court system. As the minister has already pointed out, we have the interim report on The Coroners Act.

The other area that was discussed last year too during the estimates was the Cosmopolitan problem or the loss of shareholders' money in the Cosmo-PAP collapse. Again we have a commission set up to look into it. I certainly think that that commission, when it makes its report, will have, I hope anyway, a number of important recommendations to make which will affect the operation of the Securities Commission. I am encouraged that the government is taking a close look at reviewing the legislation in this area and strengthening the operation of the Securities Commission. If we're going to encourage people to invest in the province, Mr. Chairman, invest in the many investment opportunities that are available, it's necessary that the commission fully exercise its responsibility as a policeman, if you like. Without getting into details of the Cosmopolitan collapse, it's obvious to me that some changes are needed.

The discussion also arose with respect to increasing judges' salaries. I concur with the remarks that have been made that it's important to increase salaries if we're going to attract the calibre of people necessary to, in effect, perpetuate a high standard of justice in the lower court system.

Some discussion has taken place on legal aid. I noted that the Attorney General, in his remarks, has mentioned that because of federal assistance we're going to have an increase of approximately 28 per cent in the legal aid budget this year. I would still question whether that is enough to really provide equity before the law for low-income people. One of the problems, it seems to me, Mr. Chairman, is that in the area of civil law especially, so many Albertans who probably would qualify for legal aid just aren't aware of the opportunities. Perhaps some additional advertising could be considered to acquaint larger numbers of people with the legal aid system.

I am not aware of what the situation is now, but I know there have been a number of complaints that many of the law firms tend to consign legal aid cases to their junior members rather than the senior partners taking their share. Whether that's a valid complaint or not I don't know, but I would appreciate the Attorney General commenting on this.

The final point I would make, Mr. Chairman, is to say just a word or two about Check Stop and the problem of drinking drivers. On this particular issue, I tend to sympathize with the arguments made by the Member for Calgary Mountain View.

We are all concerned or should be concerned about civil liberties but, Mr. Chairman, I don't think we should confuse civil liberties with the irresponsibility displayed by individuals when they become incapacitated due to heavy drinking and risk the lives of others on a public highway. I don't think there is any basic human right to drive while under the influence of liquor. Frankly, I just find it a little difficult to understand many of the civil liberties arguments on this score. Certainly, I think people have to be proven guilty. But the fact of the matter is that in terms of the legislation I think we have to be very, very clear that when we are talking about public highways; when we are talking about risking the lives and health of others, we must expect a very high standard of responsibility on the part of all motorists.

Now as I followed the Attorney General's argument for Check Stop, the major reason for Check Stop, as I gathered from his comments, is to try to suggest to people that they can, in fact, get caught, that the danger of getting caught is there. Fair enough. If that argument is reasonable, then it seems to me the points made by the Member for Calgary Mountain View also have merit, that if the penalties are more severe, then that's going to be something of a deterrent.

Mr. Chairman, when you drive throughout the province, and you see some accidents and you know they have been caused because people have in a totally irresponsible way disregarded their obligation to their fellow man - they have got drunk beyond measure and have cost other people their lives - then it really is just a little difficult to suggest that we shouldn't clamp down on that kind of irresponsibility. It is not a question of civil liberties, it is not a question of the rights of individuals, because I don't think any of us have the right to imperil the lives of others. So while I believe the Check Stop program has been necessary and useful, I am also persuaded that it may be necessary to increase the penalties.

MR. STRICH:

Mr. Chairman, I just want to make a couple of comments in regard to the impaired driving problem.

First of all let me say I appreciate very much the explanation the minister gave in regard to the value of increasing penalties. I can certainly accept that in light of the statements the minister made - because if I understood him correctly, he is stating to us that the individual who has a fear of maybe getting caught realizes the chances are maybe ten to one or five to one or whatever the case may be, so he thinks of that first rather than of the penalty. I would have to say, Mr. Chairman, I do feel very strongly that the penalty is a real factor. But to make it effective - and I am sure this is what the hon. minister would agree to and I would be interested in hearing his comment on it - you must have enforcement. And it is in the area of enforcement that I want to make my comments.

I support Check Stop. I would like to feel that any policeman, while on duty, could operate a stop check on his own if he took a notion it was something which should be done. Maybe they do. I don't know. I have never been caught in one of those situations where they simply say they are making that kind of check. But I am wondering, Mr. Minister, if that isn't one area in which we could even step up the enforcement more than we do at the present time?

I am well aware that the penalty and enforcement combined have been very effective in several countries. We can mention the Scandinavian countries, for example, where individuals there, if they are thinking in terms of drinking, they just don't drive, period. They just don't drive. Germany - I found somewhat the same situation. I am sure there are a number of European countries which have gone through an experience that maybe we are going through - have found they have made the penalty and the enforcement tied together, effective.

So my suggestion to the minister is, if he feels the changing of the penalty is really not effective, then I can only strongly suggest we give our attention to enforcement. Whatever it may cost, we should start doing something about it because I am faced every now and again with an article which appears in the paper, and it seems to come almost on a regular basis, where law enforcement officers will tell us 50 per cent of the accidents involve liquor. It is too high. We surely should be able to do something about it. So I hope we will give our attention to enforcement because I am prepared to accept the minister's argument that penalties maybe are not working, although I myself have on many occasions advocated that we increase the penalty. If that isn't working, I'm going to be just as strong in supporting a greater attention to enforcement.

The last point I would make in regard to it - and this is one which concerns me - is the matter of public attitude. I don't know how we change it, but I think that, too, is very important and I am sure the hon. minister agrees. Maybe Check Stop is changing public attitudes a little bit. I am inclined to think it is. I don't know how we measure that either. It is very difficult to measure. But I think it is fair to assume it is having quite an effect on many people who realize there is a chance, so for that reason

are guiding themselves accordingly. But I would like to see the enforcement on such a basis that no one would dare take to the road because he would be fearful of being caught at either a check point or by some police. If we did that for some time I am sure it would be effective.

I would like to ask a question in regard to family courts. Do they come under the provincial judges as listed in the appropriation for provincial judges?

My question, Mr. Chairman, is in regard to the counselling services which are provided under the family court. Is a change taking place in the counselling services which are provided? Is it a service which is extended beyond the family court judge or is it just tied in with the family court judge operation?

MR. BUCKWELL:

Mr. Chairman, I just wanted to ask the Attorney General - realizing it is under the Solicitor General now - on this Check Stop. Apart from, let us say, the publicity and advertising for Check Stop, have there been any additions to the RCMP for this, or is this just the existing use of the force? In short, is there any additional cost because of Check Stop?

MR. TAYLOR:

Mr. Chairman, I just want to make one or two comments on impaired driving and so on. I don't think there is any royal way or one royal way of trying to solve this problem. I think rather the problem, if it is ever solved, is going to be done by a combination of methods. I have considerable faith in the Check Stop program. I also believe in deterrence in the law and enforcement and the way the law is administered in the courts. I think these are all very vital factors along with public attitude.

I'm not keen on increasing fines. It always seems to me that this favours the rich and doesn't give equal justice. As a matter of fact, I've come to the decision, rightly or wrongly, that one of the greatest deterrents would be a jail term for anyone who is convicted of impaired driving, even if that jail term was only for one or two days. That's pretty serious for anyone who is a respectable citizen, whether he is rich or poor. It's certainly equal justice. I think some countries - particularly Yugoslavia and the Scandinavian countries - have even gone to the point where one drink - you don't have to be convicted - you spend a certain time in jail. This has had a tremendous effect on making people think before they start to drink.

But the primary reason I got up is that I think there is something else we have been overlooking for a long time. We've talked about the reform of our lower courts and we talk about how to instil in the hearts and minds of people not to drink and drive, but there is one thing we are doing very little of in this country. It's not entirely provincial, but certainly there is a provincial part of it, and that is the reform of law.

Reform of law, I think, is long overdue in this country. You can read in almost any newspaper that people are acquitted because they were drunk. As a matter of fact, I heard people say in a restaurant one day that you can do anything; as long as you are drunk, you'll get acquitted.

It's not quite that easy, but I remember a case in Calgary a few years ago where the court acquitted a man who ran off the road onto the sidewalk and killed two people - and he was acquitted. The judge said he didn't know what he was doing. He couldn't tell right from wrong because he was drunk. Well, Mr. Chairman, if we're going to acquit people because they don't know right from wrong because of something they themselves did - they made themselves drunk, nobody else - then it's getting pretty serious and I think it's time our law is reformed in this country so that we take responsibility for putting ourselves in the condition where we don't know what's right or wrong.

If I drink until I'm drunk and I don't know right from wrong and I then go out and kill somebody, that person is just as dead as he would be if I did know right from wrong. I don't think I should be excused because I didn't know what I was doing when I was drunk. I made myself drunk. I think it's time we start reforming law so that when a person drinks and puts himself in a condition to commit a crime or an offence, then he knows beforehand while he's stone sober, that if he does get drunk he's going to be responsible for the things he commits. I think if we start some reform of law it will be an important factor, along with many others, that will eventually, I believe, solve this problem.

MR. CLARK:

Mr. Chairman, there are just four quick comments I would like to make and some of them are in the form of questions.

I'd like to ask the Attorney General if it's his intention to bring forward a new coroners act at the fall session this year; and if he has had an opportunity yet to look,

in some detail, at the recommendations of the Kirby report as far as The Coroners Act is concerned? Is he in a position to give us some indication, at this time, as to his initial reactions to the Kirby report, the interim report on The Coroners Act?

Secondly, I'd like to ask the Attorney General if the government is giving any serious considerations to a prepaid legal services plan. I know that the benchers of the province, through the Alberta Law Foundation, are doing some work in this particular area. I'd like to know what the relationships are between the government and the benchers and, in fact, what is the government's thinking in that area?

Third, I asked the Attorney General this during question period and he simply indicated that the government was giving no consideration, at this time, to making changes in the laws of the province dealing with fines. Working on the principle of taking into consideration the ability of the defendant to pay, which, it seems to me, at least on the surface, has some merit when you look at some of the studies that have been done by the Solicitor General's department, looking at why there are a number of people, especially Native people, who very often in the past have had to spend considerable time in the provincial institutions.

The next area I'd like to ask the Attorney General to comment on deals once again with this question of drinking and driving. I concur with many of the comments that have been made on both sides of the House. I'd just like to ask the Attorney General to go one step further.

In regard to an accident that occurred in my own constituency not long ago, one of the people who was driving the car involved had had a fine for reckless driving not long before. It was a relatively high fine, I suppose, in some people's minds. I think it was \$30 or \$40. But that really isn't very much in comparison to the ability those particular individuals have as far as earning capacity is concerned. Talking to some of the people involved in the RCMP detachment in that area, they make the point that, well, the fine is levied but the person is back on the street the next day, or even the afternoon after the fine is levied. What I'm asking is, has there been any consideration of the removal of licences even at an earlier time, especially as this relates to younger drivers?

The last point I'd like to ask the Attorney General to comment on deals with the question of, has any serious consideration been given to discussions with the Department of Education about some movement toward including in the curriculum of the schools in the province some emphasis in the area of an overall healthy attitude towards law and law enforcement?

MR. LEITCH:

Thank you, Mr. Chairman. Several of the members have commented on the impaired driver problem and the Check Stop program. Perhaps I could open my comments by dealing with that matter.

I agree with the hon. members who say that we may need a many-faceted attack on this problem. I think there is no one method that will provide a total solution, so we're going to have to do a number of things. On the question of severe penalties I do want to call to the members' attention that the federal government really moved the other way with an amendment in its Criminal Code which came into effect about a year ago.

We have in our legislation a mandatory six-month suspension of licence, and for most people that is a very, very major punishment. In fact, if you relate it to the person who is working and driving for a living and the interference that may have with his capacity to earn a living, and relate that economic loss to fines for other offences, you will find it was a very, very major punishment. But the federal government moved, by amending the Criminal Code, to provide that a court could suspend the licence and then give it back to the person to get to and from his job, or during specified hours of the day, or something of that nature.

For a period of time we were uncertain as to whether that federal legislation ousted or rendered inoperative our provincial six-month suspension legislation. Following the taking of that issue to the Supreme Court of Canada it was clear that the two pieces of legislation stood side-by-side and were effective.

Other governments have taken the view that the penalties we had already provided might, in some cases, be too severe. It's true, I think, that their prime objective might have been to develop an equality of punishment as well as to reduce the severity.

I want to comment on the question of civil liberties. The hon. Member for Spirit River-Fairview left the suggestion that there wasn't an issue involved there. With respect to that view, it seems to me that there is. We were concerned about that when we brought forward the Check Stop program. Our concern is this, that you're really stopping someone who has shown no outward indications of being in breach of the law and who may

well not be, in the remotest way, in breach of the law, and you are inconveniencing that person in stopping him.

Our whole approach to the program was to say to the people, we appreciate that we are doing that but will you suffer that inconvenience to enable us to be more effective in removing the menace of the impaired driver from the highway?

AN HON. MEMBER:

I would.

MR. LEITCH:

I think the public has accepted that very well and I am sure the Solicitor General will have more to say on that later. The indications which I've gotten so far are that it has been very accepted.

If that attitude grows, we can take further steps which will be much more effective than the Check Stop program. But again, the problem is to detect the person who has reached the dangerous level as a result of using alcohol. Frankly, there is no way to detect him in the vast majority of cases without in some way inconveniencing those people who haven't done it.

Now if the people of Alberta, and I hope they will, accept that kind of inconvenience in order to be more effective in our control over the impaired driver I have no doubt that that will be a successful program. It will be a very major step forward and I'm sure it's one that the Solicitor General will be considering as time goes by.

Mr. Chairman, the hon. Member for Spirit River-Fairview also raised the question on legal aid as to whether it was going far enough, whether it was sufficiently well-known throughout the province. That, of course, is a matter of judgment and I think one is going to have a great deal of difficulty in getting sufficient information to reach an informed conclusion. All I can say in response to that is that I haven't got any information which leads me to believe that in any other than isolated cases there are people who should have and would qualify for legal aid who are not aware of it and are not applying for it.

Generally what happens is that if a person gets into difficulty he goes to a lawyer. The lawyers all know about legal aid and if the person has not got the resources to retain a lawyer he then gets referred to legal aid by members of the profession.

The member also commented about the question of legal aid cases being fobbed off onto junior counsel, and senior counsel not taking its fair share. First of all, Mr. Chairman, I will quickly say that I'm sure one could find instances of that occurring. Bearing in mind the great number of legal aid cases we handle I'm sure that will occur in some isolated instances. But I'm by no means convinced that it occurs in anything more than isolated instances.

I know, having practised, that while we had a legal aid program, many firms follow the practice of having people within their firms handle the legal aid cases in the same way that those cases would be handled by clients who were paying for them. Now, it's quite true that in the majority of legal aid cases you will find junior lawyers appearing for the litigant. But that same type of case for the client who is making the payment will also be looked after by the junior lawyer because most of them would deal with somewhat minor offences, such as breaches of The Highway Traffic Act and things of that nature.

In addition, many, many of the more senior lawyers - perhaps as high as 75 to 80 per cent of them - do not appear in court. They have simply developed a type of practice that doesn't take them to the courtroom. I'm sure most of the senior lawyers would say the worst thing that could happen to a client is to have me appear in the courtroom looking after him. The bulk of the litigation work in the province is done by some specialists and by younger members of the bar.

The hon. Member for Cypress, Mr. Chairman, asked a question about the counselling services in family court. I would really like to say in answer to that that the whole question of the structure of the family court is under serious consideration all across Canada. There are a number of reports and studies being done on what the law in that area should be, as well as how it should be administered.

We do have in Alberta and in Edmonton now a conciliation project working in the family court. It was a pilot project and its term will be up this summer. I'll be meeting with the people who were administering the program, with Judge Bowker, and will be reviewing it with her and making a decision sometime later this year as to ...

MR. STRCM:

While the minister is at it, I was also thinking in terms of divorce. That doesn't go to family court necessarily. That goes to another court. So I was thinking of the two. Would you comment on that too as far as counselling services?

MR. LEITCH:

I will, Mr. Chairman. Essentially the family counselling services now function primarily outside the judicial system as opposed to within the judicial system, and that would include divorce. There is no family counselling service associated with the judicial system in connection with divorces or judicial separations or things of that nature, apart from the kind I've just been talking about. The conciliation project has been under way in Edmonton for some time. There are, of course, family counselling services and things like that. The two normally go together but not as part of the judicial system.

The hon. Member for Macleod asked whether there were any additions to the RCMP solely as a result of the Check Stop program. I have to leave that question to the Solicitor General. I simply don't know the answer.

The hon. Member for Drumheller had some valuable and very worth-while comments about the law dealing with drunken driving. Whether one agrees or disagrees with the state of that law, as a provincial government our capacity to bring about change in that area is very limited. It is a federal law and is part of the Criminal Code. Of course, while some of the judges who administer it are provincially appointed, they are bound to simply apply the law and don't have the capacity to change the law.

The hon. Leader of the Opposition had several questions, one about our intentions with respect to The Coroners Act. I don't want to be in the position of making a commitment, Mr. Chairman, but I do wish to say that I am very favourably impressed with the recommendations made by the Kirby Board of Review. I expect, in the immediate future, to be reviewing them with my colleagues. We are in the process of doing some work in an administrative area which will enable us to move quickly with those changes when and if the decisions for change are made. I would be optimistic, but I don't want to be in a position of giving a commitment of being able to introduce legislation in that area in the fall.

He also suggested that we review changes in the law introducing an ability to pay system of fines, that is, the size of the fine would vary with your capacity to pay. It's an approach that merits some consideration, Mr. Chairman, but it's certainly one that I would approach with a great deal of care because I think that having a court embark on an inquiry as to the state of a person's finances before imposing the punishment could create some problems and difficulties far greater than the evils that might be cured.

There was a suggestion raised that we might consider a suspension of licences earlier than is now the case. Again, that's an area, Mr. Chairman, that has been under discussion and certainly a subject of widely divergent views for a good many years. It's an area, I think, that one can do no more than continuously review in the hope of having solutions that provide the kind of enforcement, the kind of protection we need without improperly or unnecessarily punishing the citizens of the province.

The last point I wish to deal with, Mr. Chairman, is the question of adding to the curriculum some content that might instil in our schoolchildren a capacity for respect for the law that their parents don't have. That's an ideal I'm sure we'd all consider worth while and again, it's something I'm perfectly willing to review with the Minister of Education.

Thank you, Mr. Chairman.

MR. RUSTE:

Mr. Chairman, just a point on the land titles. The minister referred to the Calgary office having changed its system. When is a tentative deadline for the Edmonton office to change? With the fluctuating prices in properties and the high interest rates, people are finding themselves in a bind at times because of the delays. Maybe you would comment on that.

MR. LEITCH:

We hope to do it within a matter of months, Mr. Chairman.

MR. STRCM:

Mr. Chairman, just a short question. How many complaints have you received where people felt that their individual liberties were interfered with as a result of Check

Stop? You made the suggestion in your answer that there was a danger of infringing on individual liberties. There have been none up to this point?

MR. LEITCH:

None to me, Mr. Chairman. There may have been some to the police or others but I don't recall receiving any.

MR. CHAIRMAN:

Ready for the question?

Moved by the Chairman, Mr. Young, of Subcommittee C resolved that the sum not exceeding \$20,014,050 be granted to Her Majesty for the fiscal year ending March 31, 1975 for the Department of the Attorney General.

[The motion was carried.]

MR. LEITCH:

Mr. Chairman, I move that the resolution be reported.

[The motion was carried.]

MR. CHAIRMAN:

May we have the opportunity for the Minister of Consumer Affairs to introduce some guests?

HCN. MEMBERS:

Agreed.

INTRODUCTION OF VISITORS (CONT.)

MR. DOWLING:

Thank you, Mr. Chairman. It's a great privilege for me, Mr. Chairman, to introduce to you and the members of the House 40 young ladies and gentlemen from Jasper Junior High School. They are accompanied by their teachers, Miss Madden and Mrs. Arsenault. They are seated in the members gallery and I'd ask them to rise so they may be properly welcomed.

COMMITTEE OF SUPPLY (CONT.)

MR. HYNDMAN:

Mr. Chairman, I moved the committee rise and report progress and beg leave to sit again.

[The motion was carried.]

[Mr. Diachuk left the Chair.]

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[Mr. Speaker resumed the Chair.]

MR. DIACHUK:

Mr. Speaker, the Committee of Supply has had under consideration certain estimates, reports progress and begs leave to sit again.

MR. SPEAKER:

Having heard the report and the request for leave to sit again, do you all agree?

HCN. MEMBERS:

Agreed.

MR. HYNDMAN:

Mr. Speaker, on Monday we will shift to second reading of government bills beginning with Bill No. 57, The Alberta Heritage Day Act, and then be dealing with Bills No. 47, 51, 56 and 58.

MR. SPEAKER:

The House stands adjourned until Monday afternoon at 2:30 o'clock.

[The House rose at 1:04 c'clock.]

