

LEGISLATIVE ASSEMBLY OF ALBERTA

Friday, November 21, 1975

[The House met at 10:00 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

NOTICES OF MOTIONS

MR. HYNDMAN: Mr. Speaker, I wish to give oral notice at this time of three government motions, to be moved next Monday or on a later day.

The first notice of government motion will be moved by the hon. Mr. Crawford on Monday next, to propose the following motion to this Assembly:

Be it resolved that:

1. A select committee of this Assembly be established, consisting of the following members:
 chairman: T. Donnelly; members: J. Ashton, E. Jamison, K. Paproski, G. Taylor, and J. Thompson;
 with instructions:
 - (a) to receive representations and recommendations as to the operations of The Workers' Compensation Act, and
 - (b) that the committee so appointed do meet for the purposes aforesaid at the call of the chairman, at such times and places as may from time to time be designated by him, and
 - (c) that the said committee do report to this Assembly, at the next ensuing session of this Assembly, the substance of the representations and recommendations made to the committee, together with such recommendations relating to the administration of the said act as to the said committee seem proper.
2. Members of the committee shall receive remuneration in accordance with Section 59 of The Legislative Assembly Act.
3. Reasonable disbursement by the committee for clerical assistance, equipment and supplies, advertising, rent, and other facilities

ties required for the effective conduct of its responsibilities shall be paid subject to the approval of the chairman out of Appropriation 1909.

The second notice of motion, Mr. Speaker, relates to the formation of another select committee of the Assembly. The government notice of motion, to be moved by the hon. Dr. Horner on Monday next:

Be it resolved that:

1. A select committee of this Assembly be established consisting of the following members:
 chairman: F. Peacock; members: W. Buck, J. Horsman, H. Planche, L. Shaben, and C. Stewart; with instructions:
 - (a) to assess the adequacy or otherwise of existing regulations pertaining to the Alberta trucking industry, and to recommend such changes as may be desirable to provide optimum benefits to Alberta citizens and the Alberta trucking industry;
 - (b) to receive representations and recommendations;
 - (c) that the committee so appointed to meet for the purposes aforesaid at the call of the chairman at such times and places as may from time to time be designated by him, and
 - (d) that the said committee do report to this Assembly at the next ensuing session.
2. Members of the committee shall receive remuneration in accordance with Section 59 of The Legislative Assembly Act.
3. Reasonable disbursement by the committee for clerical assistance, equipment and supplies, advertising, rent, and other facilities required for the effective conduct of its responsibilities shall be paid subject to the approval of the chairman out of Appropriation 1909.

The third notice of motion, Mr. Speaker, a government notice of motion, to be moved by myself on Monday next:

Be it resolved that when the Assembly rises at 5:30 p.m. on Wednesday, November 26, 1975, it stands adjourned to 2:30 p.m. on Wednesday, December 3, 1975.

MR. LITTLE: Mr. Speaker, I rise to a point of personal privilege. I have some most important news for the Legislature. I was in telephone communication with Calgary. It is not snowing down there, they're enjoying their usual good weather, and they're expecting a great weekend for the Grey Cup.

MR. SPEAKER: Some hon. members, I think, expect the Chair to take notice of a motion

which is being worn by a number of hon. members on their lapels.

AN HON. MEMBER: Go Esks Go.

MR. SPEAKER: I would like to say the motion might be procedurally defective, in that it doesn't specify where they are to go.

[laughter]

On the assumption that it's well-intentioned, I would say the motion is in order and probably unanimously acceptable.

INTRODUCTION OF BILLS

Bill 77

The Surveys Amendment Act, 1975

MR. CHAMBERS: Mr. Speaker, I beg leave to introduce Bill No. 77, The Surveys Amendment Act, 1975. Mr. Speaker, this bill contains some significant changes in legislation pertaining to land surveying in Alberta, which should achieve improved efficiency. For example, the surveyor will have options with regard to the surveying of subdivisions. I think this should result in a reduction in the overall time required to complete a new development and, hopefully, a reduction in the cost to the new home buyer.

[Leave granted; Bill 77 introduced and read a first time]

INTRODUCTION OF VISITORS

MR. HORSMAN: Mr. Speaker, it's my pleasure this morning to introduce through you, to the members of this Assembly, 48 Grade 10 students from the Crescent Heights High School in Medicine Hat. They are accompanied by their teachers, Mrs. Audrey Staven and Mr. Darcy Seller. I would ask that these students and their teachers rise and be acknowledged by the members of the Assembly. They are seated in the public gallery.

MR. JAMISON: Mr. Speaker, it is my pleasure this morning to introduce to you, and through you to the members of this Assembly, 30 Grade 6 students from the Sir Alexander Mackenzie School in the town of St. Albert. They are accompanied by their teacher, John Osgood. I would ask that they rise and be recognized by this Assembly.

MR. ADAIR: Mr. Speaker, it is my privilege to introduce to you, and through you to the members of this Legislative Assembly, a very distinguished Canadian athlete, in your gallery, Miss Abigail Hoffman from Toronto. May I just take a moment to comment on some of the achievements of this

athlete.

As one of Canada's foremost athletes participating in track and field running events, particularly the 1,500- and 800-metre events, Miss Hoffman has competed for Canada in the following major events: the Olympic Games of 1964 in Tokyo, 1968 in Mexico City, in 1972 in Munich in the 800-metre events; in the Commonwealth Games in '62 in Perth, Australia and in 1966 in Jamaica in the 800-metre events. She placed 7th in the finals in Mexico City, and 8th in Munich in 1972. Miss Hoffman also received gold medals at the Commonwealth Games in 1966, and the Pan Am Games in '63 and '71. In October of 1975, at the Pan Am Games in Mexico City, Abby won the silver medal in the 800 metres, the bronze medal in the 1,500 metres.

For the past few years, she has been a political science teacher at the University of Guelph, and presently has taken a special assignment with the Canadian Olympic Association to administer a special athletic support program in conjunction with Game Plan '76. She is presently in training for the 1976 summer Olympics in Montreal.

It is most significant to note that Miss Hoffman was among the first Canadian female athletes to achieve international prominence, when she ran in the Commonwealth Games of 1962. Since then, she has continually competed and has been an inspiration to athletes in general and female athletes in particular. Her current visit to Alberta is part of a cross-country tour to explain the aspects of Game Plan '76 and to help identify needs for elite athletes in the various provinces.

Knowing that, Mr. Speaker, and the tremendous values and benefits of sports she has dedicated herself to, it is my great pleasure to introduce to you, and to the members of this Assembly, Miss Abigail Hoffman, who is accompanied by two members of my staff, Mr. Emmett Smith and Mr. Dwight Ganske. Would they stand and be recognized by this Assembly please.

ORAL QUESTION PERIOD

Oil Exports Cutback

MR. CLARK: Mr. Speaker, I'd like to direct my first question to the Provincial Treasurer, in the absence of the Premier and the Minister of Energy and Natural Resources, who are at a very understandable event in Calgary. Can he give some indication to the Assembly of the effect on revenue to the Province of Alberta of the announcement the National Energy Board made yesterday, that there would be a one-third cutback in the export of oil to the United States as of the first of the year?

MR. LEITCH: Mr. Speaker, I cannot, without first having worked out the actual figures. That we have not yet done, but I'd be

pleased to do that and report to the House at a later date.

MR. CLARK: Mr. Speaker, a supplementary question to the Provincial Treasurer. Was the Treasurer involved himself, or does he know of his colleagues being involved in discussions with the National Energy Board prior to this decision, now that it isn't mandatory for the National Energy Board to get the approval of the province or discuss it with the province?

MR. LEITCH: Well, Mr. Speaker, I was not personally in any conversations with members of the National Energy Board, and I very much doubt that any of my colleagues were. As members of the House will know, on these matters the policy of the provincial government has been to have discussions on a minister-to-minister basis with ministers of the federal government rather than on a provincial-minister-to-federal-agency basis.

Public Accounts

MR. CLARK: Mr. Speaker, I'd like to direct my second question to the Provincial Treasurer also. It flows from the answer he gave in the House yesterday with regard to when Public Accounts are normally released. The first question to the Provincial Treasurer would be, is he correctly quoted in Hansard that the Public Accounts for Alberta were normally released during February and March?

MR. LEITCH: That was the information I was given, Mr. Speaker. If the hon. member has some different information, I'd be pleased to check it again.

MR. CLARK: Mr. Speaker, I wonder if the Provincial Treasurer would check once again with officials of the department to see whether the Public Accounts of the province from 1955 until 1972 were ever signed later than October 1. Secondly, would he check to see if it still takes 4 to 7 weeks once the accounts are signed to have them printed? Would he also check to see why, in 1974 and 1975, the Public Accounts were not signed until November? That has never happened from 1955 forward.

SOME HON. MEMBERS: Order, order.

MR. CLARK: Could he explain to the House the reasons for this?

SOME HON. MEMBERS: Put it on the Order Paper.

MR. LEITCH: Mr. Speaker, as has been indicated, the question is eminently suited for the Order Paper . . .

DR. BUCK: You misled the House.

MR. LEITCH: . . . but I will get a copy of Hansard, and again check the information that was given.

MR. CLARK: Mr. Speaker, on a point of order. We could have gone on a point of privilege today, indicating that the Provincial Treasurer misled the House yesterday.

SOME HON. MEMBERS: Oh, oh.

DR. BUCK: Well, certainly.

MR. CLARK: We chose not to do that. Now it isn't unreasonable to ask the Treasurer to check to see if what he told the House yesterday is accurate, because it isn't.

Lamb Processing Plant

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Agriculture. Is the lamb processing plant at Innisfail running through some temporary difficulties?

DR. BUCK: More than temporary.

MR. MOORE: Mr. Speaker, it would be fair to say that the lamb processors' plant in Innisfail is, indeed, experiencing some difficulties. It's not an unusual situation for a new plant trying to develop a market, as well as experiencing the difficulty of getting an adequate supply into the plant. We're hopeful the changes they're making in their operation will allow them, over the course of the next year or two, to be in a profit position. But, certainly, there are some difficulties to date.

MR. TAYLOR: A supplementary. Has the federal government completed its grants to this plant as previously promised?

MR. MOORE: I'm not sure that's correct, Mr. Speaker. As a matter of fact, the Lamb Processors Co-op has applied for a grant under the nutritive processing agreement signed between the Government of Canada and the Government of Alberta on March 10 of this year. I'm extremely hopeful that the grant will be received in due course, and that the Government of Canada will agree to proceed with that grant.

DR. BUCK: Mr. Speaker, a supplementary to the hon. minister. Can the minister give us any ballpark figure as to how much money the plant is losing?

MR. MOORE: Mr. Speaker, I can't very accurately, no. I know their losses since start-up have been fairly extensive on a month-to-month basis. I have a number of people from the Department of Agriculture staff involved in both the management end of the plant and the marketing.

Hon. members would be aware that a few weeks ago we had a very comprehensive marketing push here in Alberta wherein we had Mme. Benoit from Quebec come to this province. She was involved for a number of days in demonstrations to butchers and the supermarket chains in Alberta, in an effort to promote the sale of the product. We

have been doing a number of other things to try to assist the plant, in getting lamb into the plant to slaughter, providing an adequate market for the plant, and trying to develop that market for fresh Alberta lamb.

Highway Patrols

DR. BUCK: Mr. Speaker, my question is to the Solicitor General. It leads out of the buttons we are wearing.

I'd like to know, Mr. Speaker, if the minister has instructed the RCMP as to extra patrols on the highway after the game, because I think it could pose a problem. I'd like to know of any special information given to the RCMP as to patrolling.

AN HON. MEMBER: Is that a request?

[laughter]

DR. BUCK: It might not be so funny if five or six people get killed, Mr. Speaker. The members over there might not be laughing Monday.

MR. FARRAN: Well, Mr. Speaker, I don't quite follow the question. Do you mean from Montreal supporters or Edmonton supporters?

DR. WARRACK: In Montreal you mean?

DR. BUCK: Mr. Speaker, the minister is showing his usual incompetence.

MR. SPEAKER: Order please.

DR. BUCK: Mr. Speaker, I asked the hon. minister a question. Are any increased RCMP patrols going to be on the highway between Edmonton and Calgary this weekend?

MR. FARRAN: Mr. Speaker, all security forces and law enforcement bodies are aware of the big event taking place in Calgary this week, and have been planning for it for several months.

Major Facilities Program

MR. WOLSTENHOLME: Mr. Speaker, my question is to the Minister of Recreation, Parks and Wildlife. It concerns an item I understood was discussed at the Alberta Association of Municipal Districts and Counties.

Is the minister considering operational grants in conjunction with the major facilities program?

MR. ADAIR: Mr. Speaker, the short answer to that is, no. But if I might be allowed a bit of an explanation, it was brought up at the panel we attended with the AAMDC. I did explain that at the present time we were not considering, in any way, shape, or form, operational grants, because the applications for the major facilities program, in order to be approved, must show reasonable attempts to operate for the next

five years, and on the basis of that approval, that they can, in fact, operate for the five years. Then approval and a number of other aspects will be given consideration. But no, we are not.

If there is need in the community for that particular facility, the people in that area should be responsible for part of that operating expense, possible by way of taxation through the local recreation board and the municipal council, or other means, like voluntary groups or service clubs providing some funds for operating. Through the program we're providing funds for capital costs.

Price and Wage Restraints

MR. NOTLEY: Mr. Speaker, I'd like to pose a question about the agreement today between the Alberta Medical Association and the Government of Alberta. But in order to ask that question, I really have to ask a clarification question first to the Government House Leader.

Can he advise the House which minister will be responsible for administration of the price and wage restraints in Alberta?

MR. HYNDMAN: That matter, Mr. Speaker, has not yet been finally decided. Over the course of next week, I think a decision would be made. It would certainly be clearly evident upon introduction of the bill.

Professional Fees

MR. NOTLEY: Mr. Speaker, a supplementary question then, to either the Government House Leader or the Provincial Treasurer, who I suspect may have this interesting responsibility. It concerns the announcement today, Mr. Speaker, of the agreement which would provide an average increase of \$2,400 a year net income to Alberta physicians.

My question to the government, Mr. Speaker, is: what steps is it taking to control that increase to \$2,400? If it's an average increase, there may be increases above \$2,400. Will any specific steps be [taken] to keep that increase at the level set by the Prime Minister in his announcement several weeks back?

MR. HYNDMAN: Well, Mr. Speaker, I wouldn't want to try to second-guess the methods the federal government may use, or the philosophy behind its statements with regard to that. Certainly in terms of constitutional responsibilities, the matter of professional fees is under the jurisdiction of the provinces. However, in recent days, the federal government indicated it feels that is an area which it would best be able to carry forward by delegation from provincial governments. I would think that during meetings which will be held next week in Ottawa, we'll be able to shed more light on the actual manner and method of implementa-

tion contemplated with regard to professional fees generally.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has there been any discussion to this date between the Department of Federal and Intergovernmental Affairs and federal officials on the bounds of the mechanism to be used to control professional fees, and keep them within guidelines set out by the Prime Minister?

MR. HYNDMAN: Well, there have been some discussions on that over the last two or three weeks, Mr. Speaker. I would think, particularly when the temporary anti-inflation measures bill comes before the House, we will be able to pin down with greater precision exactly how controls will apply, with regard to that professional area and others.

MR. NOTLEY: Mr. Speaker, a further supplementary question. Is the government, at this time, preparing contingency plans to deal with the question of professional fees which might, in fact, rise above the \$2,400 ceiling, in the event it is not satisfied with the federal program? The question is, are you preparing contingency plans?

MR. HYNDMAN: That would depend, Mr. Speaker, on the way the federal government proposes to administer the program. Generally, as a matter of approach to problems, we have contingency plans for many and almost all the things that could or might happen in the months ahead.

MR. NOTLEY: Just one final supplementary question, Mr. Speaker. Is it the government's view that there are cases where professional fees should, in fact, provide a higher net income than \$2,400 a year? Or is it the government's view that the \$2,400 a year ceiling is reasonable and should apply to all groups, all earners of income in our society?

MR. HYNDMAN: Mr. Speaker, insofar as there are still a number of gray areas with regard to the federal posture on that subject, the question of how the \$2,400 is arrived at and what it covers -- I think we would have to wait a few days before assessing what the federal government's position is, and therefore assessing ours shortly thereafter.

Steel Industry

MR. KROEGER: Mr. Speaker, to the Minister of Business Development and Tourism. Some time ago an announcement appeared indicating that Steel Alberta was to be formed. Can the minister inform the House what the present status is of the organization and the IPSCO shares that were held by the government?

MR. DOWLING: Mr. Speaker, some time ago the government of Alberta established a

policy to attempt to expand the steel manufacturing and consuming industries in Alberta, by this private sector in the province. In order to achieve that, negotiations were undertaken with Slater Steel and the Saskatchewan government, regarding IPSCO shares. The Alberta government then purchased approximately 20 per cent of the shares, along with the holders of the shares: Slater Steel, 20 per cent; the Saskatchewan government, 20 per cent; and the balance was held by the public. The purchase price of those shares, if I recall correctly, was \$11.41, and that purchase was achieved about May 2, 1974.

Having achieved the purchase, the government then established an organization called Steel Alberta, and registered it with the Alberta companies branch. Negotiations were undertaken with the other principal shareholders in IPSCO, in order to achieve a transfer of shares or a sale of shares from the Alberta government to Steel Alberta. That agreement involved six parties: the Alberta government, the Saskatchewan government, Slater Steel, Alberta Gas Trunk Line, Alberta Energy Company, and Steel Alberta.

The agreement to sell was achieved on December 18, 1974, and the price was exactly what we paid for them, \$11.41. The agreement indicated that interest would be accumulated over the period from December 18, when the agreement was reached, until such time as the actual signing took place.

During that period up to December 18, two dividends were paid to the Alberta government of 25 cents per share for each of two dividends, each amounting to \$234,000, or \$469,200. In addition, the interest accrued from the date of agreement to sell, December 18, until the actual agreement signing, which was October 24 this year, was in excess of \$900,000.

So what has been achieved is, Steel Alberta now is held by the Alberta Energy Company and Alberta Gas Trunk Line, each 50 per cent owners, which means that the people of Alberta participate 50 per cent in a 20 per cent ownership in a steel entity or the possible development of a major steel entity in Alberta. We have accrued in dividends to Alberta approximately \$900,000 in interest, and two dividends worth 25 cents each, or \$469,200.

DR. BUCK: Easy, now; easy.

MR. NOTLEY: Mr. Speaker, a supplementary question after that comprehensive news release. Is the minister in a position to advise the House what specific steps you're going to be taking to expand the steel industry, in particular the Research Council assessment of the Clear Hills iron ore deposits?

MR. DOWLING: Yes, Mr. Speaker, I can. We have had under consideration, or under active research, a program with the Research Council on the quality of the iron ore deposit in the Clear Hills area. The problem, of course, is the extent of iron and the kind of sand it's in. Apparently, the iron ore is very difficult to remove

from that sand deposit. However, the research project is going forward.

Some hon. members might recall our visit to the Research Council some time ago, and a viewing of the pellets that were being manufactured as a result of the present process. We still hope we can locate iron ore deposits of some quality in reasonable distance of Alberta. However, there are also possibilities of trading with other countries of the world some of our natural resources -- which we have in abundance, and I think in terms of coking coal, or something like that -- for steel pellets.

It's also interesting, Mr. Speaker, to note that we are, in Alberta, almost the same distance from the Ontario iron ore deposits as Ontario refineries are from the Ontario iron ore deposits.

Doctors' Fees

MR. R. SPEAKER: Mr. Speaker, my question is to the Provincial Treasurer, or the acting Minister of Hospitals and Medical Care. It is with regard to an agreement which I understand is being signed this morning between the government and the Alberta Medical Association.

I wonder if the Provincial Treasurer could indicate what the settlement was, and whether it was within the federal guidelines.

MR. HYNDMAN: Mr. Speaker, perhaps I could mention that the hon. Minister of Hospitals and Medical Care is expected in the House momentarily, and it may be that before the end of the question period, he'll be able to answer that question.

MR. R. SPEAKER: Mr. Speaker, in light of that, could I ask another question?

SOME HON. MEMBERS: Agreed.

Agricultural Societies Grants

MR. R. SPEAKER: My question is to the Minister of Agriculture. What grants will be available under the agricultural societies program for 1975-76? I understand you have some 70 applications before you, and potentially can only approve about 35. Is that correct?

MR. MOORE: Not necessarily, Mr. Speaker. We're in the midst, right now, of assessing the applications which have come forward from ag. societies. In addition, we will be contacting a number of them within the next week or two to get some additional information with regard to their construction costs, their repayment ability, and cash flow over a period of time.

I hope, perhaps by mid-December, to be able to make some definite decisions with regard to which ag. societies would get funding this year and to what extent that funding would be made available to them.

MR. R. SPEAKER: Mr. Speaker, supplementary to the minister. What is the gross amount of funds for these grants in your present budget?

MR. MOORE: Mr. Speaker, hon. members would be aware that the funding for ag. societies, in terms of capital construction during the 3 years since it was implemented in 1972, has been under PEP, the priority employment program. There are few or no funds in the current budget of the Department of Agriculture for ag. society grants. After having gathered together some additional information from the ag. societies on the kind, type, and purpose of the building they wish to build, plus their repayment ability, we will be determining what amount of funds might be required. I would expect, Mr. Speaker, that they will probably have to come by way of special warrant.

Deer Death

MR. GOGO: Mr. Speaker, my question is for the Solicitor General with regard to a question asked yesterday, regarding the animal found dead [not recorded]. Does the Solicitor General have any progress to report [not recorded].

MR. FARRAN: Mr. Speaker, I can say this was not another incident [not recorded]. I understand an autopsy showed the deer died when a tine penetrated its lung, and was not shot.

Magazine Censorship

MR. KUSHNER: Mr. Speaker, I'd like to direct this question to the Attorney General. I know that this item particularly had a lot of coverage, in more ways than one [not recorded]. Has the Attorney General or the government taken a position on banning Penthouse magazine?

MR. FCSTER: Mr. Speaker, it is not the responsibility of the Attorney General to ban or otherwise censor publications in the province. It's our responsibility to [not recorded] prosecute offences [not recorded] of the laws of the Province of Alberta and certain statutes. In this case, my understanding is the distributors involved withdrew the publication from the market and in some cases did not even put the publication on the market. [Not recorded]

Alberta-based Oil Companies

MR. CLARK: Mr. Speaker, I would like to direct my question to the Minister of Business Development and ask if he has had an opportunity to check the status of the report by Foster Economic Consultants on the problems small Alberta-based oil companies are having.

MR. DOWLING: Mr. Speaker, yes. As I indicated before, we have had meetings with people representing junior oil companies a number of times in the last several months. The indication was they were having problems, and they gave us the reasons. As a result of this, and very much interested in preserving the business community of Alberta, we indicated to the House last June that we would undertake a study through Foster Economic. That study was undertaken, and it's my understanding that the departmental officials, as the officials of other departments of government, are now examining a preliminary draft of the findings of Foster Economic. I have not been apprized of the details of that study. But I do know, as the Premier indicated the other day in the House, there has been a complete turnaround in the economy in Alberta, and more people in the oil business are investing in this province now than they have in the past. There's a greater confidence in our province, and we look forward to a turnaround in the situation.

MR. CLARK: Mr. Speaker, a supplementary question to the minister in light of the fact he hasn't read the report. When does the minister anticipate receiving the report and going over it himself, to look specifically at the plight of the small independent Alberta-based oil companies? Might I ask the minister also: is he prepared to table a copy of the report?

MR. DOWLING: First of all, I can't indicate, Mr. Speaker, an answer to the last part of the question -- would I be willing to table it -- at this time. However, I will indicate I will be examining, the earliest possible moment, both the findings of the Foster Economic people and the analysis of that study by the departments involved.

MR. CLARK: Mr. Speaker, a further supplementary question in light of the minister's comment that he would examine it at the earliest possible moment. In light of the fact the department has had the report for two to three weeks, how soon does he expect that moment to arrive?

MR. DOWLING: Mr. Speaker, the hon. member knows, having sat on the government side of the House, there are a number of things each department does, and it doesn't only involve one item. Bearing that in mind, I am obviously involved in a number of things. The Foster Economic study is one of those.

Rehabilitation of Prisoners

DR. BUCK: Mr. Speaker, I would like to address my question to the hon. Solicitor General. It's a question arising out of the rehabilitation program at Fort Saskatchewan jail.

Mr. Speaker, I would like to know from the hon. minister: who pays for the tickets for the prisoners who go to Edmonton Oilers and Oil Kings hockey games?

MR. FARRAN: Mr. Speaker, I have no knowledge on that subject. If the hon. member will give me some more details, I will make an inquiry.

DR. BUCK: Mr. Speaker, can the hon. minister indicate to the House if he is aware that two of the prisoners took French leave while they were attending one of the local hockey games?

SOME HON. MEMBERS: Order, order.

MR. CLARK: What's wrong with that?

MR. FARRAN: Mr. Speaker, I presume these were prisoners on day parole or temporary absence. Some of them have been taking, not French leave, but other sorts of leave; and we have had some escapees.

DR. BUCK: Mr. Speaker, can the minister indicate if this program of rehabilitation is fairly extensive in their system? Does it apply to the other correctional institutes, or just Fort Saskatchewan?

MR. FARRAN: I don't quite know what the hon. member means by system. We have some 60 inmates on day parole in the province at the present time -- which is a standard procedure for rehabilitation of offenders who have committed comparatively minor offences, and have been granted day parole by the National Parole Board to either attend school or to go to work. The idea is that, after a certain period of imprisonment, they can be trusted to go out and commence reintegration into society, recognizing that there always comes a time when you have to release all prisoners.

DR. BUCK: Mr. Speaker, it's quite obvious these people . . .

MR. SPEAKER: Order please.

DR. BUCK: Mr. Speaker, can the minister report to the House on this program of rehabilitating prisoners by taking them to hockey games at the taxpayers' expense? Can you report back to the House?

MR. FARRAN: Mr. Speaker, I've already said I have no knowledge of hockey games being used in the rehabilitative process. Presumably by French leave you mean the ancient term which means leave without permission, when you come back again. Obviously this is something that is not countenanced as a part of policy. You're saying something has happened which shouldn't happen, which is French leave. So I'm going to inquire into it.

MR. SPEAKER: Would the hon. minister please address the Chair.

Factory Emissions

MR. HORSMAN: Mr. Speaker, my question is for the Minister of Environment. Can he advise what steps are being taken by his department to monitor and control smoke, in particular the emissions from the Cancarb factory in Medicine Hat.

MR. RUSSELL: Mr. Speaker, the officials of the department have met with Cancarb on two occasions, as a result of representations made by the hon. member. The last report I have is that, after the last or second meeting, conditions were still not satisfactory, and the company has been asked to improve its emission control facilities.

MR. HORSMAN: A supplementary question, Mr. Speaker. Has the department given a firm deadline for the company to clean up its act, so to speak?

MR. RUSSELL: Mr. Speaker, if the member means, has a control order been issued with a date in it, I don't believe it has.

Anti-inflation Guidelines

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Consumer Affairs. Will the federal government guidelines on prices be applicable to municipally-owned water and sewer rates, and telephone rates which do not come under the control of the Public Utilities Board commissioners?

MR. HARLE: Mr. Speaker, I think one would have to refer to the federal white paper to determine the applicability of the guidelines to the services the hon. member is referring to.

MR. TAYLOR: A supplementary. Will the hon. minister or members of the government be checking with the federal government in regard to some of these complicated cases of the restraints?

MR. HARLE: Mr. Speaker, there is a continuous series of meetings with officials of government, and meetings at the federal level, to try to work out these very pressing problems.

MR. TAYLOR: A supplementary. Could I mention one other problem that might be worked out too? What is the situation of an employer who has granted an increase beyond the federal restraints, but spread it over a two- or three-year period, with some of those increases to take place after the date the restraints become effective?

MR. HARLE: Mr. Speaker, I can take that problem under consideration.

Karsh Photos Purchase

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Government Services. Is it true that the Government of Alberta either has or is in the process of purchasing \$50,000 worth of Karsh photo portraits?

MR. SCHMID: Mr. Speaker, in the course of acquisitions of artists of value to the province, which for that matter of course, also includes photography, we have many programs which do so. One of them, of course, is the Karsh portraits of famous people of the world.

MR. NOTLEY: Mr. Speaker, in light of the calls for restraint across the country, is it the government's view that this is a reasonable expenditure of funds, at this time?

MR. SCHMID: Mr. Speaker, that acquisition in fact had taken place sometime early this spring, long before the restraint policies by the federal government and the provincial government had been announced. Decisions of that sort have been taking place all along.

MR. NOTLEY: Mr. Speaker, a further supplementary question. Will the \$50,000 cover one set? How many pictures are going to be in the set, or will there be duplicate sets of pictures?

MR. SCHMID: Mr. Speaker, this is, as far as I'm concerned, a coup for the Province of Alberta. With the acquisition of the photographs of Yousuf Karsh, which number about 122, of the famous people of the world, we have also acquired the right of first refusal of the entire negative collection of this world famous photographer.

MR. NOTLEY: Mr. Speaker, a further supplementary question. Is it the government's intention to lend at least one of these photos from the collection to the national office of the Progressive Conservative Association?

MR. HYNDMAN: Not the NDP.

MR. SCHMID: Mr. Speaker, as far as I'm concerned, there are 122 photographs which hopefully will be shown throughout the Province of Alberta. The plans are to first exhibit them in Calgary, then in other places where this kind of collection can be shown, and where the people of the province are able to appreciate the art and value of Yousuf Karsh's photography.

MR. NOTLEY: A final supplementary question. Are there any additional costs to the acquisition, for example costs of framing and what have you, that have yet to be authorized by the government?

MR. SCHMID: Mr. Speaker, naturally, of course, we will be doing our best. As with specimens of birds, for instance, or any-

thing else we get in the museum, they are being preserved so they do not spoil. This of course also will include the Karsh photographs, so they can be preserved for as long as possible for the enjoyment of all Albertans.

MR. NOTLEY: What will it cost us?

DR. WARRACK: Before the question period ends . . . or are we still on that topic?

MR. NOTLEY: Mr. Speaker, just one final question. What will that cost us?

MR. SCHMID: Mr. Speaker, there's another way of [looking at] the cost of this framing, because it is matter of trying, as I was saying before, to preserve those photographs.

Rehabilitation of Prisoners (continued)

MR. SCHMID: Mr. Speaker, while I'm on my feet, though, on a point of privilege, I think the hon. member for Clover Bar should really withdraw his statement reflecting somewhat adversely on people of French-Canadian origin in the Province of Alberta, speaking of, I think, French leave.

SOME HON. MEMBERS: Agreed.

DR. BUCK: Mr. Speaker, ya tc zrobylu. To the uninformed who aren't bilingual, that means, I will do so.

Gas Pipeline Inspections

DR. WARRACK: Mr. Speaker, I wanted to follow up on an undertaking I gave earlier in the week in response to a question from the Leader of the Opposition.

The question had to do with pipeline inspections. This is quite a detailed matter that I did not have sufficient memory to answer completely. I'll be as brief as I can.

Prior to passing The Pipe Line Act in this Legislature in June of this year, there was incomplete specification and authorities for pipeline inspection such that the Energy Resources Conservation Board, at that time, prior to the new act, could only do partial inspections.

As a result, they were asked on an undertaking and a financial basis by the Department of Utilities and Telephones to do additional inspections starting in the spring of 1974, and this proceeded to the time of the passage of the new act.

Presently, meaning after the new act of June 1975, the Energy Resources Conservation Board does have complete inspection authority up to the last 100 feet of a primary pipeline close to its outlet. Beyond that point, something I did not mention in my earlier answer, the gas protection branch of the Department of Labour has the responsibility for that last

100 feet.

Two other items should be noted in my answer to this, as briefly as I can. There are concerns for some of the early pipe installations prior to The Pipe Line Act. The Department of Utilities and Telephones will be gearing up in 1976 to do systematic spot-checking for corrosion problems on those pipelines.

Finally, Mr. Speaker, the actual customer's meter is within the jurisdiction of the Department of Consumer and Corporate Affairs of the federal government, not provincial.

Government House

MR. CLARK: Mr. Speaker, I'd like to direct a question to the Minister of Public Works, or Government Services, whichever one is responsible for renovations of Government House. I'd like to ask, at what stage are those renovations right now?

MR. SCHMID: Mr. Speaker, we expect renovations of this historic building to be completed by January 1.

MR. CLARK: A supplementary, Mr. Speaker. Is the work being done by a government work force, or by means of tender?

MR. SCHMID: Mr. Speaker, in this case I'm really delighted to say that the outstanding craftsmen the Department of Government Services has are completing this renovation, to our satisfaction.

MR. CLARK: A further supplementary, Mr. Speaker. Could the minister give some indication to the House of the cost involved, materials and time spent by outstanding government workers?

MR. SPEAKER: Without wanting to be unduly restrictive, we are lapsing into a number of questions which really should go on the Order Paper, and possibly an occasional answer which might be provided by tabling a document.

DR. BUCK: Mr. Speaker, can the hon. minister indicate to the Legislature what Government House will be used for when renovations are completed?

MR. SCHMID: Mr. Speaker, I would think Government House will be used primarily for provincial, national, and international conferences, and any other official functions of the Government of the Province of Alberta.

MR. CLARK: Mr. Speaker . . .

MR. SPEAKER: Might this be the last supplementary on this topic.

MR. CLARK: All right.

MR. SPEAKER: Possibly we could come back to the hon. leader's topic. We have a number

of people still waiting to ask their questions, and we're running out of time.

MR. CLARK: With all due respect, we allowed the Minister of Business Development and Tourism to rehash a press release for a long period of time this morning.

MR. HYNDMAN: Mr. Speaker, I might mention that Bill No. 76, The Government House Act, is up for second reading this afternoon. If that is proceeded with, we'd move into committee and enable full discussion, for any length of time, on all aspects of Government House if that would assist the. . .

MR. CLARK: If the member just had the figures, it would assist us a great deal.

Local Initiatives Program

MR. COOKSON: Mr. Speaker, I would like to ask a question of the Minister of Advanced Education and Manpower. The question, Mr. Minister, is whether you or your department has . . .

MR. SPEAKER: Would the hon. member please use ordinary parliamentary form.

MR. COOKSON: Mr. Minister, does your department have any involvement in LIP, that is, the local incentives program, a federal program in Canada?

DR. HOHOL: Not directly, Mr. Speaker. But our officials work with federal officials to make sure we're familiar with the total aggregate dollars spent in Alberta on employment programs, their location, and the nature of the population that the money -- federally, provincially, and municipally -- is intended to assist.

MR. COOKSON: A further supplementary. Does the minister monitor distribution of funds throughout the province? Perhaps a further supplementary, Mr. Speaker. Are negotiations going on that would provide both the municipal and provincial governments to put input into these programs?

DR. HOHOL: Mr. Speaker, we're certainly familiar and have our fair chance at discussions, recommendations, and examination of programs with the federal government with respect to employment, through the Department of Manpower and Immigration. Certainly we have had submissions from municipalities, as has Ottawa. We work closely with them.

As a matter of important information, Mr. Speaker, the federal funds through LIP assigned to the provincial government are passed through entirely, in Alberta, to the municipalities.

Drilling Rigs

MR. WOLSTENHOLME: Mr. Speaker, my question is to the Minister of Business Development and Tourism. At the spring sitting our information was that a good many drilling rigs were leaving Alberta.

I was wondering if the minister could inform us whether this trend is still continuing, or has it reversed and they're now coming back.

MR. DOWLING: Mr. Speaker, I can't give you the total detail on how many rigs are now working in Alberta. That information is normally supplied by the Minister of Energy and Natural Resources. However, I do know that . . . I have a candy in my mouth . . .

[laughter]

. . . there has been a turnaround, as I indicated earlier, in drilling activity in Alberta. It is holding its own, plus. That's a great deal different from what I understand the situation to be in our neighboring socialist provinces. I think the only rig operating in Saskatchewan is one owned by the Saskatchewan government.

House Adjournment

MR. GOGO: Mr. Speaker, my question is to the Minister of Intergovernmental Affairs. Recognizing the considered attitude of government, I'm wondering if there's any connection between the adjournment of the House next week and the convention of the former great Social Credit Party?

MR. HYNDMAN: No, Mr. Speaker, we wouldn't see assisting attendance at the convention by having members from this side attend.

The purpose for the adjournment relates to the October 13 announcement of the federal government with regard to temporary anti-inflation measures, and that relates also to rent regulation. As members know, the preparation of legislation for a session takes place over the course of three or four months. Because we want to ensure that our legislation is thoroughly reviewed by the government caucus and by cabinet, and prepared in a proper way when presented to the Assembly, members of the government caucus will be busy on the Thursday, Friday, Monday, and Tuesday of those adjournment days.

ORDERS OF THE DAY

MR. R. SPEAKER: Mr. Speaker, on a point of order. Earlier in question period, I raised the matter of an agreement between the Alberta Medical Association and government. I was wondering if, through some arrangement when the minister does return

to the House, we could have a statement from the minister and possibly ask one or two questions. Could I direct that to the house leader?

MR. SPEAKER: It's a matter for the House to agree to by unanimous consent, but I must say that we have had a full 45-minute question period.

MR. HYNDMAN: Mr. Speaker, I think we might be able to consider, if there's time after 12 o'clock, reverting to Ministerial Statements for a moment, which would give an opportunity for a comment on either side. Then maybe the question period Monday could deal with more detail.

MR. SCHMIDT: Mr. Speaker, may I request that we revert to the Introduction of Visitors at this time.

HON. MEMBERS: Agreed.

INTRODUCTION OF VISITORS (reversion)

MR. SCHMIDT: Mr. Speaker, it's my privilege to introduce to you the Member of Parliament for the Wetaskiwin constituency, who is seated in your gallery, Mr. Stan Schellenberger. I would ask Mr. Schellenberger to stand and be recognized.

MR. NOTLEY: Mr. Speaker, while we're in the process of introducing people who've come in, I'd like to introduce Mr. Lorne Nystrom, the Member of Parliament for Yorkton-Melville in Saskatchewan. He's seated in the public gallery.

GOVERNMENT BILLS AND ORDERS (Second Reading)

Bill 67 The Agricultural Service Board Amendment Act, 1975

MR. SCHMIDT: Mr. Speaker, I move second reading of Bill 67, The Agricultural Service Board Amendment Act, 1975. The act itself grants the option and makes the operation of service boards within the improvement districts of this province on an equal and equitable basis of those of its counterparts in counties and municipalities.

[Motion carried; Bill 67 read a second time]

Bill 70 The Alberta Heritage Amendment Act, 1975

MR. SCHMIDT: Mr. Speaker, I would like to move second reading of Bill 70, The Alberta Heritage Amendment Act, 1975.

Mr. Speaker, Alberta is one of the leading provinces in Canada with this type of legislation, and yet, as far as I'm concerned, we have only scratched the surface. I think we have now listed over 10,000 sites in the Province of Alberta, but so far, because of the workload involved, of course, we have only been [able] to designate about 10 officially.

Upon our history, we base our future; therefore, preservation of our historic sites is of vital concern. In the excellent recap the Hon. Lou Hyndman made of our mission to Europe, he mentioned that we found our laws in Alberta regarding the preservation of historic buildings could do well, perhaps, with some beefing up if we are to effectively preserve our heritage in this province.

I think no truer words could have been spoken since, of course, especially in Europe and some other countries, we will find that great efforts are being made in moneys and labor, and I would say intensive investigation and research, on the preservation of buildings as well as archeological sites.

Maybe I should draw to the attention of the hon. members that one of the purposes of the amendment to Clause 18 of the bill is to make it clear who pays for a survey ordered for the investigation and other salvage work which has to be done, with the preservation of building permits and licences issued for work to proceed. This provision, of course, would clarify this matter quite extensively.

MR. TAYLOR: Mr. Speaker, I'd like to mention an item I think properly comes under this bill. When the ladies from the Drumheller valley were in the city the other day, they told me about the destruction, the wanton destruction, of the dolomites which are found in the Drumheller valley.

It takes these dolomites, or hoodoos as they're sometimes colloquially called, thousands of years to grow. Someone went in and apparently knocked them down, knocked rocks off them, and so on. I think an offence equal to that killing of the deer in Calgary, if not even more so.

I don't know what we can do to prevent this terrific, terrible, and wanton destruction of things that are worth while. I think I could say literally millions of people from across the world have come to enjoy the dolomites on the East Coulee road in the Drumheller valley. It's probably had its picture taken more than any other site in the Province of Alberta, or maybe in Canada.

I just want to mention that I think this type of act is necessary, and I'm glad to see the penalties increased. I just don't think we can be too tough on people who go out and destroy things, such as the

shooting of the deer in Calgary and the destruction of the dolomites in the Drumheller valley.

MR. NOTLEY: Mr. Speaker, I don't think there's going to be any contention over this particular bill. I certainly support it in principle. There are several questions I'd like the minister to answer when he concludes debate.

I certainly agree with him that we have to place a much higher emphasis than we have in the past on the preservation of historic sites. This province has a rich and colorful history, and it is a pity when you see buildings that portray that history gradually falling into disrepair, or being torn down to make way for progress.

Every time I go out to the coal branch, for example, I think of what could have been done with at least one of those towns. Here was an area where 10,000 people once lived. Here was an area where people fought, worked together, lived as a community, where the good and the bad of a people has just disappeared to a large extent. In my view we just have to emphasize the preservation of the past, not to the exclusion of recognizing the present and the future, but in being proud of what is Alberta today, and what it has been in the past. So I certainly accept the principle of this bill.

However, Mr. Speaker, I would like the minister, in concluding this debate, to tell us what role he sees for historic sites, working in conjunction with the parks department in the creation of a series or layer of parks in this province. I know I've talked with the Minister of Recreation, Parks and Wildlife about this, and with people in the parks branch about some parks which would be not only provincial parks in a normal sense, but would have an historical component.

I obviously speak with a certain amount of vested interest, because, as the minister knows, in the middle of my constituency we have Dunvegan, which is now an historical site, but which is also an area that, once we've decided what's done with the dam, provides a unique opportunity for a very beautiful provincial park. The blending together of the historical component and the recreational facilities is something, in my judgment, that is well worth while, so people can enjoy the recognition of the past.

So, I would be interested in hearing from the minister, when he concludes the debate on this bill, his view of how historic sites can be integrated into a parks policy for the future in the province.

MR. KIDD: Mr. Speaker, I fully support this bill. The province is being rapidly developed. We're building a lot more roads than we ever have. We're building water lines, and many industrial developments of that nature. I believe that, in some of that rapid development, we are getting a little behind in the work on archeological sites. In the conclusion of the debate, I would like the minister to comment briefly

on whether he intends, perhaps, to do a little better job in the future in that regard than we have, particularly in this past year. Thank you.

MR. SCHMID: Mr. Speaker, I am, of course, very appreciative of any comments made by the hon. members, and their obviously expressed sensitivity regarding our preservation of archeological and historic sites.

I especially appreciate the comments made by the hon. Member for Drumheller, since I was not aware, of course, of what was happening to the dolomites down there. Having been there myself with my family, I would think it will, of course, be a shame if any of these monuments of the past of our province -- the millions of years it took to develop them -- that they now would be lost because of vandalism. I may assure the hon. member I will immediately get in touch with our Solicitor General to look into this matter.

Our hon. Member for Spirit River-Fairview has commented on Dunvegan, and I'm delighted to tell him that for the last two years, I think, the department has been in very close contact with the Department of Environment which, he may know, is doing the studies on the dam, so no damage is being done to the historic sites. Rather, they would be developed in co-operation, of course, with the Department of Recreation, Parks and Wildlife, the Department of Environment, and the department of culture for, I would think, the future preservation and commemoration of this most historic site -- one of the prime ones, I would think, in the Province of Alberta.

I might just mention the coal branch has been very close to me for many, many years, because my room-mate in the gold mines in Yellowknife happened to be a miner from the coal branch. We talked many, many nights and days about it, when we came home from work in the mines, and I know of course exactly the feelings these people have: the love of the coal branch; the ghost towns which are, of course, still there; and that suggestion is, I think, excellent, too.

I think we funded a lady, last year, at least to record the history of the coal branch. I understand it has been an excellent book. In fact, it's now in its second printing.

As far as co-operation with the Department of Recreation, Parks and Wildlife is concerned, regarding the parks of historic value, I'm delighted to say that the deputy ministers of the respective departments met only this week to look into that kind of attitude, to make sure that parks development is in conjunction with the development of our historic sites. So this is also being looked at.

To the hon. Member for Banff, I can only say that -- in a way it's maybe sad to have to say so, but then again, of course there are restraints -- the only reason, in fact, we were not able to move as fast as we should -- and maybe even in this matter could -- in our development, research, and survey of archeological sites, is really the restraints we have put upon ourselves

in our budget regarding the survey, and so on and so forth, of archeological and historic sites.

I will try to do my best, of course, within the constraints that were placed upon every cabinet minister -- 11 per cent -- to channel as much as possible into this appropriation. But then again, I really can say we only started with that 2 years ago. It's most significant, and I'm most appreciative to the cabinet ministers for granting at least the amounts that have been granted, to do at least some of the work that just has to be done before our sites are lost forever.

[Motion carried; Bill 70 read a second time]

MR. SPEAKER: Before we go on to Bill No. 75, might the hon. Minister for Consumer and Corporate Affairs revert to Introduction of Visitors?

HON. MEMBERS: Agreed.

INTRODUCTION OF VISITORS (reversion)

MR. HARLE: Thank you very much, Mr. Speaker, and thank you for the consideration of the House.

Mr. Speaker, I'd like to introduce to you, and to members of the Assembly, a group of 20 students from my constituency from the Erskine Grade 9 class. They are accompanied by their teacher and several parents. Mr. Speaker, I would ask that they rise and receive the welcome of the House.

Bill 75 The Fuel Oil Tax Amendment Act, 1975

MR. LEITCH: Mr. Speaker, I move second reading of Bill 75, The Fuel Oil Tax Amendment Act, 1975.

Mr. Speaker, the two sections to which amendments are proposed by this bill are Sections 2 and 6.

With respect to the amendment to Section 2, the proposal is that a tax exemption be granted to transit system buses, not only while they're operating wholly within the city or the municipality, as is now the case, but when they are operating substantially within the city. That's designed to cover the situation where a transit system within one of the larger urban centres is providing a service to an adjoining smaller centre, as is the case with Edmonton and St. Albert.

The second amendment, Mr. Speaker, merely adjusts the refund to bring it in line with the reduction in the fuel oil tax made at a recent sitting of the House.

[Motion carried; Bill 75 read a second time]

Bill 76 The Government House Act

MR. SCHMID: Mr. Speaker, I would like to move second reading of Bill No. 76, The Government House Act. In doing so, Mr. Speaker, maybe I should just state that one of the major interests created in order to get this bill into the session is really the preservation and return of many items at one time situated in Government House. They are now distributed throughout Alberta because of an auction held quite some time back, at which all the dishes, furniture, and other artifacts were sold, which are now, of course, of great historic significance to Albertans, and to Government House in particular.

This act would, in fact, hopefully help with setting up this foundation, to encourage people in possession of these chattels to donate, bequeath, and return them to the people of Alberta, to Government House, so they may be enjoyed by generations to come.

Mr. Speaker, I'm sorry. Maybe I should at the same time mention that I understand the present renovation of Government House is really a matter of greatest urgency. If we hadn't done so, within the next five years Government House would have been a wreck, because a portion of the west wall, I think, was about to collapse. Dry rot had also set in on the roof. The basement, of course, was in a great mess of disrepair. I think the cost of renovation of one of the halls at the university is over \$3 million. The cost of renovation of Government House will also be quite significant. But, all in all, I am delighted, at least -- which is the cost of restoration, renovation of any historic building -- it has been done. Once it has been done, it will not be just a historic site, not used, just standing there being admired, but will have extensive use by government for the people of Alberta.

MR. CLARK: Mr. Speaker, I'd just like to make three brief comments as far as this piece of legislation is concerned. Before I make the first comment, I want to say I appreciate the need for us to have concern in areas of historical significance to the province. But I just can't be very enthused about this kind of legislation going through at this time, when we're saying to municipalities, and to government departments, now is the time for us to tighten our belts.

The Minister of Municipal Affairs told municipalities in Alberta just yesterday that, in fact, they are overspending to the tune of -- I believe it was over \$3 million, if I recall the reports correctly. I know the minister will say, but this isn't going to cost us anything. But we've all been around this Assembly long enough to know, as soon as you set up a board of 12 people, sincere and genuine as they might be, it isn't going to be very long before we're going to be spending -- not large amounts of money in this area, in all likelihood, from the standpoint of millions

of dollars -- but it's just one more setting up of another government group. It's setting up one more area where there's call on public funds. That may not be a bad thing to do during a period of time when we've got the money that we can do it. But I look at Section 4(2) of the act. It [says] that the foundation may require additional property.

Frankly, I am not very enthused about this legislation at this particular time. The timing isn't good. I think, frankly, it may well be appropriate sometime in the future, but now isn't the time for us to get ourselves involved in this kind of venture. Remember, after all, even with this legislation we're going to have people in Government Services continue, in all likelihood, looking after maintenance and operation of the venture. I suspect, as well-meaning as the minister is himself and as the people on the board will be, it's going to be one more demand on the Provincial Treasury and the provincial purse. I'm just not enthused about this move at this time.

MR. KING: Well, Mr. Speaker, I'd only like to observe that I think it's entirely consistent the hon. Leader of the Opposition not feel enthusiastic about this. In part, what we're trying to rectify is an action taken in 1938 by the former Social Credit administration, at which time they most ungraciously moved the representative of the Queen out of that house and into private dwellings.

I think this demonstrates one clear distinction to be drawn between the Social Credit party and the Progressive Conservative party, and that is, on the one hand, an appreciation for history, the value of history for ourselves and our future, and on the other hand, a complete lack of appreciation of the importance of history.

MR. SPEAKER: May the hon. minister conclude the debate?

HON. MEMBERS: Agreed.

MR. SCHMID: Mr. Speaker, in concluding debate on second reading of this bill, I would only like to state that I think the hon. Member for Edmonton Highlands expressed it very succinctly. We wouldn't have to have this act at all if the then government had not disposed of these goods by auction to people who were interested in bidding on them.

Maybe I should point out to the hon. Leader of the Opposition that really item 2 of paragraph 4, regarding personal property, I think refers more to personal property such as was mentioned before: dishes, photographs, or paintings, rather than real property in other parts of the Province of Alberta.

So in concluding debate, Mr. Speaker, I would only like to state again that really, rather than being opposed to the bill, maybe he should admit the guilt of the former party, and say he is happy the government is trying at least to recoup, as

much possible, the items disposed of so ungraciously at that time.

[Motion carried; Bill 76 read a second time]

MR. HYNDMAN: Mr. Speaker, I move you do now leave the Chair and the Assembly resolve itself into Committee of the Whole to consider certain bills on the Order Paper.

MR. SPEAKER: Having heard the motion by the hon. house leader, do you all agree?

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair.]

COMMITTEE OF THE WHOLE

[Dr. McCrimmon in the Chair]

MR. CHAIRMAN: The Committee of the Whole Assembly will now come to order.

Bill 75 The Fuel Oil Tax Amendment Act, 1975

[Title and preamble agreed to]

MR. LEITCH: Mr. Chairman, I move that Bill 75 be reported.

[Motion carried]

Bill 42 The Universities Amendment Act, 1975

[Title and preamble agreed to]

DR. HOHOL: Mr. Chairman, I move that Bill 42, The Universities Amendment Act, 1975, be reported.

[Motion carried]

Bill 70 The Alberta Heritage Amendment Act, 1975

[Title and preamble agreed to]

MR. SCHMID: Mr. Chairman, I move that Bill 70 be reported.

[Motion carried]

Bill 76
The Government House Act

MR. CLARK: Mr. Chairman, I'd like to ask the minister if he can give us some indication of the costs involved in the renovations which are now just about completed at Government House. Also, can he give us some indication of the kind of use of Government House they see, now that this rather sizable amount of money has been spent on it?

MR. SCHMID: Mr. Chairman, first of all, maybe I should explain the division between the Housing and Public Works Department and Government Services Department. Any kind of work that takes more than three months is allocated to Housing and Public Works. So the budgetary item regarding renovation of Government House is really within the jurisdiction and appropriation of the Minister of Housing and Public Works. He would have the details of the figures regarding this renovation.

If the hon. member would care to, he probably could place this item on the Order Paper to get an idea what the costs really are. I would hesitate to quote a ballpark figure because, again, it is a matter of not knowing what items, and how much damage really had already occurred to Government House, and what the renovations and alterations amount to.

[interjections]

MR. SCHMID: Well, I would think, of course, it would be quite more than \$100,000, but I would hesitate to quote any amount. This should really be done by the hon. member responsible for this department, and maybe should be placed on the Order Paper because it would be quite an extensive reply, I would assume.

On the use of Government House, maybe I should mention that one of the uses of course would be, for instance, interprovincial conferences. Other uses would also be official functions, like receptions and other meetings with government of the people of Alberta, whether that be a reception for senior citizens or a reception for representatives of the different ethnic-cultural groups in the Province of Alberta, and/or conferences which are being called quite often across the province, as well as across the nation. Hopefully, I think at the time I mentioned that it would also have the services of translations, since Quebec of course is involved too. We would have the facility then to have simultaneous translations done.

Again, no matter what kind of conference or reception, no matter what kind of official government function or meetings would be held there, I think that the preservation of it alone, of course, was of the utmost necessity. Also having an historic building such as Government House used for this type of function is, I think, an excellent allocation or usage of an historic building as is Government House.

[Title and preamble agreed to]

MR. SCHMID: Mr. Chairman, I move that Bill 76 be reported.

[Motion carried]

Doctors' Fees

MR. HYNDMAN: Mr. Chairman, that completes the list of bills for committee study. Before moving on to Government Motion No. 3 on the Kirby report, there was an interest expressed by the opposition in finding out the status of medicare payments to doctors.

What I'd like to propose at this time, if the committee will give unanimous leave to a motion that Bill No. 38, The Hospital Services Commission Amendment Act, be not read a third time, but be referred to this committee for a statement by the minister and questions with regard to the specific subject of medicare fees payable to doctors.

I'm not sure, Mr. Chairman, whether that is strictly correct, because maybe only the Assembly as a full House can ask that a bill revert. But if the committee is agreeable to that abbreviated procedure, we could enable the minister, in committee, to offer a statement as to developments with regard to medicare fees and an opportunity for questions.

MR. CHAIRMAN: You have heard the request from the minister. Are you agreed?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: The motion is unanimously carried.

MR. MINIELY: Mr. Chairman, I'm very pleased to advise hon. members that this morning the Alberta Medical Association and the Government of Alberta agreed to a 9 per cent price increase in the medical fee schedule of Alberta Health Care.

The 9 per cent was arrived at to provide an increase in the average gross payments to individual doctors which would result in a net income increase, on average, of \$2,400. This is considered to be within the spirit and intent of both the federal anti-inflation guidelines and the Alberta government's public expenditure restraint policy, which we announced in September.

Mr. Chairman, and through you to hon. members, I want to commend the medical profession for co-operating at this time with the provincial and national restraint. I appreciate that many individual physicians feel they had a much more substantial increase coming at this time. The Alberta Medical Association has agreed not to implement the resolution, passed at their annual convention, calling for direct billing of citizens in Alberta.

The 9 per cent increase will be effective on January 1, 1976, for a period of one year to December 31, 1976, and will be

reviewed at that time within the context of the anti-inflation measures that may be in place at that particular time. In the event that anti-inflation measures are not in place in Alberta or nationally, at an earlier period I have advised the Alberta Medical Association that I would be prepared to open discussions with them at that time as well.

Mr. Chairman, again I want to say how pleased I am, and to commend the Medical Association for their exercise of leadership in this particular climate of anti-inflation and spending restraint. I'd be happy to answer any questions hon. members may have.

MR. R. SPEAKER: To the minister, are the increases selective so that there may be a range where one area may receive, say, a 2 per cent increase in payment, and another, say, 25 per cent? If it is selective, what type of range do you see?

MR. MINIELY: What we are doing, which was customary in the past, is that we've arrived at the 9 per cent because, on an average individual physician basis, we have to provide, if you like, a lump sum. We will take the 9 per cent and calculate a lump sum. In turn the Alberta Medical Association will look at the different specialties and the different items on the fee schedule in an attempt to arrive at a net income increase, in the different specialties, of \$2,400.

Now, hon. members will appreciate that that requires some calculation as to the utilization in different specialties. In any adjustment of the Alberta Health Care fee schedule, we have to arrive at the condition of the average individual physician in Alberta, and adjust our gross payments in arriving at that for the average individual physician. Then the Alberta Health Care Insurance Commission, my staff, and the Alberta Medical Association will transpose that lump into the different items in the fee schedule based on utilization factors, to provide a \$2,400 increase in the different specialties on an average kind of situation.

MR. R. SPEAKER: Will the Alberta Medical Association executive or negotiating group have to refer to their membership at this time for any kind of vote, or plebiscite?

MR. MINIELY: Mr. Chairman, the Alberta Medical Association board has agreed to recommend to their members the acceptance of the agreement we've come to. As soon as the mail strike's over, they will take a referendum. The president and the board of the Alberta Medical Association have indicated to me that they feel confident their members will ratify the understanding we have come to.

MR. COOKSON: I would just like to take this opportunity to commend the minister, and to commend the doctors, because I think they basically are going to set a precedent and an example for all the other professions in

this province from this day on. But I would like to ask you whether the chiropractors and other professions which come under medicare are included in the calculations?

MR. MINIELY: No, this is the medical fee schedule for members of the College of Physicians and Surgeons in Alberta. Adjustments in the fee schedule for any other health professions covered by medicare will be discussed within the same climate, and within the same overall guidelines, both the provincial expenditure restraint policy I mentioned, and the federal anti-inflation measures that are in place.

MR. NOTLEY: Mr. Chairman, I'd like the minister perhaps to expand just a little bit on how we're going to arrive at this average of \$2,400 per year net income. I read the news release this morning, and I saw the term, average income increase of \$2,400. Will there, in fact, be net income increases greater than \$2,400 under this formula?

MR. MINIELY: Well, Mr. Chairman, I guess the only way I could explain it is that the best way we can approach it is this: we have statistics in the Alberta Health Care Insurance Commission on the average gross payments to physicians at the present time. So the 9 per cent was arrived at to increase the average gross payments to physicians to compensate for overhead increases for 1975 and 1976, and to improve average net income by \$2,400.

Now, as I indicated, the Alberta Health Care Insurance Commission, responsible to me, and the Alberta Medical Association will then take that average situation and transpose it into the different items on the fee schedule and utilization -- we do have statistics on some individual doctors -- to try to put that average, if you like, into the context of the practices of different specialties in Alberta.

I think it's important to remember, on a medicare fee schedule, that is the only way you can approach it. Nevertheless, as I've indicated to the Alberta Medical Association, and they accept this responsibility, if an individual doctor in fact increases his net income beyond the \$2,400, then he will be subject to a professional fee review board, either at the provincial or the federal level.

So I think we have to come to an understanding of the general situation with the medical profession in Alberta, and the medical profession assumes the responsibility in their relationship with their individual members that they will be subject to a professional fee review. If one individual doctor is justified on the basis that this year he saw 150 patients rather than 100 patients, then the professional fee review board would look at it on that basis. If it isn't justified, the individual doctor -- it might be through taxation or this form. So the other side of this question is that individual doctors with whatever legislation we pass, nevertheless,

will be subject to the professional fee review board.

MR. NOTLEY: Mr. Chairman, perhaps the minister could be a little more descriptive in the operation of the professional fee review board. I take it that this is a federal board at the moment, or is it a board set up by the profession itself, or just exactly what is its mechanism? Who's on it, who does it report to, and what have you?

MR. MINIELY: Well, I think the important thing is that it would be under the act, which, as hon. members know, as the Premier said in his response to the federal anti-inflation measures, we will be passing our temporary anti-inflation bill. In that temporary anti-inflation bill, we may administer the professional fee side provincially, or we may decide to enter an agreement for that to be administered federally. I don't think we've made a definite decision on that at the present time. But the important thing, from the hon. member's point of view, is that the professional fee review will not be done by the professions themselves. It will be done, in effect, by a government-appointed board.

MR. NOTLEY: Just to follow that along, Mr. Chairman. I'm interested in the mechanism we're going to have in place to monitor increases above \$2,400, whether it's done by the federal government or by the province.

For example, I can appreciate the point you're making, that the average increase will be \$2,400, so we're not talking about the vast majority of physicians in this province. However, just to illustrate what I'm getting at, let me put to you the case of a doctor who perhaps earns \$150,000 now, and next year has an increase in net income of \$10,000. But there hasn't been an increase in the number of patients seen. All right, how does the professional review board deal with that situation? Will all that additional money over the \$2,400 be taxed away? Will part of it be taken? Will it be the same sort of situation as outlined in the white paper on price increases, where 25 per cent of the increase will in fact be taken and the other 75 per cent retained? How will it work?

MR. MINIELY: Well, first of all, I think both the federal officials and our provincial officials are having meetings on exactly how it will be administered. I think the hon. member could see clearly, though, that there are several alternatives. My officials advise me the alternatives that are being looked at are, in the case of professions, a quarterly reporting situation which could be tied in to the income tax returns of the individual member of a profession when the income tax return is filed, and which would clearly show the net income increase the same as taxation is applied of individual physicians. At that time, in the example the hon. member

makes, if in fact one individual physician achieved a net income increase in excess of \$2,400, that would either be justified or else it would probably be taxed through the taxation system. So these are the alternatives on which decisions have not as yet been made, but which are being worked on both by federal officials and by our provincial officials.

MR. NOTLEY: Mr. Chairman, I'm interested when the minister says "taxed", because that can mean many things. Let's just use our example again, where the increase may be \$10,000 and there's a \$7,600 increase over and above the basic \$2,400 which the Prime Minister said would be a ceiling.

Now, if all of that is taxed away -- in other words, if there was a 100 per cent taxation of the unjustified net income increase -- that's one thing. But if he's simply taxed on the basis of his normal income tax, he might in fact be able to keep 40 or 50 per cent of that increase, or perhaps even more, depending on what the income tax bracket is. But that's not the point. Let me put it this way. Is it the view of the provincial government that the tax would, in fact, be the total amount of the unjustified increase over the \$2,400 ceiling.

I raise this not lightly, Mr. Minister, not to pick on the medical profession, because I think the medical profession, quite frankly, has been reasonable. I think it's fair to say that in the last three or four years its fee schedule has not gone up commensurate with other people in society. I think we have to keep that in mind. But if the governments, both federally and provincially, are going to sell this concept of wage restraint to organized workers, there have to be some pretty definitive answers on how the program applies to professional income.

MR. MINIELY: I agree with the hon. member relative to other people, but I would like to say I think the agreement and understanding we come to with the medical profession will be extremely helpful in that regard in Alberta. The questions the hon. member is asking are related to the federal government's taxation, as you know, and the professions in Alberta are practising as individuals. Therefore, the tax system is administered by the federal government.

While there is no definite standard decision made at the present time, from the beginning it has been said, in fact, if an individual member of a profession incurred an unjustified net income increase of more than \$2,400, it would be taxed 100 per cent. The statement is consistent with the professions, as it is with people on wages. Professions will not be treated any differently in that sense than people on wages. While I can't commit the federal government to how they're going to tax, I think I can say that whatever way an unjustified increase is taxed would be consistent with people in the professions, as it is with wages. I think that overcomes the concern.

MR. YOUNG: Mr. Minister, could you tell us how much the percentage increase was for the average prior to this agreement, and the date of that increase? In other words, what was the last increase in percentage terms, on average, that the doctors gained?

MR. MINIELY: I think 7 or 7.2 per cent was the last increase given which was effective. That's the 1975 in effect agreement increase -- 7.2, or something like that.

MR. YOUNG: So we're talking about a resolution, then, of a monetary problem which follows on the heels of a very low increase by the standards which have been prevailing in our economy. Mr. Chairman, I'd like to reinforce the comments made by the hon. Member for Lacombe, in commending both the minister and, in particular, the medical profession, because it has been well appreciated that wage and price increases have been very high, especially in some aspects of our economy. The success of any attempt to cool the economy has had to rely on, if you will, statesmanship by some groups. I'm very pleased the medical profession has taken the first step -- and a major first step -- by being as reasonable as it has in this respect, especially in consideration of the very mild increases which it had the last go-round.

MR. R. SPEAKER: I was wondering if the minister could just clarify part of the statement with regard to the 7.5 per cent. The base from which the present 9 per cent is taken is based on the 1975 fee schedule, which was increased 7.5 per cent in March of 1975. Is that correct? That's our base from which we're working at the present time.

MR. MINIELY: Yes, that's right, except I think what we did in the March schedule, or March adjustment, was agreed because of the last two years' experience of inflation, if you like. We agreed to open up the agreement. It was a two-year agreement -- the previous one was a two-year agreement -- and we agreed to open it up for that last part of 1975.

I think hon. members will recall where the medical profession was asking for 36 per cent and where at that time I had offered 8 per cent, their argument, with some justification, was that their overhead increases had gone up substantially more than the rise in the consumer price index. They felt, as I indicated, that many of their members had not kept up -- that, in fact they had lost ground. So I think that in arriving at this they felt, in the current climate we're in -- provincial restraint, as I indicated, and national restraint -- they should provide this leadership and co-operate at this particular time.

MR. R. SPEAKER: Mr. Chairman, what would the 9 per cent increase in gross figures amount to in the hands of the medical profession?

MR. MINIELY: I guess I didn't really answer the hon. member's earlier question. It's not a 9 per cent adjustment in each per item in the fee schedule. It's the gross payments calculated for 1975, which we estimate to be about \$130 million. We've had experience up till now -- well, we're in our eleventh month. The 9 per cent is applied to the gross payments to all physicians in Alberta from Alberta Medicare, of \$130 million, which would come out to \$10 to \$11 million, off the top of my head. Then that lump sum of \$10 to \$11 million will be worked out on the per item fee schedule by the commission and the Alberta Medical Association, to arrive at what I was outlining to hon. members earlier.

DR. PAPROSKI: Mr. Chairman, a question to the hon. minister. On that item of \$2,400 or more per year, you indicated, Mr. Minister, there were areas that would be justified and unjustified. Just as an example -- and for clarification for the House -- if X doctor sees 2,000 patients over a year and has a gross income of \$30,000, and Y doctor sees 2,000 patients and has a gross income of \$35,000 because he's done more work per patient because of the various problems he might be dealing with, would in fact that extra \$5,000, or \$2,500 over and above the \$2,400, be subject to extra special tax?

MR. MINIELY: I guess the only point we can make at this time is that, with the temporary anti-inflation measures bill in Alberta and the national inflation measures act in Ottawa, there will be a professional fee review board. Individual doctors, regardless of the nature or reason for their net income increase beyond \$2,400, will have to have a justifiable reason before the board, or else it will be taxed in some manner, as I indicated, consistent with the taxation of labor settlements which would be beyond the guidelines as indicated in the federal guidelines.

DR. PAPROSKI: The point is, I acknowledge the fact that it may be premature to ask the question, but being in the medical profession, I can't visualize a situation where it would not be justifiable, because you are seeing the patient and you're billing under the Alberta health insurance commission act. If it's billable, it's justifiable.

MR. MINIELY: Yes, but I think the hon. member has to be aware that that's right in the medical care fee schedule. But that doesn't mean an individual doctor could have a utilization factor or by his patients, or he could have a growth-in-patient-volume factor which would put him over the \$2,400 on a net-income basis, on a volume-of-patients factor or something like that. Now, if that put him over the \$2,400, he would be subject to the professional fee review board.

DR. PAPROSKI: But surely, Mr. Chairman, by seeing more patients and providing a service for a society -- I hope the federal

government will not bring that in. If you're saying by increasing the volume you're over the \$2,400 factor, that means the federal government is requesting that doctors cut back on their volume.

MR. MINIELY: Mr. Chairman, unfortunately, I think the hon. member is showing his personal biases. I think it is important that we maintain consistency with the professions, as we do with people on wages. If people on wages have to justify increases outside the guidelines, beyond what the guidelines are, before they can accept the raise, all I'm saying to the hon. member is that professions are going to have to justify individually the increases beyond the guidelines. If they're justifiable, fine; but if they're not justifiable, it will be . . .

DR. PAPROSKI: Mr. Chairman, my final comment on this topic is that I hope it's the cost and volume that is the only consideration. If that is the only consideration, there'll be no extra special tax. If it's some other consideration like volume, I'm really distressed here.

MR. NOTLEY: I would like to ask the minister just one final question. In the light of the 9 per cent increase that has been agreed upon today, is it the government's position that the premiums will be retained at the present level, and will we have assurance of that during the course of the next 18 months?

MR. MINIELY: Yes, Mr. Chairman, I was asked that question at the news conference this morning. I have said I still have the Alberta Health Care premium levels under consideration. But I should say that my consideration of the premium levels and what we charge Albertans for Alberta Health Care was made in consideration of more than one factor, about three or four factors.

One is the fact that it has not been increased for some four to five years. The second is the fact that at the present time health care for Albertans is an excellent bargain. The third is the fact that in the first four years we substantially increased the benefit side of Alberta Health Care. Then, of course, the medical fee schedule is another factor which I have to take into consideration.

I would say, though, that I have not reached any decision as to when or how much medicare premiums may be increased, if in fact they will be increased at all. Of course, other considerations will have to be taken into account as well, including the climate that generally we're in provincially and nationally. While I have to consider those factors, and while I believe an increase in premiums is justifiable because of all those factors, I think I'm not in a position yet -- not having made a decision as to whether it should be increased, and if so, how much.

Mr. Chairman, I move the bill be reported.

MR. HYNDMAN: Let's take a vote on that, Mr. Chairman, and then we have The Trust Companies Amendment Act, No. 57, if we could proceed with it in committee study.

MR. CHAIRMAN: You've heard the motion by the minister. Are you all agreed?

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: Against? The motion is carried.

Bill 57

The Trust Companies Amendment Act, 1975

[Title and preamble agreed to]

MR. ASHTON: Mr. Chairman, I move the bill be reported.

[Motion carried]

MR. HYNDMAN: Mr. Chairman, I move the committee rise, report progress, and beg leave to sit again.

[Motion carried]

[Dr. McCrimmon left the Chair.]

[Mr. Speaker in the Chair]

DR. MCCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bills No. 75, 42, 70, 76, and 57, begs to report the same, and begs leave to sit again.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, I move Bill No. 77, The Surveys Amendment Act, 1975, be placed on the Order Paper under Government Bills and Orders.

MR. SPEAKER: May the hon. Government House Leader introduce this motion at this time?

HON. MEMBERS: Agreed.

MR. SPEAKER: Is the motion acceptable to the Assembly?

HON. MEMBERS: Agreed.

[Motion carried]

GOVERNMENT MOTIONS

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

That Report No. 2 of the Alberta Board

of Review be received.
[Adjourned debate: Mr. Gogo]

MR. GOGO: Mr. Speaker, I spoke at some length last week on the Kirby report or, more properly, Report No. 2 of the Alberta Board of Review of the provincial courts system in Alberta.

I would like to summarize, in effect, what I said the other day, Mr. Speaker. Before I do that, I think it should be made very clear that the report concerns the administration of justice in Alberta and not really law and order. I suggest there is a distinct difference.

We had an incident in the town of St. Albert just a week ago that concerns somebody quite close to this Assembly. It was described as vandalism; however, it was far worse than that, for those who take the time to inquire. That, I think, very clearly indicates, Mr. Speaker, we're not talking about the administration of justice. We're talking, very simply, about law and order.

Under the administration of justice, I think it would be very appropriate to define what justice is. If I may quote from Webster's dictionary, it says the definition of justice, Mr. Speaker, is the quality of being just and impartial.

Now, I don't suggest for a moment that the Kirby report is impartial, because it seems to take the stand for justice and equality in the Province of Alberta. I would take issue with a motion regarding justice in Canada passed by one of the great political parties of Canada at a policy conference in the east just a week ago. They say that the administration of justice is, very simply, the protection of society. In this one instance, I would certainly take heed of the fact that the federal government of the day doesn't listen to its policy conference, because I don't happen to agree that that's what the administration of justice is all about.

I think we in Alberta have a particular responsibility not only living up to the definition of being just and impartial, but in fact we must also appear to live up to being impartial and just.

In summary, Mr. Speaker, there were one or two points I dealt with at length that I thought the depth of the report brought out: the number of public hearings, the number of briefs. Certainly, the Kirby commission gave ample opportunity for anybody with either an interest or a vested interest in the administration of justice to express his views.

I also mentioned the workload of judges in the Province of Alberta and what I thought to be the importance of the selection of judges; that is, that judges be selected by their peers and on their qualifications rather than their inability, particularly on the federal scene, to earn a living in practice, and being defeated political candidates.

With regard to the Crown prosecutors, soon to be known as the Crown counsels, reference was made in the report to the extremely low pay they receive.

DR. BUCK: Just like campaign managers here, eh, Jim?

MR. GOGO: I think, Mr. Speaker, that has been somewhat corrected, in that I read in an advertisement by the Attorney General that they're looking for solicitors for his department. They're paying them the rate of \$34,000 a year, and that's currently under review. So the report talks about \$22,000 and already we're at \$34,000. I would suggest that area has been looked after already. I regret the hon. Member for Medicine Hat-Pedcliff is not here to hear my remarks, but I do appreciate the Attorney General being in the House.

One area that did concern me, Mr. Speaker, as I mentioned last week, was that I don't think you look at the administration of justice with a blanket concept. You look at it in terms of the definition I've mentioned: being impartial and just to the citizens of Alberta.

Reference was made to the caseload or the workload of judges in our metropolitan cities, and we forgive them for their problems. However, I don't think we cure that by coming out with a blanket policy of putting 100 per cent more Crown counsels in areas of the province where they're not necessary. However, I'm confident the Attorney General, in his wisdom, will make the appropriate recommendation.

In conclusion, Mr. Speaker, I not only welcome the Kirby report, but I'm proud to be a member of a government that has the foresight, insight, and concept of fair play that indeed would not only sponsor such a report, but be very keen in its acceptance of the report.

Thank you very much.

MR. LITTLE: Mr. Speaker, I appreciate the opportunity to speak to the Kirby report. First of all, I believe congratulations are in order to the government for commissioning this study, and to the Kirby Board of Review for a most comprehensive and complete review of the operations of the provincial courts in this province. A review of this magnitude has been long overdue, and I trust that many of the recommendations contained in this report will be implemented at an early date.

Those areas I would be most interested in are those which would relieve the congestion in those courts. According to the latest estimates, 93 per cent of all criminal charges laid in this province are conducted by the lower, or the provincial, courts. The overload has become absolutely critical, and will surely result in chronic overload and in plea bargaining. Plea bargaining is something that we don't want to enter into our justice system.

Surely, we don't want to be faced with the problems of many of the American cities. For example, just 2 years ago, out of a total of 90,000 felony charges laid in the city of New York, only 500 came to trial. We have examples of serious charges taking years to go through the courts. One famous murder case in the city of Los Angeles took 7 years, discredited and wrecked the careers of a number of prosecu-

tors and judges. We certainly don't want to see that type of thing take place here, and I'm sure the recommendations of the Kirby report could relieve that situation.

Therefore, the sections of the report dealing with recommendations for the increase and the quality in the number of judges, prosecutors, and other court staff, must surely receive our approbation. I particularly support the suggestion for a chief judge in the provincial court system. I feel that this particular recommendation will not only improve the efficiency of the court system, but accord the provincial courts the recognition and the respect they deserve and which they have not had until this time.

However, there are other sections of this study which I would comment on with less favor. The philosophy that no person should go to jail because of the inability to pay a fine is surely one with which we must all agree. However, when we consider the implications or problems of the implementation of such a procedure, I must have serious reservations. If we don't have an ultimate penalty, who will pay the fines? The honest, the people with integrity, while the unprincipled and the unscrupulous fail to pay their fines?

Section 5 of the report recommends that court costs be abandoned, because the costs of administration, or the costs of collecting those court costs, is now greater than the costs themselves. With respect, Mr. Speaker, I would suggest, if we go for collection systems, as suggested in the report, the same thing will apply to the fines. The costs of administration, the costs of collection, will become greater than the fines, and will have to be abandoned.

One particular illustration is used in the report: that of a woman who was unable to attend court because of a heart attack in the family, and who was, as a result, incarcerated. They present a particularly heart-rending example, but this is something that occurs reasonably frequently and with cause.

In the case of a minor traffic offence, if a person fails to pay the citation, he is notified by letter that he has, I believe, approximately 20 days to pay. If he doesn't pay, he receives a second letter, a second warning. If he again ignores this, he receives a summons to appear in court. If he doesn't appear in court, there's only one thing left, and that's a warrant.

Now of course, the press from time to time has suggested this is totally unreasonable, for a person to end up in the cells because of a traffic offence. I would respectfully suggest that at this point the person has not been taken into custody for the traffic offence, but for complete contempt of the judicial process. I see no other method for it. There must be an ultimate penalty.

The report makes considerable issue of what it refers to as "poor people's offences". It is suggested that a good number of studies have indicated 50 per cent or more of the persons incarcerated in

penal institutions of Alberta are there because of inability to pay their fines. Of course I have already referred to this. It's certainly a philosophy we must all support. Quoting from the report:

"Furthermore, several studies indicate that the types of offences for which persons are imprisoned for non-payment of fines are typically poor people's offences, such as vagrancy and drunkenness."

I would suggest that these conditions no longer exist, and they did not exist at the time of the report. In 1972, the vagrancy section was repealed. The only portions remaining of the vagrancy section [pertain to] those who support themselves in whole and in part by gaming or crime. The other section refers to sex offenders who continually frequent the areas around school grounds and playgrounds. So the section they referred to, a person wandering around with no visible means of support, is no longer in the criminal code and has no application. However, before I leave that, I consider it necessary to have some sort of legislation to deal with this type of person -- a person totally incapable of looking after himself, the derelict. In a few moments I will comment even further.

The second section under poor people's offences -- drunkenness. As most of us are aware, in 1969, The Liquor Control Act of this province was repealed, and legislation provided that instead of sending a person to an institution for an alcohol charge, he would be incarcerated overnight. Once again, getting back to the report, we will see statistics quoted for the month of November 1974, [for] persons incarcerated in the Fort Saskatchewan Correctional Institute. The numbers we have here are 61 for highway traffic offences, 19 for Liquor Control Act offences, 36 for driving while impaired, 14 for drug offences of various types, and 27 for others.

But I would like to refer to the Liquor Control acts, which only formed 12 per cent of the jail population during that month. Previous to the repeal of that Liquor Control Act, two-thirds, maybe 70 per cent of all persons incarcerated in institutions in Alberta, were there for liquor offences. But it no longer exists. However, persons who are incarcerated today under The Liquor Control Act are chronic offenders, who are in time and time again. These are the derelicts, people who appear before the court who have been on a drinking spree for weeks. They have no income, no place to stay, no friends, no relatives. They are usually in a desperate situation as far as health is concerned. I humbly submit, Mr. Speaker, we must have legislation to incarcerate these people, not necessarily in a jail. But for their own good, for their own benefit, their own health, and the benefit of the public, they must be removed and placed in an institution.

The city of San Francisco conducted an experiment a number of years ago, in which the law enforcement officers were instructed not to take derelicts into cus-

today. They were dying off like flies.

When we refer to 50 per cent of those incarcerated being there because of inability to pay, I once again submit that it is not reasonable that this group of persons be considered under this statistic. If you had a person come before a tribunal, who was suffering from a contagious disease, would it be reasonable to say to him, \$100 or 30 days in a sanitarium? Well, it's no more reasonable to offer these derelicts who can't look after themselves the option of a fine. I would suggest these statistics have been sadly skewed as a result of this method of computing.

The next group in the numbers incarcerated is 36, under the impaired section. I was unable to determine from the report whether this was a second offence. A second offence under this particular section is a mandatory jail sentence, with which I heartily concur. Possibly, if there were more persons charged with second offence for impaired driving, we would be able to cut down the number of fatalities and serious accidents in this province. Once again, I think it is totally unreasonable to include this group in this overall story we get of 50 per cent being there because of an inability to pay a fine. I hope, Mr. Speaker, I've indicated from these two sections that I seriously doubt the validity of this particular statistic.

The next section I would comment on, with your leave, Mr. Speaker, is that of court facilities. One hundred and nine court facilities in this province were reviewed during the study. Only 31 of them were owned by the government. They paint a picture of some pretty decrepit court facilities, with good cause. I've seen a number of them myself. However, I don't believe it's reasonable to build facilities, as recommended in the report, in all these areas of the province. It would appear to me to be perfectly reasonable to consolidate districts, somewhat similar to the way school districts are consolidated today -- possibly have a justice of the peace to deal with the very minor offences in each area, but not a senior court facility.

For example, two of the courts reviewed and seriously criticized in the report are those of Airdrie and Okotoks, each within 10 miles of the city limits of Calgary, which had adequate court facilities. I see no reason whatsoever that these two facilities are even open. I see no reason that criminal charges from these centres couldn't be held in Calgary. I'm not as familiar with areas around Edmonton. I'm sure the same thing applies to Edmonton. I'm sure the same thing applies to Medicine Hat, Lethbridge, Drumheller, and other areas where one facility could look after a considerable district.

I have taken considerable time, Mr. Speaker, but there is just one more portion of the report I would like to comment on, and that deals with municipal legislation. I would like to read from the report. Municipal legislation is usually by-laws dealing with minor traffic offences, building regulations and so forth. Quoting from

the report:

The view expressed in the submissions of the cities of Calgary and Edmonton is that municipal legislation generally does not receive the same respect from the public as does provincial and federal legislation. Nor do violations of municipal legislation usually receive the attention it is felt they deserve from the Provincial Court. In the words of the Municipal Law Sub-Section of the Canadian Bar Association . . .

Calgary and Edmonton . . . have been frustrated in their attempts to enforce their bylaws.

Well, it is quite clear that a court normally dealing with criminal offences cannot give respect to municipal by-laws. But there are recommendations -- possibly a circuit judge, or a courtroom set aside one day in a week, and prosecutors and judges particularly skilled in these areas be appointed to deal with them.

But once again, we have the same philosophy applied in this section as we did in the poor people's offences, that it is not acceptable that persons go to jail because of the inability to pay a fine. We will find in most municipal offences, when this situation occurs, it is not inability to pay the fine, but rather refusal to pay the fine. Once again, I would apply the same parameters: there must be an ultimate penalty somewhere down the road. If you don't have an ultimate penalty, there is no respect for the judicial system.

Thank you, Mr. Speaker, for the opportunity of speaking to this debate.

MR. SHABEN: Mr. Speaker, I wish to join in the discussion on the Kirby Board of Review. Previous members have covered many points in the excellent report of the Kirby commission. I enjoyed reading it and studying its various recommendations in the areas covered. I think the Kirby commission has done an outstanding job in examining our provincial judicial system.

I would like to give a northern viewpoint on some of the matters raised in Report No. 2. The importance of Crown prosecutors, soon to be known as Crown counsel, is an important aspect and recommendation in the study. I concur wholeheartedly with this recommendation. In rural areas, the police have the job of prosecuting, and it does create difficulties. It extends their workload and, I think, in some ways lowers the respect of citizens for the police. Having Crown counsel or Crown prosecutors in smaller centres may prevent the large number of present adjournments called in provincial courts.

I concur in the recommendation of having a chief judge for the provincial judicial system. It will promote continuity throughout the province in the administration of justice, in sentencing offenders and, of course, better communication between provincial judges.

There was an item in the report recommending

mending rotation of judges. I believe this would be worth while, because conditions vary throughout Alberta. The problems and offences vary from the north to the south, and in different parts of the province.

I think another important item in moving and rotating judges is that perhaps provincial judges and, indeed, district court and Supreme Court judges, become a little blase after working in a particular area and seeing an awful lot of a certain type of offence. If they were to move around a little more throughout the province, get a different view, and deal in different courtrooms, it would be helpful.

A recommendation in the report was that provincial judges have one week off in every four -- or this was a suggestion in the report. I personally don't think it's required. Some of the caseloads are very heavy. But we don't want to have a situation in provincial courts, as we do in federal courts in many cases, where federal judges adjourn court at 2 o'clock so they can golf in the summertime. I think our provincial court judges are very hard working. They are overworked. I agree that increased numbers are required, but I disagree with the necessity for one week off in four. The odd day off to review recent legislation would certainly be useful and helpful, but not to the extent suggested in the report.

A number of members have dealt with items on pages 43 to 46 dealing with non-payment of fines and jailing of offenders for this reason. I agree our prisons should not be debtors' prisons. But I also agree with the hon. Member for Calgary McCall, in that there must be some ultimate penalty. On page 46 in the report, Recommendation No. 3:

A pilot project should be organized in which the option of community work is open to persons who are unable to pay fines.

I think this is a worth-while recommendation. It's something that should be pursued by the Institute of Law Research [and Reform] and by the Kirby Board of Review, perhaps in their Report No. 3.

The first recommendation, of course, deals with the fact that a number of people are incarcerated for non-payment of fines.

Recommendation No. 2, which I disagree with very strongly, is:

A collection agency should be created, as part of the judicial process, to which unpaid fines would be assigned for collection

Now in the northern area, where you have huge distances, it would be really difficult for a collection agency to travel 200 or 300 miles to an isolated community to try to locate someone who hadn't paid a \$10 fine. One of the difficulties in the northern area is that the judges do allow time to pay fines. Then the police have a great deal of time taken from their work in serving warrants either to have the people appear, or to collect the fine. So, in fact, this sort of a collection agency could complicate the process.

As an illustration of the type of workload the police have in the Slave Lake-High Prairie area: about 8 years ago, there was a total of 17 RCMP officers policing the area. Now there are 37. Yet their workload is huge, and doesn't seem to be eased. There must be a way of speeding up the judicial process, and having quicker and better justice in the cases of offences committed.

I have 3 additional observations. I have already mentioned one, and that is in the north the distances are a hardship. People have to travel 200 to 300 miles. The Member for Calgary McCall mentioned a courthouse in Airdrie within only 10 miles of the outskirts of Calgary. In northern areas, people have to travel 250 to 300 miles to reach district courts for appeals. There are only 2 courts that sit for appeal court or district court. They are in Grande Prairie and Peace River. I would recommend and urge that the Attorney General consider establishing another judicial district in that region to make courts more accessible to the people.

One of the hon. members mentioned the other day that fully two-thirds of the Province of Alberta lies above Edmonton. I would invite a lot of our members who have spoken on this matter, and many others, to attend the Opportunity North Conference in Peace River next weekend and get a view of the north, particularly those who haven't had an opportunity to visit the north country.

Another area I wish to touch on briefly, that I understand will be part 3 of Kirby's study, is juvenile offenders. There seems to be a growing number of offences by juveniles. It is my understanding that 25 per cent of the inmates in jails in Canada -- these are figures provided by Statistics Canada -- are under 17 years of age. One-third of the break-and-enter offences and car thefts are committed by juveniles in Canada. So this has to take a great deal of the attention of the Attorney General and the Solicitor General, in looking at this aspect of our criminal justice system. There is some evidence that these figures I've given are even higher in Alberta, and approach 40 to 50 per cent.

We have, I think, considerable work to do in Alberta on the problem of juvenile offenders. I understand that the youth development centre can accommodate 90 juvenile offenders, and during the course of last year over 200 young people ran away from the institution. I would rerecommend that this may be a consideration of the Kirby commission, that the juvenile offenders branch be transferred to the Solicitor General's Department or to the Attorney General's Department in the near future.

In conclusion, Mr. Speaker, I would again like to congratulate the Kirby Board of Review on their fine study, and I'm looking forward to part 3 of the study.

MR. TAYLOR: Mr. Speaker, I would like to deal with just four points under the Kirby report. Before doing so, I would like to pay a tribute to Judge Kirby, who sat in

this House at one time, during the period I was here. He was a very able member, a very fair member, and one of the outstanding things about Judge Kirby, or Chief Justice Kirby, has been that he's always the same. If he knows you, he knows you, whether it's in the Legislature, on the street, or in the courtroom, and this has won him a host of friends throughout the province. His fairness is beyond question and, while I don't agree with some of the recommendations, I think it's a matter of judgment rather than anything else. I certainly respect his views very, very highly.

The first point I wanted to deal with was this matter of imprisonment for default of fines. I lean strongly towards the sentiments of Judge Kirby in this respect. It seems to me too many times we are putting people in prison simply because they are poor. The rich can pay the fines and go glibly on their way, while the poor must go to prison and have that mark of imprisonment on the rest of their lives. I don't think this is fair, particularly when, in my view, there are other alternatives, and better alternatives.

I think of a native boy who broke into a store, did considerable damage, and stole something like \$1,500 to \$2,000 worth of merchandise, and he was sent to jail. This didn't help the merchant who lost this money. In my view, it didn't help the boy very much. What he did with the cash, I don't know. Maybe it was there when he came out, and maybe he had it securely put away so he could enjoy the benefits of his bad behavior after he paid the penalty for it. I just couldn't see any sense in that. In my view, that boy should have been required to make restitution, rather than being sent to jail. There's no reason he couldn't work. I think that with some assistance in our courts, many of these young people can be put to work and told they are required to work and required to pay, make amends for what they did.

When we make a mistake, certainly we should be expected to make amends for it. Others shouldn't suffer because of our behavior. We take out third party liability insurance, so that if we do damage to the property of others, we are able to make restitution. We pay the premium, our premium then goes up. We pay a premium for destroying or causing damage to property of a third party, and properly so. I think that same viewpoint should be the viewpoint of many of our provincial judges.

I remember a few years ago one of the provincial judges had before him what they called a "hippie" in those days. One of the offences of the hippie was to have called the policemen very bad names, and one of the worst was "pig". Pig became the common word among hippies for a police officer. The judge asked the boy, who was about 18, if he had ever seen a pig. [He said,] no, he had never seen a pig, a real pig. So the magistrate, as he was in those days, ordered him to go to a farm and feed pigs for a week. He went out and fed pigs for a week, and when he came back, the magistrate asked him what his feelings

were. He said, my feelings are that I'll never call anybody a pig again. It had done him far more good to get out there, do a little work, and learn what pigs really are, than it would have been to have sent him to jail.

I think there's a lot of . . . Wherever restitution can properly be made, I believe, particularly with young people -- and I shouldn't say particularly, well, I'll say particularly the young people, but with all offenders -- they should make restitution. If someone goes out, throws paint on a house, and destroys the front of that house, let him go out and scrape it for several days. Let him scrape it off. His hands and elbows will get so sore he'll wish he had never had the fun of putting the paint on.

I wish we could get an alternative like that: where restitution is made, where the person who has suffered the injury and the damage can have something done toward restoring that item to its normal condition. If more of our courts would impose that type of sentence, I think we'd have many people thinking twice before they went to do damage to the property of others.

Now, if we have to impose fines, I don't like the present method at all of saying X dollars for this offence, X dollars for that offence. If I'm fined X dollars and my salary happens to be \$13,000 a year, that's one thing. But if another person is fined X dollars, the same dollars for exactly the same offence, and his salary is only \$500 a year or \$3,000 a year, and he may have a wife and family to keep on that, it's not equality. It's not being equal. Certainly the offence was the same, but the punishment should be equal too.

I had a novel suggestion given to me by one of my constituents who had never been before the courts. He said, I sit in the courts periodically, and I see the inequality of the fines being levied out, based on the income and the assets of the person who must pay that fine. He suggested to me that I take a look into levying a fine based on the income of a person. If a person is making \$13 a day, maybe we should have him work for six days. His fine will be six days of his pay, or one week of that pay. If he's making \$75 a day, or happens to be one of our members or one of our committees getting \$100 a day, fine him \$100 a day. Seven times that would be \$700.

Now, I think this has some merit. At first you say we're punishing different people differently, but their incomes are different, their social position is different, their education is different, everything else is different. Why should we make the fine the same? Let's make him pay according to his ability to pay. Then those who happen to be well-to-do may stop and think, well, I'm not going to get stuck with a \$15 fine. If I carry out this offence, I may get stuck, not with a month in jail or \$50, but a month's wages or a week's wages, whatever it happens to be. I think that would be fair for everybody.

There might be one difficulty where the

person is on welfare and has no salary at all. In that case, let him clean sidewalks for a while, let him pay off the fine at a minimum wage by cleaning the streets, taking the ice off the sidewalks, even painting the homes. There are all kinds of these things that need to be done, that might be helpful to a community. I'm sure every MLA comes across elderly constituents who would like to have a cupboard built, or who would like to have a knob falling off the door [fixed], or who can't get the bowl in the bathroom to work properly. She don't know how to fix it. There are so many of these things that a person could be assigned to do, if we would just make an inventory of all the things that have to be done, to say nothing of improving persons' homes. I'm suggesting there are a lot of alternatives besides going to jail.

I like the idea of Justice Kirby, in saying that people should not be imprisoned simply because they are poor. I agree with that entirely. I think that is an excellent sentiment. If the offence is serious enough to go to jail, then let's send them to jail, whether they're poor or rich. Let's not base it on how much money they have, or how much money their father left them, or how much salary they're getting. Let's base it on the seriousness of the offence. And if the offence is serious enough for a jail term, let it apply to everybody, whether his skin is white or red or yellow or blue, or whether he has \$100,000 or nothing whatever in the bank. I think then we're getting close to what we call justice and equality in law.

I'm not going to say anything more about that, but I think this idea of basing a fine on the daily or weekly wages or salary has some merit. There might be some things in it that need to be altered to a degree, but I certainly think it's at least worth looking into.

The second point I'd like to deal with is the fines in traffic offences, which are mentioned between pages 47 and 51 in the Kirby report. There's particularly one section to which I take exception entirely, and that is No. 12, where it says, and I read: "Collection of fines from non-resident drivers should be enforced by impoundment of the motor vehicle involved . . ." I just can't go along with that at all. I've driven in the United States. I've driven in Ontario, E.C., the Maritimes, et cetera. Had I committed a speeding offence and been unable to pay the fine, I certainly would have thought it completely unfair for them to have taken my vehicle away from me, and left me helpless without a vehicle many miles away from home. I don't think there's any fairness at all in that particular suggestion.

I like the idea, as a matter of fact, that's being followed by several American states now. Where a non-resident, particularly a Canadian, commits a speeding offence -- even if it's considerably higher than the normal speeding offences -- they do not take you to court or make you appear before a justice. The police officer gives you what he calls a warning ticket. Some states keep a record of this warning tic-

ket. If there's a second warning, then they try to do something about it. But they give a warning. They tell the person what he did that was wrong, and then say, we expect people who come to our state to obey our laws. You weren't doing that, but we're not going to give you a ticket now, we're going to give you a warning ticket, a courtesy card, to try to emphasize in your mind the importance of obeying the laws in our state. And you know, I've spoken to a number of Canadians who have had these courtesy cards, or warning tickets. Every one of them said -- when I asked them, did you continue to break the law in that state -- nothing doing. They exerted double effort not to break the law, because they appreciated the fact that the state had not picked them up on the first mistake they made.

I think it would be a wonderful thing for this province of ours, when people come into it who are non-residents, for our police to give them courtesy or warning tickets. It might also be applicable sometimes to our own people.

Several years ago -- and this was several years ago -- when I was driving in Calgary one time, I made a left turn which I thought was perfectly legal. Immediately, a red light came up behind me, and the police officer said, "You made a left turn." I said, "I thought a left turn was legal on this street where there was no sign to the contrary." He said, "No, in our city a left turn at this intersection is not legal. You committed an offence." But he said, "Where do you live?" I said, "I live in Drumheller. Drumheller is a small place, but we don't have intersections, lights, and so on down there." We didn't then. "Well," he says, "I can understand you not knowing all the laws in Calgary, I'll give you a warning. But if it happens again, you'll be stuck with both this offence and the next one." I made sure it didn't happen again. I appreciated that action on the part of that officer, and I think I became a better and a more careful driver in cities where I didn't know all the rules and regulations, than I otherwise would have been.

But I would like to see -- I like this courtesy card for non-residents, and I certainly can't go along at all with this impounding of non-residents' vehicles. If there's some serious criminal offence, and they're going to incarcerate the man, there might be some reason. Certainly for minor traffic offences, to say we're going to take the vehicle away from the man or the woman, leave him helpless in a strange place, maybe hundreds of miles from where he lives, I think would be the essence of inequality, the essence of injustice, certainly not one of justice.

I've always been reluctant even to want to impound vehicles of residents, for the simple reason that a vehicle is normally operated by several members of the family. Because one member of the family makes a mistake, I just can't see the justice of taking the vehicle from every other member of the family.

If the hon. members in this House who

are married men, who have one vehicle, their wife goes downtown and commits an offence with that vehicle, and the vehicle's impounded, what happens when she gets home? If that should happen, it's not fair to the hon. member who needs the car for his work. I shouldn't have said what happens when I get home. I imagine all the married men know what would happen when she got home. I'm saying the impounding of vehicles has to be looked at very, very carefully, because sometimes we are punishing the wrong person when we adopt that type of penalty.

The next item I want to deal with, and the last one, is something I feel very strongly about, and that is on defence lawyers. Several years ago I read the story of Stephen Truscott, the story written by the daughter of a judge in Ontario. She pointed out the circumstantial evidence. She pointed out all the money the Ontario government provided to prove that boy guilty. The parents were poor, and the boy, a 14-year-old boy, had no money. His parents could barely afford a lawyer. They couldn't afford the expense of getting evidence, of counteracting what the Crown was proving.

So he spent quite a few years of his life behind bars -- I still think unjustly and unfairly. I still don't think he committed the crime. But I don't think how I feel about it is important. I think the important thing is that that defence lawyer just couldn't defend the boy properly, because he had no money with which to carry out the research necessary to endeavor to prove the boy innocent.

Now I know the theory is that the boy shouldn't have to prove himself innocent. The Crown must prove him guilty. But it's a Utopian idea that you don't have to prove yourself innocent. In many offences in our courts today, the accused must prove himself innocent in spite of the nicety and the nice things we say about, you don't have to prove yourself innocent, they have to prove you guilty. In many, many cases, we have to prove ourselves innocent. If the person doesn't have sufficient money to do it, the defence lawyer doesn't have some money to work on, justice takes the wrong course. Many times, I believe, people are being sent to prison simply because the defence lawyer did not have the necessary research money to defend that man, woman, boy, or girl.

I would like to see the present Attorney General, who is knowledgeable in law, who has had experience in several facets of law, take a look at this matter to see if we couldn't provide at least a minimum of money for research for defence lawyers, particularly where serious offences are

concerned, where it might mean incarceration for many years, or even the life of the person involved. Surely the defence lawyer should have some assistance to help to get justice, if we want to put it that way. And that's the way I want to put it.

I remember speaking about this topic in this House some time ago. I had a note from a defence lawyer after that. The defence lawyer said to me in that note, or letter, whatever you want to call it, that the loneliest person in the world in a courtroom is the defence lawyer. I think we should do something about that. Surely, if a person is guilty, the Crown should do everything possible to prove him guilty. But if the man is innocent, in spite of what the police say, in spite of what the Crown says, surely the defence lawyer should have every help to prove that that man is innocent.

Those are the four points I want to mention in the Kirby report. I like the start the government has made. I don't think the government, for one minute, can go to the full extent of this and spend all of the money required to do everything the chief justice said. I don't think Mr. Kirby himself expects that to be done. But over the next few years, I think we can make a tremendous improvement in the justice of this province.

I'm more concerned about what's happening to human lives than I am about buildings. I know it's nice to have a proper courtroom, a proper flag, and proper decor. These things are important in our way of life, but not nearly as important as what justice or injustice can do or not do to the lives of men, women, boys, and girls, on whose future this country depends.

MR. KING: Mr. Speaker, in view of the hour, I beg leave to adjourn the debate.

MR. SPEAKER: Having heard the motion by the hon. Member for Edmonton Highlands for adjournment of the debate, do you all agree?

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, I move we call it 1 o'clock.

MR. SPEAKER: Do all agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until Monday afternoon at 2:30.

[The House rose at 1 p.m.]