

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, November 2, 1976 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **PRESENTING PETITIONS**

MR. CLARK: Mr. Speaker, I'd like to present to the Assembly a petition of over 250 staff members of Alberta School Hospital/Deerhome in Red Deer which expresses their concern about the deterioration in the quality of food service to residents at the Alberta School Hospital/Deerhome since VS Services took over support duties at the institution on May 1, 1976.

head: **PRESENTING REPORTS BY
STANDING AND SELECT COMMITTEES**

MR. DONNELLY: Mr. Speaker, I would like to table the select committee's report on Workers' Compensation. If I may, Mr. Speaker, I personally would like to thank the members of the committee for their co-operation and hard work. On behalf of the committee I would like to extend a special thank you to Mr. George Hickson, our technical advisor, and Mrs. Elaine Beck, our secretary. I am sure the committee will agree with me that their organizational ability, technical background, and all-round approach to the job at hand was invaluable and much appreciated.

Thank you, Mr. Speaker.

head: **NOTICES OF MOTIONS**

MR. HYNDMAN: Mr. Speaker, I wish to give oral notice of a government motion to be moved tomorrow by me. Copies have been distributed to you, Your Honour, and members of the opposition.

Be it resolved that the Assembly adopt the following amendment to Standing Orders:

- (1) Standing Order 8(3) is struck out and the following substituted therefor:
- (3) On Thursday at 4:30 p.m., Public Bills and Orders other than Government Bills and Orders shall be called, and debate thereon shall be governed by the Standing Orders that are applicable to private members' motions.
- (2) Standing Order 8(5) is struck out, and the following substituted therefor:
- (5) If a motion is made after 5:10 p.m. on a

Thursday for second reading of a public bill other than a government bill, and the motion is not voted upon during the same day, the bill shall retain its place on the Order Paper until the next Tuesday and, if that item of business is not then reached, until the next Thursday.

- (3) Standing Order 76(2) is struck out and the following is substituted therefor:
- (2) The fees and documents listed in Standing Order 76(1) shall all be delivered to the Clerk of the Assembly by the 15th day following the opening day of the session.

head: **INTRODUCTION OF BILLS**

Bill 216
An Act to Amend The
Environment Conservation Act (No.2)

MR. NOTLEY: Mr. Speaker, I beg leave to introduce Bill No. 216, An Act to Amend The Environment Conservation Act (No. 2). Two principles are involved in this act. The first would be to enlarge upon the autonomy of the Environment Conservation Authority, and the second would be to clearly delineate the powers of the commissioner under The Public Inquiries Act for the Environment Conservation Authority.

[Leave granted; Bill 216 introduced and read a first time]

Bill 240
The Land Speculation Tax Act

MR. TAYLOR: Mr. Speaker, I beg leave to introduce a bill, The Land Speculation Tax Act. This bill is designed to serve three main purposes: to attempt to control the cost of land within the province from excessive increases due to people dealing in land for speculative purposes only, to discourage the amount of foreign investment in land, and to encourage the return of land presently held by foreign investors to the Canadian market and into the hands of Canadians.

[Leave granted; Bill 240 introduced and read a first time]

Bill 234
The Adult Publication Act

MR. LITTLE: Mr. Speaker, I beg leave to introduce a bill, The Adult Publication Act. The purpose of this bill is to provide for the classification of all publications as to whether they are suitable for exposure to minors. Those which are not suitable may only be sold through adult publication stores, to which minors would not be permitted access.

[Leave granted; Bill 234 introduced and read a first time]

Bill 241
The Beef Labelling Act

MR. TRYNCHY: Mr. Speaker, I beg leave to introduce Bill No. 241, The Beef Labelling Act. This bill would provide for the labelling of beef at retail outlets, providing the consumer with the benefit of knowing just what type of beef is being offered for sale, be it Alberta, domestic, or imported beef. The bill should also provide a better return for the producer because of the known fact that Alberta beef is recognized around the world for its quality. To beef up this bill, Mr. Speaker, there is a provision for not only a fine against those who do not abide by it, but a stiffer fine for any future offence.

[Leave granted; Bill 241 introduced and read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. LEITCH: Mr. Speaker, I wish to file a letter addressed jointly to Mr. Broad, the President of the Alberta Union of Provincial Employees, and me from the members of the Task Force on Provincial Public Service Labour Relations, together with the two reports referred to in the letter. I also wish to table a response to Question 197. Finally, Mr. Speaker, I wish to table some supplementary information to a return filed on November 12, 1975, which was in response to Motion for a Return No. 141.

As this is supplementary information, Mr. Speaker, I have to explain that this relates to the statement of costs for out-of-province travel by ministers, deputy ministers, and persons who accompanied them. We do not have an expenditure code for travel expenses by destination, so this information must be compiled from the records by departmental staff. On checking the return, we found that additional information needed to be filed, and we are now filing it. A good portion of it relates to such things as persons who started a trip with the deputy minister, and then went on a trip of their own. We have included that information, although it is questionable whether it needs to be included. Also, Mr. Speaker, in some cases accounts came in after we filed the earlier return. In addition some changes were needed because there was misunderstanding between departments as to which department was reporting the expenses.

MR. YURKO: Mr. Speaker, I beg leave to table the responses to Motions for Returns 178 and 177.

MR. SCHMID: Mr. Speaker, I would like to table [the response to] Motion for a Return 221, and the annual report of the Department of Government Services. Mr. Speaker, if I'm permitted I would like to draw the attention of hon. members especially to page 24 of the annual report which shows that out of the total government purchases 91.1 per cent were purchased from suppliers in Alberta, 8.7 per cent from suppliers in Canada, and only .73 per cent from suppliers outside of Canada.

MR. HYNDMAN: Mr. Speaker, I wish to table supplementary and further information in respect of the responses to Question 201 and Motion for a Return 202.

MR. ADAIR: Mr. Speaker, I would like to table a response to Motion for a Return 224.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. BUTLER: Mr. Speaker, I am very pleased to introduce to you, and through you to the Members of the Legislative Assembly, a young woman from my constituency of whom everyone in this Assembly, and indeed every Albertan, may be very proud, as I assure you I am. For she, fellow members, was the winner of the third search for a new Alberta novelist contest, but on a scale unprecedented in this province — I understand on a sensational scale for all of Canada.

She entered each of the three previous contests without success. This was to be her last effort. Macmillan Company of Canada, which normally adds to this award, presented her with a sizable advance on royalties. An American publisher has signed for the United States publishing rights for a sizable amount. British publishers are now bidding for U.K. rights.

Mr. Speaker, and fellow members, I had no idea of the magnitude of this woman's outstanding achievement until I saw the most famous authors in the province along with national publishers gather last Friday evening to do her honor.

Mr. Speaker, at this time may I present the young woman, Miss Pauline Gedge; her mother Mrs. Gedge; her father the Rev. Mr. Gedge, the Anglican minister for Hanna; her two sons, Simon and Roger.

May I once again give Miss Gedge the best wishes from this Assembly. Now will you rise and receive the welcome of the House.

MR. McCRAE: Mr. Speaker, it's my pleasure today to introduce a group of students from the Collingwood school in the heart of my constituency of Calgary Foothills. These youngsters, 28 in number, are from a Grade 5 class. They are accompanied by their principal Mr. David Bruce, their teacher Mr. Ken Gibson, two chaperones Mrs. Barbara Freund and Mrs. Ann Nichol. The students came by bus this morning and will be visiting a school in Edmonton sometime this afternoon. Tomorrow morning they take a tour of the Provincial Museum.

Mr. Speaker, I'd ask them to stand and you and the Assembly to join me in welcoming them here today.

head: **MINISTERIAL STATEMENTS**

Department of the Attorney General

MR. FOSTER: Mr. Speaker, I would like to draw your attention and that of the members of this Assembly to certain initiatives I am now taking with respect to a growing problem in Alberta, indeed in the entire country: the ease of access to so-called adult

magazines by young people under the age of 18 years.

These publications are a type of reading matter variously described as immoral, indecent, violent, cruel, obscene, pornographic, or constituting undue exploitation of sex within the broadest interpretation of the Criminal Code of Canada. Magazines of this nature have caused and continue to cause concern to many members of the industry, to legislators, to law enforcement authorities, and to many members of the public.

The question of what reading material is appropriate for adults is not a matter with which I wish to deal at the present time. Whether mature persons wish to avail themselves of such publications or whether they prefer to reject them is a matter which is perhaps best left to individual discretion. I am not persuaded, Mr. Speaker, that direct censorship of periodicals or other reading matter is an acceptable or desirable practice in Alberta or in Canada at this time. My announcement today relates solely and specifically to a degree of control over the display, exposure, and availability of adult publications and other reading matter to young persons under 18 years of age and to adult members of the community who do not wish to avail themselves of such reading matter.

This subject, Mr. Speaker, was discussed in some detail last June at a meeting in Vancouver of the Attorney General for Canada and the attorneys general of the provinces. Subsequent to this meeting, I undertook to meet in September with the three major distributors of periodicals in Alberta and to discuss with them what techniques might be employed in controlling this problem. The magazine distributors acknowledge and support the social desirability of restricting the display of such adult reading matter in retail outlets, displaying them with restraint in order to restrict exposure to children as well as to adult members of the community who do not wish to avail themselves of this reading matter. Mr. Speaker, we have the complete support of the periodical distributors in these initiatives.

Accordingly, in the next few days I will be addressing a personal letter to the 2,500 magazine retailers in Alberta asking for their help in controlling the problem. I believe it is not in the public interest that young people under the age of 18 years should be permitted to purchase such magazines. I will ask the retailers to agree with me and to attempt in future to discourage such purchases and restrict the display of these materials. Responsibility for the after market of these materials must of course rest with parents and other adult Albertans.

Naturally, I am counting on the voluntary co-operation of the magazine retailers in this province to assist us in this effort. It's my hope, of course, that all retailers of periodicals in this province will recognize their social responsibility and co-operate in this endeavor.

In addition, Mr. Speaker, I would like to announce that I have written the Minister of Justice for Canada to advise him of my meeting in September with the three magazine distributors. These distributors, who are responsible for the distribution of approximately 90 per cent of the periodicals in this province, have supplied me with a list of approximately one hundred so-called adult periodicals which the distributors themselves judge as unsuitable for Alberta news-

stands and neighborhood outlets. I am asking the Minister of Justice to forward this list to the attention of customs and excise personnel under federal jurisdiction with a view to restricting importation of this material into Canada.

Members of this Assembly, Mr. Speaker, will be aware of the existence in this province of the Alberta Board on Objectionable Publications. Because of a number of practical difficulties in the administration of its responsibilities, this board is now unable to function effectively.

It is the government's intention, Mr. Speaker, to take the positive alternatives I have described, which we feel will be more effective: that is, to seek the voluntary co-operation of distributors and retailers of adult publications and to work with the federal Minister of Justice to limit the importation of many of these materials into Canada. For those other publications which continue to be sold to adults in Alberta, I must underline that the Criminal Code of Canada with respect to obscene publication will still apply, of course, and will continue to be enforced.

head: **ORAL QUESTION PERIOD**

Hospital Waiting Lists

MR. CLARK: Mr. Speaker, I'd like to direct the first question to the Minister of Hospitals and Medical Care and ask if he is in a position to indicate to the House what has happened to the waiting lists in the city of Edmonton in the course of the past year, from the standpoint of numbers of people on waiting lists for active treatment hospitals.

MR. MINIELY: Mr. Speaker, I couldn't today give a definite answer on numbers with respect to waiting lists in the city of Edmonton. I did report to the House last week during examination of the estimates of investments for the capital projects division of the Alberta heritage savings trust fund that the general provincial situation, both in metropolitan and in rural areas, was such that the waiting lists were comparable to previous years. The numbers of surgical operations were up over 1975, and the average stay was moving in a positive direction. But, Mr. Speaker, if the hon. leader would like specific data with respect to the city of Edmonton, separate from the other provincial data, I can get that and provide it to the House perhaps tomorrow.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Could the minister indicate the approximate date of his most recent survey of hospitals across the province with regard to waiting lists?

MR. MINIELY: Yes, Mr. Speaker. I thought I'd indicated that the date was September 1.

MR. R. SPEAKER: A supplementary to the minister. Would the minister indicate whether that was done by officials of his department or by the Alberta Hospital Association?

MR. MINIELY: Mr. Speaker, it was compiled by officials in the Hospital Services Commission and reviewed with the president and officials of the Alberta Hospital Association, who indicated they concurred with the findings we had.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Could the minister, in his review this afternoon and tomorrow, confirm that the waiting list at the University Hospital has increased from some 874 as of August, to a present waiting list of around 1,900?

MR. MINIELY: Well again, Mr. Speaker, I think that must be put in context. If one is comparing August 1976 to the current date in 1976, underlying factors as to time of year and season can create factors in terms of the waiting list. I think what's relevant for purposes of the Legislature is the waiting list comparable to previous years, which has been the import of questions by Members of the Legislative Assembly, and of course, it is relevant to citizens during the period of attempting to manage annual cost increases in the hospital system.

Again, Mr. Speaker, the important comparison is with previous years. The Alberta Hospital Association indicates that waiting lists for the general hospital system in Alberta are comparable to those of previous years.

Tendering Procedures

MR. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Housing and Public Works and ask what progress is being made by the government in the preparation of a uniform tendering manual to be used by all government departments.

MR. YURKO: Mr. Speaker, I'd have to check into the matter and advise the hon. Leader of the Opposition as to the progress of that matter.

MR. CLARK: Mr. Speaker, I'd like to ask a further supplementary question of the minister. Given the present situation of no tendering manual, what procedure is used by the minister's department to check to see that all departments are following the same tendering procedure?

MR. YURKO: Mr. Speaker, the procedures are detailed and rather complex. I'm prepared to supply the procedures in writing to the hon. member if he wishes.

MR. CLARK: Mr. Speaker, a further supplementary question to the minister. When the minister is checking, would he be able to indicate to the House, hopefully tomorrow, when the new tendering manual the government is now developing, which will serve all government departments, will be available?

MR. YURKO: Mr. Speaker, I'll certainly check into the matter to see if I can give the hon. Leader of the Opposition a target date.

Provincial Lottery

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Culture. Has a decision been made re Alberta joining the other western provinces in the so-called \$5 provincial lottery?

MR. SCHMID: Mr. Speaker, the Alberta division of the Western Canada Lottery, which happens to be a partnership of the Commonwealth Games Foundation, the Edmonton Exhibition, and the Calgary Exhibition and Stampede, is presently considering this matter. So far, as far as I know, they have not made a decision whether or not to sell the provincial in the province of Alberta.

Day Care Centres

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Social Services and Community Health. In the light of concern expressed by the director of day care services in the city of Edmonton about possible harmful effects in private day care centres in the province of Alberta, is it the government's intention to move ahead the five-year upgrading of standards in order to accommodate that concern?

MISS HUNLEY: That decision has not yet been made, Mr. Speaker. I think perhaps many private organizations and firms were rather maligned by the accusations that their standards were so poor. I think many of them are very good, according to parents who have contacted me. There are some that need to be brought up to standard, and that will be taken into consideration when the final decision is reached.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Has the minister asked the department to evaluate the Edmonton Board of Health study into the adequacy of standards in privately operated day care centres? Has there been an official assessment or evaluation, if you like, by the department of that report?

MISS HUNLEY: I'm not positive about that exact report, but I do know extensive work has gone on and is continuing to go on in the department relative to day care standards. Of course the hon. member is no doubt aware that we now have a paper out for review regarding the type of regulations and controls we should have on day care [centres] in the future.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. Is it the government's objective, or has the government set an objective yet with respect to how far upgrading should go? Would it be the view of the government that within five years the upgrading of privately operated day care centres should equal the standards of the publicly operated centres in both Edmonton and Calgary, which I understand are well respected throughout the country?

MISS HUNLEY: The government has not had the opportunity to receive all the information that's being

compiled and analysed. When it has that information, I'm sure we'll make a decision accordingly.

DR. PAPROSKI: Supplementary, Mr. Speaker. This question also stems from the meeting I had with the Edmonton Day Care Council last Friday, at which time they indicated the substandard nature of some of the private day care centres. Mr. Speaker, I wonder if the minister would indicate to the House whether she has studies to indicate what percentage of private day care centres are, in fact, substandard? Is it very low or high or what?

MISS HUNLEY: I personally do not have that. That information, or opinions regarding it, may be available within the department. I'd be glad to check with the department and find out how much they have accumulated in the way of actual data. I know their principal concerns have been to establish standards, and they're consulting with the public, which I think is extremely important for them to do.

DR. PAPROSKI: Supplementary, Mr. Speaker. Would the minister confirm to the House whether the department feels that a substantive percentage at least of the private day care centres are of adequate standard and serving the population well?

MISS HUNLEY: Mr. Speaker, I don't know that I'm able to answer that adequately, because I don't think we've got into how many are substandard and how many are above standard. I've discussed the concerns we have at some length with officials of my department. As for being able to say what the percentage is, I don't have that information.

DR. PAPROSKI: Supplementary, Mr. Speaker. Could the minister confirm to the House that the municipal department of health and other agencies in the municipal government have the responsibility to control the standards with respect to private day care?

MISS HUNLEY: Well, that's been one of the gray areas, Mr. Speaker. We're attempting to draw up some procedures that are consistent throughout the province. Where the responsibility will ultimately rest is a decision that has not yet been taken.

DR. PAPROSKI: A final supplementary, Mr. Speaker. I wonder if the minister would indicate to the House whether the department would agree to meet with the Edmonton Day Care Council with a view to obtaining direct input from that council after or before they submit their response to the proposed licensing and standards report put out by your department.

MISS HUNLEY: I'm sure they would. They've been meeting with many groups and organizations. That's the idea of having the position paper circulated, in order to have public input. I would hope all interested persons will be contacting the department so their opinions can be assessed.

DR. PAPROSKI: A final, final supplementary, Mr. Speaker.

MR. SPEAKER: Possibly this post-final supplementary should be the real final supplementary.

DR. PAPROSKI: Thank you, Mr. Speaker. I wonder if the minister would indicate to the House at this early stage, and I recognize that it's an early stage in budgetary allotment, whether the minister is considering increased funds for day care in Alberta.

MISS HUNLEY: I'm not in a position to answer that at the present time, Mr. Speaker. The decision on budgets has not yet been made.

MR. NOTLEY: Mr. Speaker, after the final, final supplementary question from the hon. Member for Edmonton Kingsway, I'd like to pose one supplementary question to the hon. minister for clarification. Do I take it from the minister's response that at this point in time the government has not taken a final decision as far as the five-year phasing in of standards is concerned? In other words, it could be two years, it could be three years. Has there been any decision on that matter? Further, Mr. Speaker, to the hon. minister, would it be the view of the government that there should be a step-by-step approach to improving the standards, or would it just be within that time frame?

MISS HUNLEY: Well, I answered the hon. member once, Mr. Speaker, but maybe I can make it a little clearer for him. I have not yet taken recommendations to my colleagues. We are attempting to have as much consultation with the public and interested persons as possible. When that has been done I will receive recommendations from the department in which all this will have been assessed. At that time I will take some recommendations to my colleagues, and we will then make the decision.

MR. TAYLOR: Supplementary to the hon. minister. Has the hon. minister received any complaints from the parents who leave their children in private day care centres?

MISS HUNLEY: Yes, I've had some, Mr. Speaker. I'm trying to recall the amount of mail I've had. I don't believe I've had many of those complaints personally, but one complaint about a child being neglected or abused is one too many, in my opinion.

DR. BUCK: Supplementary to the hon. minister. Can the minister indicate what involvement private business and industry has in the area of day care? With interest I've noticed some articles where business and industry have taken quite a role in providing day care. Has there been some involvement of the private sector with government in discussing that direction for day care?

MISS HUNLEY: Well, it's a very valid opinion the hon. member expresses. I think there is a role for business and industry to play. In consultation with them, I believe my colleague the Minister of Business Development and Tourism has indicated to them in speeches that that's an area they should examine. I too have done that. We're hoping industry will fill a role, because it could do a very valuable service to them as well as to their employees.

Oil and Gas — Suffield Block

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Energy and Natural Resources. Could the minister indicate whether the Alberta Energy Company will be going ahead with deep hole oil exploration in Suffield?

MR. GETTY: Mr. Speaker, the Alberta Energy Company negotiated a farm-out with Westcoast Petroleum to have a certain number of deep tests drilled in the Suffield Block. That evaluation program has not yet been completed. However, it's my understanding that the initial wells have been very encouraging.

MR. MANDEVILLE: A supplementary question, Mr. Speaker. Have any producing oil wells been drilled by the Alberta Energy Company in the Suffield Block to date?

MR. GETTY: Not by the Alberta Energy Company to the best of my knowledge, Mr. Speaker. However, several deep tests by Westcoast Petroleum have encountered oil. But the hon. member used the term "producing oil wells", and there are not any producing oil wells. Oil has been encountered in what appears to be commercial quantities. Therefore, there is the potential for oil production from the deeper horizons in the Suffield Block. However, that matter would also require some additional negotiations with the federal government inasmuch as the current negotiations really only cover the rights for production equipment across the surface for natural gas production.

MR. MANDEVILLE: One further supplementary question, Mr. Speaker. Will the two agreements recently made by the Alberta Energy Company be sufficient to handle the natural gas produced to date in the Suffield Block, or are further sales anticipated?

MR. GETTY: I don't know the details of that at this time, Mr. Speaker, but I imagine the Alberta Energy Company will negotiate contracts to sell all the gas they have the potential to produce.

Licensing of Physiotherapists

DR. BUCK: Mr. Speaker, I have a short question for the hon. Minister of Social Services and Community Health. I would like to know if the hon. minister can indicate what consultation the minister or her department has had with the Alberta medical profession in relation to the licensing of physiotherapists in the province. Have there been any recommendations by the Alberta Medical Association to the minister's department?

MISS HUNLEY: Mr. Speaker, I can't recall having had any representation. I would need to go back to try to refresh my memory, because I do meet with the medical profession whenever they request a meeting. I don't recall that ever being on the agenda, so I can't see that it's relevant to the hon. member's question.

DR. BUCK: A supplementary, Mr. Speaker, to the minister. Has the MLA committee on health services

made any recommendation re the licensing of physiotherapists in the province?

MISS HUNLEY: Mr. Speaker, it's a matter that I explained to the hon. member yesterday. I seem to have trouble getting through to people, I guess. Legislation is requested by many groups, occupations, and professions. Many are similar in context, but many are not. Until such time as we're ready to start dealing with them, we've been holding them in abeyance.

DR. BUCK: Mr. Speaker, I'm not sure if it's the vagueness of the questions, or the vagueness of the answers.

CNIB Workshops

MR. KUSHNER: Mr. Speaker, I wish to direct my question to the Minister of Labour. I had a couple of calls last night making some enquiries. I wonder if the minister could inform this House if there is any validity to the fact that CNIB workshops are being closed due to more accidents than normal.

MR. CRAWFORD: Mr. Speaker, I believe the hon. member's enquiry relates to the CNIB workshop in Calgary. Because he mentioned the issue to me earlier today, I commenced some enquiry into what the situation might be in respect to accidents at that workshop. I have not as yet had the opportunity to bring together the necessary information. I will be pleased to respond to him, probably tomorrow.

Windstorm Damage

DR. BACKUS: Mr. Speaker, a question for the Deputy Premier. Is Alberta Disaster Services looking at damage caused by the recent windstorm on Halloween? I understand some farms in my constituency have suffered severe damage — more of a trick than a treat.

DR. HORNER: Mr. Speaker, ordinarily Alberta Disaster Services would respond to the needs of a municipality or an individual throughout the province. In checking with them earlier today, there has been no request from any municipality relative to the windstorm that occurred on Halloween. I would like to point out again though, Mr. Speaker, that we do consider windstorm damage insurable and therefore it would not be compensated by Alberta Disaster Services in the usual course of events.

MR. GOGO: Supplementary, Mr. Speaker. Is that applicable also in Lethbridge, Alberta?

School Discipline

MR. TAYLOR: Mr. Speaker, my question is to the hon. Minister of Education. In view of recent newspaper stories of goings on in some schools, does the Department of Education encourage the use of the strap for rowdiness and disobedience in the classroom and on the school grounds?

MR. KOZIAK: Mr. Speaker, the decision as to what rules are to be observed by students in the classroom and on school grounds is made by the local school board. The sanctions for the breach of those rules that would be imposed are also determined by the local school boards.

As I've mentioned in the course of second reading of Bill 84, the extension by that bill of the areas to which school boards can make rules and impose sanctions includes school buses.

MR. TAYLOR: Supplementary to the hon. minister. Would a principal be permitted to spank a rowdy child if he had the consent of the school board?

MR. SPEAKER: If the hon. member is asking with regard to a law of assault, perhaps he could get that information otherwise.

MR. TAYLOR: To put the question a different way. Would a principal be within his rights to spank a child, if he felt the spanking would help the child?

MR. SPEAKER: With great respect, I'm unable to get around the objection, even with the revised text.

MR. TAYLOR: The question's almost as hard to get over as the spanking of the child.

St. Paul Auction Mart

MR. LEITCH: Mr. Speaker, I would like to take this opportunity to reply to a question asked of me on Friday by the hon. Member for Spirit River-Fairview, regarding whether I could advise the Assembly why the government did not consider bankruptcy proceedings against the St. Paul Auction Mart, in respect of a certain guarantee that had been paid by the provincial government. I'd like to advise the Assembly of our general policy in these areas, which is to take all reasonable and practical proceedings which we feel might lead to the recovery of any funds owing to the provincial government.

Today I had the opportunity of reviewing the details of this matter with officials of the department. As the Assembly is already aware, we had realized on the specific security that we held in respect of the loan. The officials then examined the practicality of taking bankruptcy proceedings and concluded at this time that such proceedings would not lead to any additional recoveries in respect to this loan. That was the reason we're not taking it.

MR. NOTLEY: I'd just ask one supplementary question. Any others I'll direct tomorrow. Can the Treasurer advise whether it's true that with respect to the, I believe, 1,003 cattle held as security on the loan another creditor had prior claim on that particular security?

MR. LEITCH: Mr. Speaker, as I recall the facts, the creditor who supplied food and care for those animals had a prior claim, and that's provided for under provincial legislation. Anyone who provides animals with food and maintenance has a claim over chattel mortgages or mortgages even though they may be

prior in time.

Home Improvement Grants

MR. YURKO: Mr. Speaker, several days ago the Member for Calgary Bow asked me a very pertinent question with respect to whether or not the benefit under the senior citizens' home improvement program, that is the \$1,000 grant, was subject to federal government taxation with respect to income tax. I indicated that it was a very pertinent question and I'd look into the matter and report to the House. I'm prepared to indicate to the House, Mr. Speaker, that shortly after the three programs which involve subsidy — the starter home ownership program, and the core housing incentive program, and the senior citizens' home improvement program — were finalized, the technical interpretations office of the taxation division of Revenue Canada was contacted with respect to whether or not subsidies provided under these programs would be susceptible to income tax.

At that time, November 1975, we received an opinion that the subsidies on all three programs would be tax free in the hands of the recipients. Here again the subsidies varied, Mr. Speaker. I just wish to indicate that under the starter home ownership program the subsidy involved an annual allocation of up to \$130 a month with respect to a rent subsidy. Under the core housing incentive program the subsidy was somewhat different. It was an interest subsidy which resulted in a lowering of the rent. Under the senior citizens' home improvement program, it was an actual grant for improvement of the home.

Mr. Speaker, I wish to reiterate that the opinion supplied to us at that time was that indeed all these subsidies were tax free in the hands of the recipient.

Hospital Waiting Lists (continued)

MR. MINIELY: Mr. Speaker, earlier in the question period today, in reply to a question from the hon. Member for Little Bow as to the date that a review of hospitals in Alberta was undertaken by my officials and reviewed with the Alberta Hospital Association, I indicated that date to be September 1. Mr. Speaker, it was one month ago, September 30.

ASH/Deerhome Equipment

MISS HUNLEY: Mr. Speaker, a couple of questions were asked earlier in the session by the hon. Leader of the Opposition relating to ASH/Deerhome. I'd like to give the answers today.

One related to walk-in freezers and their condition. The freezers were taken out of service as inoperable until repaired. They have now been repaired and will be used again.

He also inquired about an auction sale at which 256 articles were sold. I'd like to advise hon. members that a public auction is not unusual at institutions, because they declare their surplus on an annual basis. However, the hon. Leader of the Opposition was not correct when he said that according to the agreement VS Services should have been required to take some of the items such as soap, cleaning supplies, and other products.

The department's agreement with VS Services specified that the contractor could decide which products he wished to purchase from the department. The department in turn would have the same right to purchase from VS Services whatever supplies it wished, if and when the contract was ever terminated.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

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

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

Copies of the following reports, studies or documents as listed in Return No. 199/75;

Study concerning the suitability of Clear Hills iron ore as a blast furnace feed, done by Krupp Industries Ltd.;
Study concerning an evaluation of the need for equity capital financing in Alberta, done by Prof. Maule and Prof. Litauk;

Study concerning major resource development projects and effects on development in northeastern Alberta, done by Peter C. Nichol;

Study concerning priorities for northern airstrips, done by Applied Research Associates Ltd.;

Study concerning financial problems of small Alberta-based oil and gas companies done by Foster Research Limited;

Study concerning future world markets for non-coking coal, done by Batelle;

Study concerning review and evaluations of the economic import of the petrochemical complex in Alberta, done by Data Metrics Ltd.;

Study concerning the relationship between Alberta's trade strategy and GATT studies, done by Associated Economic Analysts Ltd.;

Study concerning a forecast of polyethylene and PVC resin consumption from 1975-1990, done by Stanford Research Institutes;

Study concerning an appraisal of steel industry potential in Alberta, done by Hedlin Menzies and Associates Ltd.;

Study concerning a cost-benefit analysis of coal development in Alberta, done by Scott and Hart Associates Ltd. (Hedlin Menzies);

Study concerning a cost-benefit analysis of Gregg River resources, done by Data Metrics Ltd.;

Study concerning an analysis of economic evaluation of Alberta petrochemical consortium (two separate reports), done by Chem Systems Ltd.;

Study concerning a project to develop a financial plan for public colleges and universities, done by Calgary

Systems Research;

Study containing a review of various components of the petroleum exploration plan, done by Foster Research Limited;

Study containing a preliminary analysis of the objectives and mechanics of marketing Alberta crude oil by the commission, done by Foster Research Limited;

Study containing a preliminary analysis of certain aspects of the supply and disposition of Alberta natural gas, done by Foster Research Limited;

Study concerning a review of the pricing system for Alberta's natural gas, done by Charles Gerald Smith, Q.C.;

Study concerning branch line rehabilitation cost, done by Loram International Ltd.;

Study concerning the housing conditions of Alberta's senior citizens, done by Mr. James Waugh;

Study concerning two proposals for rail freight, done by R. L. Banks & Associates, Inc.;

Study concerning the bus services analysis (Edmonton-Calgary Corridor Transportation Study), done by DeLeuw Cather Consulting Ltd.;

Study concerning the cost and feasibility of government takeover of railroad beds, done by R. L. Banks & Associates, Inc.;

Study concerning a projection of OPEC, Canadian synthetic crude oil prices in connection with Syncrude project evaluation, done by Foster Research Limited;

Study concerning the economic impact of the petroleum industry on Alberta, done by Hu Harries & Associates;

Study concerning the preliminary review of possible petrochemical development in B.C., done by Foster Research Limited;

Study concerning the development of natural gas pricing strategy for Alberta, done by Foster Research Limited;

Study concerning the present position and outlook for Alberta coal in selected world markets 1974-1985, done by Foster Research Limited;

Study concerning the calculation of projected synthetic crude selling prices in connection with analysis of Syncrude project, done by Foster Research Limited;

Study concerning the development of large scale hydrocarbon storage facility (feasibility, time and activity, site selection), done by Western Underground Contractors;

Study concerning the review of relationships between Canada and the United States regarding exported Canadian natural gas, done by Foster Research Limited;

Study concerning Alberta's financial market growth and the impact of such growth on corporate and government financings and asset management, done by Dr. S. M. Tinic, Prof. Beveridge, and Prof. Korkie;

Study concerning the review of current state of knowledge regarding the efficiency and safety of megavitamin therapy, done by Dr. Karr;

Study concerning the import of Dunvegan Dam construction on the Dunvegan Historical Site, done by John Nicks;

Study concerning the attitudes toward compulsory physical education programs and an interpretation of data on injuries occurring during physical education, done by University of Alberta;

Study concerning solar energy technology, done by John Owen D.M.I.C.;

Study concerning "no fault" insurance, done by William A. Stevenson;
 Study concerning mobility in Canada and Alberta basis, done by Dr. D. Krishnan;
 Study concerning accidents and suicides, done by University of Alberta Hospital;
 Study concerning background information for a position paper on senior citizens, done by John Ward;

MR. FOSTER: Mr. Speaker, we ask that Motion 228 stand as well as 229.

[Motion carried]

head: **GOVERNMENT BILLS AND ORDERS**
 (Second Reading)

Bill 4

The Social Development Amendment Act, 1976

DR. PAPROSKI: Mr. Speaker, as I introduce second reading of Bill 4, The Social Development Amendment Act, 1976, I would like to indicate to the House that some important changes were made in this act which will indeed clarify social assistance in Alberta, assure more equitable assistance for those in need and, at the same time, provide a penalty for failure of the recipient to notify change of circumstances.

Mr. Speaker, before I get into the amendments I would like to read into *Hansard* for the information of the House and for the record some information on social allowance in Alberta from the annual report for 1974-75 of the Department of Social Services and Community Health. This is very brief, Mr. Speaker.

...

MR. SPEAKER: Order please. It would perhaps be an unwelcome departure or precedent if we were to start to adopt a custom which I think is prevalent south of the border, reading items into *Hansard*. I realize that it has happened with regard to certain important matters on certain important occasions, I believe with the leave of the House. But I would point out that if this were to become a custom it would not only make *Hansard* much more extensive and costly, but it's doubtful whether it would add a great deal to the service of the Assembly to read in items which are available publicly, as apparently this one is, in a published report of one of the departments.

DR. PAPROSKI: Thank you, Mr. Speaker. I won't read that into *Hansard* except to say there are some 4,000 employable individuals on social assistance in this province out of some 31,000. I think it is interesting to note that only those 4,000 are actually employable. Some of the others of course are persons with dependent children. Although a large group numerically, they have the responsibility of staying at home and caring for the children. Only a percentage of those are able to work because they have that ability or desire.

Mr. Speaker, I would like to review a number of amendments for hon. members. Number one is to restrict the definition of dependants to only to persons under the age of 18. The definition of a

dependant can currently include any child residing in a house of a social allowance recipient. This provision does not allow the department to effectively scrutinize those to ensure that unwarranted payments are being made to families with employable dependants, meaning of course those in the older age group. Now, Mr. Speaker, with this particular amendment, the over 18-year-old will in fact have to report to the department and register. He'll therefore be scrutinized by the department, and the question of why he is not working would be asked.

The other side of the coin here, Mr. Speaker, is that the individual over 18 who applies for social assistance on his own will be able to get both room and board. This is of course an advantage, especially for those who are mentally or physically handicapped. They will be able to obtain more assistance in this regard.

The second amendment, Mr. Speaker, is to delete improvement districts and special areas from the definition. This would allow the department to subsidize or allow 100 per cent payment to those improvement districts and special areas. Mr. Speaker, as all hon. members probably know, since November 1975 the department actually has been funding cities, towns, villages, including municipal districts and special areas, to the degree of 100 per cent. So in practice this has been occurring. This will clarify the issue in that regard.

The other amendment, Mr. Speaker, is to provide cabinet with the authority to designate those training programs for which social allowance recipients will be eligible. Mr. Speaker, the act currently permits the director to provide assistance to social allowance recipients with respect to vocational or other training. The issue here, Mr. Speaker, is that from time to time recipients have requested luxury-class training, if I may use that expression; that is, training out of province, out of country in some cases, as I understand it. Mr. Speaker, it is felt that the department should not have that wide a latitude. If the department refuses such a luxury-class type of assistance for training, the recipient may go to an appeal panel. The appeal panel, in turn, may reverse the decision of the director and grant a luxury-class training. It is felt, Mr. Speaker, that these items, the class of training, should be enumerated. It is the feeling that university, out-of-province, and highly expensive types of programs should not be paid for by the taxpayer, but basic vocation, yes.

So, Mr. Speaker, if recipients indeed wish a sophisticated type of education in a remote area or out of the province, it is felt that they may have to take on this responsibility themselves. In other words, Mr. Speaker, the cabinet or the Lieutenant Governor in Council will set the regulations and the type of training, and the appeal panels will have to follow this direction.

For those hon. members who may have forgotten, there are some 34 appeal panels in the province of Alberta made up of individuals of diversified backgrounds. They sit and hear appeals, either from the recipient or from the public at large, and judge how much or what a recipient should receive. Edmonton and Calgary each have one such appeal panel.

Mr. Speaker, the other amendment is to provide that the assets of any adult person who may have a legal liability to contribute to the support of a social

allowance recipient, and who is living in the same residence as that recipient, should in fact be taken into account. Mr. Speaker, this amendment is important because a recent court decision in Alberta held that a woman living common-law with her ex-husband did not lose her entitlement to social assistance, notwithstanding the fact that her common-law husband was in a position to support her. Mr. Speaker, it is felt that the common-law spouse and others who may be in a position to support the recipient should be taken into consideration, and this amendment will allow that possibility. In other words, it may be taken into consideration.

Mr. Speaker, the other amendment is to provide that social allowance will be payable only to persons who are in Alberta. Mr. Speaker, what this amendment intends is that recipients shall remain in the province from cheque to cheque. In other words, they won't be allowed to leave the province for two or three or four months and receive their cheques in spite of that absence from the province. Now Mr. Speaker, I'm sure the department would view every case individually if there were some special or extraordinary circumstances, but the intent here again is to assure that those who are in need will receive it, and those who are abusing it for any reason will not receive it.

The other amendment, Mr. Speaker, is to provide that social allowance may be terminated by the director where it seems that a recipient has had a change in financial circumstances and where it appears the recipient is refusing to seek employment. Here, Mr. Speaker, a clarification: up to this time the individual receiving assistance has merely had to report to the director. With this amendment, Mr. Speaker, the individual will not only have to report but he will have to show the director that he is in fact seeking employment. In other words, the onus will be shifted from the director to the recipient to prove that he is seeking employment.

The next amendment, Mr. Speaker, provides for a penalty for any person who fails to notify the director of a change of circumstances in the amount of a fine not exceeding \$500, or in default thereof a term of imprisonment not exceeding 90 days.

Mr. Speaker, it should be underlined at this point that the vast majority of recipients in the province of Alberta are not abusers. This does not apply to the vast majority of the recipients. This is intended for the abusers, and there are a few in every socio-economic group, Mr. Speaker. The taxpayer out on the street feels, I am sure, that this area should be tightened up, as it would be for unemployment insurance or in any industry. So I am confident that this will not hurt that vast majority of the honest recipients.

Mr. Speaker, the final amendment is: to extend the right to recover from social allowance recipients, by deductions from their subsequent payments, any amounts that were paid to those recipients for a variety of reasons, such as non-disclosure of facts, false representation, error, or other causes which would include the right to recover payments for damage deposits.

Mr. Speaker, it is very important to recognize that in recent times a number of complaints have been brought to the department that damage deposits have been forfeited because the recipient has caused an

excessive amount of damage. It was unwarranted, and unfortunately the department had a difficult time recovering. This particular provision allowing the department to recover payments for damage deposit will, I think, shift the onus again onto the recipient and increase his responsibility.

So, Mr. Speaker, these are the amendments. I feel very strongly they will tighten the application of social assistance in the province of Alberta. Yet 18-year-olds or over will now have to apply for social assistance on their own. This may be of benefit to those who are indeed handicapped, in that they will receive and qualify for assistance including room and board instead of only board. Mr. Speaker, I reinforce that amendments will not hurt the responsible recipients who are the vast majority and who are truly in need, but will help curtail the abusers, a small percentage of the total recipients.

Mr. Speaker, I urge support of these amendments.

MR. R. SPEAKER: Mr. Speaker, in speaking to second reading of Bill No. 4, The Social Amendment Development Act, 1976, I want to say first of all that I feel the act in this form is supposedly symbolizing responsibility. But, Mr. Speaker, I'd like to question that at this point in time.

Number one, as a government, when you hire a number of people to work for you, to be responsible in the civil service, you outline the policy position and the general directions and ask them to implement them or carry them out at the field level. As I examine each and every one, with one exception — that's with regard to the age limit of 18 — I note that these things could have been done, under the present terms of reference, for social workers, for the department. So really, Mr. Speaker, there isn't anything new in the bill. As I said, it may symbolize for the government a new approach to welfare, an approach to do something with those who may be called the welfare bums.

But, Mr. Speaker, I wonder why these types of things must be put in the act at this time. For example, when we talk in terms of limited training programs, if a directive were placed before the social workers in the policy manual that these are the training programs in which you can enrol welfare recipients, it could have been done without legislation. If we talk in terms of restricting assistance to those physically in Alberta, the same could apply. Mr. Speaker, if we talk about the offence not to disclose, well, that has been an offence up to the present time: we could reduce or terminate assistance when a person does not seek work. The act and the department have that capability at the present time. The right to recover is in the act at the present time. So, Mr. Speaker, I want to question what we are attempting to do in this particular act.

I recognize, as the member who introduced the bill has stated, that it's to have a firmer approach with some people, to be maybe a little more restrictive, to bring about greater responsibility. But Mr. Speaker, I'm not sure we can legislate responsibility in people. That's what the government is attempting to do at this point in time. We can just say they're attempting to legislate morals in people.

We happen to be talking about a group of people who many of us feel should be working and not sitting at home. I don't think we argue with that

premise. If there is a person like that in the province, and the general public raises it with the department or the minister or the social worker, there are mechanics in the department to take care of that. The employment opportunity program, which this government and the former government have supported, by all indications, figures, and statistics has been a very successful program.

Mr. Speaker, in saying that, I really question what we are doing. Let's examine the training programs a little further. The social worker, in dealing with the individual, makes the judgment. That's why we hire the social worker. We talk about programs, other training programs. The hon. member has said we have to take the luxury-class training programs away from individuals — the university programs, most likely. In my mind I'm not sure there is a difference between the cost of going to university and going to a technical school or a vocational school.

Today we honored someone in this gallery who was on social assistance. During the period of time on social assistance she was able to create, to write, and to receive great honor in our province and in Canada. The hon. member congratulated her today. That was through opportunity provided by government assistance. I don't know all the circumstances, but from what I read in the paper, she has a family and is looking after her two sons, and in her period of time at home was able to do this writing in a period of five to six weeks, I believe, writing five days a week, showing individual responsibility. Well, maybe there are those who have ability for university, who can contribute to their own or someone else's academic life.

But here we are in this amendment saying the government policy is this: we are going to restrict the kinds of programs that welfare recipients can enter, we are taking away the luxuries of welfare — and I agree with that, if you class a university program as a luxury, but I don't — that's what it's really saying, Mr. Speaker. We're taking away ability of judgment of the professionals we hire in the field. Now if the government feels that as a government it can make better judgments on welfare recipients than the professional people, we had better tell the professional people that when we meet them at their next professional meeting.

It indicates to me that we are showing a kind of distrust in this bill, Mr. Speaker, and I really don't see the need. It takes away flexibility and brings in rigidity. It brings a political element to decision-making, away from maybe an objective element at the grass roots level, at the recipient level. As statistics prove and as I recall over the years, the number of people we're trying to get at is not that many. For just a few, we're going to make it difficult for some who really need help. Maybe there are other ways we can get at those people.

The other part of the bill talks about the principle, to symbolize responsibility by government action, that we have the right to terminate the social allowance of those who do not seek work. I think that's fine, but it's not new. It's something that could have been done before. It was in the act before. For anybody not acting responsibly on social allowance, in the judgment of the director or of a social worker, the allowance could be terminated.

So, Mr. Speaker, I'm just not sure what the

government is getting at at this point in time. Maybe it is a political move. I don't really think it's totally a rational move. There are two sections that are certainly rational. But I would say it's an attempt to give an image of the government that they are tough and rough and are really going to bear down on the welfare people. It's good for out in the hustings, it's good to tell your friends this type of thing. But is it the right way to manage a government? Is there a real difference between policy making, administration of policy, and administration of that policy at the grass roots level? That's what we have to answer at this time. I think the legislation and policy determination based on legislation are getting a little confused in this particular piece of legislation.

There is no question that in principle I support, and have always supported the many years I've been in the Legislature, the fact that anybody who is getting money who doesn't deserve it shouldn't have it. In the department there are special investigators. If cases are reported, send them out to investigate those people. And if they're committing a crime or taking money from the province or the taxpayer illegally, then prosecute them like anybody else. But let's not try to take the whole group of welfare recipients, put them into a basket, and say we're going to bear down on them.

Maybe this legislation will only sit on the books as is, and nothing will change. I'm sure I could go out on the hustings and speak at a meeting and tell how great and tough we are, and then when I go to speak to the social workers say, well, we're not really going to implement it anyway. We're going to be lenient. It's a beautiful piece of propaganda in that sense. But, Mr. Speaker, I think we have a responsibility as legislators. I think the government has a responsibility to the welfare recipients, the people in need. We also have a responsibility to bring in legislation that we really mean and isn't just used as a political flag.

Mr. Speaker, the undertones of that legislation raise concern in my mind, and even though I support the concept of one, being tough, two, being benevolent to those who need help, I'm not so sure this is the way the government should go about it.

MR. NOTLEY: Mr. Speaker, first of all I'd like to say that I agree with many of the points that have just been expressed by the hon. Member for Little Bow concerning whether we needed amendments to the act to achieve some of the objectives that the hon. Member for Edmonton Kingsway cited when he rose to speak. As the Member for Little Bow quite rightly pointed out, in actual fact most of these prohibitions, if you like, are there; most of the steps are already set out in existing legislation. So it really wasn't explained by the member when he introduced the bill why it's necessary at this point to bring in the amendments.

Mr. Speaker, I don't intend to read a total report into the record, but in any assessment of this legislation the place to start is to look at the breakdown of the case load in Alberta. We have 31,600 people. The Member for Edmonton Kingsway is quite correct; there are about 4,407 who are employable. That's about 13 per cent, Mr. Speaker, of our entire case load. But a very interesting statistic is that 19.23 per cent, or over 6,000, are people of age 60 or more. In other words, a substantially larger number are senior

citizens than employables. Those who have disabilities or are physically ill constitute 18.57 per cent; the mentally ill, 6.5 per cent; mentally retarded, almost 2 per cent; unsuited for employment, almost 2 per cent; people with dependent children, 38 per cent. So we're really looking at 13.7 per cent on the quarterly average, October to December 1975. I think it's important that we put it in this context so we do not go chasing off on figures which are not correct. We're looking at 4,407 out of 32,000 people.

A second thing I'd like to bring to the attention of the Assembly, Mr. Speaker, and again looking at the statistics, is that of those 4,407, almost 2,000 are being trained for work. In other words, let's not assume that the 4,400 people are all just lying around collecting their welfare cheques, couldn't care less about making an effort to improve their lot in society. Almost half of those 4,400 are either employed and awaiting pay — in other words, they've just got a job but they haven't received their first pay cheque, so they're getting temporary assistance until they get their first cheque — or they're part time, or attending school up to and including Grade 12, or attending technical or vocational training, or, as the Member for Little Bow pointed out, a very small number, about 13, are attending postsecondary education.

So it's important that we put this in perspective: of the 4,400 almost 2,000 are honestly trying to improve their lot. Of the remaining 2,400, there are all sorts of reasons they are not in the labor force, probably as many as 2,400, all the way from being legitimately unemployed to those, frankly, who are not making an honest effort.

But it is crucial that in examining this problem, we make sure we recognize that we are not dealing with as many people as conventional wisdom tends to think. Conventional wisdom would have us believe that the vast number of people on social allowance in this province are abusing the system. In actual fact, it's a very small minority. We can quibble over what that minority would be, but using the statistics that have been compiled by the department, it would be very small.

Now, Mr. Speaker, that doesn't mean of course that we should throw up our hands and say, well, let's not worry about protecting public funds. Obviously we should. The point that the hon. member has to make, that the government has to make, is that the changes they are proposing in this Legislature are in fact necessary, that that kind of latitude doesn't exist in the bill as it presently stands, that the amendments are necessary in order to make sure that public funds are properly administered, and that the abuse is reduced.

Mr. Speaker, we must remember that at the present time it is illegal to defraud the government. The Member for Little Bow pointed out that there's no question that if someone who is not entitled to receive assistance defrauds the government, that individual can be prosecuted.

Mr. Speaker, what concerns me, the very first thing about this bill as I reviewed it, is that what we are doing now is moving from a system where we must prove intent to a system where if a person merely fails to notify, he is going to be assumed guilty.

Mr. Speaker, that's a very troubling change. In my

view, it's one thing to say, all right, Joe Blow has been receiving assistance illegally and has been defrauding the government, and Joe Blow is duly prosecuted and pays the penalty, whatever that penalty may be, once he is proven guilty of defrauding the government. But, Mr. Speaker, when one looks at Section 12, failure to notify will mean a fine of not more than \$500, or a term not exceeding 90 days. Now in many cases, Mr. Speaker, this is going to in fact mean 90 days or a prison sentence, because many of the people who will be prosecuted just will not be able, seriously, to obtain the \$500 to pay the fine.

That troubles me. It troubles me because when I look at other acts we have passed in this Legislature — I listened to the hon. member when he was interviewed after introducing the bill. He said, you know, we must make sure that public money is properly spent. Everybody in this House agrees with that. On the other hand, I look at The Alberta Opportunity Act; I look at it very carefully. You know, Mr. Speaker, there is no provision in The Alberta Opportunity Act for a \$500 fine or 90 days in jail if circumstances change, no provision in that act at all. Indeed, Mr. Speaker, what about the Export Agency indeed?

If we are going to tighten up, it seems to me there are other bills we should be bringing in too. I'm surprised that we haven't got a whole host of bills before the Legislature to tighten up the administration of public funds. Why then, Mr. Speaker, start here? Is it because conventional wisdom makes it politically prudent to start here? Is that the reason? I hope not.

But regardless of what the reason may be, we are left with a rather serious clause, Mr. Speaker, which in my judgment anyway, is going to mean that the whole onus of our legal system — that a person must be proven guilty before in fact he is sentenced, before he must pay whatever penalty is handed out — that the onus is upon the state, if you like, to prove guilt, not the other way around.

Mr. Speaker, the reason I raise this is that as an MLA I have had to deal with a large number of senior citizens, who quite frankly had come to me with some of their difficulties on federal pension matters. Let me tell you, I see a maze of regulations that have to be filled out, and whereases, if, ands, or buts — and then I look at how people, many of whom have difficulty understanding the English language, have to face the problems of filling out these forms. I can't imagine any member in this House who has had any experience at all in dealing with senior citizens' applications for the guaranteed income supplement not being frustrated with the forms and the problems that these people — legitimate problems, not people who are out trying to defraud the government — because it's not as easy as many of us may think for some people to fill out forms.

Well, Mr. Speaker, as I look at this section, simply a failure to disclose changed circumstances could mean — with no intent to defraud at all — \$500 or up to 90 days. I suggest, Mr. Speaker, that that is shifting the balance. What we had in the former act was reasonable protection for the public. In other words, if there was intent to defraud, then in fact, Mr. Speaker, the person would be prosecuted and would receive whatever sentence was handed out if his guilt

was proven. It seems to me we're shifting the balance.

Mr. Speaker, I consider this by far the most serious concern with the act. The member raised the question of the common-law relationship. I don't disagree with that. I think there probably are cases where people are abusing the system, where in fact there is a common-law relationship, although I would caution the minister that unless he is prepared to sit outside the house with a stop watch it's going to be a little difficult to prove a common-law relationship. Nevertheless, Mr. Speaker, I don't object to that in terms of the general principle. If there is in fact a relationship, it seems to me that it is an abuse of the system for someone to take advantage of the public money he receives. I would just express the caveat that it may be a little more difficult to administer than to put into an act.

I suppose that really leads me to the basic point the hon. Member for Little Bow was making. Within our legislation at the present time, there are methods by which we can protect the public purse. However, in any department of government we have to place a good deal of trust in the people who are administering that department. It doesn't mean that we provide blind trust, that we don't question what's going on. Obviously we must. But, Mr. Speaker, from my experience anyway, I am of the view that the social workers of this province and the regional offices — at least the regional offices I've had occasion to deal with in the Peace River country — are concerned about not only providing a service for the people who need it on one hand but balancing that against the responsibility to the taxpayers of this province. So they simply don't throw public money around without due consideration of the rural regulations. Quite frankly, Mr. Speaker, I think we have been well served by the people in that particular department.

I want to raise just one additional concern, to repeat something raised by the hon. Member for Little Bow. What do we mean by luxury training? It's regrettable that the member did not define that a little more clearly. If what he's talking about is basket weaving in Ethiopia and sending somebody to university there, then I'm sure all of us would agree. But no one is seriously going to contemplate that. No appeal board is going to recommend that.

But if what we mean is university training or university education, that is a totally different kettle of fish. There are many people, particularly some of the physically handicapped, who should be going on to university, who have the ability and the competence. Mr. Speaker, the wisest investment we could make would be to encourage university training. If that means for a period of four, five, or six years they're on social allowance, so be it.

I don't know whether this is what the government means by luxury training or not. I'm not in a position to know that, because the member didn't outline what he meant when he introduced the bill. I would hope, Mr. Speaker, that what we are talking about is something rare indeed, and not university, post-secondary, or college education.

Just one final comment, Mr. Speaker. Today in the question period I raised questions concerning day care in Alberta. One of the largest groups of people receiving social allowance in Alberta are people with dependent children. Now there are a few single-

parent families where it's just the husband, or the man and not the woman. But in most cases it's women who might otherwise be in the work force.

It seems to me that one of the most useful contributions to debate on this matter was recently presented by Mr. Day, the director of day care in the city of Edmonton. He made the argument that even if you look at it from the perspective of saving the taxpayer money, that proper day care facilities so that women who would want to work, who would choose to work, who are able to work; even if you provide the best services available — take Edmonton and Calgary standards and apply them across the board — and you recognize and include the 30 per cent operating deficit we would have to pick up from the province, there would be a saving of about \$1,150 to have that woman in the work force, with her children going to the best day care centres, fully subsidized by the province, a saving of \$1,150 over that woman — or that person, I should say — staying at home if she had two children.

I think that's something to consider. You know, we often look at day care simply from the perspective that this is going to be an added burden; this is going to be an added cost. I suggest, Mr. Speaker, when one carefully reviews the statistics of who is receiving social allowance in Alberta, maybe one of the best investments we can make is to encourage more day care facilities throughout this province.

MR. TAYLOR: Mr. Speaker, I want to say a few words on this bill because in my view it's high time we had a bill like this brought into this Legislature. I have difficulty following many of the arguments of the last two speakers, and I think the people of the province would have difficulty following those arguments too. No section in this bill is going to hurt any legitimate applicant for welfare. Anyone who needs help is going to be able to get help, but this bill is aimed at eliminating the abuse. Everywhere I go in Alberta I hear people talking about the abuse of welfare.

The former B.C. government was kicked out of office by the people because they abused welfare — anybody and everybody could get on welfare. They said, if they don't live up to the law, we'll deal with them afterwards. Hundreds of people were on welfare who had no business being on welfare. When the new minister came in he said, we'll put a shovel in their hands if they're capable of working. Everybody thought, there'll be terrible conditions now in British Columbia. I'm wondering if that is so.

When the provincial premiers' conference was held in Edmonton, Premier Bennett came to sit at the table at which I was seated, as Premier Lougheed encouraged them to move from table to table. We had an opportunity to ask him questions. I asked him how the new welfare legislation was being accepted. His reply was, and I quote him, "It is about the only popular thing that we've done." Because people were sick and tired of the welfare system being abused. I'm sick and tired of it being abused too.

When we talk about the senior citizens, it almost makes me laugh. It's not the senior citizens who are abusing public welfare — it's the lazy lugs I object to, the late teens and early twenties, who are getting by with not working. They shouldn't be getting on welfare, they should be prevented from the very

beginning. Sure you can investigate afterwards and use up a whole lot more public money to find the proof and so on. How much better to prevent them from getting on welfare. Tell them to get a job. Tell them to go to work for a living the same as the rest of us. Well, it's high time we had legislation like this in this province.

I encouraged this type of legislation when we were in government, as the hon. Member for Little Bow knows. He gave the same arguments then as he's giving today. There were abuses then and there are abuses now. It's time we were getting down to the brass knuckles of preventing those abuses, not trying to catch up with them afterwards through a whole army of bureaucrats, and then blaming the government for having so many civil servants. Let's prevent them from getting on welfare if they have no right to be there. Let's make sure that everyone who has a right to be there gets welfare.

The hon. Member for Spirit River-Fairview, and I accept his figures, said 2,400 had all sorts of reasons. Well he talks as if 2,400 were an insignificant number. That's the abuse that's going on. If we can get half of 2,400 off who are abusing this thing, then people would not be worried about the abuse of public welfare. There's a good number of the 2,400 who are abusing welfare. Some of them are fast artists and going to be very difficult to catch up with. The time to get them is when they're applying for welfare, not creating another army of bureaucrats to try to catch up with them after they've done it. The laws today are not sufficient to do deal with this, and the proof of the pudding is simply in the eating. By looking at what we have, the very fact that 2,400 are on welfare who have all sorts of reasons, none of them major, is a good enough reason for bringing in this type of legislation.

I think I fill in as many forms for senior citizens and other people as any hon. member of this Legislature. I spend many weekends filling in forms for people. I have pleasure in doing it. I have never yet found a senior citizen who tries to hide. If he needs help, he says he needs help, and you put it down. I can't remember sending one person to the welfare office in Drumheller, where they have able social workers, who hasn't been accommodated by that office if they were genuine cases. Maybe some of them have pulled the wool over the welfare worker's eyes, but I don't know of any of those in my own riding. I do know that those who need help get help, and can get it quickly. That is the way we expect the welfare system to operate.

It's the abuse that's going on that I'm concerned about — not about the genuine cases. If every one of these was a genuine case, there would be no complaints throughout this province. People are just as kind-hearted as the hon. Member for Spirit River-Fairview and the hon. Member for Little Bow, but they're concerned about the abuses. They're not concerned about the genuine cases. The changes in this act, in my view, will help to prevent people from getting on welfare when they have no business to be there. If we take out the abuse, we'll not only save public money but we'll save hiring people to go out to investigate and nose around afterwards trying to find out those who have taken welfare when they have no right to it.

Now, failure to notify: if I'm on welfare and my

conditions change, why shouldn't I notify? Are we going to make one law for the honest and one law for the dishonest? I can't see why we should. If a person who is on it now has a change of condition and he notifies the welfare department, the department is kind and considerate and looks into the case, makes it easy if he has something to pay back. Mostly it is done before he even has to pay back. Those who do not notify, the dishonest ones, are causing the abuse. Why hon. members want to support those who are dishonest, I will never know. We shouldn't be encouraging them to stay on. We should be encouraging them to get off relief and get off welfare. Get out and work. We need workers in this province.

Many people are looking for workmen. I had a farmer tell me the other day that he needed someone to work for two or three days on his farm. He talks to people in front of the unemployment insurance office. Do you think they're interested in going out to work? Not on your life. He couldn't find a man who wanted to go out and work. Well, it's high time — as long as we feed them, and they get as good a living on welfare and unemployment insurance as a man does working, no wonder we have the abuse — we straightened some of these things out.

I'm glad to see the government with enough courage to bring in this type of legislation. They're dealing with it in a genuine way. They're letting all and sundry know that we will not stand for abuse of welfare, but we're going to help every individual, man, woman, and child of any age, if unfortunate circumstances hit them and they need public help.

But as I said before, it's not the senior citizens. You'll find very few senior citizens who have contributed to the welfare and the wealth of this province and this country who try to abuse the welfare system. No, they're the ones who are notifying you when they get an extra dollar to make sure they're not going to do something wrong. How many scores of senior citizens have said to me, I don't want it if it isn't coming to me. I can use the supplementary, but if I'm not entitled to it I want you to go over all my figures to make sure I'm entitled to it before you send that in.

It's the ones who deliberately try to get on welfare, not only try but get on welfare. A lady said to me the other day, my brother is in his twenties and he hasn't worked for several months. He's on welfare in one of the cities. I said, on welfare? She said, yes, and she was considering reporting him. On welfare when he should be out working. Just no reason at all for him to be on welfare. I compliment the government again for bringing in this type of legislation.

This is no charge of lack of faith in the social workers. There are good social workers, there are excellent social workers, there are some who are not so good, but this bill is not dealing with that aspect at all. Let's give the social workers the tools so they can do the job we expect them to do. Let's make sure our welfare department in this province is noted for its kindness and understanding of those who need help, and is noted for its toughness for those who are trying to defraud the public treasury.

MR. SPEAKER: May the hon. Member for Edmonton Kingsway conclude the debate?

HON. MEMBERS: Agreed.

DR. PAPROSKI: Mr. Speaker, I don't intend to spend a lot of time on all those comments. They were very well stated, especially by the hon. Member for Drumheller. Mr. Speaker, I think he reflects the feeling of many citizens in Alberta, and he adequately states that he feels the abusers should indeed be punished, and those who are genuinely in need — and that's the vast majority of cases, as I indicated in my initial remarks — indeed deserve help, and they will be getting it. Those who are the abusers are the ones who should be penalized.

Mr. Speaker, the vast majority are not abusers, and I underline it. It's a myth on Main Street. However, the taxpayer is entitled to have that protection. Even the recipient himself feels that is true, and he has no fear of it whatsoever.

Mr. Speaker, the department has had representation from administrators, from those on appeal boards, and from social workers to help clarify the act so it can be applied in an improved, amplified, and clearer way. This is the intent of these amendments, Mr. Speaker, and from my information they will indeed do that.

Mr. Speaker, in responding to some of the comments of the hon. Member for Calgary Bow, I don't intend to respond to all of them because I think the answers are in my initial remarks. However, there's no question that clarification and amplification regarding the penalty are necessary, because it's more difficult at this juncture to apply a penalty under the Criminal Code of Canada. This is now in a more direct way.

With respect to luxury-class training, Mr. Speaker, I indicated earlier that the Lieutenant Governor in Council will set down those types of training programs that will be used for recipients, and there will be a basic vocational package. I don't intend to indicate — and I don't think it's proper that we should at this time indicate — what types of training they will be. But they will be laid down, Mr. Speaker, and they'll be clearer for the appeal panels to deal with them. At this juncture the appeal panels from time to time reverse the social worker's decision, unfortunately or fortunately, which makes it very awkward and very difficult. The appeal panels themselves want clarification in this regard.

Mr. Speaker, in response to the item of the right to recover and that in fact it can be done now — of course it can be done now. But Mr. Speaker, the right to recover and the items listed are extended and it's clearer, not merely the fact that there will be non-disclosure of facts but with respect to loss of funds in applying for damage deposits. Mr. Speaker, I think all you have to do is go to Main Street and talk to some of the landlords or see some of the apartments lived in by some of the recipients, and I say again some of the recipients only, and you would see quickly that the department should have the ability to recover some of these damage deposits.

Mr. Speaker, to respond to the item regarding seeking work, I think it's so obviously clear in the amendment that the individual will now not merely report and say, I haven't got a job, but the onus will be on him to indicate and prove to the director that he is actually seeking work. I think it is very important, Mr. Speaker, that the onus is on that individual, because if he is employable he should be moving his rear end to find a job. If not, he should get on a

vocational program to be upgraded and so forth.

Mr. Speaker, in response to the remarks of the hon. Member for Spirit River-Fairview, at one turn he says it's not necessary and then at the other turn he goes on to say it's too tight, with reference especially to Section 12. Mr. Speaker, I'm prepared, and I think the hon. minister would be prepared, to review that area to see if there could be some clarification to indicate, for example, that the individual had willfully or without reasonable excuse had a change of circumstances.

Finally, Mr. Speaker, with respect to day care programs — I am just responding to the hon. Member for Spirit River-Fairview. I attended a meeting recently with respect to this particular problem and issue, and I can assure the House, Mr. Speaker, that I have a very high interest in this area that day care should not be just custodial care but should be a learning experience for our children, when in fact the single parent or the parents choose to go out to work, and that we indeed should have quality day care. We do have quality day care in the subsidized centres. I suggest, Mr. Speaker, that at least 50 per cent of private day care centres are of acceptable standard and quality, and the others have to be upgraded. I am sure something will be done in that regard when the minister reviews this over the next few months. The minister has put out a proposed licensing standard . . .

MR. SPEAKER: Is the hon. member suggesting that day care comes within the principles of this bill?

DR. PAPROSKI: Mr. Speaker, only in the most indirect way. I was just responding to the hon. Member for Spirit River-Fairview. So with those remarks, Mr. Speaker, I would urge support on second reading of this bill.

MR. R. SPEAKER: Mr. Speaker, on a point of order, would I be able to ask the Minister of Social Services and Community Health a question? It's with regard to possible regulations that will come under this act and if they would be available for discussion in Committee of the Whole.

MISS HUNLEY: Mr. Speaker, is it in order to do this now, or should we do it in Committee?

MR. R. SPEAKER: Mr. Speaker, I only raised the point of order because this would give the minister time to prepare the regulations, particularly with regard to those regulations relative to training programs outlined in the bill.

Mr. Speaker, to clarify that — I see the minister still has a bit of a frown — in part 3 it says:

The result of this amendment will be that the Lieutenant Governor in Council will designate those training programs for which the employable recipient of a social allowance may be provided.

What I am asking, Mr. Speaker, is if the minister could have that outline available for us for discussion in Committee of the Whole.

MISS HUNLEY: Mr. Speaker, I can't give that undertaking. I don't know when we will be in Committee of the Whole. I've a feeling it could be within the next

24 hours.

Without extending the debate, Mr. Speaker, the intent of that is to do away with many instances where an appeal board has permitted a welfare recipient even to go out of the country, in one instance to take music lessons. We feel that is not what the people of Alberta would really like to see. They want to help people, but they don't like to see this kind of thing go on. That's what the intent is.

[Motion carried; Bill 4 read a second time]

Bill 53

The Corrections Act, 1976

MR. SPEAKER: I hesitate to interrupt the hon. member. The hour for designated business will have elapsed at 4:17. Before starting on the next bill, does the Assembly wish to confirm that we will be proceeding on government business?

HON. MEMBERS: Agreed.

MR. GOGO: Mr. Speaker, I move second reading of Bill 53, The Corrections Act, 1976. In speaking to the motion, Mr. Speaker, I think perhaps it's pertinent to review the principles of the new act and to review the corrections system as we have known it in the province of Alberta for some time.

The last change in the act, Mr. Speaker, was in the year 1970. In other words, there hasn't been a change under the present government. Mr. Speaker, to put it very simply, the major reason for the change is that the present act is really not working as well as it should be. As a matter of fact just yesterday the Solicitor General of Canada said, and I quote: "the correctional system in Canada is a failure". I would suggest with what's happened in the country in the past year or 18 months, indeed that's a profound statement for the Solicitor General of the country to make.

The Corrections Act, Mr. Speaker, is really not the type of issue that concerns the average citizen until he reads something like this in last week's Calgary paper, a man received three and a half years for stealing \$2.30. That makes one begin to wonder just what sort of system we're sending people to, and if indeed the system they are being sent to is doing any good.

[Dr. McCrimmon in the Chair]

If I might be permitted, Mr. Speaker, I'd like very quickly to present an overview of the system as I see it, both in the country and in our province. I don't profess to be a penologist or a sociologist or any other type of "ologist", but I think, as a father of five children, a taxpayer, and particularly as a member of this Assembly who's concerned with the outlay of \$12 million, I'm very concerned, not only with what the correctional system purports to do but what it does, and indeed what it fails to do.

Canada, as most members know, has an overlapping system. We have a federal system, and dovetailed or overlapped within that is the provincial system. Those serving time of two years or more, of course, serve in the federal penitentiaries. Those in

the provincial institutions are under two years unless they're female, in which case we have them for life, we have them for 10 years, we have them for five years by a special arrangement with the federal authorities. So just a little northwest of here we have females serving long-term sentences in our provincial institutions.

It's interesting to note that in Canada, Mr. Speaker, we have 157 provincial institutions in addition to forestry camps, all the jails we have in our cities or urban centres, and of course the federal penitentiaries. From the latest statistics the prison population appears to be encouraging; that is, it's going down. In 1970 we had 21,000 people behind bars, and in 1974 in the latest statistics outside the province, they are down to 20,500. Interestingly enough, we hear many cries of overcrowding in our institutions, yet with a capacity in Alberta of 1,650, we only have 1,070, or 68 per cent. Theoretically, one would think they're not overcrowded. I had the opportunity of going through Fort Saskatchewan just a week or 10 days ago, and if that's not crowded I don't know what is.

The budget in Alberta, Mr. Speaker, is \$12 million. So if we have 1,000 prisoners, 1,000 inmates — one must be careful with definitions under The Individual's Rights Protection Act — on a daily basis in our institutions, the cost is about \$12,000 a year. We find that in certain institutions it's very high. That's because the economy is at scale; we have more in one place than we do in another. In the four major provincial institutions — Lethbridge, Calgary, Fort Saskatchewan, and Peace River — the people are in there for similar offences. We don't lay it down where one institution specializes in one, compared to another. However, very encouraging is the Belmont Rehabilitation Centre here in the city, where members work on day probation. That system is pretty successful.

But of the 103 daily turnover we have in our institutions, which is a costly exercise, one wonders if indeed the \$12,000 or, in the case of Lethbridge, \$15,000 a year, couldn't be spent in better ways. I say in better ways in that perhaps they shouldn't be there in the first place. Part of the new corrections act is indeed constructed that way.

Something that concerns me, and indeed should concern many members, is our native population. Almost 2,800 are in institutions. According to the Solicitor General's report, the majority of them are in because of incompatibility with alcohol or booze-related offences.

Last year there were 2,300 first offenders in our institutions, which I suggest should be of major concern because they're predominately young — 2,300 primarily young people entered the institutions for the first time.

But more significant and one of the major reasons for the new act, Mr. Speaker, is the fact that almost 4,000 are repeaters, people who have been there before, either liked the place, or learned lessons whereby they're not successful, and end up there again. The common criticism of our system in Alberta is: why don't you run a program in such a way that they're taught differently? The answer to that, Mr. Speaker, is very simple in that over 60 per cent of our prison population in Alberta are there for less than 60 days. I suggest you can't rehabilitate anybody in a

very meaningful way in 60 days, and that's about two-thirds of them.

So for a cost of roughly \$30 a day per inmate, or \$12,000 a year or \$12 million for the system, plus all the ancillary costs — those who are married and have families. Nobody starves in the province of Alberta. We all know there's no end of dollars providing counsellors and food and lodging to look after these people while the other person, in the case of a married couple, is in an institution. So I suggest indeed it's time we came up with some alternatives to the existing system.

Based on the Solicitor General's annual report, 1,835 of the over 6,000 admitted last year are in the 16 to 18 age group. I suggest there's very serious concern that when they're 21, 25, 28, 45, and so on, they're going to be back there unless we do something about it. Again, the act is designed in such a manner that perhaps we can do something about it.

On the probation scene, it's very encouraging. We had 4,500 on probation in '74. It increased, by approximately 1,000, to 5,400 last year.

I suppose one should address oneself, Mr. Speaker, to why they are there. It's not easy enough to say they broke the law. If one looks at the two areas that were exempted from the guidelines of this government last winter, they were law enforcement and the administration of justice. So one would assume that if the city of Lethbridge got an extra million dollars into the police department to enforce the law, I suppose there should be more people in an institution. But the real reason they're there is not quite as simple as most people think. It's not because they're poor. In America the argument has been made for years on a racial basis that because of people's environment, upbringing, poor economics and low standard of living, they end up in prison.

That's not true in Alberta, because many, many of the people now going to institutions are from the more affluent families. So it's not because they're poor. Some are from the best families — until they get there. Indeed they're no longer in the best families. Also I suggest it's because we have no alternative. In some people's minds, Mr. Speaker, perhaps our correctional institutions are becoming human warehouses where they warehouse a human being for a given period of time.

Why the new act then? Very simply, Mr. Speaker, because the old one is not as good as it could be. We hope to modernize with the times. We hope in some way because we're representatives of the people who put us here to answer their desires when they say, look, the institutions are costing more, the product is no better, why don't you do something. Some of the sections of the act — and I don't wish to go into detail, Mr. Speaker, that's the purpose of committee — will clarify where people stand both from the point of view of those who run the institutions, from the directors on down, to those who utilize the facilities, or the inmates.

Another area will be the employment of an inmate in the institution. This happens to be one of those items that attract a lot of attention, certainly with the fourth estate. I recall so clearly, Mr. Speaker, my time in the military. If something moved you saluted it, and if it didn't you painted it. I somehow think it's the same way with correctional institutions. If you don't employ people in a meaningful way, you're

going to have trouble.

Last night's news, I think, with Dorchester is indicative of that. People were not involved in a work program and all hell broke loose. So that particular section in the act, which is a new thrust on the part of the Solicitor General's Department, to put these people in an employment program whereby — it may or may not be meaningful, depending on your point of view, but you're going to keep busy. I suggest government has an obligation to keep people healthy when they lock them up, and I don't know how you're going to keep people healthy unless you keep them active.

Mr. Speaker, since I became a member and became involved in the act, I've spent a little time looking at our institutions. Although our memories are short, we only have to look at some of the institutions. I look at the Lethbridge Correctional Institution. We have 100 inmates, 100 staff, a million dollar budget: the educator's dream. But is the product the product we want? Some members of this House will know it was not many years ago that the Lethbridge institution had a building block plant. They made concrete blocks. They had a cannery where they canned vegetables for institutions in Alberta. They had 1,100 acres under cultivation. They produced crops. They had livestock. Of course, they had that old standby of every institution, a laundry. Piece by piece by piece by piece they've all disappeared, so today there is none of that. I don't know whether Page does the laundry, but they don't do it there.

Which government did it is not the point. The point is that with the absence of work programs, we've created new problems. I say "we" because we're the ones who finance it. As I say, a section of the new act is to redirect the activities of the people who run the institutions to include a work program. Meaningful work will depend on the recipient, I suppose.

DR. BUCK: Five years and you guys finally listen.

MR. GOGO: One must recognize, of course, that rehabilitation cannot work in a short space of time. Rehabilitation is for the Drumheller institution. It's for the federal institution where a man's there long enough that you can do something with him. I think we should not be too naive to recognize that alcohol is one of the primary reasons people are in there. Many people believe if you lock him up and keep him away from the bottle he's going to be better. These annual reports of the Solicitor General tell you it's not working, even though AADAC is working in all our institutions and doing a tremendous job.

Some other major changes, Mr. Speaker. Probably the most important is that we'll finally have within the statutes of the province somebody of authority, in this case the Solicitor General's office, to make representation at the time of sentencing as to alternatives to putting him in there. This is before the judge locks him up.

As I mentioned, last year 2,000 out of 6,000 were young people, first offenders. Maybe the options for the judge weren't there. Maybe the judge didn't know where it was at. Maybe the judge had never been in an institution. But finally, by statute, someone is going to be able to say, judge, there are alternatives. We now have some proof, because a

year ago the Solicitor General's Department took the initiative and tried some of these things. One of them is a work-for-fine option. We're still in the dark ages if we think you've got an option when the judge says \$50 or 30 days, if you ain't got \$50. If you agree with that philosophy, you're back in the dark ages. Those days have gone.

So what are the options? Well, in one option you can go to work, make \$50, and pay without going into an institution. Now surely that's common sense which shouldn't really be too alien to modern-day thinking. Another area is community work programs. They've just completed a pilot project in Lethbridge, Alberta, for first offenders. They have criteria — ages and so on. Instead of going into the institution where they'd gone heretofore, they work an assigned number of hours within the community. The program has been very successful. There's a report sitting here, if anybody cares to read it, indicating it's 80 per cent successful. And 80 per cent of anything is pretty good.

Another one, a favorite with most of us, certainly with those of us who have a little bit of vindictiveness in us, is the restitution program. If you offend another, why shouldn't you pay the other? It's got a very nice political tang to it and I suggest, more important, it works. If you have to repay the person you offend, not only are you satisfying that person to a certain degree but indeed you are helping the institution by staying out of there. How successful that is, I'm not too sure.

Another area, a very new area: for a long time now we have had the practice in the province in The Corrections Act of having people on probation assigned to particular probation officers, with degrees in sociology and the rest, who have had the option of filing and submitting reports on those inmates who are on probation. I suggest to hon. members of this House that if you are the individual who's out on probation and a certain probation officer allows you to get away with all kinds of things, then because he takes sick and goes away you're under another one who's extra tough, you really don't know where you stand.

Finally in this new act we have a provision whereby the probation officer's area of discretion in terms of reporting is gone. He will report in two different ways. If he's attached to an institution, it will be to the director. If it's in the community, it will be to somebody else. The point is he will report on the activities of the fellow on probation. If there are infractions, they'll be dealt with then. I suggest that's something we should be doing with our children, letting them know where they stand. Perhaps that's not being done today.

The most important area, Mr. Speaker, and I want to touch on it for a few minutes even though I know there are members anxious to get out of here . . .

AN HON. MEMBER: You'd better believe it.

MR. GOGO: . . . particularly the ones who live in Edmonton. I understand there's a certain women's meeting again this weekend; they don't want to miss it.

But the work program, Mr. Speaker, is spelled out very clearly in the act. No longer will it be optional for an inmate to work. One of the duties, one of the

responsibilities of the director — formerly the warden, now the director — will be to see that if an inmate is medically fit he will work.

Why shouldn't he work? We now feed him 3,000 to 4,000 calories a day. Those of you who are experienced in diets know it's 1,000 a day if you're on a diet. If you're an office worker, it's 1,200 to 1,500. If it's hard labor, it's around 4,000. So we're feeding these inmates now as though they were doing hard work. But what are they doing? Well, in terms of mandatory requirements, they aren't doing very much.

AN HON. MEMBER: Smashing up the furniture.

MR. GOGO: Theoretically, one of the things that happens when you feed a man so much is that he gets fat and lazy. I just quote:

Included were three substantial meals a day that prisoners were expected on threat of punishment to consume, plus unlimited cigarettes.

"That way . . . the prisoners were too lethargic and 'paunchy' to think about [escaping] . . ."

Too drugged with nicotine to think closely most of the time.

DR. BUCK: Mr. Speaker, can the member indicate where he is taking his quotation from so we can follow it up?

MR. GOGO: Yes, Mr. Speaker, it's not from Clover Bar. It's an article on the most infamous institution known to most members, Alcatraz.

DR. BUCK: On a point of order, Mr. Speaker, I just want to know which publication the quotation is taken from, please.

MR. GOGO: Mr. Speaker, if the member is sincerely interested, he could raise that matter in committee.

DR. BUCK: Mr. Speaker, it's a serious, valid point of order. The member is making a quotation. I'm just asking if he can give us an indication which publication he's quoting. That's not hassling him. That's just asking him for common sense . . .

AN HON. MEMBER: Use your common sense.

MR. GOGO: Mr. Speaker, perhaps the most successful part of the system as we know it in Alberta has been our forestry camps. There's Nordegg, west of Red Deer on the David Thompson Highway, for the tourists who drive through there; and the West Castle area west of Lethbridge. That has been very successful. Perhaps we should be looking at more of that type of program.

I would just like to say in conclusion, Mr. Speaker, that surely we as legislators, and as governments that pay the bills, have an obligation to many people in the system. We have an obligation to protect the people who send us here. But that doesn't mean to protect them overnight. What good does it do to perpetuate and fund a system where we keep them secure while the guys are locked up if they're in danger three, four, or five years down the road? While they're in our custody we're the ones, whatever we do, who bring them back. So I think we have

that obligation.

We have an obligation, I think, to keep them physically fit. I don't know how you can keep a man physically fit when you do nothing but feed him and don't allow him the opportunity to work. You see, no one asks the question: does the inmate want to work? I asked some inmates. I won't tell you the answer, but I asked some inmates. I wonder how many people ask inmates. I had the opportunity of spending four hours in Fort Saskatchewan.

AN HON. MEMBER: It wasn't long enough.

AN HON. MEMBER: That was a light sentence.

MR. GOGO: It's made me a more honest politician than I ever was, because I don't want to go there. The Member for Clover Bar tells me he's been there many times. He didn't tell me whether it was before or after he was elected, or for what reason.

AN HON. MEMBER: He pulls teeth.

MR. GOGO: Mr. Speaker, for those who are sincerely interested in our correctional system as legislators, I suggest they visit these institutions. They may have their eyes opened. I suggest that we have to come up with a meaningful work program. We have to come up with a work program whereby a man can work, a system whereby he can come out of jail with more than a \$5 bill in his pocket, having been without a woman or a drink for 30 or 60 days. We're inviting him to go back.

We've got to come up with a system whereby — and what's wrong with this? Try this on. We pay him the minimum wage. We work him like we would anyone else, unless he's a civil servant. Of course that's different. He pays room and board at the going rate, and he's as near as possible to a normal person in society when he gets out. Why don't we try it? We never have. I suggest perhaps with the imagination of this government we should try it.

One other option, Mr. Speaker, and I can't sit down without mentioning it. Why is it we can't somehow work out a deal with the feds — we're not too successful with most deals — perhaps the option of young people going into the military for a limited period of time as an option to going into our institutions. I've had the opportunity of teaching young people in the army. They come from broken homes, ages 16 to 19. You wouldn't know them after six months or a year in that program. Why don't we explore those areas? Surely we have knowledgeable people who can come up with those types of answers.

Mr. Speaker, I would suggest there are many things we must do. I think it should be clearly understood that notwithstanding a statement made yesterday by the Solicitor General of Canada, the initiatives to try new programs were taken by this government a year ago. This government is not reluctant to try. I suggest those programs have been tried. They've been successful, and now we want the legislation. I would urge all hon. members to support Bill 53.

Thank you.

DR. BUCK: Mr. Speaker, may I ask the hon. member if he will answer questions?

MR. GOGO: Yes, Mr. Speaker, he can ask me.

DR. BUCK: Thank you, Mr. Speaker, and thank you Mr. Member. Mr. Member, will you be kind enough to indicate to me which article you took that quotation from please? I'm not hassling you. I just want to know where you took it from.

MR. GOGO: Mr. Speaker, in fairness to the House, I would think other hon. members may have questions too, and unless it's a matter of principle I would request they be asked in Committee.

[Motion carried; Bill 53 read a second time]

Bill 74
The Statute Law
Correction Act, 1976

MR. LITTLE: Mr. Speaker, I move second reading of Bill 74, The Statute Law Correction Act, 1976.

[Motion carried; Bill 74 read a second time]

Bill 78
The Appropriation (Alberta Heritage
Savings Trust Fund, Capital Projects
Division) Act, 1976

MR. LEITCH: Mr. Speaker, I move second reading of The Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Act, 1976.

[Motion carried; Bill 78 read a second time]

Bill 80
The Municipal Government
Amendment Act, 1976

MR. MUSGREAVE: Mr. Speaker, I would like to move for second reading Bill 80, The Municipal Government Amendment Act, 1976.

Mr. Speaker, in speaking to second reading of this bill, I'd like to suggest certain changes that the act is primarily concerned with: one, draftsmanship; secondly and most important, providing opportunities to municipalities to set their rules and regulations, and opportunities for the governing of their own communities in their own best interests.

Dealing first of all with Section 2 of the act, Mr. Speaker, I'd like to point out that throughout The Municipal Government Act there are many references to the Public Utilities Board, when in actual practice the Land Compensation Board is doing the work. I should mention to the members of the House that this board is headed by a lawyer who is

well experienced in land work, particularly to do with surface claim work and claims of damage to property from external sources.

Mr. Speaker, in dealing with Section 2.25 of the act we have, at the request of the Alberta union of municipalities, brought forward a new definition of "shop" which has concerned some members of this House. It gives a finer definition to massage parlors, pizza houses, or service stations. Mr. Speaker, in effect it gives the local police forces the opportunity, if the by-laws are passed by the respective councils, to control these operations effectively, because the hours of operations can be restricted, providing the restriction applies to all the houses of endeavor in that particular community.

Moving on to another area that concerns many municipalities, Mr. Speaker: the applications by landowners throughout the province for annexation to municipalities. There are roughly 50 to 60 of these before the Local Authorities Board, and we all know from the very lengthy process through the city councils and through the board itself and then through the cabinet that the process can be a very long one. We have brought in these amendments to allow schools and municipal authorities enough time to perform their administrative functions.

What it will mean is that if an application is made by a landowner, say, in the first part of the year and is processed through the local council and through the board, it's conceivable that it would not be heard by Executive Council until the next year. But the board order would take effect as of the date the board issues it. So if they issued it effective January 1, 1976, even though Executive Council was not obtained until February or March of '77, the order would take effect this year. The important thing is that under the changes made in this Act the board order cannot be set back a year and it cannot be set forward a year.

Mr. Speaker, another request made by the AUMA — and this is as a result of a response to a cabinet tour throughout the province — is that many of the summer villages would like the opportunity to increase the size of their councils. So those municipalities that have a population of more than 250 will be able to add two councillors if they so desire. One of the difficulties they are having is that they can't get people to run, because if they only have three members on the council they can't get someone to do the work and they have difficulty having a forum. Hopefully these changes will get over that situation.

Perhaps some of the most interesting changes to some of us from the larger centres are those relating to the ward system. First of all, Mr. Speaker, if a city decides it does not want a ward system, it does not have to have one. That's the first option. Secondly, if it wants to have as many as 20 wards, it can because the only restriction that remains is that it is restricted to 20 aldermen. They can have 20 aldermen, 'alderpersons', 'alderwomen', whatever you want to call them. You can have two, five, six, three to a ward: whatever combination the local authority wants to devise. Likewise, they can have any combination. If they want to have some city-at-large and some from particular wards, they have that right.

The other thing they still have is that if a citizens' group is dissatisfied, they can in effect petition for a plebiscite. If they get the required number of people,

this plebiscite can be held and they can force the council to change decisions it might have made.

In Section 32, Mr. Speaker, there's a minor change which is really one of draftsmanship; likewise in Section 126.

Dealing with Section 126.1(b), I'd like to point out that summer villages have experienced great difficulty administering their areas because of their floating population. We found they have no list of electors, no census, and they have a very difficult way of zeroing in on whom they should be speaking to in these areas. This change will mean that by suggesting to . . . I got a note from one of the hon. members of the House that suggests "aldermen" will do, and never mind trying to worry about 'alderwomen' or 'alderpersons'.

Getting back to the summer villages, Mr. Speaker, this will give them the opportunity to make sure that those people concerned with the summer village — that is, the landowners, whether they reside there or not — will be the ones who can protect their environment. So if there's a great move to pave a road which would generate lots of high-speed traffic, they can perhaps keep the status quo where you have a rough gravel road and people have to drive slowly.

Dealing with Section 135 we are again back to replacing the Public Utilities Board with the Land Compensation Board. This instance deals with citizens who may have suffered injurious effects because of municipal action. Another change in the same light, Mr. Speaker, is 136 which brings the municipal act into line with present practice.

One of interest to the Alberta union of municipalities and, I think, to the hon. Member for Drumheller is the request for rural municipalities to name rural roads. I don't know whether we're going to have a Taylor Way, a Taylor Drive, or a Taylor Freeway in Drumheller, but we do have this request from the AUMA. There is a very good reason for it. Presently if they have named a road and the policeman issues a ticket and the fellow is sharp, he can have it ruled invalid because rural municipalities don't have the right to name a road. This will give them that right and hopefully when the tickets are issued they'll be kept.

Another significant one, Mr. Speaker, is in 215. The situation now, particularly in cities, is that if a by-law enforcement officer finds something that has gone wrong, he has two choices. He can revoke the licence or lay a charge. Quite frequently he does neither because it's a go-for-broke situation. This will allow the authorities to suspend the licences, similar to what we have under The Liquor Control Board Act. Hopefully the two parties can then work out between them the difficulties that arose in the first place.

One other area that I think would be of concern to the House, particularly those of us who have to use taxicabs, is the several changes to the section of the municipal act relating to taxis that provide the opportunity for municipalities to have more specific regulations relating to vehicles, the condition of the vehicles, and relating to drivers, their health, ability to perform, and driving records. In effect it gives the council, or if they should delegate this authority to a taxi commission, it gives that commission the authority to enforce higher standards of taxi operation both as to vehicles and drivers. Most important, though, still retained is the right of a taxi driver or taxi owner

to appeal to the local council, where a taxi commission is in effect, if he's not satisfied with the decision.

Another item of interest to rural members is Section 226 where, in effect, a mobile home used on a farm by agricultural workers will be treated as a farm home and will not have to be licensed as is required [with] mobile homes.

Another small change, which should interest the hon. Member for Calgary Buffalo as he is an expert in condominiums, is that it allows the municipalities to put installations over property in a condominium. Previously it was restricted to tenants.

Finally, Mr. Speaker, one of the more interesting ones. If a local municipality had established a rate by by-law, the authorities could move against it to collect it if it was not paid. But if the rate had been established by a simple resolution of council, the way the present Municipal Government Act is worded they could not use legal process such as putting a lien on the property or things of this nature. This last change will give the local authorities more power to collect from those people if the rates are set either by by-law or by resolution.

[Motion carried; Bill 80 read a second time]

**Bill 85
The Treasury Branches
Amendment Act, 1976**

MR. LEITCH: Mr. Speaker, I move second reading of Bill 85. The purpose of this bill is to enable the treasury branches, out of treasury branch funds, to acquire real property for use in treasury branch operations. This is really consistent with what now occurs with respect to treasury branches' cost of operations. We pay all operating costs out of treasury branch funds, including rental plant payments on leasehold premises. This amendment would enable the treasury branches to acquire out of their funds real estate, buildings, and so on, which would be used in treasury branch operations. Up to this time the buildings required for the branches' operations are provided out of Public Works' budget.

The bill contains the same procedures and safeguards with respect to the acquisition of real property, the building of premises on it, or the disposition of real property as are now followed by the Department of [Housing and] Public Works.

I would urge members to support this, Mr. Speaker, on the basis that it merely removes an inconsistency that has existed until now in the method of operation of the treasury branches.

[Motion carried; Bill 85 read a second time]

**Bill 86
The Fuel Oil
Tax Amendment Act, 1976**

MR. LEITCH: Mr. Speaker, I move second reading of Bill No. 86. The purpose of this bill, Mr. Speaker, is to enlarge to some extent the exemption contained in the act for the payment of the fuel oil tax. Mr. Speaker, as the farm fuel transportation allowance is melded with the legislation regarding the payment of

tax, it would also provide that the additional uses that are being exempted by this bill would also be entitled to receive the allowance under that program.

Essentially, Mr. Speaker, this bill ensures that operations on the land are exempt from payment of the tax regardless of who performs the operations. The kind of situation it would change, if I may give an example, is this: at the present time, alfalfa processing plants that have entered contracts or arrangements with the farmer to take the crop off the land are not exempt from paying the tax with respect to the harvesting operation. If the farmer had done it himself, he would be exempt.

The proposal here is to exempt from the tax anyone who does the farming operation primarily on the land even though he may not be a farmer. In our judgment, Mr. Speaker, it will remove what we felt was an anomaly in the current legislation.

MR. MANDEVILLE: In speaking to second reading, this bill gives me some concern. As the minister has indicated, it is enlarged. But in the past — I'm thinking of the alfalfa dehydrating plants — they've been able to use the purple gas. I realize they went around to the suppliers and disallowed it under the old act. The concern I have with dehydrating plants is the fact that their costs have been going up drastically in the last few years. The price of natural gas has really increased. Their power has increased. Their markets have been getting tougher, as the years have been going on, as a result of our cattle prices. The minister indicated that any of the production on the land that was handled by the dehydrating plants — I'm thinking of the swathing or the alfalfa Queen operations that they cut the alfalfa with, and the trucks that haul the alfalfa from their cutters to the plant where they're doing the processing. Do I understand this right? They won't be able to get the discount on the field with the swathers if the dehydrating plant cuts the hay. Also, will they be able to use purple gas in the Queen machines that they cut the hay with? This is one area that I would like the minister to clarify. It's my understanding that they won't be able to use purple gas in any of the production or processing as far as dehydrating plants are concerned.

MR. DEPUTY SPEAKER: May the hon. member close the debate?

HON. MEMBERS: Agreed.

MR. LEITCH: Mr. Speaker, I'm not sure I followed entirely the comments by the hon. member. If my comments now do not fully answer the concerns he raised, perhaps we can pursue it at greater length when the bill reaches committee stage.

It is my belief that the amendment we're proposing here will mean that if the operation is performed on the land as part of the production process, part of the process of growing and harvesting the crop, all operations, whether performed by the farmer or someone else will be exempt from paying the tax. But operations off the land performed by the plant, such as hauling it from the farm to the plant and processing in the plant, would not be exempt and would pay the tax.

[Motion carried; Bill 86 read a second time]

Bill 87

**The Oil Sands Technology
and Research Authority Amendment Act, 1976**

MR. GETTY: Mr. Speaker, I move second reading of Bill No. 87, The Oil Sands Technology and Research Authority Amendment Act, 1976. As I mentioned on introduction, Mr. Speaker, this bill provides for the opportunity to have the Oil Sands Technology and Research Authority funded either from the general revenue fund or the Alberta heritage savings investment trust fund. Also the bill provides flexibility, because of the way in which it is worded, that there may be expenditures in excess of \$100 million.

[Motion carried; Bill 87 read a second time]

Bill 88

**The Universities
Amendment Act, 1976**

DR. HOHOL: Mr. Speaker, I move second reading of Bill No. 88, The Universities Amendment Act, 1976, the sole but significant purpose of which deals with the visitor and the universities in Alberta.

[Motion carried; Bill 88 read a second time]

Bill 90

**The Temporary Rent Regulations
Measures Amendment Act, 1976 (No. 2)**

MR. HARLE: Mr. Speaker, I move second reading of Bill 90, The Temporary Rent Regulation Measures Amendment Act, 1976 (No. 2). Mr. Speaker, the purpose of this amendment is to incorporate in the legislation an announcement made on August 25, which was to the effect that mobile-home park owners must give their tenants one year's notice of eviction if the property is to cease to be used as a mobile-home park.

There are some other amendments that relate to correcting drafting problems, but they are of no significance except to those who work on the drafting of legislation and interpreting the legislation.

The main principle relates to situations which develop throughout the summer, one instance in Edmonton at the Terrace Heights mobile-home park and the other in Calgary at the Rockyview mobile-home park. Following the announcement on August 25, it was discovered that a third mobile-home park was affected in the city of Medicine Hat.

[Mr. Speaker in the Chair]

MR. HARLE: I think, Mr. Speaker, that in the case of the Rockyview and Terrace Heights situations, as a result of the announcement on August 25 the situation appears to be settled to some extent. While a notice of eviction was given to the tenants, the owners of the parks have met with the tenants and as a result of the publicity that surrounded those two situations the owners did not take the next step

following the notice of eviction; that is, to proceed by a notice of motion to the court for an order for possession.

However, in the situation involving the city of Medicine Hat, when the notice of eviction was served the tenants did not remove themselves from the property. As a result the landlords took a step to serve a notice of motion requesting an order for possession. That application has been adjourned at the present time, and presuming this amendment succeeds through the Legislature, it will affect that situation by virtue of Section 37.2 in the bill. So, Mr. Speaker, what we have tried to do in this situation is at least not have those people in mobile-home parks who are finding it very difficult to find alternate accommodation in situations where they have quite legally been given a notice of eviction and there simply have not been sufficient mobile-home spaces for them to be able to find [accommodation].

I might say, Mr. Speaker, that I met with representatives of some of the tenants in the Rockyview mobile-home park and discussed with them what solutions might be available. It appeared, that given time, all of them could probably find alternate accommodation, but in a period of 30 or 60 days there simply wasn't enough time for them to find alternative space. They indicated to me that there was a continual change of tenants in these mobile-home parks and confirmed to me, as I've known for some time, that people do move, there are changes, and given time — I discussed with them the possibility of six months or a year, and the decision was taken to go for the period of one year. I think this will solve a difficult problem that developed this summer. It seems to me that since the announcement on August 25 it completely removed that particular problem which tenants in mobile-home parks had faced.

[Motion carried; Bill 90 read a second time]

Bill 89

**The Radiological
Technicians Amendment Act, 1976**

MR. CRAWFORD: Mr. Speaker, I take pleasure in moving second reading of Bill 89, The Radiological Technicians Amendment Act, 1976. I think I need only commend to hon. members the self-evident principles of that bill.

[Motion carried; Bill 89 read a second time]

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

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

HON. MEMBERS: Agreed.

[Mr. Speaker left the Chair]

head: **GOVERNMENT BILLS AND ORDERS**
(Committee of the Whole)

[Dr. McCrimmon in the Chair]

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

Bill 24
The Attorney General Statutes
Amendment Act, 1976

MR. CHAIRMAN: There are some amendments to this bill. Are there any comments with respect to the amendments?

[Title and preamble agreed to]

MR. FOSTER: Mr. Chairman, I move Bill 24 as amended be reported.

[Motion carried]

Bill 60
The Fatality Inquiries Act

MR. CHAIRMAN: Are you all familiar with the amendments?

DR. BUCK: Mr. Chairman, I would like to ask the hon. Attorney General a question on the human tissue section of the act. I would like to have the minister indicate briefly how this section of the act works now and what changes will be made under this section — just a brief description of the way the system works now. I have a couple of questions arising out of Section 29.

MR. FOSTER: I will have to get the act and review that section. I'm not familiar with all the parts of The Human Tissue Gift Act but I can do that if you will. I can either provide that information later or on third reading, or just give it to you privately. I haven't got the act in front of me, I'm sorry.

DR. BUCK: Mr. Chairman, while the minister is looking at that portion of the act, I am sure there are concerns of many people who would like to donate organs. They're not sure if it has to be in their will, and by the time the will has been probated and discovered, the fellow has either been cremated or he's, you know ... There are many people who would genuinely like to donate organs, but they just don't know the mechanics of going about it. So I think it would certainly be of interest to the members of the Legislature and also for the general public that this section of the act be clarified in very simple layman's language so that people could dictate that their organs could be used. Mr. Chairman, to the Attorney General, many people have a genuine concern in this area but they just don't know how to go about it. So I'd like the minister to look into that portion.

MR. FOSTER: Mr. Chairman, I think we could take that representation as notice and review the legisla-

tion. The amendments being made to that particular legislation in this act are consequential. They flow from the implementation of the medical examiner system.

What the hon. member is suggesting is that that whole body of law needs to be reviewed, and perhaps it does — I don't know — to make more clear the circumstances under which an individual may donate his organs, and a system that will reveal that designation after death to be sure, for example, that someone isn't cremated with a declaration like that outstanding. That's a matter with which I'm not personally familiar, but in any event, Mr. Chairman, it would not be dealt with in this legislation as it is before the House. That would be dealt with only if that act were brought forward. I will take that representation as notice and look into the matter, and drop you a note on the subject.

DR. BUCK: You can drop me a note, but I think it would be of some benefit, Mr. Attorney General, if very briefly you just indicated to the people out there how the thing works. I think that would be of some benefit to all the people in Alberta.

MR. FOSTER: Well, it may be, Mr. Chairman, that the point which we are now on is adequately dealt with in the legislation. I just don't know. If it is, your point is, how do you communicate that to people who don't understand it. If that's the case, the medical examiner system needs to be conscious of the law — and of course they'll know more about it than I do at this point — and to communicate that to individuals, to surviving family members, et cetera.

DR. WALKER: Mr. Chairman, I would like to bring up a point I brought up before, as there are no amendments concerning it, that a medical examiner might have an overriding right to conduct an inquest where he is on the spot and knows the local conditions.

At the moment in the city of Medicine Hat, we have exactly that situation. The local coroner has requested an inquest and it has just been overridden today, I believe, by the chief coroner, who states that he doesn't feel there should be an inquest. Now there are arguments on both sides, but I do feel that if the medical examiner in a local area, understanding the local conditions, recommends an inquest, then that inquest should be carried out.

I think the board can order an inquest where the medical examiner may not have thought one is necessary. That's a very different matter from where the medical examiner thinks one necessary and the board doesn't. I wonder whether the Attorney General would maybe review that some time.

MR. FOSTER: I'd be happy to review it, Mr. Chairman.

MR. GOGO: Mr. Chairman, just two quick questions to the Attorney General. As I understand it, the coroner system has been in existence in the western world for 500 or 600 years. I think it's a dramatic shift to go to an adversary system. However, I guess the Attorney General defended that earlier.

Two pertinent sections concern me. I had understood that the acts [regarding] the Alberta Hospital

Services Commission and the Alberta Health Care Insurance Commission specifically prohibited anybody from obtaining information regarding a physician's treatment of people, yet that's a distinct amendment in the act. And the question to the Attorney General is: does he foresee this as the only time that requests would be made to those commissions for that confidential information?

MR. FOSTER: Mr. Chairman, the only circumstance under which a medical examiner would be entitled to have access to the information is for the purpose of carrying out his duties under this act, and that's to certify when, how, where, and by what means a certain individual came to his death. It's only information from either commission that's necessary to carry out the intent of this act.

The Member for Lethbridge West has a very important point, and that is confidentiality of information. We have, I think, gone to great pains to ensure in this amendment that while a medical examiner has access to that information, he is bound by the confidentiality provisions that apply to the Hospital Services Commission. Moreover, if that information is subsequently used in a public inquiry in the certification of death, the inquiry itself is bound by confidentiality. The point is the maintenance of confidentiality, Mr. Chairman, and I'm satisfied that has been maintained throughout.

[Title and preamble agreed to]

MR. FOSTER: Mr. Chairman, I move that Bill 60 as amended be reported.

[Motion carried]

**Bill 65
The Lloydminster Hospital
Amendment Act, 1976**

MR. CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to any sections of this bill?

[Title and preamble agreed to]

MR. MILLER: Mr. Chairman, I move that Bill 65 be reported.

[Motion carried]

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

[Motion carried]

[Dr. McCrimmon left the Chair]

[Mr. Speaker in the Chair]

DR. McCRIMMON: Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bills 24 and 60, and begs to report same with some amendments.

Mr. Speaker, the Committee of the Whole Assembly has had under consideration Bill No. 65, begs to report same, and asks leave to sit again.

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

HON. MEMBERS: Agreed.

MR. HYNDMAN: Mr. Speaker, I move that we call it 5:30 and that the Assembly do now adjourn until tomorrow afternoon at 2:30 o'clock.

MR. SPEAKER: Having heard the motion 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 2.

[The House rose at 5:28 p.m.]