

**LEGISLATIVE ASSEMBLY OF ALBERTA**

[Motion carried]

Title: **Tuesday, March 23, 1976 2:30 p.m.**head: **INTRODUCTION OF VISITORS**

[The House met at 2:30 p.m.]

**PRAYERS**

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill 26****The Department of Consumer and  
Corporate Affairs Amendment Act, 1976**

MR. JAMISON: Mr. Speaker, I beg leave to introduce a bill, The Department of Consumer and Corporate Affairs Amendment Act, 1976. The purpose of this bill is to incorporate Section 5 of The Consumer Affairs Act into The Department of Consumer and Corporate Affairs Act. Mr. Speaker, in the act there is provision for a proclamation of repeal.

[Leave granted; Bill 26 introduced and read a first time]

**Bill 28****The Planning****Amendment Act, 1976**

MR. COOKSON: Mr. Speaker, I beg leave to introduce a bill, The Planning Amendment Act, 1976. Mr. Speaker, the purpose of this amendment is to prevent a recent practice of circumventing both The Planning Act and the subdivision and transfer regulations, in order to acquire separate title to a number of parcels in a given area of property.

[Leave granted; Bill 28 introduced and read a first time]

**Bill 210****An Act to****Amend The School Act (No. 2)**

MR. NOTLEY: Mr. Speaker, I beg leave to introduce a bill, An Act to Amend The School Act (No. 2). Mr. Speaker, the purpose of this bill would be to place the responsibility on school boards to provide facilities and instruction for the mentally and physically handicapped children in the province of Alberta.

[Leave granted; Bill 210 introduced and read a first time]

MR. HYNDMAN: Mr. Speaker, I move that the following bills be placed on the Order Paper under Government Bills and Orders: Bill 26, The Department of Consumer and Corporate Affairs Amendment Act, 1976 and Bill 28, The Planning Amendment Act, 1976.

MR. KOZIAK: Mr. Speaker, it's my pleasure to introduce to you, and through you to the members of this Assembly, 30 Grade 4 students from the King Edward School in the constituency of Edmonton Strathcona. They are in the public gallery and are accompanied by their teacher, Miss Boyd. I would ask them to rise and receive the welcome of the Assembly.

DR. HOHOL: Mr. Speaker, I'm pleased to introduce to you and the Assembly, 20 Grade 4 students from the Kildare Elementary School in Edmonton Belmont. They are accompanied by their teacher, Mrs. Joyce Thain. They are in the public gallery. I should like to ask them to rise and be recognized by the Assembly.

MR. LITTLE: Mr. Speaker, it is my pleasure to introduce to you, and through you to the members of this Assembly, 42 Grade 7 students from Colonel Walker School, which is located in the constituency of Calgary McCall. They are accompanied by their vice-principal, Mr. Thomas, their teacher, Mrs. Riley, and parents, Mrs. Leamon, Mrs. Green and Mr. Helderwert. They are seated in the members gallery and I ask that they rise and be recognized by this Assembly.

head: **TABLING RETURNS AND REPORTS**

MR. HARLE: Mr. Speaker, I have for tabling the annual report of the Consumer Affairs Branch, as required by The Consumer Affairs Act.

I'd also like to file with the Legislature Library a summary of consumer education in Alberta entitled *The Place of Consumer Education in Alberta Curriculum Guides*.

I'd also like to file with the library the annual reports for 1974 and 1975 of the Superintendent of Insurance.

head: **ORAL QUESTION PERIOD****PUB Guidelines**

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Attorney General in his capacity as the minister responsible to the Assembly for the Public Utilities Board. Is he in a position to indicate to the Assembly the guidelines that have gone to the Public Utilities Board with regard to restraint? The minister will recall that I raised the matter last week and he was going to check into it for us.

MR. FOSTER: Mr. Speaker, I believe I replied that we had sent for the information from the board, the guidelines, copies of federal legislation, as well as other material that was circulating within government. I think it's important to underline, however, Mr. Speaker, that the Public Utilities Board is, itself, a regulating agency and is not bound by the provisions of the federal legislation. It is by law

required to settle upon a fair rate of return under the laws of this province. The information which I sent to the board was for their information, so they should be aware of the initiatives in Canada and the federal guidelines, but not to suggest to them that they are bound by that law.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. In light of the agreement announced just yesterday, or this morning, between Syncrude and the Alberta Energy Company on the rate of return for the pipeline and the power plant, which was 15 per cent, I'd like to ask the Attorney General if 15 per cent is now recognized by the Public Utilities Board as a reasonable rate of return for utilities in Alberta.

MR. FOSTER: Mr. Speaker, I'm not in a position to say what might be regarded as a reasonable rate of return by the Public Utilities Board, nor with respect to the agreement to which the member has referred.

MR. CLARK: A supplementary question to the minister responsible for the Public Utilities Board. As a matter of government policy, is there a relationship between the rate of return the Alberta Energy Company has negotiated with Syncrude for its utility services and the return Alberta utility companies can expect to receive by means of approval from the Public Utilities Board?

MR. FOSTER: Mr. Speaker, I'll take that question as notice and inquire into the matter.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. His colleague, the Minister of Federal and Intergovernmental Affairs, says there are special circumstances. What we'd like to know is: what are the special circumstances?

#### **ASH/Deerhome**

MR. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Social Services and Community Health. I'd like to ask the minister if it's the intention of the government to make any major changes in the number of patients who will be at Deerhome and Alberta School Hospital in Red Deer on a long-term basis.

MISS HUNLEY: Our ultimate objective, Mr. Speaker, is of course to return to the community as many people as possible. The immediate change will be of course those moving into the group homes, which are not yet occupied or weren't the last time I was briefed on the matter.

We also have the opportunity to move some of our residents into the new residence which will be ready at Spruce Cliff Centre. Of course, our long-term goals are always to repatriate to their home community as many people as we can.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Is it government policy that, in fact, the government will be building institutions comparable to Alberta School Hospital or Deerhome in Edmonton and Calgary, thereby cutting the number of

patients at Red Deer to virtually one-half of the number there now?

MISS HUNLEY: No, Mr. Speaker. I believe at one time, under the previous administration, there was a plan to build an institution similar to ASH/Deerhome in the Edmonton area. But this has not been our philosophy. We believe there should be smaller institutions or group homes. Ultimately, I hope we will have some small group homes which are suitable for patients who are now resident in the Edmonton area, and of course repatriate some of those who reside in ASH/Deerhome. I do not see any significant reduction in the population at ASH/Deerhome over the next several years.

#### **PUB Guidelines** (continued)

MR. NOTLEY: Mr. Speaker, I wonder if I could ask a supplementary question to the first question posed by the Leader of the Opposition to the hon. Attorney General. I don't mean this to be an argumentative question, Mr. Speaker. In light of his answer that the Public Utilities Board will be using the traditional rate-of-return base to determine utility rates in this province, can the minister advise what the reason was for sending the material then from the Anti-Inflation Board, in view of the fact that quite different criteria are used?

MR. FOSTER: Mr. Speaker, I don't want the hon. member to read anything into my sending material that comes into my hand to any agencies or bodies for which I have responsibility. These are copies of federal guidelines and federal legislation. At the time I first received this information, it was not clear what the stance of the Government of Alberta might be with respect to C-73 as it was then; whether we would have an agreement, whether we would have our own legislation, et cetera.

I was simply asked what communication there had been. My reply was that to that extent I had sent material to them informing them of what the federal government was up to and what their guidelines had to say. I did not mean to imply in that a suggestion that the board was bound by federal legislation from which it was excluded by its terms.

MR. NOTLEY: Mr. Speaker, a supplementary to the hon. minister or perhaps the hon. Minister of Consumer and Corporate Affairs. Has the Government of Alberta been able to conduct any sort of assessment at this stage as to what the application of the federal guidelines would mean if they were applied by the Alberta Public Utilities Board?

Can I ask the minister if the government has at this stage of the game any preliminary information, or has it done any assessment on what the impact would be?

MR. FOSTER: Mr. Speaker, it is not a subject to which I have addressed my mind. Nor have I been privy to such an evaluation, assessment, or discussion.

**Dairy Industry**

DR. BUCK: Mr. Speaker, I'd like to address my question to the hon. Minister of Agriculture. In light of the fact that there is a fair amount of concern in rural areas that the dairy farmers may be going the way of the cow-calf operators, I would like to know if the minister plans to take any action on the brief presented to him by the northeast Alberta dairy farmers action committee last week.

MR. MOORE: Mr. Speaker, with respect to a number of items contained in that brief, action has already been taken. On other items, meetings are presently going on in Ottawa between the federal Minister of Agriculture and the provincial ministers or their representatives with regard to the whole area of market share quota, and the contribution by the Government of Canada to the subsidy program for industrial milk.

DR. BUCK: Mr. Speaker, it sounds like the same answer to the cow-calf operators.

Mr. Speaker, a supplementary question. Can the minister indicate which areas, as stated in the brief, he has already taken action on?

MR. MOORE: Mr. Speaker, I don't have a copy of it in front of me. As I recall, one of the areas that particular group asked us to look into and review was allocating quota to new producers. I think the words they used were, take from the rich and give to the poor. While we have not necessarily followed that line in its total thinking, regulation changes were implemented some weeks ago which allow us to retain a certain amount of industrial milk quota, by way of telling those who were in production for the full 1975 year that their quota will not be 100 per cent if they only produced 85 per cent. Rather, it will be what they produced if they were in operation for the full year.

In addition to that regulation, changes have been implemented that will allow us, after April 1, 1976, to retain 25 per cent of all industrial milk quota transferred from one person to another. In other words, the person owning the quota would be able to sell or transfer 75 per cent of it, while 25 per cent would be retained by the Alberta milk control board for distribution to persons who do not have a quota. Primarily, we're trying to create a situation where we will free up to one million pounds of quota in 1976 and provide that to people who entered the dairy business late in 1975, or who made commitments for buildings and livestock during 1975 and got into production early in 1976.

Needless to say, Mr. Speaker, we're not encouraging people today to make further commitments with regard to the industrial milk business. But there was a number who did make those commitments throughout the course of last year.

Mr. Speaker, I should add in conclusion that the Government of Alberta was informed some time ago that free quota would be allocated to everyone who was in production on April 1, 1976. It was not until December of this past year that we were advised by the federal government there was a unilateral cut-back, not only in the subsidy, but in the subsidy

dollars which the Government of Canada had promised to pay. We don't expect we can take up that slack which results from the federal government's decision. Nor do most dairy producers in Alberta think that. Conversations with other provincial governments indicate they are all in about the same position as Alberta.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. In light of the fact that the quotas have been cut and it would seem they will remain that way for this year, has the minister or the government considered putting a moratorium on the interest and capital that has to be repaid to the provincial government?

MR. MOORE: Mr. Speaker, I'm not sure whether the hon. member is referring to industrial milk share quotas or fluid milk quotas.

DR. BUCK: Industrial milk share, Mr. Speaker.

MR. MOORE: Mr. Speaker, Alberta's industrial milk share quota for the next year has not yet been exactly finalized. Nor are we absolutely sure how much quota we might be able to free with respect to the circumstances I outlined a while ago.

Indeed, the more pressing problem is probably not the amount of quota available, but to what extent the federal government will cut back the allocation of subsidies to that quota. You may recall the cutback from 100 per cent early in 1975 to 60 per cent later in the year. That's probably a more important question than the quota.

We hope to be in a position to know within the next two or three weeks how much market share quota the province of Alberta will have and how much may be free for allocation to new producers in this province. Having determined that, I can say there would not be any doing away with interest altogether for those producers who borrow funds from the Agricultural Development Corporation. But I've already told a number of producers, who would like it on an individual basis, to apply for a deferment of interest and principal if they have some difficulty.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. In the light of the completely unilateral action by the federal government, both in cutting the subsidy and probably in cutting the quota itself by 11 per cent, has the Government of Alberta formally made any protest to the Prime Minister or to the Minister of Agriculture concerning this unilateral action, on the part of Ottawa, on a matter which really deals with the provinces?

MR. LOUGHEED: Well, Mr. Speaker, I refer the question to the Minister of Agriculture, but before doing so I would respond on the basis that these matters with regard to agriculture and the question of priorities of the federal government and their restraint program were raised by me at the outset of our discussions in Ottawa on Thanksgiving Day. The reaction we received is that — at least at that time and apparently since that date — the federal government are holding to the view that agriculture and food production in Canada do not rate that high a priority

in terms of expenditure, and seem to be the victims, if you like, of a significant reduction of federal government expenditure support. We would hope that they would reassess that for the longer term. Perhaps the Minister of Agriculture may wish to add to my remarks.

MR. MOORE: Mr. Speaker, with regard to direct submissions to the federal government, in December of last year, shortly after we were advised of the cutbacks they intended to make, all the provincial ministers of agriculture met with the federal Minister of Agriculture in Ottawa. Indeed, we expressed our disappointment with regard to that decision and asked that it be reviewed again.

In addition to that, since early December 1975, the chairman of the Alberta Dairy Control Board has been to Ottawa on two occasions for meetings with the Canadian Dairy Commission which, I'm sure hon. members are aware, is responsible for the allocation of quota and the payment of subsidy. Mr. Speaker, in addition, the Deputy Minister of Agriculture, Dr. O'Donoghue, is in Ottawa today for meetings on the subject of allocation of quota amongst provinces and the level of subsidy that might be paid.

MR. TAYLOR: A supplementary to the hon. minister. Out of all this, is the number of milk producers in the province increasing or decreasing?

MR. MOORE: Mr. Speaker, four years ago, the Government of Canada said we had until April 1, 1976 to increase our industrial milk production across Canada and to obtain free market share quota. The figures for across Canada in the first three years showed very little or no increase in industrial milk production. In the 1975 calendar year we've seen an increase of about 26 per cent across Canada. The increase in Alberta was slightly over 20 per cent. It's our view that the increase did not occur largely because of the efforts of provincial or federal governments in trying to get people to go into the industrial milk production, but rather because of the downfall in beef prices, the switch from beef to dairy, and the fact that the dairy industry in 1975 returned reasonable profits to producers.

MR. TAYLOR: One further supplementary.

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

MR. TAYLOR: Supplementary to the hon. minister. Is the milk sold by Safeway and such stores under the control of the milk control board?

MR. SPEAKER: The hon. member is clearly seeking advice on a point of law that perhaps might be sought otherwise.

#### Drilling Rigs

MR. MILLER: Mr. Speaker, I direct my question to the Minister of Energy and Natural Resources. What efforts are being made by the provincial government to make better use of drilling rigs in Alberta? Last year there was little better than 40 per cent

utilization. The main drilling took place during the months from December to March.

MR. GETTY: Mr. Speaker, the utilization of drilling rigs is essentially a matter of budgetary and other factors that go into decisions by companies in the oil and gas industry to drill wells. However, the government has assisted in some regard by spacing land sales, spreading them throughout the year in a manner that will, as much as possible, encourage drilling rig activity across the full year rather than bunching them up, as sometimes used to happen and still does to some extent during the winter months, and almost shutting down completely during the spring months. Part of the spring problem, of course, is break-up in our province and the inability to move the rigs on roads.

Since the hon. member mentioned the 40 per cent utilization of drilling rigs, I should point out also that because of the government's oil and gas policies — I think to a great degree as a result of ALPEP announced in December 1974 — there has been a dramatic increase in the use of drilling rigs in our province, far greater than any other part of Canada. As a matter of fact, I believe it's now almost impossible to get a drilling rig. Those that can be used are being used . . .

DR. BUCK: Not that many have come back, Don.

MR. GETTY: . . . and I understand some are now coming back from other parts of Canada and North America for use in Alberta.

#### CSA Salaries

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Provincial Treasurer and ask whether he can advise the Assembly whether a memo has been sent from the Public Service Commissioner's office, effectively freezing all salary increases for CSA members, as they relate to merit increments, promotions, and reclassifications.

MR. LEITCH: Yes, Mr. Speaker, such a memo has gone out.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Is the minister in a position to advise the Assembly the reasons for this policy?

MR. LEITCH: Mr. Speaker, as I recall, the purpose of the memorandum was to hold salary levels in place pending completion of negotiations currently under way with the CSA, with respect to a new contract and, when it's completed, to make changes in light of the terms of that contract.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the government at this stage developed any overall policy with respect to the total package of salaries and benefits for Alberta civil servants, including such things as merit increments, reclassifications, and promotions? Is that being considered explicitly as guidelines for part of the salary package?

MR. LEITCH: Mr. Speaker, the question dealt with the government's overall policy, and of course that's answered in part by the fact that we've entered into an agreement with the federal government making the anti-inflation regulations applicable to salaries. But the other matters the hon. member refers to are, or will likely be, the subject of discussions at the negotiation table. In keeping with the stance we've taken in the past, Mr. Speaker, my preference is not to comment in public on matters that are, or may well become, the subject of discussion at the negotiating table.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Will the freezing of these merit increments and other benefits you just referred to continue until a final settlement is reached with the CSA totally across the board, or will there be a release as individual agreements are reached?

MR. LEITCH: Mr. Speaker, we've taken no firm position on that. We will watch developments as they occur and make decisions in light of those developments.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In light of concern among members of the Civil Service Association, has the government at this stage developed any timetable on this freeze as to when they may in fact expect a release of funds to cover merit increments? Do they have to wait till all their agreements with the Civil Service Association are wrapped up, or do they have some timetable they can look forward to on this matter?

MR. LEITCH: As I indicated, Mr. Speaker, we do not have a specific timetable in mind. We know that the current agreement expires, apart from the continuation clause, at the end of this month. We know that discussions are under way. The question of what is done with this temporary freeze will depend on our assessment of how developments are proceeding in the future.

MR. NOTLEY: Mr. Speaker, one final supplementary question. Has the matter of experience and merit increments been referred to the federal Anti-Inflation Board for a ruling?

MR. LEITCH: Not by the government, Mr. Speaker.

#### Heating Fuel Prices

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Business Development and Tourism. Has the minister monitored the increase in gas price and the effect it has had on small businesses in Alberta?

MR. DOWLING: Mr. Speaker, as I've indicated, we have had conversations with the marketing principals of the five major companies, relative to the marketing of gasoline at the retail level. We have also been in reasonably constant contact with principals of the Automotive Retailers' Association. As late as this morning I did have a conversation with the national

president, who indicates that things are advancing faster than he would like. He has requested a meeting with officials of our department, and that is going to be accommodated within the next day.

MR. R. SPEAKER: Mr. Speaker, supplementary to the minister. I should have indicated to him that I was referring to heating fuel, rather than car gasoline.

Has the minister had a number of requests for assistance to small businesses which are presently in difficulty because of the increased heating-fuel gas costs?

MR. DOWLING: Well, no. I would suggest the opposite would apply. We should have people flocking in from other parts of the country because fuel costs in Alberta are the lowest of any province in Canada.

MR. R. SPEAKER: Mr. Speaker, I'm prepared to table this document in the Legislature. This is from a constituent of mine, Genie Gardens. He has a greenhouse operation. His gas has gone from 51 to 90 cents, an increase of 80 per cent.

MR. SPEAKER: Possibly the hon. member could share this information with the Assembly in a more appropriate way.

MR. R. SPEAKER: Right, Mr. Speaker. The costs have gone up quite substantially, and the operation is about to close.

My question to the minister is: should I advise my constituent that at this time he should close down his small business, which was very viable?

MR. DOWLING: Mr. Speaker, I suggest you'd be taking a great deal of responsibility in doing that. But if that's the desire of the hon. member, of course he should be free to do that.

The questions should most likely be referred to the Minister of Utilities and Telephones. I do know the price of fuel at the Toronto city gates is far in excess of what we now pay in Alberta with our sheltered system.

MR. R. SPEAKER: Mr. Speaker, supplementary to the minister. In light of the potential problem here, is the minister prepared to review any cases such as this? Is he also prepared to do a survey of some of the small businesses in Alberta?

MR. LOUGHEED: Nonsense.

MR. GHITTER: Supplementary, Mr. Speaker, to the hon. minister. Is it the policy of the hon. minister's department, Mr. Speaker, to hold the hand of every business that can't make out in this province, the most prosperous province in Canada?

MR. NOTLEY: Oh, oh!

MR. SPEAKER: I think perhaps we ought to terminate the debate now without a concluding statement by the mover.

MR. R. SPEAKER: But Mr. Speaker, the hon. Premier says "nonsense" to this thing and I've asked

a question of the minister. Is he prepared to review any cases such as this, because the bankruptcy here is directly caused by the increase in gas price? Is he prepared to do a survey to review it?

MR. SPEAKER: The hon. member has asked that question. It's gone around a bit. Perhaps, as I say, he might deal with the topic in a different way.

#### **Bilingual Labelling**

MR. COOKSON: Mr. Speaker, I'd like to ask a question of the Minister of Federal and Intergovernmental Affairs. In view of the criticism expressed by small firms in some parts of Alberta with regard to the bilingual requirements, I wonder if the minister would comment whether his department has had any submissions from these firms on bilingual requirements in the province.

MR. HYNDMAN: Mr. Speaker, none have come to my attention. I'm not clear what bilingual requirements the hon. member is referring to. If he'd provide me with more details or information that these firms have received from the federal government, I'd be happy to follow them up. I've received no complaints personally.

MR. COOKSON: Mr. Speaker, perhaps I could add a supplementary to the minister. Recent requirements indicate that when firms are transporting their prepared products from one major centre to another within, for example, the province of Alberta, they are required under the new labelling requirements of the bilingual act to put on labelling in the two languages.

I just wondered whether the minister was aware of this particular requirement.

MR. HYNDMAN: Mr. Speaker, I wasn't aware that the bilingual act to which the hon. member refers had any requirement of that kind. Certainly, if there is major transportation of goods across Canada, I think most members would agree that's entirely reasonable and proper insofar as there are two cultures and two languages in this country. However, I'll follow it up with regard to transport within the province of Alberta.

#### **Deerfoot Trail**

MR. KUSHNER: Mr. Speaker, I wish to direct this question to the Minister of Transportation. Is the minister in a position to advise the House if the city of Calgary will be able to proceed with construction of Deerfoot Trail south of 17th Avenue S.E., due to budget restraints?

MR. SPEAKER: With great respect to the hon. member, that might be a question that should be addressed to the Calgary city council.

DR. BUCK: Maybe you could ask the minister responsible for Calgary affairs, John.

#### **Cow-Calf Industry**

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Agriculture. Is the Department of Agriculture monitoring numbers of beef cattle, specifically cow numbers for the province of Alberta and the expected calf crop for this coming year?

MR. MOORE: Mr. Speaker, I'd have to take that under advisement. I'm not sure to what extent monitoring is being done.

#### **Senior Citizens' Eyeglasses**

MR. TAYLOR: My question is to the hon. Minister of Hospitals and Medical Care. At the present time senior citizens buying eyeglasses must pay an 80 per cent allowance for the glasses. Then it's refunded by AHCIC.

Why is it not possible for the optometrist to bill AHCIC directly and save this extra bookkeeping?

MR. MINIELY: Mr. Speaker, that question has troubled me for the past 10 to 11 months. I have had the Alberta Health Care Insurance Commission examine it. The underlying problem is that the eyeglasses are provided under the extended health care benefits for senior citizens. All optometrists are not registered with the Alberta Health Care Insurance Commission. In other words, only those who are registered with the Alberta Health Care Insurance Commission can bill the commission directly, as opposed to the patient. It's a balance between allowing the senior citizen to deal with the optometrist or ophthalmologist he desires, even though that particular practitioner may not be registered with the Alberta Health Care Insurance Commission.

Nevertheless, I recognize the problem, Mr. Speaker. We're trying to see whether we can improve the particular situation the hon. member raises.

MR. TAYLOR: A supplementary. The unregistered optometrists cause the senior citizens a great deal of concern. Sometimes they buy glasses without knowing they're not registered.

Is there some reason all qualified optometrists should not be registered with AHCIC?

MR. MINIELY: Mr. Speaker, I think the actual conduct of a particular health profession within the province of Alberta is one that varies between different professions. The act under which they operate would more appropriately come under the jurisdiction of my colleague, the Minister of Social Services and Community Health. She may wish to make a comment on it.

MR. TAYLOR: A supplementary then to the hon. minister. Are there rigid requirements for optometrists registering with AHCIC? Why are some of them not registered?

MISS HUNLEY: I believe perhaps most optometrists who deal with Alberta Health Care would be registered, Mr. Speaker. But we were just discussing it,

which is one reason I didn't hear the hon. member's question.

I believe it's possible to get your prescription from an ophthalmologist and then have your glasses made by an ophthalmic dispenser. So there are always extenuating circumstances. The ophthalmic dispensers would not be registered with the Alberta Health Care Insurance Commission because, of course, there's no coverage under medicare for eye examination.

MR. TAYLOR: One further supplementary. How can a senior citizen know whether an optometrist or an ophthalmologist is registered?

MR. MINIELY: Mr. Speaker, I've tried to explain the nature of the problem to the hon. member. As I say, it is a situation where we're trying to allow the senior citizen to go to the optometrist or ophthalmologist of his choice.

The only way the senior citizen could know whether in fact that optometrist or ophthalmologist is registered with the commission — in other words, so the bill could be direct billed to the commission — would be one of two routes, either to determine that fact from the Health Care Insurance Commission, or to ask the optometrist or ophthalmologist involved whether he is directly registered with the commission.

#### **Business Bonding**

DR. PAPROSKI: Mr. Speaker, a question to the hon. Minister of Consumer and Corporate Affairs and/or the hon. Minister of Business Development and Tourism regarding small business, new Alberta business, and bonding.

Mr. Speaker, when an individual, an organization, or a company is refused a bond by a bonding company, when a business critically requires this for its operation, is there any recourse by the individual or organization to secure such a bond?

MR. HARLE: Mr. Speaker, I believe the legislation provides for an appeal mechanism.

DR. PAPROSKI: Mr. Speaker, is the minister aware of the fact that bonding companies have in fact refused bonds, with no explanation? Therefore corrections cannot be made.

MR. HARLE: I think the import of the member's question, Mr. Speaker, relates to the decision by a bonding company, which is entirely different from what I thought he meant when he asked the question. I think it is the bonding company's right to determine whether it will issue a bond.

DR. PAPROSKI: Mr. Speaker, I appreciate that comment. That is exactly what I was talking about. I wonder if the minister would clarify that particular point.

Is he aware of the fact that bonding companies refuse — and they indeed have that prerogative — but give no explanation for the refusal? Therefore the individual, small business, or new enterprise cannot make any correction in fact to secure a bond and

either goes out of business or doesn't maintain his business.

MR. HARLE: Mr. Speaker, a bonding company issues a bond on the basis of the applicant's ability to pay any claims against him. If a bonding company is refusing to issue a bond, it generally implies the credit isn't there.

DR. PAPROSKI: Mr. Speaker, that is exactly the salient point. The credit may be there. If the individual is not aware of the reason behind it, he can't make the correction.

Mr. Speaker, as a supplementary, will the hon. ministers review this important matter, with a view to correcting this issue or at least clarifying it? A supplementary. Will the hon. minister indeed review that matter?

MR. SPEAKER: The hon. member's supplementary is the same as the preceding question.

DR. PAPROSKI: With respect, sir, the minister is prepared to respond to that.

MR. HARLE: Well, Mr. Speaker, anyone refused a bond is refused by an individual bonding company. They can apply to another bonding company and maybe that other bonding company will see it a little differently.

DR. PAPROSKI: Mr. Speaker, on a supplementary. I'm sorry, that isn't the clarifying point. The other bonding companies may in turn also refuse and offer no explanation. That is the critical issue. The individual is left drifting with no way of correcting the issue. So would the minister kindly indicate whether he will review the matter?

#### **Deerfoot Trail** (continued)

MR. KUSHNER: Mr. Speaker, I'll take another shot at this one. I wish again to direct this question referring to the Deerfoot Trail to the Minister of Transportation. If the money would be made available by the provincial government, if the city desires to proceed with the construction of the Deerfoot Trail south of 17 Avenue S.E., Mr. Speaker, would the minister clarify? I know there has been some problem with design; has that been rectified?

DR. HORNER: Mr. Speaker, I might say that I think it was 1974 when the government announced its urban transportation policy and outlined the amount of money that would be available for major trunk roads for a five-year period. That money continues to be available. Therefore Calgary could proceed, if it so desired, with another stretch of the Deerfoot Trail south of 17th Avenue. The question of the final alignment of the Deerfoot Trail has been the subject of meetings between myself and the mayor, and additional meetings will be held with city council. Our officials are working on it. We hope to come to a resolution of the matter in the coming months.

**Driver Attitudes**

DR. WEBBER: Mr. Speaker, my question is to the hon. Deputy Premier, the Minister of Transportation. As a result of the recent Calgary Chamber of Commerce traffic study, does the minister anticipate legislation in the near future which will reflect the chamber's recommendations?

DR. HORNER: Mr. Speaker, I'm not really conversant with the recommendations the hon. member alludes to, but I'll become conversant with them and then give him an answer.

DR. WEBBER: Supplementary, Mr. Speaker, to the hon. minister. In view of the report's concern regarding driving attitudes, is the minister's department planning to undertake any study of driving attitudes in Alberta?

DR. HORNER: On that more specific, Mr. Speaker, yes. As mentioned in the Speech from the Throne, we believe our approach to traffic safety has to start by trying to educate and motivate the drivers in this province to develop those safety habits. So we quite agree with that particular suggestion.

DR. WEBBER: A further supplementary, Mr. Speaker. Is there any intention to emphasize to a greater extent driver education in Alberta high schools? Maybe the question should go to the Minister of Education, I'm not sure.

DR. HORNER: Mr. Speaker, we'll be discussing that with the Minister of Education. One of the things we're going to have to do to improve driver attitudes and education is to have better driver training schools. Whether they can be associated with the high school curriculum, I'd have to have further consultation with my colleague, the Minister of Education.

**Check Stop**

DR. WEBBER: One final supplementary, Mr. Speaker, to the hon. Solicitor General. Are there any plans to extend the Check Stop program to hotel parking lot exits?

MR. FARRAN: Mr. Speaker, there is no prohibition at the moment on the police putting a Check Stop outside a hotel. The actual tactics the police use from time to time in the drive against impaired drivers rest with the particular chief of police concerned, although I will take this suggestion of the Calgary Chamber of Commerce under advisement.

**Dairy Industry**  
(continued)

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Agriculture to clarify some questions with respect to market sharing of industrial milk. Can the minister advise the Assembly whether he has any figures on how Alberta's cutback compares with cutbacks in other provinces? Is the

minister satisfied that the cutback, as regards Alberta, is fair in relationship to other provinces?

MR. SPEAKER: With great respect to the hon. member, this sort of question is cropping up with increasing frequency. The question period is really not the time to seek the opinions of ministers. It's really a time to seek facts of an urgent and up-to-date nature.

MR. NOTLEY: Mr. Speaker, perhaps I can rephrase the question, because it is a matter of some urgency and some interest. My question is: does the minister have any statistics or information on how the proposed cutback in the market sharing quota for industrial milk in Alberta compares to other provinces?

MR. MOORE: Mr. Speaker, from my information at least, the total allocation of market share quota throughout Canada will be allotted evenly amongst provinces. Our industrial milk production would be subject to market share quota for the 1975 calendar year. It was about 26.5 million pounds. Although it's not finalized yet, we would expect to have a market share quota this year of about 24 million pounds. You could expect, Mr. Speaker, that other provinces would have a similar percentage cutback from their production in 1975.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. During the discussions with federal officials, has any formal representation been made at this point in time with respect to the unilateral nature of this cutback?

MR. MOORE: Mr. Speaker, I don't know whether the hon. member is referring to the cutback in quota or in subsidy.

MR. NOTLEY: Mr. Speaker, I'm really referring to both, although I want to talk about the subsidy, separately and apart.

MR. MOORE: Mr. Speaker, if formal protest or formal discussion involves face-to-face meetings with the federal Minister of Agriculture, yes.

MR. NOTLEY: Mr. Speaker, a final supplementary question to the hon. minister. Is he in a position to advise the Assembly what reasons were advanced for the cutback in subsidy?

I can understand the reasons for cutting back the market share. I understand there is overproduction. What were the reasons advanced by Ottawa for this very substantial cut in the subsidy?

MR. MOORE: Mr. Speaker, no reasons whatsoever were advanced before the Prime Minister's television address in early December 1975.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Have we, as the Government of Alberta, formally protested the decision to cut back the subsidy?

MR. MOORE: Yes, Mr. Speaker.



**PUB Guidelines**  
(continued)

MR. FOSTER: Mr. Speaker, earlier in the question period, the hon. Leader of the Opposition asked me a question concerning the Public Utilities Board and the rates which he referred to as special arrangements with Syncrude. I expressed the opinion that I could not give an opinion as to how the Public Utilities Board might react to the circumstances to which the leader referred.

In saying that, I am saying there is in fact no relationship. Not only is it improper for me to express a view as to what the opinion of the Public Utilities Board might be, but I should go on and underline the fact that Syncrude's private commercial arrangements and interest in the Public Utilities Board are, in this matter, two separate issues. Perhaps my colleague, the Minister of Energy and Natural Resources, might expand on that.

MR. GETTY: Yes, Mr. Speaker. I should draw this to the attention of the House. We refer to this as the utilities plant for convenience, Mr. Speaker. We refer to this as a utilities plant, but in some ways that's a misnomer because we use that term to help identify what really is a low-risk portion of the overall Syncrude project. In many ways, it's part of the process. It supplies electricity, true, but also provides steam in the process.

There are many, many connections between the two. In some ways, it's been an engineering problem to identify where this low-risk portion is separated from the main Syncrude project itself. In coming up with the agreements, it has been a problem how to determine where ownership of one stops and the other proceeds. While we refer to it as a utilities plant for convenience sake, there really is no comparison with utilities of the type that the PUB normally deals with.

## ORDERS OF THE DAY

### head: WRITTEN QUESTIONS

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

- (1) How many civil service staff positions will be abolished as a result of the contracting of food, laundry, and housekeeping services to VS Services Ltd. at ASH/Deerhome in Red Deer?
- (2) How many civil service positions will be created for ward, counselling, and administrative services as a result of the construction of group homes at ASH/Deerhome during:
  - (a) 1975-76,
  - (b) 1976-77,
  - (c) 1977-78,
  - (d) 1978-79,
  - (e) 1979-80?

MR. NOTLEY: Mr. Speaker, if I may rise on this particular question. I have discussed the matter with the hon. minister. The minister would like to make several amendments in it.

Now we really have two choices. I could withdraw

it and resubmit it as a motion for a return, or if the Assembly were to give unanimous consent, we might be able to treat it as a motion for a return, then the hon. minister could appropriately amend it. We talked about her amendment. I agree with the amendment, and she agrees to take the question as amended. So I leave it to your discretion, sir, as to which approach we take.

MR. SPEAKER: I would really think it would be the choice of the hon. member. If he wishes to have the matter go by way of a motion for a return, it would require the unanimous consent of the Assembly, and we'd have to give it a place among the motions for returns. Or, if he has unanimous consent — the Assembly of course can do just about anything by unanimous consent — the question could be amended and retain its place on the Order Paper. I really don't know which would be more convenient for the hon. member. But as I say, either option would be open with unanimous consent. Otherwise, I would suggest that the question might be withdrawn and resubmitted either as an amended question or as a motion for a return.

MR. NOTLEY: Mr. Speaker, to ease matters, there's no major problem. I'll withdraw it and resubmit it the following day as a motion for a return.

133. Dr. Buck asked the government the following question:

How many applications were received for the position of director of the Fort Saskatchewan Correctional Institution with regard to the vacancy which was filled by Mr. Justin Anderson?

MR. FARRAN: We accept the question, Mr. Speaker.

### head: MOTIONS FOR RETURNS

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

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

Each grant given for the furtherance of the Ukrainian Village development east of Elk Island National Park from September 1, 1971, to March 4, 1976, including the amount of each grant, the specific purpose of each grant, the date on which each grant was given, and the name of the person or organization receiving the grant.

MR. FOSTER: May we ask that Motion 118 stand, please?

MR. CLARK: Mr. Speaker, might I comment on the request by the acting Government House Leader? We have no objection to 118 standing, but we would hope that, as has happened in the last few days, we don't get into a situation of your asking for a number of motions for returns to stand unless, in fact, there is something wrong with the motion for a return. We would like some of the information for the study of the estimates. That's the reason for trying to get it fairly early in the session.

MR. FOSTER: Mr. Speaker, if I may respond, I think the hon. leader raises an appropriate question. There has been an expectation in this House, I think, that motions for returns, once on the Order Paper, should be dealt with promptly by the House. To a large measure we have attempted to accommodate the opposition in that regard.

We find, however, that some of the motions for returns need a fairly careful review by the ministers involved to ensure, for example, that the information sought is in fact available. So we ask that they stand on the Order Paper until we've had a chance to see whether or not we can accept them. We don't wish to imply in any way or give the House the impression, Mr. Speaker, that we intend to delay or obstruct the proceedings of the House in any manner.

We'll endeavor to be conscientious and thorough in dealing promptly with motions for returns, but we do need some time to determine whether or not they are acceptable to us. It would be my intention at the outset of Motions of Returns, Mr. Speaker, to rise in the House and indicate to the House which motions we'd like to stand. I wouldn't think they would stand longer than a week. But it's certainly more than the one day's notice we've been receiving in the past.

MR. CLARK: Mr. Speaker, can I make just one further comment on this almost mini-discussion? I can appreciate the points raised by the hon. Attorney General, but let me say it's more than a coincidence. On some occasions it's a matter of four or five motions in a row that are asked to stand. It isn't a matter of clarifying information on all four of them. It just doesn't happen that those four or five in a row all have to have the information checked out in that detail.

As long as we don't get into a situation where there are long delays, all well and good. I think the minister can appreciate, too, that it's the only way the opposition has, in some cases, of getting information with regard to certain estimates or bills. If we are prepared to agree to this, Mr. Speaker, I would expect in the course of this session that the government would be prepared to hold certain bills until we get some returns, or hold estimates until we get some of the information by motions for return.

MR. FOSTER: Mr. Speaker, if the Leader of the Opposition, or for that matter any member of the opposition, feels there has been an unwarranted delay in an individual motion for a return, I'm sure the Government House Leader or myself would be happy to discuss it, discover what the delay might be, and explain it.

I say frankly: we really need some time to assess the available information. Sometimes, ministers aren't available or won't be available in time to deal with the motion when we address our minds to it in caucus. Mr. Speaker, I give the House the assurance that we will certainly not attempt to delay the proceedings of the House. We recognize the opposition needs this information, or they feel they do, and we will not be delaying.

MR. CLARK: You had it right the first time.

MR. SPEAKER: Then if we may deal with the matter, does the Assembly agree that Motion No. 118 should stand and retain its place on the Order Paper?

HON. MEMBERS: Agreed.

MR. FOSTER: Mr. Speaker, I move that the following motions for returns stand and retain their place on the Order Paper: 123, 128, 129, 130, 131, 134, and 135.

[Motion carried]

119. Mr. R. Speaker proposed the following motion to the Assembly:

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

- (1) The amount of money expected to be saved by the Government of Alberta as a direct result of the contracting of support services at Alberta School Hospital/Deerhome during the 1976-77 fiscal year;
- (2) A financial statement of the operations of Alberta School Hospital/Deerhome, which would outline the costs for support services:
  - (a) during the 1974-75 fiscal year,
  - (b) during the 1975-76 fiscal year,
  - (c) projected for the 1976-77 fiscal year.

MISS HUNLEY: Mr. Speaker, I wish to propose an amendment to that motion. It reads as follows: in Section 2, following the word "statement", to include the words "or cost estimate".

Mr. Speaker, the reason for that is so the information can be provided prior to the audit of the '75-76 year, which the term "financial statement" might indicate is expected. Of course, it isn't available as of today when we acknowledge this motion. I have the amendment here.

[Motion carried]

122. Mr. Mandeville proposed the following motion to the Assembly:

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

1. The number and total amount of all loans given under the cow-calf producers advance program during the period November 1, 1974, to November 15, 1975;
2. The number and total amount of all loans referred to in (1) which were completely repaid as of November 15, 1975;
3. The number and total amount of all loans given under the cow-calf producers advance program during the period November 15, 1975, to January 31, 1976;
4. The number and total amount of all loans referred to in (1) which were repaid with funds mentioned in (3).

MR. MOORE: Mr. Speaker, I'd like to move an amendment to Motion No. 122, which I've discussed with the hon. member. Before doing so, I'd like to give a brief explanation why that's required, and provide hon. members with some additional information with regard to the cow-calf advance program, which may help answer No. 4.

First of all, Mr. Speaker, with respect to item No. 1, the amendment simply proposes to change the date November 15 to January 31, 1975, which would effectively include the entire 1974 cow-calf advance program. With respect to item No. 2, once again the amendment changes the date to October 31, 1975, from November 15, 1975. We simply do not have the figures for mid-month. But we can provide them on an end-of-month basis. The same with respect to item No. 3, Mr. Speaker: we want to move the first date to November 1 rather than November 15, because that is when the program started. Item No. 4: I am informed we do not have the figures available, nor are we able to get figures in that regard. But I would like to outline for hon. members the position of the 1974-75 program as of March 18.

As of that date, we still had outstanding 1,075 loans, amounting to \$3,117,567, of the \$47 million which was lent under that program. As of March 18, we've received 140 claim from lending institutions against the guarantee, totalling \$396,485. As these claims for guarantee cannot be made earlier than 90 days after the maturity date of the loan, we anticipate that a number of additional claims will be received up to about the middle of May.

At present in the 1975-76 program, Mr. Speaker, we have received 9,982 completed applications from the banks, totalling \$33,328,272. We still have a small number of banks which have not submitted their records to us, so this total could increase slightly. As hon. members would know, the program was effective until January 31, 1975. We would anticipate the total would not exceed \$33.5 million.

The comment I want to make relating to the hon. member's question No. 4 is that when we take the 1974-75 total of \$47 million lent, less the \$33 million in new loans and the \$3 million unpaid to date, we see that a minimum of \$10 million of the '74-75 program was repaid without rollover, without taking out a new loan.

Mr. Speaker; to make it simple, I have copies of the amendment, which strikes out Sections 1, 2, 3, and 4, and inserts the following:

1. The number and total amount of all loans under the cow-calf producers advance program during the period November 1, 1974, to January 31, 1975;
2. The number and total amount of all loans referred to in (1), which were completely repaid as of October 31, 1975;
3. The number and total amount of all loans given under the cow-calf producers program during the period November 1, 1975, to January 31, 1976.

[Motion carried]

124. Mr. Mandeville proposed the following motion to the Assembly:  
That an order of the Assembly do issue for a return showing:

1. The total cost of advertising in journals, newspapers, and periodicals for senior management positions in all government departments, boards, and agencies for the fiscal years 1974-75 and 1975-76.
2. The total cost of advertising in journals, newspapers, and periodicals published outside

of Canada for senior management positions in all government departments, boards, and agencies for the fiscal years 1974-75 and 1975-76.

3. The names of the journals, newspapers, and periodicals published outside of Canada in which advertisements for senior management positions for all government departments, boards, and agencies during the fiscal years 1974-75 and 1975-76.

[Motion withdrawn]

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

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

- (1) The locations of all airports and airstrips in Alberta receiving provincial funding on which construction was completed during the fiscal year 1974-1975;
- (2) The locations of all airports and airstrips in Alberta receiving provincial funding on which construction was completed during the fiscal year 1975-1976;
- (3) The locations of all airports and airstrips in Alberta receiving provincial funding which were under construction during the fiscal year 1975-1976;
- (4) The amount of provincial funding in each airport and airstrip in Alberta referred to in (1), (2), and (3).

DR. HORNER: I'm delighted to accept that, Mr. Speaker.

[Motion carried]

#### head: **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

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

Be it resolved that a select committee of the Assembly be established to recommend on:

- (1) The use of ordinary language in legislation and legal documents as opposed to formal legal language;
- (2) Whether the best balance between public understanding of the law and legal correctness is established by the current use of formal legal language;
- (3) Changes in specific methods of drafting;
- (4) The better use of introductory notes during the passage of bills through the Legislature;
- (5) How to increase public understanding of new laws by the use of White Papers or Draft Laws.

MR. HORSMAN: Mr. Speaker, in moving Motion No. 1 standing in my name on the Order Paper, I wish first of all to say how pleased I am to have this first hour of Tuesday afternoon to make some preliminary remarks and hopefully to encourage some debate in the Assembly on this matter of real concern to all of us as legislators.

May I first read briefly from *The Composition of Legislation*, a book by a gentleman known as the dean of Canadian legal draftsmen, Professor Elmer

Dreidger:

Anyone who wishes to understand a statute must be willing to spend a little time with it, reading it through, slowly and carefully, from beginning to end, and then re-reading it several times. Of course, the ordinary reader will not be able to grasp its full implication[s] and he will have difficulty in applying the statute to an actual case. But that situation he must accept.

Well, Mr. Speaker, applying that concept to a quotation of a British law found in *The Guinness Book of Records*, which many of you are familiar with, I'd like just to cite what is cited in this book as the world's "Most inexplicable Statute":

Certain passages in several Acts have always defied interpretation and the most inexplicable must be a matter of opinion. A Judge of the Court of Session of Scotland has sent the Editors his candidate which reads, 'In the Nuts (unground), (other than ground nuts) Order, the expression nuts shall have reference to such nuts, other than ground nuts, as would but for this amending Order not qualify as nuts (unground) (other than ground nuts) by reason of their being nuts (unground).'

Well, I would suggest to all members of the Legislature that anyone who wishes to understand that statute must not only read it through carefully, but must get an interpretation from the best lawyer in the country. At any rate, that is known as the ground nuts order. I hope hon. members will do all they can to prevent that type of legislation from creeping into our Legislature and the legislation we enact.

My reasons for introducing this motion are several, Mr. Speaker, but first of all, may I state that my main concern is my respect for the English language. We really have at our command, or at least at our disposal, one of the finest languages ever invented for communicating between people. But to do so, I suggest it is best done simply.

One of the greatest of all English statesmen, parliamentarians, authors — one of the greatest Englishmen of all time — Sir Winston Churchill, is well known for the fact that when he spoke and wrote, he did so with great simplicity. I think all of us as legislators can learn a real lesson by reading what he had to say and what he had to write. In his writings and speeches you will find occasions when he decries the introduction of new words which mean little. I would hope that some of the educators in Alberta today might take that to heart.

Reading the histories of World War II and of the English-speaking people, published by Sir Winston Churchill, one can only appreciate the clarity of thought and the simplicity of expression in getting his point across to his readers.

Secondly, Mr. Speaker, my profession as a lawyer has brought me into close contact with statute law and case law throughout the years. I've been concerned, and I was concerned in law school, about the fact that it was hard to understand and appreciate some of the meanings in statutes.

Latin, for example, has fallen somewhat into disuse, and I certainly applaud that. After all, how does the average member of the public understand even things as simple to lawyers as *quid pro quo* and *nunc pro tunc* and all those simple little items lawyers bandy about and sometimes appear in statute

law?

In the day to day practice of law, I've come across many cases where people are confused and, of course, are forced to come to lawyers for legal advice on simple matters. I, of course, have been paid for my services. But really, Mr. Speaker, I don't think it's necessary, in many cases, for statutes to be so complex that it's necessary to receive professional help.

What we do as legislators, of course, is very important to the average citizen of this country. [Let us] keep in mind the concept, which has run throughout the thread of English jurisprudence, that ignorance of the law is no excuse. When we take that concept — and it is enshrined, as a matter of fact, in the Criminal Code of Canada — and place that up against the complicated laws we are passing every day, I think we have an obligation, a duty, and a responsibility as legislators to do our best to make sure the laws we enact are simple and easily understood.

One of the most interesting programs, I am sure, on television in Canada today is the CBC program *This Is The Law*. I am sure that program has illustrated quite clearly to all of us who have watched it the inconsistencies and, in fact, the stupidities that exist in our laws in Canada today. As legislators and law-givers, we must realize that we have a responsibility, because the origin of legislation is right here in this Chamber, in chambers like it in other provincial legislatures throughout Canada, and in the House of Commons in Ottawa.

In dealing with my role as a legislator since arriving here approximately a year ago, in dealing with the language we have to examine in statutes, thank goodness we have caucus discussions on these matters so we can sort them out. I've often said to constituents and people throughout Alberta that these caucus meetings of ours are a terrific thing. Unfortunately, of course — or fortunately, depending on your point of view — they can't be seen and heard by people throughout the province. As we discuss them in caucus, we iron out our problems. We progress them through the House. On some occasions, the speed with which we have to deal with legislation is regrettable. I suggest that we as legislators have to expect that individuals and groups will obey the law. How can we expect that obedience if we as legislators ourselves do not fully understand and appreciate the consequences of the laws we pass? Nor do we appreciate the language and understand it.

In my resolution, Mr. Speaker, I've referred to the use of ordinary language in legislation and in legal documents. What I am doing there particularly is referring to legal documents required by legislation. I could cite many examples. The Land Titles Act contains certain provisions regarding requirements and documents such as mortgages, leases, and so on. Insurance legislation has requirements with regard to standard form contracts.

The pages this afternoon have, I hope, circulated a page out of *Time* magazine of September 22, 1975. I hope hon. members will look at this as an example of the type of legislation being introduced in some other jurisdictions to simplify the language. One can see how simple the thought really can be, as opposed to the antiquated legal language attached to some legal

documents. I hope the hon. members will keep that in mind as we progress through some of our legislation.

It's rather interesting to note, Mr. Speaker, that the personal loan note of the First National City Bank, under the proposed note, quite simply says: "I'll be in default: 1. If I don't pay an installment on time, or 2. If any other creditor tries by legal process to take any money of mine in your possession." How much simpler could that be, as opposed to the lengthy legal paragraph demonstrated there? I applaud that type of change in the law. I hope we will keep that in mind as we deal with statutes, which we will be required to do from time to time.

I am not suggesting that our select committee should go out and try to cure lawyers of their bad habits. I'm only referring in this motion to legal documents which are required by statute or which have a statutory base.

I would like to see us as well, Mr. Speaker, in using terminology in our statutes, to reject the use of certain words which have ancient meanings. I'd like to give you some examples of those. The words "mortgagor" and "mortgagee" are found in our statutes. I always have to stop and think what those words mean. They mean borrower and lender, but they can be very confusing not only to laymen but to the average lawyer practising law in this province. I consider myself an average lawyer and they confuse me.

Another couple of words I'd like to see changed in our statutes are "transferor" and "transferee". Quite simply, why don't we say seller and buyer? "Lessor" and "lessee": why don't we say landlord and tenant? We have The Landlord and Tenant Act. Why don't we use the same terminology where the terms appear elsewhere in our statutes? Then the classic one of all, which totally confuses me: "grantor" and "grantee". Those terms appear in many of our statutes. I should like to see those terms put into ordinary English.

In the proposal I have advanced in my motion, Mr. Speaker, I have suggested the establishment of a select committee. In that respect, I would like to refer the hon. members to the study which was published last year by the Mother of Parliaments, the Lords and Commons of the United Kingdom. In 1973, after 100 years, as a matter of fact — the British perhaps don't move as quickly as we might in Alberta — the United Kingdom Houses of Parliament established a select committee, comprised of representatives of both the Houses of Lords and Commons. This report appeared two years later in 1975. It is known as the Renton Report on the Preparation of Legislation.

This report has been kindly loaned to me by the Law Clerk of the Assembly. I've had an opportunity of reviewing this, Mr. Speaker. I think it's interesting to note, when the committee was established in 1973, the terms of reference were given as follows:

"With a view to achieving greater simplicity and clarity in statute law, to review the form in which public Bills are drafted, excluding consideration of matters relating to policy formulation and the legislative program; to consider any consequential implications for parliamentary procedure; and to make recommendations."

The report goes on to say, as I've already said, that no inquiry of this kind had taken place for 100 years,

[since] the last select committee of the House of Commons in 1875.

Now this report, of course, is not entirely applicable to the Canadian or Alberta situation because, of course, it deals with the statutory process that operates with the two Houses: the Lords and Commons. And, of course, it is broken down in many areas to the various laws which relate to Scotland, and so on. But it is a useful document to anyone interested in studying the concept of preparation of legislation and legal drafting.

I would like to point out, of course, that the problems differ considerably in this province as opposed to the United Kingdom. In the United Kingdom there are 80,000 pages of legislation requiring consolidation. In the province of Alberta, we only have 12,000 pages of legislation, including old private acts. That, of course, is a fair quantity in itself.

I'm getting notes here, Mr. Speaker, some of which I couldn't possibly read into the record.

AN HON. MEMBER: Agreed.

MR. HORSMAN: Mr. Speaker, then we come to the question of regulations in this province. The fact of the matter is that the regulations take up more space on the bookshelves in this Legislature than do the acts and the statutes themselves. I wish to touch briefly on the regulations, because I think we must recognize that those matters do not require legislative approval. But I think as legislators, we must insist that they also be drafted in the simplest and clearest language possible.

The Renton report and other documents relating to this area of concern point out the real problem that exists in this area. Whereas on one hand we are seeking simplicity and understanding by the average citizen, we must at the same time have legal certainty. There, of course, is a dilemma. Lawyers, judges, indeed the public, demand that the laws be certain. Mr. Speaker, what we have done in the English system is add everything we can possibly think of. Therefore, in statutes such as highway legislation, we find highways, streets, roads, alleys, walkways, pathways — every other kind of thing you can possibly think of — on the old rule that if you don't include everything, you're making some horrible mistake. There's a Latin term for it which I really daren't use, because I think I would be defeating the purpose of my motion if I did.

DR. PAPROSKI: *Ad infinitum*.

MR. HORSMAN: *Ad infinitum* says my learned colleague here.

I'd like to refer to another study if I may. This is a book entitled *Access to the Law*, published in Canada recently by M. L. Friedland, the dean of the university law school. I'll just hold it up so everyone can see it when they want to go and get it in the library. It's available in the Legislature Library. Some interesting statements are made in that study. The book says that the citizens of Canada are entitled to access to the law. That means that they should be able to know where to find an answer to their legal problems.

The study indicates that they went out and asked 100 people in parts of Ontario where they would go

to find answers to a set of selected problems. I was quite astonished to learn that of these 100 people, only 10 per cent would consider going to a lawyer for advice. The reasons given for this — I know some members will applaud — are . . .

DR. BUCK: The fees are so high.

MR. HORSMAN: That's been suggested on many occasions, Mr. Speaker. The question of legal fees scares people off. In fact, there are many indications that it's a lot cheaper to get some good advice at the beginning, rather than get involved in a law suit at the end.

AN HON. MEMBER: Hear, hear.

MR. HORSMAN: I'm sure any dentist — although I'm digressing — would appreciate the concept of preventive medicine. The same applies to law.

AN HON. MEMBER: It's like fluoridation, Walt.

MR. HORSMAN: Mr. Speaker, if I may quote briefly from the introductory chapter to the book, *Access to the Law*:

The state has an obligation to ensure that its laws are available in an understandable fashion to laymen.

This proposition may appear [to be] self-evident; yet very little attention has been given to accomplishing this objective in Canada . . . In fact, very little attention has been given to making our laws comprehensible even to lawyers.

DR. PAPROSKI: Amazing.

MR. HORSMAN: We find this quotation in the same book, dealing with possible solutions to the problems which exist with regard to making law available to the average citizen. I think it is very interesting.

One obvious method of giving citizens access to the law is through lawyers. But even if it were practical to do so, it is surely wrong in principle to preserve the law in a form that only lawyers can find and interpret. We should not require high priests to keep the law.

Moreover, there are probably too few lawyers to go around.

And I agree.

DR. PAPROSKI: Around where?

MR. HORSMAN: It has been shown that in 1971, there were only 13,200 lawyers in all of Canada. There are more lawyers practising in the state of Ohio, with half the population of Canada, than there are in our whole country. Therefore, I think we must look towards obtaining some better method of making the law available to the public than through law firms or individual lawyers.

Mr. Speaker, I'd like to cite also some of the examples I have found in the same book, *Access to the Law*, of the errors draftsmen make. If I may just backtrack for a moment, the study found there are statutes available throughout the country in certain places — libraries, police stations, various other

public bodies, the library here, government offices, and so on. But it has been stated, and I agree:

Almost all the people we encountered at various information sources agreed that the major problems with the present form of statutes are their technical and convoluted language, the inadequate or non-existent indexing, their complex structure, and the difficulty in keeping track of recent amendments.

Going on in the same text, I'd like to quote an example of the type of problems we run into with legislative drafting. Mr. Speaker, as I read this book, it struck me that what we are doing as lawyers and legislative draftsmen — we're doing it backwards. We're trying to put the law forward in a backward manner. An example from a statute says:

Where the number of directors of a corporation is more than six, and if authorized by a special bylaw, the directors may elect from among their number an executive committee.

How much easier would that have been had the sentence been reversed to read this way:

The directors of a corporation may elect an executive committee from among their number where the number of directors of a corporation is more than six and if authorized by a special bylaw.

Again, this example:

Where proceedings have been stayed, and if default again occurs under the mortgage, upon application the court may remove the stay.

How much better would it read if it were read this way:

The court may, upon application, remove a stay of proceedings if default again occurs under the mortgage.

I would suggest those are a couple of examples we might well follow in drafting legislation in order to achieve the clarity and understanding we're looking for, and at the same time provide the certainty in law that lawyers, judges, and the public demand.

Two other matters are raised in both these studies, which I think are of considerable interest to anyone dealing with the law in statute form. One is the question of indexing. The lack of indexing in many jurisdictions is really remarkable. If I may just cite an example that I found in one of these books. An example is that under the indexing of federal laws, legislation dealing with the topic of civil rights has only one reference. That reference to civil rights refers to the War Measures Act — one reference to civil rights. Yet we all are aware of the Bill of Rights, which of course deals with civil rights. And of course the British North America Act deals with civil rights and puts that within the jurisdiction of the province. But that's only one example of the failure of indexing. In our province I think perhaps we are more fortunate than some other jurisdictions in that our indexing system is fairly good and fairly up to date. Nevertheless, a great improvement can be achieved if the public can find properly indexed references to statutes affecting them.

I'm aware, Mr. Speaker, that in this province we are at the present time looking at the introduction of computerization of our entire body of statute law. I suggest that will be a step forward. A step forward as well will be the introduction, hopefully by 1980, of a loose-leaf system of amendments so that the *Revised*

*Statutes of Alberta* will be readily available in loose-leaf form. As new amendments are passed, the old pages are removed and thrown away. The law is kept up to date that way. Many legal texts are now published that way. I suggest our province could take a lead in speeding up the process of going into a loose-leaf system perhaps a little earlier than 1980, although 1980 is not too bad a date when one deeps in mind how slowly these things can be attended to.

My motion, Mr. Speaker, has the following key words that I would like the members of the Assembly to consider. The [first] key word is "ordinary language". It is very important that the average layman be able to understand something by reading it, not reading it and rereading it as Professor Dreidger suggests — "ordinary language".

In today's society, of course, we are finding the attempt to introduce some rather extraordinary language by the bureaucracies which exist in many departments. I don't really want to single out the Department of Advanced Education and Manpower, but my experience on the Board of Governors of Medicine Hat College, Mr. Speaker, did not encourage me to believe that 'departmentalese' or 'educationalese' was doing anything whatsoever to benefit the English language, or to benefit understanding by the average citizen of the laws of the province.

The second key word is "public understanding". The third key, of course, is "legal correctness". There we must, if we establish this select committee, move towards a balance between those two areas. I suggest it can be done without too much difficulty. But we will, no doubt, obtain arguments — perhaps largely from the legal profession — that legal correctness requires complexity. As one member of the bar practising in this province, I disagree.

Furthermore, I suggest reports such as the Renton Report on the Preparation of Legislation, the book *Access to the Law*, many other studies, and many other legislators will concur with me in this: it is not necessary to complicate the law to the extent that the public is confused. We have an obligation and a responsibility to undertake this study now, so that we can, as Albertans, achieve an understanding, provide the necessary tools for legal interpretation, and deal with the question at the earliest opportunity.

May I just say this in concluding: the final paragraph of my motion reads: "How to increase public understanding of new laws by the use of white papers or draft laws". The concept has been utilized in this province in the last year on two occasions to which I wish to refer specifically. The Alberta heritage savings trust fund act was introduced at the fall session of the Legislature and publicized. That was a draft law. The white paper published by the Department of Advanced Education and Manpower was another example. The difficulty with that approach, of course, is that it is time consuming, and it is not possible to deal with law quickly. Therefore, Mr. Speaker, while I endorse that concept, I must add the caveat that that type of approach would result in delay in passage of statutes.

May I ask the hon. members of this Assembly, therefore, to debate this issue, and hopefully to [give] their support so we may proceed to remove some of the obstacles that exist today in public understanding of the laws of the province of Alberta.

DR. WALKER: Mr. Speaker . . .

MR. SPEAKER: I hesitate to interrupt the hon. member, and I'm not suggesting we should allot the blame anywhere, but in view of the clock having stopped, would the Assembly agree that perhaps we might substitute the Speaker's watch?

HON. MEMBERS: Agreed.

MR. SPEAKER: According to the Speaker's watch, it's now nine and one-half minutes after 4.

HON. MEMBERS: Agreed.

MR. HORSMAN: Mr. Speaker, I thought the thing was wrong.

DR. WALKER: Mr. Speaker, in responding to the resolution by the hon. Member for Medicine Hat-Redcliff, I would like to support him in his efforts as a lawyer and as an MLA to do the legal profession out of some business.

It was once said that the Lord wrote ten commandments, and we have 80,000 laws to expound on them. The importance, of course, of the Ten Commandments is that they were written in simple, non-legal language which everybody could understand. Let me give you some recent examples of what I mean:

On March 12, the Votes and Proceedings of the Assembly states on page 5:

When Government Designated Business is called the Assembly shall consider any item of business which the Government Whip has designated by giving written notice to the Clerk prior to 12 noon on the previous Friday of his designation of any Motion other than a Government Motion or any Government Bills or Orders or any Government Motion from those set down on the Order Paper for that Friday.

There isn't a comma, a full stop, a pause, or anything else in the whole thing. It's just all one, big, long sentence,

Now let me quote to you from Bill 1, passed in June last year — I don't know how it ever got through here:

- (2) The jurisdiction of the Local Judges of the Supreme Court extends to the exercise of all powers and authorities, the performance of all acts and the transaction of all business that may be exercised, performed or transacted by
  - (a) the Supreme Court or a judge thereof
    - (i) under the Divorce Act (Canada), or
    - (ii) in the exercise of any inherent power under any statute or law of Alberta or Canada including the making of an injunction or a judgment or order in the nature of certiorari, prohibition, mandamus, habeas corpus or quo warranto in any matter, or
  - (b) by a judge of the Supreme Court acting as a persona designata under any statute of Alberta or Canada.

Then somebody had the audacity to put a little note on the bottom, "This amendment clarifies". I don't know what the heck it clarifies. They could have just said that the judge has jurisdiction in all matters that come before him. That's really what the whole thing

says.

In trying to be precise and to cover every possible alteration of our laws, we have made them as unintelligible to iatologists and agrolologists as the hieroglyphics on an obelisk are to an Australian aborigine. If that's a little vague, maybe we could get some of the legal drafters to interpret it for us.

Mr. Speaker, the medical profession has a language all its own, too. It takes us many years to learn it, just as it does with the legal profession. But when we try to communicate with our patients, we do not use great, long, Latin words. We do try to explain an illness or symptoms in plain English which everyone should understand.

Laws are made for everybody. Therefore they should be written in an idiom that every lay person can understand. The English language is an enormous hodgepodge of many languages, changed and varied by English-speaking nations everywhere and in many eras. For almost every word there is an alternative — one usually well known, the other interpretable only by scholars. And the law affects a great many non-scholars in our community.

If we were to stack up all the regulations and legislation studied and amended by this Legislature in the past year, I think the pile would be up over the top of my desk. There were 850 new pages added to the Alberta *Statutes* last year. In our efforts to be precise, we have become somewhat less decisive. But surely we have some faith in our judges to interpret the basic meaning and intent of an act.

I well recognize the concerns of opponents to this view that this type of legislation may bog down the courts with precedents, et cetera. But surely a sensible compromise can be struck. The whole problem we're looking at now is similar to the soul-searching decision the Catholic Church made a few years ago when it switched from Latin to the vernacular.

But you know, if we really want to sell the product, we could go out and use a bit of slang here and there. Then we could take the Premier's Bill 1, and instead of saying The Statutes Repeal Act, 1976, we could call it The Ain't Any Good No More Laws Forget It Act. And instead of saying, "Her Majesty, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows", we could say, that dear old gal back in the old sod, with all those guys sittin' on their rear ends up in Ukrainian country, telling her how to cut the mustard would say this.

Seriously, though, the use of overformal and exaggerated English is often very restrictive to people's understanding of the law. If he is unable to understand the law, how on earth can he expect to obey it and respect it? The report of Sir David Renton, referred to by the hon. Member for Medicine Hat-Redcliff, expounds on these premises in great detail.

In the great volumes of detail we put into our legislation, we often lose sight of the broad principles of the legislation we are trying to enact in the first place. There are two great objects in a bill. First, it is future law; secondly, it is a proposal submitted for the favorable consideration of the Legislative Assembly. Surely the interests of those ultimately affected by our legislation are more important than the legal palaver presented to the Legislature that is often understood only by the minister and a few lawyers. Then we rely on the minister to give us an interpreta-

tion, and sometimes I'm not too sure they always understand it either. They sometimes tend to mask their lack of legal know-how in a terminology that few understand. You know, politicians tend to be a little like monkeys: the higher up the tree they climb, the more they expose their less desirable attributes. You can sit down now.

In some way, we do have to compromise between the precision of technical legal drafting and the oversimplification of reverting to a legible and understandable form of drafting. Perhaps we can do this by explanatory notes in the bill explaining its effect, not the reasons it should be adopted by the legislators. Perhaps we could set up a short course in legal drafting which could show drafters how to simplify things without losing the effectiveness of legal documents. I would whole-heartedly approve of a select committee of this Legislature to recommend and investigate changes to simplify and elucidate these legislative documents.

Thank you, Mr. Speaker.

DR. PAPROSKI: Mr. Speaker, with humbleness and hopefully in ordinary language, I would like to address myself to this motion very, very briefly.

It's great to see an attempt, especially by a member of the Alberta Bar Association, to bring in understandable language for all citizens in the province of Alberta. Mr. Speaker, I suggest that's a true amazement and an astonishment.

Mr. Speaker, I applaud the Member for Medicine Hat-Redcliff, the hon. Jim Horsman, and others, and I hope indeed they do support this motion and direction. Where things don't change, I suggest we'll have to almost sing a song every time a statute is read. And I don't intend to sing a song, Mr. Speaker. But the song would go, "I beg your pardon, I didn't promise you a rose garden". You'd have to sing that every time you read the statutes.

But, Mr. Speaker, I suggest with all humbleness — and the last hon. member who spoke has indicated that — it has been well known that the medical profession has been doing just that for years and [is] still trying.

So, concluding, Mr. Speaker, I support the motion with excruciating, joyful intensity. I believe that the motion and the issue expressed therein is pathognomonic of a major concern in the Legislature. Therefore, Mr. Speaker, without equivocation, I support this direction in the motion.

Thank you.

MR. MUSGREAVE: Mr. Speaker, may I ask a question of you, sir? How much time do I have?

MR. SPEAKER: The clock appears to have caught up to the time.

MR. MUSGREAVE: In speaking to the resolution, Mr. Speaker, I would like to urge the House to support this motion.

My reason for doing this is that I think we are here to arrange words in such a way that we can get an idea as exactly as possible out of one mind into another. Out of the mind of a constituent and into the mind of the Legislature should be our main goal.

Perhaps, Mr. Speaker, we could pause to reflect on the writings of Cervantes in the preface to *Don*



*Quixote*. We should be more careful in our choice of words. He writes as follows:

Do but take care to express yourself in a plain, easy manner, in well-chosen, significant, and decent terms, and to give an harmonious and pleasing turn to your periods; study to explain your thoughts, and set them in the truest light, labouring, as much as possible, not to leave them dark nor intricate, but clear and intelligible.

Not, Mr. Speaker, to follow the example of some chief executive officers in major corporations who can use a table of words that will confuse any situation. It was mentioned by Peter Newman in his new book, *The Canadian Establishment* on page 164. Mr. Speaker, I suggest every MLA in the House should buy and read this book so they will know some of the strategies employed by these chief officers.

This table, made up by a U.S. management consultant named Philip Broughton, allows executives in any situation to come up quickly with what appears to be thoughtful, contemporary-sounding comments. It's a witch doctor syndrome. You use words and phrases that sound impressive, and no one will have the remotest idea of what you are talking about. But the important thing is, no one will have the nerve to admit it.

Using this table, I will just give the House a very brief example, Mr. Speaker. We take numbers 1, 3, 3, [and] we come up with "total reciprocal mobility". We take 4, 5, 5, [and] we come up with "functional logistical concept". Or take 9, 5, 1 — it's a "balanced logistical flexibility".

All of us, Mr. Speaker, know the difficulty of saying what we mean to our wives, to our children, to our secretaries, to our fellow MLAs. Even when we think we know what we mean, and we say and write in a manner that is clear to us, is it always equally clear to the listener or to the reader? To quote Robert Louis Stevenson, "The difficulty is not to write, but to write what you mean, not to affect your reader, but to affect him precisely as you wish".

But let me give you three examples where, in my view, it would be most difficult for the reader to grasp the meaning of the writer. For example: "The treatment of the loan interest from the date of the first payment has been correct, — i.e., the tax charged at full standard rate on Mr. X and treated in your hands as a liability fully satisfied before receipt", which means that no more money is wanted from the taxpayer. The second one: "The program must be on the basis of the present head of labour ceiling allocation overall". This means that the builder is unlikely to get any more labor. And the last one: "The non-compensable evaluation heretofore assigned to you for your service — connected disability is confirmed and continued". This means that the veteran is not going to receive an increase in his pension.

Mr. Speaker, professional writers realize they cannot hope to affect their readers precisely as they wish without care and practice in the proper use of words. Now by proper use I am not speaking of grammar or syntax, which has to be observed if writings are to be understood. But rather the golden rule that words employed should be such as to convey to the reader the meaning of the writer. We can turn to Shakespeare for an excellent example of poetry that uses only 13 words to describe a pastoral

scene in these lines:

Kissing with golden face the meadows green,  
Gilding pale streams with heavenly alchemy

[This] describes the effect of the rising sun on meadows and rivers. Or to take another example from the British Post Office of a very direct message contained in 12 words, Postmen are neither bound to give change nor authorized to demand it.

At first glance, Mr. Speaker, there would seem to be little connection between these two examples:

one is descriptive and emotional, the other instructional and objective. But each serves its purpose perfectly, and it is the same quality in both that makes them do so. Every word is exactly right; no other word would do as well; each is pulling its weight; none could be dispensed with.

Now I assume, Mr. Speaker, there are probably some among us who are poets, or songstresses, or writers, but all of us are politicians. Often we get into situations where we don't want to make ourselves clear. Some people call them "on the one hand and on the other hand speeches". Now using this technique too often will result in your mind being thrown open and letting the ready-made phrases come crowding in.

It's like the witch doctor syndrome I mentioned earlier. As George Orwell said, "They will construct the sentences for you to a certain extent, and at need they will perform the important service of partially concealing your meaning even from yourself".

Mr. Speaker, I appreciate the intent of this motion to examine the idea of using ordinary language in statutes and government regulations. I can certainly sympathize with the views of Professor Dreidger who said statutes are difficult to read, and no one should be expected to read them without a great deal of effort. There are countless examples of contracts and instructions and similar data being summarized in plain and simple English. But, Mr. Speaker, they do not have the wide effect of statutes.

The reason certainty and meaning in statutes is clear and paramount is that these documents impose obligations and confer rights, and neither the parties to them nor the draftsmen of them have the last word in deciding exactly what those rights or obligations are. That can only be settled in a court of law on the words of the document. This means, Mr. Speaker, that the draftsman of these texts has to try to imagine every possible combination of circumstances to which his words might apply. He must try to imagine every misinterpretation that may be put on them, and to take precautions accordingly. He must avoid graces, he must not be afraid of repetition, he must try to avoid every possible grammatical ambiguity. He must, Mr. Speaker, keep his eyes on the rules of legal interpretation, the case law on the particular words, and [make] his words fit them. No one can expect pretty writing from anyone thus burdened.

In 1906 an attempt was made in the British Parliament by the minister responsible for bringing in a new Workmens' Compensation Act to make perfectly clear to ordinary people what sort of accidents would give rise to a right of compensation. The minister in charge of the bill insisted on using the simple words "arising out of and in the course of" the employment. Simplicity proved to have been bought at such cost in precision that those words in the

opinion of learned counsel have caused more litigation than any other eight words on the British statute books. Halsbury's *Laws of England* takes more than 38 pages to explain the phrase and cite the cases hinging on it.

In the motion of the hon. Member for Medicine Hat-Redcliff, Mr. Speaker, I can see great difficulty in carrying out the first two parts of the motion without long intensive study. As I mentioned previously, the drafting of legislation is very difficult when one considers its importance to the community at large, the intention of the legislators, and the reaction of the courts.

Statutes of this House are not written in ordinary language for the simple reason that precise, legal language cannot be elegant and it cannot be luminous. To quote another example, when English law was written defining shops and places that are not shops, though the draftsman thought he'd covered all situations, he was wrong. He had forgotten about the street hawker. The court held that an ice cream vendor's tricycle is neither a shop nor a place, and the ground on which his tricycle stops is not a place either. By this simple decision he was able to avoid this particular law.

The remainder of the motion, Mr. Speaker, is certainly worthy of study, in my view. If we could frame our laws or write our white papers in more precise, lucid English, we would be serving our constituents in a manner that would make our province the envy of the English-speaking world. Our main concern should be to communicate the laws to the people.

I appreciate the fact that part of our tradition is that the ignorance of law is no excuse. This may have been very applicable to the tribes of Israel when they were wandering around in the desert. But today we have an infinity of laws. Even if they were short in length, the citizen would never get any work done or make any money if he attempted to understand the laws that affect him.

So, Mr. Speaker, while I support the motion of a select committee, it is my view that much of our difficulty in communication arises from the letters written from civil servants to citizens. I'm not speaking now of the wording punched out by computers on our tax notices, but rather the explaining of the law to the citizens of Alberta.

In closing, I would like to quote from an instruction to the Egyptian civil service written thousands of years ago. It said:

Be courteous and tactful as well as honest and diligent.

All your doings are publicly known, and must therefore

Be beyond complaint or criticism. Be absolutely impartial.

Always give a reason for refusing a plea; complainants

Like a kindly hearing even more than a successful

Plea. Preserve dignity but avoid inspiring fear.

Be an artist in words, that you may be strong, for

The tongue is a sword.

And if, Mr. Speaker, we can judge from the following letter, those brought up in this tradition succeeded in avoiding verbiage. The letter from a minister of

finance of that day to his senior civil servant was: "Appolonius to Zeno, greeting. You did right to send the chickpeas to Memphis. Farewell."

MR. TAYLOR: Mr. Speaker, I beg leave to adjourn the debate.

MR. DONNELLY: Mr. Speaker, I don't know whether I'm right in doing this, Gordon, I got up at about the same time as you did. I don't get up very often. Mr. Speaker, I only have a few words: You betcha; I support this resolution 100 per cent.

MR. SPEAKER: Order please. May the hon. member for Drumheller adjourn the debate?

HON. MEMBERS: Agreed.

2. Mr. Taylor proposed the following motion to the Assembly:

Be it resolved that the classification of films now known as "Family Entertainment" be changed to "General".

MR. TAYLOR: Mr. Speaker, this is not an earth-shaking resolution by any means. It might rather be called a housekeeping resolution. I don't think it's going to take very much time to actually debate it.

The use of "general" rather than "family" would bring Alberta legislation into line with much of the legislation across Canada. In British Columbia today, they use the word "general"; in Saskatchewan, "general"; Manitoba, "general"; New Brunswick, "general"; Nova Scotia, "general"; and in Ontario, "general". Quebec doesn't use it, and Alberta doesn't use it. I'm not sure what Newfoundland and P.E.I. use, but most provinces in Canada today are using the word "general".

Also, the producers of movies are using the word "general" quite generally. Bringing it into Alberta legislation would assist in that way, too.

There's another reason, though, why I'd like to see the word changed. We're not getting too many family pictures in Alberta. As a matter of fact, according to the census report in the month of August '75, there were only two features passed [as] "family entertainment". One of those was in German. It was called *On the Sixth Floor*. The other was *The Second Gun*. All the rest were either "adult", "not suitable for children", or "restricted adult".

One of the reasons that some people are advancing why there are so few family movies is the fact that they are called "family". Many people consider that's for little kids or for children. I'm not depreciating the importance of having cartoons for youngsters. But "family" to many people means cartoons for youngsters. Consequently, the theatres suffer, and people are inclined not to make family movies because they just don't pay. You can understand why there are so few family movies in Edmonton — across the country, but certainly in Alberta.

As a matter of fact, I checked through the *Edmonton Journal* notices of showtimes last week. Out of 34 pictures, there were six family movies, and two of them had the same title. So actually, there were only three choices of family movies in the entire city of Edmonton. Another week, there were only four. Two of those were the same picture, so there

were actually only three choices of family movies out of 34.

I think the importance of family movies can't be overemphasized. When we are deprecating the fact that there are so few, I think we have to start trying to find the reasons. I think one of the reasons people don't go to them is because they're expecting to see cartoons of Mickey Mouse and so on. Consequently, they shy away.

Theatre managers tell me that more and more parents are taking their children, particularly after they're over 11 or 12, to adult movies. This is unfortunate, because there are a considerable number of pictures well worthy for any adult to see under the "family" classification.

If we could just get rid of that word "family" and have something a little more meaningful of the type of picture, then more and more people, I think, would go to that type of picture. It might also encourage the theatres to bring in more "family" or "general" movies.

I think it's unfortunate there are not many "family" pictures. On the other hand, a theatre is in business to make money. [If] their theatres are empty or practically empty whenever they have a family picture, you can understand why they're a little reluctant to get a family picture in too often.

So the argument I am advancing is that this is not going to be earth-shaking at all. It would bring legislation in Alberta, [and] make it uniform with legislation in most other provinces. People would have more tendency to go to "general" movies, if they're called "general" rather than "family". It would thus encourage the theatres to bring in more "family" pictures. The very fact that "family" to so many people means cartoons, I think, is going to keep the people away from this type of movie, and consequently keeps the theatres from bring in too many of them.

There are a number of pictures that are challenging, that are interesting, that have good plots, that are not filled with coarse language or violence or crime or sex. By using the word "general", I think we could attract people to that type of movie.

So, Mr. Speaker, without saying more, I am asking the hon. members to support the resolution in order that the hon. minister and the government can consider changing the words "family entertainment" to "general entertainment".

DR. PAPROSKI: As I rise to speak on this particular motion, may I say from the outset I again applaud the hon. Member for Drumheller . . .

MR. SPEAKER: May I draw the hon. member's attention to the change in the *Standing Orders* which now requires us to go on to the next order. We've been on the previous one for an hour. That's the limit for Tuesday afternoon under the amendment to the *Standing Orders*.

DR. PAPROSKI: Mr. Speaker, before we go on to the next order . . .

MR. TAYLOR: Mr. Speaker, on a point of order, I would like to discuss this procedure. When the resolution was passed, designating Tuesday [as the day] on which the government whip would designate

the first resolution for the first hour, I'm not sure that all members weren't of the same opinion as I was that then the second resolution would be debated. On Thursdays, the Leader of the Opposition designates the resolution. If that is not going to be the procedure, it would mean that resolutions that didn't appeal to either the government whip or the Leader of the Opposition might never be debated. I don't think that was the intention of the change.

So I would suggest the procedure means that after the designated resolution, the next resolution has its proper place on the Order Paper.

DR. PAPROSKI: Mr. Speaker, if I may speak on that point of order also. I support the hon. member's comments completely. This was also my understanding.

MR. GETTY: Mr. Speaker, in view of [the fact that] this is a transition period and that some of the members are not prepared for the change, would it be possible to continue with this motion by unanimous consent?

MR. SPEAKER: This would certainly would be possible. It would mean, as I understand it, that the hon. Member for Drumheller could then continue his speech.

Does the Assembly agree that we proceed as suggested by the hon. acting Government House Leader?

HON. MEMBERS: Agreed.

MR. TAYLOR: Mr. Speaker, I have completed, so the resolution could be continued.

DR. PAPROSKI: Thank you.

Mr. Speaker, from the outset I would again like to congratulate the hon. Member for Drumheller for bringing social issues and social items to the floor of the House, even if it is on private members' days and private members' motions.

Speaking on this motion, Mr. Speaker, from the beginning I would like to clarify and indicate that I don't necessarily agree with some of the comments the hon. member made, although I recognize and acknowledge that he has made them in all sincerity. I don't think this is at all a housekeeping motion. I feel we're dealing here with a very important principle, and that is the title "family," which I feel — and I think the hon. members in the Assembly would recognize very quickly — is a very sacred and very important traditional value in our society.

The second item I would like to indicate — and the hon. member did talk of that item to some degree — is that because others in Canada are doing it, this may be a good thing — for uniformity. I don't subscribe to that necessarily, Mr. Speaker. Certainly in this particular issue and [on] this particular motion, I don't subscribe to it at all.

The third issue — and I again applaud the hon. Member for Drumheller indicating to the House the concern he has found out already, that there are not enough family movies in Edmonton and certainly across the province. Mr. Speaker, as I've indicated to the House before, I intend to bring that private member's bill back, regarding the intention of

assuring that there will indeed be more family movies in our theatres in a balance situation.

So, Mr. Speaker, getting on with the motion in a more specific way, yet in a broader way, movies [have] a very strong media impact, as all media [do]. It is, Mr. Speaker, a very delicate area in our society. It not only provides a source of recreation, but indeed it serves [as] an important emotional experience to relate, if you wish, true life to imagination. As Einstein once said, Mr. Speaker, knowledge without imagination is much less than knowledge with imagination. I suggest, Mr. Speaker, that the movie houses, the films, reading, and so forth — all media add to our imagination.

Mr. Speaker, our society and our culture has to a large degree been molded by media in general, and films in a very specific way. Whether we love it or leave it, it's here and it's going to be here for some time. Mr. Speaker, the important thing is, what happens to us as societal members? How do we develop? Do we develop in a healthy way, or do we in fact develop in a sick way because of the type of impact we get from the movies and other media?

Having said this, Mr. Speaker, and dealing with the issue in the motion — to change the classification of films from "family entertainment" to "general" — alerts me immediately to a number of concerns. Number one, as I've indicated already, Mr. Speaker, and [as] I've indicated in this House numerous times since taking office the first time in 1971, the individual family is the most important unit in our society. It is wholesome, it is meaningful. It has a meaningful impact on our citizens.

It's a very, very cherished and valued meaning, which has been threatened, cut, burned, jabbed by impacts of a variety of things in our society: urbanization, mobility, industrialization, even cybernetics and so-called pseudo-psychologists, and of course, misdirected academics. Some of them, of course, are even sociologists who claim to know what our society is doing and where it is going. Yet I feel, Mr. Speaker — and I think we'll acknowledge — they are unfortunately misguided from time to time.

So, Mr. Speaker, to disturb this very important and meaningful value term still concerns me, be it only a name in classification. I know the hon. member's intention is clear on this, that indeed it will be family movies under the "general" classification. It causes me concern, Mr. Speaker, because again one is saying or implying [that] it does not seem to serve any particular purpose — for someone.

I'd suggest, Mr. Speaker, it is serving society, and not the promoters of some films. I suggest, Mr. Speaker, we should keep it. It has been around for years. Families have been around for years, thank God, and the classification has certainly not hurt anyone.

Mr. Speaker, when I go to a movie — and, I suggest, when most of us go to movies with our children or take young people — when we know it's a family movie, we have a certainty about it. There's a ring of certainty. It has the ring of certainty of community, so that certainty in itself is worth preserving. When you have "general" movies, I'm just not sure that somehow the promoters will [not] warp this and change it around, and before you know it we will have something other than family movies.

Mr. Speaker, in addition to that, there are certainly

a lot of other classifications that can be applied, have been applied, and are being applied. Those other classifications should also be clear that it's not "family", so those who want to see those types of movies, whether they be "adult" or "restricted adult", will have that privilege in a free society.

Getting on to the second point, Mr. Speaker. What the Legislature in fact should be doing, regarding films and the media in general — but we're staying in films now — is to assure, as the hon. Member for Drumheller has indicated already and I've indicated in the introduction of that bill for more family movies, [a greater] percentage of family movies in order that our children and our families will have adequate choices and not the reverse, as the case is now. [The] reverse in fact is happening, Mr. Speaker, where there is no choice, or the choice is becoming more and more limited and more and more narrow.

[Dr. McCrimmon in the Chair]

Mr. Speaker, this is a very important item, because we are living in a free country and we shy away from censorship. Rightly we should, because we have a free-thinking free society. But what I'm saying here, Mr. Speaker, is to counterbalance the excess in the other types of movies. And there are good adult movies. As a matter of fact, Mr. Speaker, if there's anything we could do, some of those "adult" movies could indeed be classified as "family" movies by a new direction given by our hon. Minister of Culture, or this Legislature.

Mr. Speaker, certainly we have to counterbalance the excess in that other extreme, which is the perverted violence, crime, sex, we see in our films. There are members in the Assembly, I suppose, who would like some of that, too. [This] being a free society, I suppose we should maintain some of it.

So, Mr. Speaker, I'm saying that we're not advocating censorship when we increase the number of family movies, but we counterbalance and allow equal opportunity for more variety in that cherished area for the individual and family — a background, Mr. Speaker, that we all have.

Thirdly, Mr. Speaker, much more can be said on this topic, of course. All areas of communication, including television and other advertising, have directed our choices, as films have, without regard to impact on our societal development. Mr. Speaker, it's a major item, much more major. Why is it major? Because it's subtle. It's so subtle that we're not even aware it's happening, and this is the disastrous aspect of it.

Mr. Speaker, the problem is not only this fact, but the fact that such advertising is not only subtle, but deliberate. Whether we accept it or not, it has a deliberate impact to serve a given purpose, and that given purpose may not even be apparent in that particular advertising or in that particular film.

The question that has to be asked — and I hope we ask that question, because when that bill comes back to this House, Mr. Speaker, I would hope that some members . . . I know and I have confidence that the hon. Member for Drumheller will indeed speak on it. The question that should be asked is: who is evaluating this area, this subtle impact that advertisers and the society in the back rooms of big corporations are handing out to us right, left and centre; one, two, and

three? The hon. member, Mr. Planche, certainly should know about that. He has a family, and I know he is very conscious of it.

Mr. Speaker, the question is, are we going to continue to sit back, or are we as societal legislators to hide and say, no harm, let it be guided by somebody out there who has a definitive purpose. That definitive purpose is, for example, to sell something or else create such an emotional high in a misdirected area that it will sell [for] many dollars to exploit our senses — in a misdirected way. We can also exploit our senses in a healthy direction, such as a film like *The Sound of Music*. There are many, many like that, Mr. Speaker. I suggest that the producers know damn well they can produce such films. They can produce more of them. Mr. Speaker, from the information I have, they have them on their shelves and are holding back because the market is not right. I don't know. I don't know what we're supposed to do. But I suggest it's time more of us in legislatures across the country and in the House of Commons took a stand.

Mr. Speaker, for these reasons, and many more, and with respect to the hon. member — I know his intentions were correct — I reject his motion because of the comments I've made. Not just because of those comments, because of those facts. I suggest it's time to stop tampering with the term, or in any way, shape, or form, [with] the families in our community except, Mr. Speaker, to assist them for survival of the traditional values of our family, the basic unit of our society, the most important unit of our society, for our community where people live, drink, go to school, raise their children, and communicate. Remove that word "drink", Mr. Speaker. That was a slip. I ask *Hansard* if they would remove that, please.

Mr. Speaker, if the Legislature chooses this route, in spite of the facts I've already indicated — they could use the argument that it's happened elsewhere — then we in Alberta are saying, we too, are going to join the flock. We're going to hide from reality and the purpose it's going to serve.

Mr. Speaker, if there are difficulties for those in the movie industry — and I suggest there are difficulties, as there are in every industry — I suggest that movie houses, the producers of films . . . Incidentally, the movie houses are directly related. They are their agents. If they are their agents, they are showing the same stuff the producers are producing. If they want to be in business, they'd better respond to our societal needs in a healthy direction, I would hope. I know the members of the movie houses in this city are good, credible, sound citizens with families too. But, Mr. Speaker, they are caught. They are caught in a business. They have to show it to make money. I suggest maybe it's time they too, stood [their] ground and said, dammit, either you give me an adequate number of wholesome movies or I'm getting out of the business.

Mr. Speaker, we should do a better job by encouraging the producers and promoters for more family movies, counterbalance this misdirection, and not merely attempt to apply a new term as a coverup.

Thank you.

MR. JAMISON: Mr. Speaker, I'd like to say a few words on the resolution by the hon. Member for

Drumheller. I agree with his recommendation. No doubt he has read the select committee on censorship's report. This was one of their recommendations, only the dash was after the word "general" for all.

However, Mr. Speaker, I don't think changing names is going to make that much difference. I think what we're really looking at is the age. Following the report on censorship, the group most affected are those who hit manhood at the age of 13. They call themselves teenagers. They really would like to feel a little different than the ages of 8 to 12. When they hit that teenage group, they feel a little bigger, a little older, and a little more mature. I must admit that theatres today — whether there's a real problem in the manufacturing of the films — have very few films to go to.

Nevertheless, there are some films. I don't know whether you'd categorize them as "general" or "family" or just "straight facts". But if you were at home last Sunday night, *The Battle of Britain* . . . That's a pretty rough show, but it's true facts. As the father of a family, some of them under the age of 16, I felt that was a good show and let them know exactly what the score was. Whether you'd categorize that as "general", hon. Member for Drumheller, I wondered how the classification board would categorize that particular show. All in all, I would say that is the type of show I think is knowledgeable from the standpoint that people should know what the facts of life were back in the days when Britain was suffering from the blasts of German bombs. I think this didn't do too much harm to anybody.

Mr. Speaker, as recently as 10 years ago, the province of Alberta had two categories. The categories at that time were "family" and "adult". We've come a fair distance. Today we have four classifications. We have what we call "family", which is for everyone. We have "adult", which is 16 years and older unless accompanied by a parent. Then you could take in somebody younger than 16. We have "adult" with brackets around that, "not suitable for children". Then we have "restricted adult", which is 18 and over. The committee that looked into all aspects of censorship recommended four classifications: number one, "general for all"; number two, "adult 14 years and over"; number three, "restricted adult 18 years and over"; and four, "restricted adult X 18 years and over".

We had 18 recommendations in our report. I think it's only the tip of the iceberg when the hon. Member for Drumheller suggests just one change. I would like to have seen a full debate on the censorship report or all aspects of the amusement or theatre industry. I notice the hon. member has Bill No. 108, An Act to Amend The Amusement Act. I would like — and welcome the members of this Assembly — to debate this in full, and at the same time, take into consideration the report of 1972. By the way, I wonder if it was like the Studebaker car back in 1972. We were way ahead of our time. But I'm proud to say I'm very pleased, as the chairman of that select committee — and I would hope the rest of the members feel the way I do — that that report is dead on in 1976. Right, John? John Ashton doesn't agree. John Ashton signed the report in 1972.

MR. DIACHUK: He changed his mind.

MR. JAMISON: Mr. Speaker, I've been wanting to say this for the last couple of years. Being in the news media myself, an awful lot of abuse is directed toward them these days. But I would like to say I'm very proud and pleased at the job they did when some of them said they wouldn't do it, and that was to do reviews. I think the reviews of shows today are just tremendous. I notice the print media and radio in particular have really done a job informing the people as to the type of show they're going to see. I think they should be commended for this good job.

Mr. Speaker, Bill No. 223 is also coming up in the near future. This private member's bill is presented by the hon. Member for Lacombe, An Act to Amend the Age of Majority. I haven't seen his mail. But I would gather from what I've heard indirectly that an awful lot of people are very much interested in age, whether in voting, going into the beer parlor, or going to a show. I would like to welcome the members from this Assembly — even on this debate on Bill 223 — to express your own personal opinion and the opinions of your constituents.

Mr. Speaker, I very much enjoyed the resolution by the hon. Member for Medicine Hat-Redcliff. I think what he was bringing out was clarity, so that everybody could understand exactly what all this legal jargon was all about and [to] make it in plain English so we could all understand it. I think the idea in classification is clarity, but in expressing clarity I think what's really needed are these reviews by the news media and by the theatre owners themselves to make sure the show you're going to is exactly what you wanted to see.

Mr. Speaker, I would certainly back the resolution by the hon. Member for Drumheller. But as I said at the beginning, I would much rather have seen this completed by [having] a full debate on the censorship report and all classifications in the movie industry.

Thank you.

MR. GHITTER: Mr. Speaker, with respect to the motion by the hon. Member for Drumheller, I wish to take a slightly different point of view. I would like to start off my comments by making the suggestion, what are we really talking about when we talk in terms of a classification system or a censorship system, and why do we really need it? In fact, what is the overriding public interest that brings us to the conclusion that we need to classify movies or that, in fact, in some jurisdictions we need censorship?

If we're just down to a classification system, I would assume the overriding public interest supposedly is one of telling potential viewers the nature of the movie they are going to see. This is a judgment by a third party who will look at that movie and, by some magic, will come forward and say, well, no, this falls into a family category, or this falls into a GP category, or this falls wherever it might fall. It still relates to the judgment of another party as to what the case might be.

Aside from the fact that we should have some indication of what we are viewing though, I suppose the overriding interest is that in our view some type of material is objectionable for our young people to see. Some of the material being brought forward from Hollywood, Europe, or wherever it might be, in

our judgment as a society is not the kind of material we, in our responsibility as the senior people who conduct ourselves within the morals of our society, think is proper for our young people to deal with. If the case is really one of our concern for the minds of our young people, I would suggest the classification system doesn't solve anything, and that the motion, as presented by the hon. member, really is but a facade covering the real problems.

It would seem to me that if we really share this concern [over] some of the junk coming forward not only in our books, but in our movies, we should look at the problem in a little more depth and determine just what can be done about it.

I recently went to a movie called *The Magic Flute*. *The Magic Flute* was known as family entertainment. I wish my Danish friend from Camrose were here, as it was all in Danish, which I really didn't appreciate. I believe it was Mozart, or someone way back before we were around, who had all this great inspiration, and the music indeed was attractive.

But I took my two children, and we sat there. As we started working through the subtitles and realizing what we had gotten into here, I realized that this *Magic Flute* movie was really a very violent piece of movie production. If I were — and I'm not — a woman who had gone to that movie and had seen it, I would have been tremendously offended by the nature of the plot.

If I were a woman with a child who was seeing that movie, I would have been tremendously offended that the attitude of that child, when leaving that movie, would have been totally negative to women. In fact, the movie was so negative that I would question who in the world ever thought that was family entertainment.

For those of you who don't know the story of *The Magic Flute*, very briefly — I know you're just dying of suspense to find out. I know those members from rural Alberta are somewhat unsophisticated, Mr. Speaker, and for their benefit it might be appropriate if I told them the story of *The Magic Flute*, very briefly.

DR. BUCK: You know, we still visit the barnyard.

MR. GHITTER: Basically, for the Member for Clover Bar, now that he is here and listening carefully, the story of *The Magic Flute* is the story of a mother who loses her child. The child has gone into the cruel domain of another world. The mother must get the Prince Charming to come forward and rescue her daughter from the very bad society into which her daughter has entered.

As it flows along, the mother finds a wonderful prince and gives the prince a magic flute. Every time the prince gets in trouble, all he need do is play a little Mozart tune on the flute and everything will be fine. That in itself is a dangerous philosophy to purvey to children — to suggest that all they need to have in life is a magic flute and can't rely on their own resources to solve their problems.

Nevertheless, aside from that, this prince wanders around the world with his magic flute, wherever he goes. He comes upon the princess. When he finds her, he finds that really she is very happy where she is, because she is now with her father. Her father turns out to be the real good guy. The bad guy is the mother, and the mother turns into some witch.

By the time you leave the movie, you come to the conclusion that mothers are bad, fathers are good, and so the world goes around. A very negative kind of movie — the type of movie that [in] no way should have been classified as family entertainment, let alone entertainment at all, unless you speak Danish. And the only one here who does that is the Member for Camrose.

I would suggest, Mr. Speaker, that when we look at this particular topic, we must distinguish between that which we are really concerned about which goes to our youth, and that which we are not. I personally am now becoming one who is very concerned about the element of violence we are now seeing in our media. I think we are becoming a very violent society.

I look at what occurred a few weekends ago in the city of Calgary. I almost had the feeling when the police were dealing with those people who acted in such an improper and criminal manner, that many people were actually showing sympathy for the criminal, that we are creating a society which in fact applauds violence. We are creating heroines who are the Patty Hearsts, the Dillingers, or whoever they might be, and people who get involved in a violent society are actually being emulated and dealt with by our young as if they had some special status in our society. I don't believe that should be the case.

I recall meeting a few years ago with a sociologist from the United States who spoke tremendously against censorship. He wrote a book on it and stated that it was not the place of society to deal in areas of censorship. That was the business of the parents. That was it, and society shouldn't do so. Then he spent a year on the Nixon commission on violence. He travelled throughout the United States, listened to experts, and determined the impact violence has upon our youth.

He wrote another book. In that book he came to the conclusion that there is a responsibility upon a society to ensure that violence is not conducted in the way it has been in our movies and throughout our writings. I think there's something to be said for that. It's not a very popular point of view to suggest that we should be censoring violence, but I think when there is ample evidence that our young people — and not just our young people, but our adult population — is starting to emulate the violence they see on our television screens and in our movies, it's time we took a much more serious look at this area.

Granted, there's nothing perfect in this area. It's not a matter we can — there are many difficulties, [and] we must consider who will be the judge of this. But it offends me as an Albertan to think that this province has no control whatsoever of what is shown on our television screens, that we must accept the point of view of the CRTC, that we cannot say that from our point of view it is undesirable that certain types of objectionable material will come forward on our television screens into our living rooms as our kids, when they're babysitting, flick it on and off.

If ever there was a situation where we should have some impact, it's with our dealings with the federal government — and I know we've talked about this before in this Legislature, but I think it's very important — that we should have a say in what comes on our television screens.

I'm not as concerned, quite frankly, Mr. Speaker, about so-called objectionable material that deals with

pornography. There's no evidence whatsoever — and anyone who has studied it, there's a Nixon commission as well dealing with pornography — to show that censorship is really required in matters of viewing pornographic material. The conclusion of that commission was that, if someone sees pornography, all they will do is possibly to go out and make love. That is not regarded as an anti-societal act. But violence is, Mr. Speaker. When someone sees violence, there's ample evidence that they then carry on, go into society, and commit violent acts. I think we cannot just stand back in a blase manner and say, well, we'll just put a name on it and say this is "family entertainment" or whatever it is.

I think we must reassess our position. I would like to see Mr. Jamison reconstitute his group, to look once again at what was in that report, because there is now further evidence, since that committee sat, as to matters relating to violence, censorship, and classification. I think it wouldn't hurt to have an update from your point of view, hon. member. I'm sure you would be interested in doing it. It would give you an excuse to look at all those movies again.

I think it would be useful, Mr. Speaker, to do something like that. And I think it would be useful for us to forget about the members of the fifth estate who are always saying that censorship is for someone else. I think there comes a time when the overriding public interest still falls at our feet. We must translate the wishes and aspirations of the people out on Main Street, Alberta. I think that is our job.

I think the people on Main Street, Alberta are getting very concerned that every time they go to a movie or turn on the television camera they see someone knocking someone else on the head and putting a revolver into their back. I think, in looking at our responsibilities, it would behoove us to reconsider what we're doing. The solutions certainly do not lie — with the greatest respect — in just a little word that says "family" or whatever it is. The problems are much deeper. I think that's what we should be considering here today.

MR. SCHMID: Mr. Speaker, may I congratulate the hon. Member for Drumheller for bringing forth a resolution which, by the way, has also been supported, in fact has been applied for, by the Alberta Motion Picture Association.

The Alberta Motion Picture Association really feels that, in naming the movies "general", the young people who go to those movies don't have to sneak in because they feel, of course, they are already grown up and they are only going to a "general" movie. The classification of the particular movies, as I guess we all know, is done by the censorship board of Alberta. The classification itself, whether it's called "general" or "family entertainment", would definitely be the same. There would be no difference, whether Walt Disney movies or some kind of fairy tale is being shown. I'm quite sure the word "general", as such, would not make any difference, whether it is called "family entertainment" or "general".

[Mr. Speaker in the Chair]

The term "family entertainment" was approved by order in council in 1949 and at that time replaced the

term, "passed U", which was used to designate films suitable for universal exhibition. As the hon. Member for St. Albert has already said, at that time we also had the notation which gave permission to anyone over the age of 18 years to go to a movie which was declared adult.

The present situation in Alberta is such that the designation "family entertainment" would be suitable for exhibition to children unaccompanied by a parent or a *bona fide* guardian.

As far as the designation "adult" is concerned, there's no admission to any person under the apparent age of 16 unless accompanied by a parent or a *bona fide* guardian. Of course, Mr. Speaker, a problem arises because it happens quite often — for instance, the movie *Romeo and Juliet*. I'm quite sure everyone would agree is a fine movie, it's very fine entertainment. It is in fact not only educational but also tells the story of Shakespeare's *Romeo and Juliet* in a most outstanding manner. Actually, a teacher couldn't take his or her class to that movie because they would have to get the *bona fide* guardian's approval in order to do so.

Then we have another designation which is called "adult, not suitable for children". The admission restrictions are the same as for adult, but in this case the parent or the guardian is being warned that the actual movie is really not suitable to be viewed by someone under the age of 16. Then, of course, we have the designation "restricted adult" — no admission to any person under the apparent age of 18.

I think, Mr. Speaker, that of course this classification and censorship in our province is very important. We do have movies which, because of violence, maybe because of a combination of sex and violence, would definitely not be suitable for anyone under a certain age. I'm saying under a certain age, Mr. Speaker, because we can well imagine that we have had representations from many people — from our young people also — that maybe the age as such should be changed from 16 in our "adult" designation to 14. One high school class told me when I gave a presentation to them regarding censorship. I asked them, how many of you have been to a movie which was designated "adult" but you were not 16 and you snuck in? I'm afraid that out of about 50, there were about two hands which were not raised. All the other 48 were raised. Some of them very proudly, some of them very sneakily I guess, admitted they had been to a movie to which they were not to go.

As I recall my own childhood or youth, I thought it rather a challenge to get past the person who thought I really was not 18 at the time, to get into a movie which I felt, of course, must be especially interesting since, after all, I had to be 18 to appreciate what was being shown.

Of course, the classification presently done by the censorship board, Mr. Speaker, is of such magnitude that they really have — what should I say — to make sure they are tuned in to the sensibilities, to the moral attitudes, to the moral acceptance of the province of Alberta. It could quite easily happen that a film might be shown in Quebec and in Ontario, whereas in Alberta it might have a different designation or, in fact, might be rejected altogether.

It may be of interest to you, Mr. Speaker, in the last year of the report I have here, in 1974 we had a total of 276 movies designated "family entertainment",

and a total of 462 designated "family entertainment" in 1975. I have talked to operators of theatres and asked them why, for instance, they're not bringing in as many family entertainment movies as one would expect. First of all, I was told by some managers that the attendance is definitely not as great as one might expect unless it's a Walt Disney movie. Then, one of them took me by my arm and showed me his theatre after one of those family entertainment, in fact, cartoon movies. I'm afraid we had to wade through a foot of empty bags, popcorn, candy wrappers, chocolate wrappers, whatever it was. I was really happy that my job, whatever I had to do at the moment, was not to help these two young students who were in there to clean up. I have to call it a mess after one of these family entertainment movies.

The Alberta Motion Picture [Industries] Association, Mr. Speaker, really asks us to look into that kind of situation because they feel that the term "general" might be not as easily misunderstood as "family entertainment" would be. It has been said that "family entertainment" might be interpreted as cartoons only. The hon. Member for Edmonton Kingsway has mentioned that he appreciates the word "family entertainment".

But these, of course, are the things we should debate in this House, Mr. Speaker. We have been asked to change the designation. But in the overall aspect of the designation of the films we would have to consider, I think, all the others also, whether it be, for instance, "general" and then "suitable for exhibition to all ages" which, as the hon. Member for Drumheller already mentioned, is presently being done in all the provinces except Quebec. And I think if one takes the interpretation of the Quebec theatres which they call *pour tout* which means "for all", then of course, one could even call that designation just about "general". To change designations then one would have to consider also, once it's "general", whether or not another designation could be or should be "parental guidance". Parental guidance would tell the parents when they're asked whether they can go to a movie or not, that it might be unsuitable or of little interest to the children of a certain age.

And where, of course on the other hand, if maybe another designation, instead of "adult", were called "mature", in this case no admittance to any person under the age of, let's say, 14 years. Then at least teachers could take their students if there's a movie like *Romeo and Juliet*, *Macbeth* or even *The Magic Flute* coming to the province, then at least one would be able to explain to them after what it was all about. A teacher could take them there without having to get authorization from either of the parents first. I think that even the students themselves would appreciate it because these films, especially at the present development of our young people, would probably be acceptable to persons of 14 years or over. I'm saying probably, because of course no decision has been made. It is only something that this House should consider, whether or not that age range should be changed from the age 16 to the age 14.

Then we have the final classification, Mr. Speaker, which we presently have, "restricted adult", which most likely would have to stay because some of the subjects and material being treated in the movies, whether it be violence or subjects such as homose-



xuality, drug addiction, alcoholism, or whatever it would be, may be of a manner which of course would not be quite as acceptable, or else of course whether younger people would not be able to appreciate the interpretation probably of the movie producer or the director of what is being shown in the theatre at the time.

It may be of interest, Mr. Speaker, to just show that for instance in the year 1974, eight movies were rejected, and in the year 1975, another eight. The distributor of these movies has the ability to appeal the rejections. If that is done, the minister has to appoint an appeal board consisting of three persons. They usually try to appoint the appeal board consisting of one person who may be against censorship, another one who may be for censorship, and a third one probably in the middle. So at least a fair appeal can be established when the movie is being reviewed by the appeal board. For instance there was one movie appeal last year, *Is There Sex After Death*. Another one was *Young Frankenstein*. The *Young Frankenstein* movie, as I recall, if I may tell the story, because, I was told by the censor board, it was really a film which was [deprecating] certain aspects of dead bodies and was not too appealing as far as the sensitivities of women were concerned. I thought in all fairness I should take two women and maybe one man to the appeal board. In doing that I thought, well let's see what the women are going to do and let's see what the man is going to do. The amazing thing was, I found out after, that the women thought the movie was hilarious, even though it was rather gruesome I would say; the man thought, we don't need something like this in the province of Alberta. So one should not judge against the acceptance even of *The Magic Flute*, Mr. Speaker, in our province as far as our women are concerned, because they themselves, I think, have certain opinions of certain subject treatment that maybe men would never think about.

Mr. Speaker, of the total of 794 movies that were submitted to the censor board in 1974, we had 236 which are treated as "restricted adult"; in 1975, 151 were treated as "restricted adult". The other category "adult, not suitable for children" in 1974, 70 films, and in 1975, 101 films. Then we come to the category "adult" movies, in 1974, 204 were classified as "adult" and 235 in 1975.

So one can see, Mr. Speaker, that actually a great number of movies designated "family" came to the province in 1975, probably much to the surprise of many of our members here, Mr. Speaker. It is thought that not too many of them are being classified as such, and not enough chance is given to our young people to go and enjoy a movie in one of our movie houses in this province.

Again, Mr. Speaker, I have to state that it seems once we have "family entertainment" or, as the hon.

Member for Drumheller suggested, "general entertainment", what we really should do is maybe encourage our young people to go to these movies. Only then can we appreciate things like *The Sound of Music*, which I think was here for over one year in the Garneau Theatre alone, and just recently was shown on television.

Also I have to add to the observations of our Member for Calgary Buffalo, Mr. Speaker, because he's quite right when he says that maybe something should be done with the jurisdiction of movies being shown on television. It never fails that every time a movie is shown on the television screen that is not quite acceptable to some parents, actually the provincial government gets letters protesting this kind of blue movie, violent movie, whatever it is, which, of course, we then have to refer to the CRTC, which is responsible, after all, for the licensing of television stations.

So, Mr. Speaker, I think all in all there are many things to be said about the resolution. As I have said before, I especially appreciate it since we have had mail on that. But then again, if we go into all that, I think we probably have no choice [but] to revise the entire classification system to make it equal not only with the "general" designation, but all the others across Canada, if this is the acceptable manner. Of course, if not, on the other hand — if "family entertainment" should remain — at least [we should] probably look at the age restrictions again. Because as I have also said, some students feel they are being discriminated against, since the age classification of 14 years is much more acceptable to them than the age classification of 16 years.

Mr. Speaker, may I adjourn debate?

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, tomorrow afternoon the Assembly will continue consideration of Government Motion No. 1.

I move the Assembly do now adjourn until tomorrow afternoon at 2:30 o'clock.

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

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until tomorrow afternoon at half past two.

[The House rose at 5:29 p.m.]

