

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Tuesday, April 5, 1977 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: **PRESENTING PETITIONS**

DR. BUCK: Mr. Speaker, on behalf of approximately 300 young people, I would like to present a petition I would like tabled and placed in the Library. The petition is to Premier Lougheed and cabinet

The following are names of people who signed this petition in Wetaskiwin, Alberta.

As our Premier we are requesting that you consider seriously in giving support to the Alberta Game Farm. We would all appreciate any help you can give us in retaining one of our most valued possessions.

head: **INTRODUCTION OF BILLS****Bill 16****The Extra-Provincial Enforcement of Custody Orders Act**

MR. ASHTON: Mr. Speaker, I beg leave to introduce a bill, being The Extra-Provincial Enforcement of Custody Orders Act. The purpose of this bill is to enable Alberta courts in this age of mobile populations to enforce custody of children orders made in other jurisdictions. The prime objective of this bill is the welfare of the child.

[Leave granted; Bill 16 read a first time]

MR. HYNDMAN: I move that Bill No. 16, The Extra-Provincial Enforcement of Custody Orders Act, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **TABLING RETURNS AND REPORTS**

MR. DOWLING: Mr. Speaker, I'd like to file two copies of the Farm Implements Catalogue, 1977. Copies will be made available to all members of the Legislature. We are distributing them through our regional development offices as well as the offices of the district agriculturists throughout the province.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. LEITCH: Mr. Speaker, it's my pleasure today to introduce to you, and to the members of the Assem-

bly, 75 young ladies and gentlemen from the grade 9 class of St. Bonaventure Junior High School in the constituency of Calgary Egmont. They are accompanied by their teachers Mr. Dawood and Mr. Ferster, and are in both the members gallery and the public gallery. I would ask them to stand and receive the welcome of the House.

MR. CLARK: Mr. Speaker, I'd like to introduce to you, and through you to the members of the Assembly, a group of 30 grade 9 students from the Crossfield school. They are in the public gallery, and I would ask them to rise and receive the recognition of the members of the Assembly.

head: **ORAL QUESTION PERIOD****Condominium Report**

MR. CLARK: Mr. Speaker, I'd like to direct my question to the Minister of Consumer and Corporate Affairs and ask at what stage the government's deliberation is on the condominium report made available to the government, I believe, last fall?

MR. HARLE: Mr. Speaker, the report is presently receiving a great deal of consideration. I hope to be able to present amendments to The Condominium Property Act sometime this session.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Is it still the intention of the minister to present substantive amendments to existing legislation so those amendments would take place before June 30, as the minister announced on October 5, 1976?

MR. HARLE: Mr. Speaker, if the amendments can be placed in this session and there is enough time to discuss them, presumably they could be passed this spring. Otherwise they might go over until fall.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Has the minister had discussions with the construction industry regarding the question of disclosure of documents between the developer and persons purchasing the condominium? I raise that question because that was one of the substantive recommendations of what was commonly referred to, I think, as the Gitter committee.

MR. HARLE: Mr. Speaker, of course some submissions have been made by various people in response to the report tabled in this Legislature. Whether a brief has been presented by someone in the construction industry, I would have to check the records.

MR. CLARK: Mr. Speaker, a more specific question to the minister. Has the minister initiated discussions with any groups in the construction industry, or with any groups, prior to making decisions on the recommendations? If so, what groups?

MR. HARLE: Mr. Speaker, not beyond the groups that have presented submissions responding to the report.

MR. CLARK: Mr. Speaker, has the minister had discussions with the civic governments in Edmonton and Calgary with regard to that portion of the recommendations that suggested stricter control over conversion of older condominiums? In fact the recommendation was that local governments should have the determining voice on condominiums built, I believe, before '66.

MR. HARLE: Mr. Speaker, during the period the report was prepared by the committee, there was of course a considerable amount of dialogue with municipalities and with the industry. I would submit to the hon. member that in fact that was done prior to receiving the report.

MR. CLARK: Mr. Speaker, a similar question, dealing with recommendations in the report, to the minister responsible for legislation in this area. Has the minister initiated any discussions with the mayor and city council of Edmonton and of Calgary on this question of stricter control over the conversion of apartments?

MR. HARLE: Mr. Speaker, not beyond the briefs that have been submitted in response to the report and the amount of work done prior to the preparation of the report.

MR. CLARK: Mr. Speaker, to the minister. So there's been no discussion between the minister and the elected officials of Edmonton and Calgary on this question of conversion and the local governments assuming responsibility?

MR. HARLE: Not by me, Mr. Speaker.

MR. CLARK: Well, Mr. Speaker, to the minister. Who else would he expect to have the discussions?

MR. SPEAKER: Order please.

Fort McMurray Serviced Land

MR. TESOLIN: Mr. Speaker, would the Minister of Housing and Public Works inform this Assembly if the Alberta Housing Corporation has established a policy in regard to the public marketing of lots in Fort McMurray, more specifically in area 5?

MR. YURKO: Mr. Speaker, for some years now the Alberta Housing Corporation has had a policy in regard to the marketing of serviced land in Fort McMurray. However, that policy was recently reviewed by the provincial government. The policy will remain fundamentally the same: the recovery of all government development costs will be prorated onto the lots in accordance with an acceptable formula, and the land itself will be costed at approximately \$660 per acre.

In addition to this, Mr. Speaker, generally the policy is that residential lots in multiple family sites will be sold, whereas all other industrial, commercial, institutional, religious, and municipal sites will generally be leased.

MR. TESOLIN: Mr. Speaker, a supplementary if I may. Could the minister advise what time line is being considered for advertising the sale of these lots?

MR. YURKO: Mr. Speaker, the Alberta Housing Corporation has completed development in some areas in area 5 and will be bringing lots on stream very shortly, perhaps next week, and advertising them accordingly.

DR. BUCK: A supplementary, Mr. Speaker, to the hon. minister. Is the minister in a position to indicate if he has a figure for what an average size, average price residential lot will be selling for?

MR. YURKO: As I said, Mr. Speaker, the only costs attributable to the land are the development costs — that is, the off-sites, the oversized on-sites, and all the on-sites — and the land is generally costed at approximately \$660 per acre. On this basis the average single-family lot price will average in the order of \$23,000. The multiple family sites, duplex sites, and mobile home sites are somewhat lower than that.

DR. BUCK: Mr. Speaker, he is practically giving them away. [interjections]

MR. SPEAKER: Order please.

Landlord/Tenant Legislation

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Consumer and Corporate Affairs is with regard to a situation that was brought to my attention. Two tenants had been in a residence for some time when the landlord approached them indicating he wanted six months' rent paid in advance by post-dated cheques. The renters refused, and at that point there was indication he was going to give them notice of eviction. Is the minister aware of cases such as this, and what recourse has the renter?

MR. SPEAKER: Order please. The hon. member might seek that legal advice in some other way.

MR. R. SPEAKER: Mr. Speaker, rewording my question — maybe the first one was a little more accurate. Is the minister aware of situations such as this? Have they been brought to his attention?

MR. HARLE: Mr. Speaker, I would say there are as many combinations and permutations of situations that landlords and tenants get themselves into as there are people.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Is the minister considering any form of legislation which relates to rental tenure or the rights of renters?

MR. HARLE: Mr. Speaker, I hope the hon. member is aware that the report of the institute has been tabled in this Legislature.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Does the minister have a committee within his department that involves himself or other members of cabinet studying that report, and is there an intention to consider legislation at a future date?

MR. HARLE: Mr. Speaker, the report of the institute is receiving the active consideration of the government, and in due course amendments to The Landlord and Tenant Act will be presented.

Land Transaction — St. Albert

MR. JAMISON: Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs. Has the minister received any representation from a resident of the city of St. Albert today regarding land transactions by the council of the city of St. Albert?

MR. JOHNSTON: Yes, Mr. Speaker, I have.

MR. JAMISON: A supplementary question, Mr. Speaker. Has the minister or his department determined whether there has been any violation of The Municipal Government Act with respect to the procedure regarding the purchase of land by a municipality?

MR. JOHNSTON: Well, Mr. Speaker, as the hon. member pointed out, I just received the communication today. Upon weighing the information, the purported abridgement of the legislation by the representation, I would have to take it into consideration. If it is indeed true, we will carry out an investigation.

MR. SPEAKER: With great respect, I should perhaps mention that it might be questionable to go over a minister's mail item by item and see what he received that day or the day before.

Anti-smoking By-law

MR. KUSHNER: Mr. Speaker, I wish to direct this question to the minister responsible for Calgary affairs. Would the minister inform this House of the government's position — or more so, the policy — on the anti-smoking by-law that has recently been passed by the city of Calgary, or the passage of that by-law?

MR. SPEAKER: Is the hon. member asking about the implementation of a by-law by the city of Calgary?

MR. KUSHNER: Mr. Speaker, I wanted to know the position or the policy of the government, what effect it would have on such a by-law.

MR. SPEAKER: With great respect to the hon. member, it would appear that the substance of the question is to obtain the government's opinion concerning the city's by-law, and that might not be a matter we should handle during the question period.

MR. KUSHNER: Mr. Speaker, maybe I can frame it in such a way that it would be acceptable to you. I have had inquiries from several constituents. They have asked me if in fact a by-law of this type is legal.

MR. SPEAKER: The hon. member is making the chair's solution to the problem much easier. [laughter] Possibly he could seek that legal advice in some other way.

DR. BUCK: Hire a lawyer, John.

MR. KUSHNER: Mr. Speaker, maybe I could say, is it covered by legislation?

MR. SPEAKER: With great respect to the hon. member, that is another legal question.

MR. McCRAE: Mr. Speaker, might I undertake to write the hon. member's constituents on this matter?

Public Utilities Board

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Attorney General. Is any guideline sent from the minister's office to the Public Utilities Board in establishing a fair rate of return to the utility companies in the province?

MR. FOSTER: Mr. Speaker, the Public Utilities Board is a quasi-judicial body, which I'm sure the hon. member appreciates, and somewhat independent in the sense of a court. My responsibility for the Public Utilities Board is for their budget in this Assembly, and for administrative matters as they relate to the board. They have received no specific direction from me with respect to how they are to function as members of that board in the course of conducting hearings.

MR. MANDEVILLE: Then a supplementary question, Mr. Speaker, to the hon. Minister of Utilities and Telephones. Does the minister have any discussions with the Public Utilities Board when establishing the support price under the natural gas protection plan?

DR. WARRACK: Mr. Speaker, even though the supplementary is, I think, unrelated to the question initially posed, I'll answer it in any case. The answer is yes, in that when we were in a position of having made the determination of last dollar sharing as a component of the support price, I indicated this by way of courtesy to the chairman of the Public Utilities Board so they could be knowledgeable of that in handling the matters they would then need to contend with as far as the fuel cost portions of prudent costs are concerned.

With respect to the financial requirements of a utility, like the financial requirements of anything else including government, I might point out that costs must certainly be met. A public utility needs to be in a position of attracting the capital necessary to replenish its capital structure and provide for future expansion.

MR. MANDEVILLE: Supplementary question, Mr. Speaker, to the Attorney General. Is any change in The Public Utilities Board Act anticipated in the spring session of the Legislature?

MR. FOSTER: Mr. Speaker, there may indeed be changes in the public utilities legislation. That matter has not yet been determined. If that decision is taken, it will of course be introduced in this House.

Games Arcades

MR. TAYLOR: Mr. Speaker, my question is to the hon.

the Attorney General. A very short explanation is necessary first. The magazine *Safety Canada*, an organ of the Canada Safety Council, shows on the front page of its March issue the "death race", a coin-in-the-slot electronic game destined for arcades. The object is to drive a simulated vehicle so as to kill as many pedestrians as possible in 60 seconds.

My question to the hon. minister is: does the government have any control over the types of "games" permitted in our arcades?

MR. SPEAKER: The hon. member is clearly asking a question of law. Whether the government has right or control over something is definitely a question of law. If he might wish to phrase it in regard to government policy, that would be a different matter.

MR. TAYLOR: Thank you, Mr. Speaker. My question to the hon. Attorney General: would the government permit such games to be played in arcades in Alberta?

MR. FOSTER: Mr. Speaker, I'm not aware that such devices are a violation of the criminal law of Canada. I don't think they are. I'm not aware of legislation that would make such games illegal in this province.

I am disturbed, however, by the hon. member's reference to these kinds of games and to other publications, which I referred to earlier in this Assembly, which may not fall within the purview of the Criminal Code. It may be that some initiative is appropriate in this area, legislative or otherwise. I'd be happy to consider it.

MR. TAYLOR: Thank you. Would the hon. minister agree that such games are apt to do just as much damage to the minds of our young people as horror movies and horror TV stories?

MR. SPEAKER: The hon. member has made an interesting submission which might be introduced in debate. Perhaps he could get the hon. minister's reaction on another occasion.

DR. PAPROSKI: A supplementary, Mr. Speaker, to the hon. Attorney General. I wonder if the minister would indicate to the House whether he will be making representation or discussing items such as this at the federal/provincial conference of attorneys general to be held shortly.

MR. FOSTER: Mr. Speaker, there is no shortage of subjects for the provincial attorneys general to discuss with their federal counterpart. While I had not specifically added this item to the agenda, or even thought about it until now, I'd be happy to consider it and see what if any response from either level of government might be appropriate.

I don't want to leave any impression that I am now all of a sudden spearheading legislative or other solutions to very questionable conduct in gaming parlors and publications on newsstands. As we all appreciate, the Parliament of Canada is responsible for defining the criminal law in this country. I'll leave that largely to their initiative.

Tourism

DR. BUCK: Mr. Speaker, I'd like to address my ques-

tion to the hon. Minister of Business Development and Tourism. The question arises from the minister's speech in Lethbridge. I'd like to know what specific efforts are being put forward by the minister's department to ensure that the private tourist industry improves facilities for tourism in Alberta.

MR. DOWLING: Most assuredly, Mr. Speaker, the government is attempting with everything they have to stay out of the private sector. That simply is the answer.

DR. BUCK: Mr. Speaker, I believe the minister said that the government is not going to get involved in the tourist business but must insure that the private sector does things better than the government. Did the minister say this at that convention?

MR. SPEAKER: Order please. It's been clearly laid down that question period is not the place for scrutinizing the truth or otherwise of a reported statement by any member of the Assembly.

DR. BUCK: Mr. Speaker, supplementary question to the minister. Can the minister indicate if it is government policy not to be involved in the development of the tourist industry?

MR. DOWLING: Well, Mr. Speaker, that's pure nonsense. Of course we're interested in developing the tourist industry. We've spent considerable time and effort in doing it. As the hon. member should know, the industry is worth \$710 million this year as opposed to a fraction of that in 1971 when we took on some responsibility for government . . .

MR. SPEAKER: Order please.

MR. DOWLING: Mr. Speaker, I should say we do a great deal by way of stimulating private sector involvement in tourist facility development. We have the Opportunity Company where I believe something in the order of 30 per cent of the loans being made are to develop tourist facilities. Most of those of course are in rural Alberta. We have developed an eastern slope policy, the Land Use Forum, the coal policy, all of which are preliminary to perhaps new facilities being developed in that area. We look to the private sector to develop new recreational areas, new destination areas, new tourist facilities. We will give them every support we can.

DR. BUCK: Supplementary question to the Premier, Mr. Speaker. Can the hon. Premier indicate if the government will be moving in the near future to set up a full ministry of tourism, amalgamate one or two possible other fringe ministries and have a full ministry of tourism?

MR. LOUGHEED: Mr. Speaker, we've discussed that matter in the House on a number of occasions. I think it's quite apparent just from the answer of the Minister of Business Development and Tourism that there is a very close relationship between the portfolio responsibilities of business development and of tourism. I think it's quite evident to us in the assessment we've had over the past five years that merging together business development and tourism, as we

have since 1975, is in the best interests of Alberta citizens.

DR. BUCK: Mr. Speaker, so the Premier is saying there will not be a full ministry of tourism set up in the near future?

MR. LOUGHEED: Mr. Speaker, I thought I made that quite abundantly clear. What I'm saying is that it's fairly evident to us that what is required in this province is what we have today: a minister charged with the dual responsibility of business development and tourism because of their interacting nature. They work better under one minister than they do separated. That's our judgment.

MR. CLARK: Mr. Speaker, a supplementary question to the Premier while we're hanging on the words of the Minister of Business Development and Tourism. Is it the position now of the government of Alberta that the government has under active consideration the development of a number of recreational centres in the eastern slopes? I ask the question in light of the comment the minister just made.

MR. LOUGHEED: Mr. Speaker, I believe that's been discussed a number of times in the House. Perhaps the Associate Minister of Energy and Natural Resources or the Minister of Business Development and Tourism might want to elaborate. There have been discussions with regard to recreation development, some plans being considered, some decisions in the process of consideration.

MR. CLARK: Mr. Speaker, in light of the Premier not wanting to answer the question, perhaps we'll go to the associate minister. Has the government at this time under active consideration the development of a number of recreational centres in the eastern slopes? I ask the question in light of the very positive statement of the minister indicating they did have. Is that now government policy? I thought the zoning question was still before the government.

MR. SCHMIDT: Mr. Speaker, to supplement the question with regard to the eastern slopes, the zoning system is still being studied. We have not arrived at a complete system of zoning for the eastern slopes.

In regard to the recreational applications, there have been over a period of months several applications by private individuals for development within the eastern slopes. Until such time as the zoning concept has been accepted and finalized, it would be difficult to assess those applications. So pending the acceptance of a complete zoning system for the eastern slopes, those applications for recreation that have been made at the present time will be held.

Reox Generators

MR. CLARK: Mr. Speaker, my question is to the Minister of Business Development and Tourism. The question flows from the bankruptcy of Ritter Engineering Ltd. in Calgary. I want to say before I ask the question that I commend the government for the financial assistance they gave to this particular venture.

The question to the minister is: after retaining the

patent for the Ritter development, which primarily is in the area of helping individuals with respiratory ailments, what initiative or action is being taken by the government to interest other people in further developing this patent?

MR. DOWLING: Mr. Speaker, the matter is in the hands of the receiver of course, and it's his business to attempt to find interested parties who will purchase the rights. That effort by the receiver has been assisted by the Department of Business Development and Tourism over several months. We are quite concerned that what appears to be a tremendous new invention should be picked up by some Albertan and developed properly.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. The minister indicates the Department of Business Development and Tourism has been of considerable help in the past several months. Is the minister in a position to indicate whether that help has been in trying to interest individuals or organizations inside Alberta to pick up the patent and further develop the innovation?

MR. DOWLING: Mr. Speaker, we've attempted to bring the original owner of the patent rights, or now the receiver, together with some of the people who might possibly be interested in purchasing those rights. That's our sole purpose. We believe it has some potential for Alberta and will do anything to see that any manufacturing concern that has some potential is given every opportunity to survive.

MR. CLARK: Mr. Speaker, a supplementary question to the Minister of Social Services and Community Health. Apart from writing to the users of the reox machine and indicating to them where they can get service calls, what assurance is the minister able to give those patients who are presently using the reox machine that on a somewhat longer term basis services will be possible for the rather sizable number of people who are now using the machine to a very great benefit?

MISS HUNLEY: I agree with the hon. Leader of the Opposition that they are a great benefit. Because they are, we have taken steps, through my colleague the Minister of Business Development and Tourism, to ensure that servicing capability is readily available. To my knowledge it is readily available.

Of course I think it's important for hon. members to realize that whereas the reox generator is a great asset for mobility, oxygen is available as a replacement. It's not as convenient, but there has never been a question about the life sustaining requirements of the reox generator because oxygen can be used as a replacement almost immediately.

MR. CLARK: Mr. Speaker, a further supplementary to the minister. Is either the minister's department or her colleague the Minister of Business Development and Tourism giving financial assistance now to the service company that is providing the ongoing maintenance for the machines that are in operation in Alberta?

MISS HUNLEY: To my knowledge, Mr. Speaker, we are not. I could check, though, and get my information updated. The last information I have is about six weeks old.

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

MR. CLARK: Mr. Speaker, supplementary to the Minister of Business Development and Tourism. Has his department in any way been involved in financial or other types of assistance to the service company that has taken on the job of servicing the machines now being used?

MR. DOWLING: No, we haven't. Not through the Opportunity Company, that I'm aware of, or directly through the department. However, I believe — I would hate to say something that I don't know for sure — but I believe there is a service contract of some kind. Perhaps I could determine what that is and bring that information back to the hon. member.

Butter Subsidy

DR. PAPROSKI: Mr. Speaker, a question to the Minister of Agriculture. Has the minister now received and/or reviewed information or reports regarding increased federal subsidies for butter producers in Alberta?

MR. MOORE: Yes, Mr. Speaker. Yesterday a federal government announcement indicated a number of changes in federal dairy policies. Among those changes was an increase of 10 cents per pound in the federal government support price for butter, as well as a very slight increase with respect to the support price of skim milk powder.

Mr. Speaker, after reviewing that new policy it's our conclusion that it was proper for the greatest amount of the increase to be placed on butter rather than skim milk powder, because very definitely a good number of low- and middle-income families do require skim milk powder while . . .

MR. SPEAKER: I hesitate to interrupt the hon. minister. But if it is not open to hon. members to request expressions of opinion, that would appear to apply also to volunteering them.

DR. PAPROSKI: Mr. Speaker, supplementary to the minister. I wonder if the minister would indicate to the House whether he has statistics or information that this subsidy will in fact lower the price of butter to Albertans?

MR. MOORE: No, Mr. Speaker, in my opinion it would increase the price of butter to Albertans.

DR. PAPROSKI: Supplementary, Mr. Speaker. Would the minister indicate to the House whether this subsidy will improve the competitive position of the butter producers versus the margarine . . .

MR. SPEAKER: Order please. We're clearly in the realm of opinion.

DR. BUCK: Mr. Speaker, may I, ask the minister a supplementary question. Is the minister in a position to indicate if the Alberta portion of the federal dairy quota has been increased or decreased in the last year?

MR. MOORE: Mr. Speaker, it would appear there will be a slight increase in the total federal industrial milk quota, from about 97 million hundredweight to 100 million hundredweight. On the basis of its traditional percentage of the industrial milk quota across Canada, the province of Alberta will share in any increases that occur. There has been no change with respect to the percentage allocation of industrial milk quota to each province.

DR. BUCK: A supplementary question to the Minister of Agriculture. I would like to know if the minister is in a position to indicate if the federal government has been buttering up the hon. Member of Parliament for Crowfoot?

Rent Control

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Consumer and Corporate Affairs. I wonder if the minister could advise at this time the date in April when we will have an announcement with regard to rent control policy or legislation.

MR. HARLE: No, Mr. Speaker, I can't give the date.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Could the minister confirm or not confirm that judgments of the government with regard to rent control will be based on actions between today and the date of that announcement?

MR. HARLE: Well, Mr. Speaker, after the effort of the Social Credit opposition to confuse everybody on Friday, I don't want to add further . . .

MR. SPEAKER: Order please.

DR. BUCK: It didn't confuse the renters, Graham.

MR. CLARK: The renters know, Graham.

MR. R. SPEAKER: I appreciate the concern of the minister. Possibly you'd like to debate the issue. We're open to that too.

Supplementary, Mr. Speaker. Has the minister information that many landlords are withholding rent increase notices at the present time, in light of the government's decision to continue rent controls in mid-April?

MR. HARLE: Well, Mr. Speaker, I'm sure the hon. member could make some inquiries himself in this regard.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Has the minister any information at all? Two or three days ago he indicated he would give information with regard to vacancy rates, regionally and in some of the cities. My question is: at this point in time has the minister the information to make available to us in the Assembly as requested?

MR. HARLE: Mr. Speaker, with regard to vacancy rates, perhaps I could refer the question to the hon. Minister of Housing and Public Works.

MR. R. SPEAKER: A supplementary. I don't think I'm interested in the minister's answer.

Mr. Speaker, we're asking about a policy decision with regard to rent controls. The Minister of Consumer and Corporate Affairs is the minister who will make that decision or give advice on that decision.

Mr. Speaker, I'm asking the minister what information he has that he will be giving to the government and can be made available to this Assembly, upon which we all can make judgment with regard to rent controls. Where is it? Four or five days ago, Mr. Speaker, on a point of order or privilege . . .

AN HON. MEMBER: You've got everything.

AN HON. MEMBER: Whatever you need.

MR. R. SPEAKER: . . . the minister indicated there was some information, that he was going to make it available to me.

MR. SPEAKER: The hon. minister has volunteered to suggest that the information that was requested by the supplementary might be available from another hon. minister. If the hon. member doesn't wish to have the information from any other source but one, and it isn't available there, we should move on to the next question.

Land Transaction — St. Albert (continued)

MR. JAMISON: Mr. Speaker, I'd like to direct a question to the Minister of Municipal Affairs. It's a follow-up to the answer the minister gave me on my supplementary. I wonder if the minister would advise the Assembly of the results of his investigation, if it's done, of the allegations of contravention of The Municipal Government Act by the St. Albert city council.

MR. JOHNSTON: Mr. Speaker, I don't know if I understood the question properly. We haven't done an investigation. I've only been informed of the matter recently. We have not yet determined a course of action with respect to any investigation.

MR. JAMISON: Mr. Speaker, a supplementary to the minister. My question was: if you do an investigation would you make this public in the House?

MR. SPEAKER: Perhaps the hon. member's hypothetical question could be rephrased in a different way once the eventuality has come to pass.

Max Bell Arena

MR. KUSHNER: Mr. Speaker, I wish to direct my question once again to the minister of Calgary affairs.

We had a delay in the construction of Max Bell arena because of financial problems. I wonder if the minister could inform this House if the financial problem in fact has been resolved and the construction has proceeded again.

DR. BUCK: Ask in the estimates.

MR. McCRAE: Mr. Speaker, the hon. member is referring to a project undertaken under the very popular major matching recreation and cultural grants program which is so widely and so very favorably accepted in Calgary. It's a program, Mr. Speaker, under which all members will probably be aware that . . .

MR. SPEAKER: Possibly instead of going into the ramifications of the program, the minister might wish to come back to the substance of the question.

MR. McCRAE: Thank you, Mr. Speaker.

Dealing specifically with the question, the project was undertaken in the name of the late Max Bell. The sponsors had experienced some difficulty in matching the \$1 million grant under the very popular program I spoke of, but have recently arranged for the completion of the structure through the signing of promissory notes for arrears on the construction costs to date and guarantees on the future construction costs. The project should be completed and on stream before the next hockey season.

MR. CLARK: A supplementary to the minister. Does the minister expect the city of Calgary to get the cheque in 1977 or 1978?

MR. McCRAE: Mr. Speaker, might I state that this is one of the very many situations where the cheque was given out in very good time indeed.

Driver Licences

MR. TAYLOR: Mr. Speaker, my question is to the hon. Solicitor General. Information from Ontario indicates the Ontario government is planning to tie the issuance of the operator's or driver's licence to the fact that all fines levied against him or her for traffic offences must be paid before the licence is issued. Has Alberta given any consideration to this type of plan?

MR. FARRAN: Mr. Speaker, consideration has been given and is being given to such a sanction to encourage the payment of fines. In addition, of course the hon. member knows we have the fine-option program which provides work for people finding it difficult to pay fines. The reliance on suspending a driver's licence for the ultimate sanction for default of payment of a fine has some difficulties as well as merit, inasmuch as it increases the problems of enforcement when suspended drivers continue to drive without a valid licence. The present system in Alberta is that licences are not renewed every year, but on a draw basis where some people are lucky enough to have theirs renewed after five years and some come up after two years, which was an administrative staggering to reduce costs to the government.

So although it's been given consideration, I don't think we're ready at this time to place full reliance on that as the ultimate sanction for default of payment of a fine.

Student Employment Program

MR. MANDEVILLE: Mr. Speaker, my question is to the hon. Minister of Advanced Education and Manpower. The minister indicated there is going to be a continuation of the student temporary employment program for 1977. Could the minister indicate when application forms will be available and information will be going out for the small business loans and for the farm employment program?

DR. HOHOL: The information, Mr. Speaker, was mailed to the municipalities some time this week.

Anti-trust Legislation

MR. CLARK: Mr. Speaker, I would like to direct a question to the Minister of Agriculture and ask if he has received representation concerning the proposed federal government anti-trust legislation introduced by the Minister of Consumer and Corporate Affairs, I believe, in Ottawa and the concern with regard to the effects on Alberta marketing boards.

MR. MOORE: Yes, Mr. Speaker, I have received a copy of the act and some representations in that regard.

MR. CLARK: Mr. Speaker, a supplementary to the minister. What is the intention of the government of Alberta for dealing with the concerns expressed by Alberta agricultural groups?

MR. MOORE: Mr. Speaker, I have not yet had an opportunity to totally review the legislation and get a good understanding of what it may or may not mean to provincial marketing boards. Certainly we will be doing that and, if necessary, in due course be making representations.

Tendering Procedures

MR. YURKO: Mr. Speaker, on March 8 the Leader of the Opposition asked me a question in regard to a uniform tendering manual with respect to tendering for construction purposes. Also on March 15 the Member for Clover Bar inquired of the Premier in regard to policies with respect to tendering public projects. Mr. Speaker, today I would like to file with the Legislature the Tendering and Contract Award, Procedures and Practices for Construction Services by the Alberta government, particularly the Department of Housing and Public Works, in which these questions are answered. So I won't take the time to answer the questions specifically.

That tendering manual has been circulated to the various departments. I am advised that generally the same policy regarding tendering and awarding contracts is followed by the different departments except that there may be some procedural differences between the departments. These will be under discussion in the coming months.

DR. BUCK: A supplementary question to the hon. minister, Mr. Speaker. Can the minister indicate how extensive the policy of invitational tendering is with the provincial government?

MR. YURKO: Mr. Speaker, as I indicated, the policy covers that specific point and indicates where invitational tendering is used. By way of a very brief answer: it is generally used for a variety of reasons in contracts under \$200,000. One is that smaller contractors in smaller centres generally find it difficult to tender on an open basis. As a result the invitational tender process is used in the smaller centres. Generally no fewer than three and generally six companies are invited to tender on these small contracts.

In addition, there are occasions when an open tender is turned down because the price that comes in is much too high. Changes in the drawings are made as a result, and we go back to the market on an invitational tender. Under no circumstances are fewer than three companies invited to tender on an invitational basis. Generally six are asked.

MR. SPEAKER: It seems we're going into the details of the policy which the hon. minister has tabled. Possibly further questions could await a review by hon. members of the documents tabled by the hon. minister.

DR. BUCK: Mr. Speaker, I appreciate that, but the information from the minister leads me to a subsequent question.

MR. SPEAKER: If it's a true supplementary, it relates to the same topic. I would respectfully suggest to the hon. member that we review the tabled books first, then come back to the matter later if necessary.

DR. BUCK: Mr. Speaker, the information of the minister is that the invitational bids are asked for only under \$200,000. I'd like to ask a question of the Deputy Premier. Can the minister indicate what parameters were used [for] the approximately \$5 million contract for the PWA maintenance hanger? Was that criterion followed, Mr. Speaker?

MR. SPEAKER: The hon. member is going into the details of the tendering policy. As yet it is not clear whether all those things are covered in the booklet. It would seem to be an unnecessary use of the time of the House to ask questions about the contents of the book before it has been seen by hon. members.

MR. HYNDMAN: Mr. Speaker, on a point of order. It is to be noted that tonight the Department of Housing and Public Works is coming under close scrutiny in Subcommittee B. Perhaps that would be a more appropriate place for these details to be gone into, also affording the honorable gentleman a few hours to read the document which has just been tabled.

DR. BUCK: Mr. Speaker, my question is about the PWA tender. I'm not asking about housing.

MR. SPEAKER: In addition to whatever else has been said, the clock has reached the time which limits the end of the question period.

ORDERS OF THE DAY

head: **WRITTEN QUESTIONS**

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

- (1) When was Ruby Remenda hired as a temporary clerk-typist in the audio-visual services branch of the Department of Education?
- (2) What general duties were assigned to Ruby Remenda during the week of March 21 to March 25, 1977, and who assigned those duties?
- (3) Were any news releases and/or correspondence of the Progressive Conservative Party of Alberta typed and/or photocopied in the office of the audio-visual services branch of the Department of Education during the period March 1 to March 25, 1977?
- (4) Did John Chalmers, Director of Communications for ACCESS, perform any duties on behalf of the Progressive Conservative Party of Alberta during normal working hours during the period March 1 to March 25, 1977, and if so what specific duties were performed?

MR. KOZIAK: Mr. Speaker, I'd like to provide the answer to Question No. 136. It is broken down into four parts, and I'll give the answer to each. The answer to the first

Typing of radio scripts for CKUA, typing of letters of contracts for writers, typing of payment forms for talent fees, filing of correspondence and answering the telephone.

The second part of Part 2: Ms. Mary Lyseng and Mr. Jim Watt. For the third, the answer is no. For the fourth:

No work was done during business hours for the Progress Conservative Association of Alberta during the period March 1 to March 25 . . .

MR. SPEAKER: Is the hon. minister reading the answer or supplementing it?

MR. KOZIAK: I'm providing the answer, Mr. Speaker.

MR. SPEAKER: Well, what are we going to do about supplementaries?

DR. BUCK: We can read.

MR. SPEAKER: We're not in the question period.

MR. KOZIAK: It's on the Order Paper, Mr. Speaker.

MR. SPEAKER: I understood the answer to Question 136 was now being filed.

DR. HORNER: And can be read.

MR. KOZIAK: Mr. Speaker, I indicated I was supplying the answer verbally.

MR. SPEAKER: Well, I don't know of any authority for doing that when we're under Orders of the Day dealing with questions. This is a written question, and it calls for a written answer.

MR. HYNDMAN: Well, Mr. Speaker, I'd submit, and perhaps Your Honour could give consideration, that a written question on the Order Paper, as opposed to a motion for a return, can be answered either orally or in writing so that it appears in *Hansard*. But I'm open to perhaps another suggestion.

MR. SPEAKER: I'll be glad to take advantage of the kind suggestion by the hon. Government House Leader. But it would appear to me that under our Standing Orders, where there is express provision for an oral question period, we might by implication go beyond that if we're going to have oral answers to written questions. Then the question will arise whether there are going to be supplementaries.

MR. HYNDMAN: No supplementaries.

MR. KOZIAK: Mr. Speaker, in view of the fact that your interruption came at the last sentence perhaps I could finish it, and it would be available for the record of *Hansard*. Subsequently I could file additional copies, because I don't have sufficient at hand.

MR. SPEAKER: If the House agrees with the suggestion by the hon. minister, perhaps he could continue to read the answer.

HON. MEMBERS: Agreed.

MR. KOZIAK: I might as well start at (4).

No work was done during business hours for the Progressive Conservative Association of Alberta during the period March 1 to March 25 other than a few telephone calls which did not interfere with his duties as Director of Communications for ACCESS.

SOME HON. MEMBER: Oh, oh.

DR. BUCK: Easy, Julian.

MR. CLARK: Mr. Speaker, with regard to your consideration on the question, I would refer to Chapter 4, 32(2). It says:

The minister or member to whom the question is addressed shall hand the answer to the Clerk of the Assembly, who shall cause it to be printed in the Votes and Proceedings.

MR. HYNDMAN: But under 32(1), Mr. Speaker, it suggests the reply may be either oral or in writing.

138. Mr. R. Speaker asked the government the following question:

- (1) On what dates has Mr. R. (Bob) Peterson been an employee of the lands division of the Department of Energy and Natural Resources?
- (2) What is the current position of Mr. Peterson? Was this position publicly advertised, and who made the decision to employ Mr. Peterson in this position?
- (3) Has Mr. Peterson ever received a lease assignment from the lands division of the Department of Energy and Natural Resources and, if so, when and on what lands?
- (4) Does Mr. Peterson have the rights to a cattle

allotment in the Lonesome Lake irrigated grazing reserve?

MR. SCHMIDT: Mr. Speaker, in accepting the question we will try it both ways, and I will file the answer to the question.

head: **MOTIONS FOR RETURNS**

MR. FOSTER: Mr. Speaker, I move the following motions for returns stand and retain their place on the Order Paper: 101, 115, and 135.

[Motion carried]

127. Mr. R. Speaker moved that an order of the Assembly do issue for a return showing:

With respect to the recreation major facility capital grant program of the Department of Recreation, Parks and Wildlife:

- (1) a departmental organization chart showing the position of every government employee directly involved in the administration of the program;
- (2) the number of government employees employed in each position referred to in (1) and the salary range of each position referred to in (1);
- (3) a description of the procedural steps through which an application for a grant under the program must proceed for approval;
- (4) a list of the criteria which must be met for the approval of an application for a grant under the program;
- (5) With respect to every community receiving the grant:
 - (a) the name of the community,
 - (b) the date on which the application was received by the Department of Recreation, Parks and Wildlife,
 - (c) the date of approval by the Department of Recreation, Parks and Wildlife,
 - (d) the date on which the cheque for the grant was mailed to the community,
 - (e) the total amount of the grant,
 - (f) a brief description of the project for which the grant was approved;
- (6) with respect to every community applying for the grant which has not yet been approved:
 - (a) the name of the community,
 - (b) the date on which the application was received by the Department of Recreation, Parks and Wildlife,
 - (c) the total amount of the grant requested,
 - (d) a brief description of the project for which the grant was requested.

MR. ADAIR: Mr. Speaker, I would like to provide the following amendment to Motion for a Return No. 127: One, amend the preamble by deleting the words after the words "with respect to the" and substituting "major cultural/recreation facility development program of the Department of Recreation, Parks and Wildlife and Alberta Culture"; two, amend paragraph 1 by changing the word "chart" to "charts"; three, amend paragraphs 5(c), after the word "date" by adding "or dates", and after the word "Wildlife" by adding "and/or Alberta Culture"; four, amend paragraph 6 after the word "approved" by adding "as of

December 31, 1976".

Mr. Speaker, the proposed amendments will do the following: one, clarify the name of the program — it is the major cultural/recreation facility development program and not the recreation major facility capital grants program; two, adding Alberta Culture to the motion proposed will eliminate the need to totally duplicate the information requested in motions for returns 127 and 128. The program is based in the Department of Recreation, Parks and Wildlife and is carried out with the co-operation and necessary approvals of the Alberta Culture group. Thus these amendments will allow for the information to be provided as requested. The inclusion of the December 31, 1976, date will again facilitate providing information to the latest quarter as of the motion for a return.

MR. SPEAKER: I should mention that the Chair has not seen this fairly lengthy amendment prior to now. I'm not able to vouch for whether or not it may be in order, but I assume it is.

[Motion as amended carried]

MR. R. SPEAKER: Mr. Speaker, in light of the amendments to Motion 127, I'd like to withdraw Motion 128.

MR. SPEAKER: So ordered.

137. Mr. R. Speaker moved that an order of the Assembly do issue for a return showing:

The total number of full-time salaried employees for each government department and for Alberta Government Telephones as at March 31, 1977.

[Motion carried]

head: **MOTIONS OTHER THAN GOVERNMENT MOTIONS**

1. Moved by Mr. Young:

Be it resolved that the Legislative Assembly of Alberta urge the provincial government to request the Governor General in Council to fix by proclamation the same age for both boys and girls in Alberta in defining "child" under the Juvenile Delinquents Act.

Be it further resolved that the government of Alberta consider the adoption of 18 as that uniform age.

MR. YOUNG: Mr. Speaker, in addressing myself today to Motion No. 1, I am addressing a problem that confronts the legislatures of not only Alberta but of all provinces, in a sense, and the House of Commons in the near future. The issue I wish to have debated in the Legislature this afternoon is the age of delinquency as it will be determined under what is promised by the federal government to be new legislation, and which must also have with it a companion decision from each provincial government.

Mr. Speaker, the issue is basically of two parts: first, that we in Alberta should have the same age for both boys and girls in terms of determining what would now be called an act of delinquency and, secondly, that we in the province of Alberta should adopt 18 as that age.

Mr. Speaker, I'd like to begin with some background

information by way of explanation of how this matter came to my attention. First of all, I should like to draw to the attention of hon. members the situation which has existed over the past year and a half in the province of Alberta. We have had in this province an order in council from the federal government, which is the way our age of delinquency is determined. I'll call it "age of delinquency", but it's really the age at which adulthood is determined for purposes of the criminal courts and criminal acts.

Mr. Speaker, for the last year and a half we've had uncertainty in this province as to the age of adulthood for boys and girls, particularly for girls. The uncertainty arose out of a decision by Judge Stevenson in district court: he held that the order in council which set different ages for boys and girls was inoperative because it offended the Bill of Rights. For a time after that decision, the age of adulthood for girls became 16 instead of 18.

Subsequently that was appealed. Since it was appealed to a superior court, a more senior court than the district court, and the appeal was upheld, the age of 18 again became the law in Alberta. My understanding is that the issue may still be before the courts. As of this moment, it is therefore uncertain what it will be in future.

Mr. Speaker, I would draw to the attention of members of the Legislature that if the court makes that decision, it is in fact making a decision which members of the Legislature and government thought they as a government were making in 1952, the date Alberta determined the differential age. So if this matter is not decided by the Legislature and by the government, we will have before us a decision of law determined by the courts. It may be determined in a way which was never intended back in 1952, and perhaps which would not be desired in 1977.

Hon. members will be interested in a further anomaly. It's the somewhat sensitive anomaly of a 17-year-old boy and a 16-year-old girl who have indulged in sexual intercourse. In Alberta that boy would be held criminally responsible for contributing to the delinquency of a child. In Saskatchewan the couple would be viewed as consenting adults. And while some persons might frown upon their activity, certainly no criminal charge would be involved. My understanding is that both would be subject to criminal charges in British Columbia.

A further anomaly can be advanced which indicates — this anomaly takes us beyond the situation in the province of Alberta and raises yet another facet of the problem, which I wish to advance to the Legislature this afternoon; that is, a situation where a 17-year-old boy steals a car in British Columbia and drives to Saskatchewan. He breaks and enters premises in British Columbia, Alberta, and Saskatchewan. In Alberta, where he is caught, the juvenile court lacks jurisdiction because of his age. At 17 he is an adult. He is tried in the ordinary courts in Alberta. And the courts in Alberta can take into account his offences in Saskatchewan, since for Saskatchewan purposes he is also an adult. But they cannot take into account his offences in B.C., because he is a juvenile in B.C. and, as my understanding goes, under court procedure it is not possible to have recourse to whatever may be on the record for a juvenile delinquent. So, Mr. Speaker, three indications of both the complexity and the confusion which reign in this area.

I think it would be helpful if I outlined for hon. members how we got into this situation. The Canadian Juvenile Delinquents Act dates to 1908. Under that legislation the provinces are enabled to establish the age of delinquency in their respective jurisdictions. In Alberta the last decision on that matter was made in 1952. At that time the Social Credit government made the decision that the age should be different for boys and girls, and that the age should be 16 for boys and 18 for girls.

I would draw to hon. members' attention that much time has passed and many ideas have changed since 1952. In 1952 we didn't have The Alberta Bill of Rights, the Canadian Bill of Rights, and the Alberta Individual's Rights Protection Act. All were enacted after the 1951 — I'm sorry, the 1951 decision, not '52 — the '51 decision, which set a different age of adulthood for females as opposed to males.

Mr. Speaker, the decision of 1951 violates any concept we may have of equality of the sexes. Perhaps some would be so unkind as to say it smacks of male chauvinism. I'm sure that was never intended at the time. But the way we view things today, perhaps some would suggest that's the case.

The present situation then, Mr. Speaker, is that we have a federal act which has been reviewed and is in the throes of change. The most recent development in that respect is the release — and it arrived in the Legislature Library just last week — of a position paper entitled Highlights of the proposed new legislation for young offenders. That is a proposal for new legislation by the federal government. It is my assumption that based on the reactions from the various provinces, the content of those highlights will become the basis for new federal legislation replacing the legislation enacted in 1908.

That particular position paper has been preceded in 1975 by a report entitled Young Persons in Conflict with the Law, which was prepared for the federal Solicitor General. That again was preceded in 1965 by a report entitled Juvenile Delinquency in Canada. The recommendations in these reports are not consistent. The 1965 one suggests the age of 17 should be a uniform maximum juvenile age, the 1975 one suggests 18 as the uniform maximum juvenile age, and the 1977 highlights suggest a range between 16 and 18.

Perhaps a word on the philosophy of the Juvenile Delinquents Act. That philosophy, I think, is rather important. It's important to understand that the federal legislation will have significance not only for federal legislation but also for the impact it has on what we know or consider to be juvenile delinquency in the provinces. The original act suggested that where a child is adjudged to have committed a delinquency, he shall be dealt with not as an offender, not as one in a condition of delinquency, but one requiring help and guidance and proper supervision.

... every juvenile delinquent shall be treated, not as a criminal, but as a misdirected and misguided child, and one needing aid, encouragement, help and assistance.

When we consider the original act had a minimum age of 7 and a maximum age of 18, it's pretty evident why this approach might be taken. Basically the philosophy was that children are not pint-sized criminals and that young offenders should not be held accountable in the same manner as adults. The ultimate

question was not whether the child is guilty or innocent, but rather what is in the best interests of the child.

I think one other aspect of the act is important to express here. The act created one omnibus offence embracing all forms of prohibited conduct for children. This is what I think is important to the provinces: whenever a child is charged with an offence, whether an alleged violation of a federal statute, a provincial statute, or a municipal by-law, proceedings must be brought under that act. Thus the act operates in combination with provincial legislation by means of a form of incorporation by reference.

The definition of delinquency is extremely broad. The specification of what is prohibited lacks the precision one ordinarily expects in a criminal statute. The act speaks of a child "who is guilty of sexual immorality or any similar form of vice", and further of a child "who is liable to be committed to an industrial school or juvenile reformatory" under the provisions of any other dominion or provincial statute. The statutes of some provinces have added other categories, incorrigibility and unmanageability. Finally, their offence provisions were drafted not simply to define prohibited conduct but to state something about the offender.

Under the proposition the federal government is advancing, the criminal act which would arise as an offence against that statute would be much more precise. It would in fact offer the juvenile the same protection the adult has, in that the misdemeanor or offence must be very specifically expressed. It would have to relate to the Criminal Code. It couldn't be something fuzzy or elusive, such as unmanageability, incorrigibility, or something offensive to moral standards.

As far as the equality of age in Alberta is concerned, which is point no. 1 of the resolution, I have already expressed my apprehension and concern about the welfare and fairness of our legislation for the last year and a half with respect to boys and girls. Frankly I don't think it's very fair that they do not know what the statute really means in this province.

But I cannot see any reason we should have different ages for boys and girls. I say that in part because I have two daughters and — bless them, I hope I'm being fair to them — both are in this age category where they would be juveniles or adults, depending upon how we define it. But I can't believe that just because they're girls they should be any more innocent, any less adult, or any less mature than their male friends with whom I see them from time to time. Above all, I think we should be consistent in the ages of boys and girls in this province. In view of some of the statements by the Attorney General, I suspect that will in fact come about.

Having dealt very briefly with that, I'd like to turn to the question of the uniform age across Canada. A number of arguments could be developed here, but it's important to note that at the present time a wide range of ages are in effect. Since I can't put my finger on my notes which specify what they are, perhaps it's sufficient to observe that Saskatchewan is 16. I think a number of the provinces, some five, have 16 as the age of uniformity. Some have 18, we have 16 and 18, and one has 17.

Now, we're talking about criminal law. We're talking about the law which, if offended, gives rise to a

criminal conviction. Why should it be different in one province than in another? The highlights for the proposed federal legislation express it this way:

The Government recognizes the desirability of standardizing a maximum age across the country. However, the consultations which were conducted during 1976 while favouring a uniform age failed to achieve agreement as to what that age should be

The Government continues to support the goal of establishing a uniform age of 18 so that the procedures, practices and services of the juvenile justice process will apply equally to all young Canadians.

It's important that it be the same in all provinces. Solicitor General Goyer is not one of the federal ministers I would normally quote. But because he happened to hold a fairly important office at the time, perhaps he deserves to be quoted in this instance. In 1970 he told the House of Commons:

. . . since the definition of a juvenile is not uniform in all the provinces of Canada, a delinquent who is considered a juvenile according to law in one province may be tried as an adult in the neighbouring province where the Juvenile Delinquent Act applies only to those under 16 years of age. It is obvious that such inconsistencies are unacceptable and contrary to the concept of justice.

Mr. Speaker, I would agree.

Now I would quote someone more to my liking as someone who may be quoted. Sir John A. Macdonald proclaimed during the Confederation debates:

It is of great importance . . . that what is a crime in one part of British North America should be a crime in every part . . . it is one of the defects in the United States system . . . that what may be a capital offence in one state may be a menial offence, punishable slightly, in another. But under our Constitution, we shall have one body of Criminal Law . . . operating equally throughout British America.

Mr. Speaker and hon. members, I submit that the situation we now have does not provide that one body of criminal law applying equally. I further submit that unless the provinces can agree with the federal government, we will fail in that objective in the exercise which is now under way and which, hopefully, will be concluded in the near future.

Mr. Speaker, I'd like to turn now to the question of whether we should be dealing with 16, 17, or 18 as the age of adulthood in this province. It has been argued that 16 year olds and 17 year olds are still at an impressionable age. They could benefit from the personalized treatment and the rehabilitative protective approach that our institutions should be able to offer. It has been argued that the 16 and 17 year olds should not be exposed to the rigor of the adult penal institutions. Any of us who have had the opportunity to visit Fort Saskatchewan or any other provincial jail will recognize some of the problems of those institutions.

The Solicitor General in Alberta has made a valiant attempt to try to separate impressionable youths from hardened criminals. I understand that when we can, we ship these offenders as quickly as possible into the work camps in the foothills or out of the mainstream of the penal institutions. Nevertheless, what

we're doing today is incarcerating first-time offenders with repeaters, drug offenders with murderers. We're incarcerating all different types of offenders together, for an age range in the case of boys and men from 16 up.

Mr. Speaker, I am sure one of the arguments that will be encountered, and will be encountered before this debate is concluded, will be that our social institutions are such as to make it impossible for us to have 18 as the age of adulthood. I submit that if it is desirable as an objective to have the age of 18, then it is sufficiently desirable that we should knuckle down and provide the Solicitor General with the capacity to be able to handle the distinction of the age of 18 for males instead of the age of 16. I think much could be said in favor of doing that. Our success rate with boys and young men would be much greater if we were able to do that.

One of the considerations we must all keep in mind if we're going to consider an age of adulthood other than 18 is our position and consistency, or lack of consistency, when we talk about conscription. In this province a young male of 18 can run for office, but generally he's not able to at a lesser age. He cannot drink under the age of 18.

DR. BUCK: Legally.

MR. YOUNG: He cannot be conscripted. He cannot enter into binding contractual arrangements except in some very restricted circumstances. So if we look at all the other possibilities precluded to anyone under the age of 18, how can we turn around and say that person is mature enough and adult enough to exercise the full range of judgment in terms of the commission of criminal offences? I don't think we can, Mr. Speaker.

While I'm on the age of 18, it's of interest to note Resolution No. 3 on today's Order Paper, a motion by the hon. Member for Macleod which surely relates to this: the question of the age at which a child or an adult can give permission for medical treatment. That surely has to tie into this. If we as legislators are going to argue that a child should be able to give consent to medical treatment at something less than the age of 18, or not till the age of 18, how can we arrive at a different decision in terms of the age at which a child is fully aware and cognizant of the commission of a criminal offence? We should be consistent. And I invite hon. members to think about that when they're debating Resolution No. 3.

Mr. Speaker, I'd like to make one other note on the age of 18. Some of us have had a real concern about what we're doing in our society to the status and responsibility of parents. I submit that if we accept 16 as the age of adulthood for criminal offences, we then remove certain responsibilities from parents. If we have regard for the role and responsibility of family and parents in today's society, and their responsibility for making sure their offspring have an adequate education, then surely the age of 16 is not an age we can easily reconcile with our conscience.

Mr. Speaker, many problems are involved in this resolution. I note that I'm not going to be able to talk about them any longer today without offending a rule of the Assembly. I would earnestly request, Mr. Speaker, that the members of the Assembly consider carefully the resolution before us. When we're dis-

cussing whether our institutions are competent to handle 18 years as the age of adulthood, consider whether that is really the objective we want, or whether we, if we agree to accept anything else, are accepting something because of the particular circumstances of the institutions as they are today. In other words, Mr. Speaker, I'm suggesting that hon. members are going to be faced with admitting there has to be a major change in our institutional structure for offenders, and that they should be making the decision on the basis of what is right, what is fairest for our society, not what is most convenient for our system as it stands.

We probably cannot achieve perfection in dealing with young offenders, but we have to start from where we are. It may be that we could achieve greater perfection if we were to consider a concept of adulthood as something other than age itself. There is a concept, expressed by the name "concurrent jurisdiction", which effectively gives a judge discretion to determine whether the nature of the crime, the maturity demonstrated by the offender, and a multitude of other aspects of the offence and the offender suggest that he should be treated as an adult or a child.

Mr. Speaker, perhaps that is the better approach in the long run. But I think we would make major gains for the present if we were first of all to adopt the position in Alberta that both sexes should be treated equally as far as the age of adulthood is concerned; secondly, 18 would be that age; and thirdly, our members of the Executive Council of Alberta, who deal with their counterparts in other provinces, were to do everything in their power to achieve agreement across our nation that we have one age of adulthood for all of Canada. If we are unable to achieve those objectives, Mr. Speaker, I think we will have failed in the aspiration that Sir John A. Macdonald had when he said it was an objective to have one body of criminal law operating equally throughout British America.

MR. LITTLE: Mr. Speaker, thank you for the opportunity to speak to Motion No. 1. The Member for Edmonton Jasper Place covered the ground rules very well. I think it would be in order to read the authority by which we act, that is, the federal Juvenile Delinquents Act, known as An Act Respecting Juvenile Delinquents. The definition of child is "any boy or girl apparently or under the age of sixteen years, or any other such age as may be directed by any province pursuant to subsection (2)."

Of course, as has already been pointed out, we get a wide divergence of ages across the country: Manitoba and Quebec, 18; British Columbia, 17; Saskatchewan, Ontario, New Brunswick, Nova Scotia, Prince Edward Island, the Yukon, and the Northwest Territories, all 16. The only province that has the two ages, 16 for boys and 18 for girls, is Alberta.

I would imagine that when this law was drawn up there was a very good reason for making the difference. And having been involved in law enforcement, I found there was a great deal of merit in having the two ages. I found that a great number of boys of the age of 16 were confirmed criminals — and I understand the ratio is going up very rapidly — whereas a much smaller number of females became involved in the law. During my term approximately 5

per cent of all arrests were female. I understand that at the present time it's up to about 7 per cent.

However, we find the younger persons are filling our jails more and more. In fact in Alberta provincial jails at the present time, 25 per cent of all inmates are 17 and under, and 60 per cent are under 25. So I think our big concern with the crime problem is the male and not the female.

Although I have no really strong feelings about the difference in the ages, I would be very disturbed if we raised that age of boys beyond 16. Because as I say, we find that so many of them are confirmed criminals at the age of 16. Probably the most vicious murder I ever attended was committed by a 16 year old. This young man resisted all attempts at rehabilitation, and today he is known as one of the worst criminals in the country. In fact he was a confirmed criminal at the age of 14.

We also have the age of responsibility, as was covered by the proposed act [on] young people in conflict with the law. I was very fortunate to be a member of the committee that reviewed this act. Of course they not only recommended a standard age across the country . . . And I see a great deal of merit in the standard or consistent age. As pointed out by the Member for Edmonton Jasper Place, it creates a great number of problems in administering law from province to province. For example, a boy of 17 can be arrested in Saskatchewan on an Alberta warrant. He is held in juvenile facilities, and either a social worker or his parents must return him to the province. Of course as soon as he arrives at the provincial boundaries, he is an adult and is treated as an adult.

As I stated already, there must have been some pretty good reasons for the divided age at the time; and according to the statistics I have quoted, those reasons would still seem to exist. If 16 were reasonable back in '52 when this age was declared by the province of Alberta, I would consider it even more reasonable today. One point I have made already is that more young men are becoming involved in conflict with the law, and I would suggest that the young men are more mature and more expert in their commission of the crime today than they were then. So 16 is only reasonable.

The young people in conflict with the law act put out for consideration by the provinces suggested two philosophies, which I suggest just don't agree with each other. The first philosophy was that the juvenile court be of a paternalistic nature looking after the welfare of the child, which I think is totally reasonable in the juvenile court. But it also suggested that all the privileges extended to an adult be extended to that juvenile. In my experience those two philosophies just can't live one with the other. Either we treat the person as a child or we treat him as an adult.

Of course we have further legislation that applies in this province on the age of responsibility over 14, in that a person 14 or over can be sent to an adult court if the juvenile court waives jurisdiction. That is if the offender has been a repeated offender considered incorrigible by the courts, and if the offence is of a sufficiently grave nature, the judge of the juvenile court can waive jurisdiction and send the 14 year old to the adult court.

Getting back to the age of responsibility, not too many years ago I had the experience of visiting a

ward at the Ponoka mental hospital that was specifically for young people who had had bad experiences with drugs. The oldest person in that ward was 18 years of age, and this happened to be a young lady who had been a confirmed heroin addict since the age of 12. So rather than our crime problems diminishing, by all the reports available to us our crime problems are increasing, and increasing very, very rapidly.

Our statistics indicate that more and more the younger person is becoming the culprit or the offender in those particular offences. So as I said earlier, although I have no hang-up about the split age, although I see merit in it, in no way would I consider it a favor to the good conduct of this province to see that age raised one year over 16. Mr. Speaker, I would recommend to this Assembly that they observe that age.

MR. TAYLOR: Mr. Speaker, I want to say just a few words on the resolution. Again I'm in the position of supporting part of this resolution and not supporting the further resolves.

For quite a few years I toyed with the idea of having the age of a child under the Juvenile Delinquents Act as the majority age. I have tried to follow some of the cases in the province and some of those I have had some direct experience with, and I've come to the conclusion that the age of majority really has nothing whatsoever to do with the age of delinquency.

The age of majority is the age when we expect a young man or woman to assume the responsibilities of citizenship, of marrying, of adopting children, of having children, of entering into contracts, of borrowing money, of buying property, all of those things which are very important. In my view 18 is a reasonable age for those things to take place. Along with those privileges, we also expect them to have responsibilities in order to assume payments, to look after a child if adopted, to enter into a marriage contract in sincerity, and so on. For the most part I think our young people do set a very high standard when they reach the age of majority.

I have recently come to the conclusion that the age of majority should not have any bearing on the age of delinquency. I've come to this conclusion for a number of reasons. When I look at 17-year-old boys and girls today and realize what they are doing and what they are capable of doing, realize the experiences they have had — when I look at those of 16 and 15 and realize that many of them have gone through more experiences than most of us in our generation did at the age of 18 or 20, it makes me realize that the age of majority really has no bearing on the age of delinquency. I'm alarmed, as is the hon. member for Calgary who just spoke, about the number of delinquents found among our young people.

Just recently in one town in my constituency, 11 boys — the oldest 16, and all the rest under 16, right down to 9 — broke into a hardware store and took guns and shells. But not only that: they took paint and painted the walls, and took the alarm system that was supposed to warn someone it was being burglarized and threw it into the middle of the street.

A few days before, a similar group had gone into a garage and taken a truck. They weren't satisfied to take the truck, but decided they'd drive it through the

wall of the garage. It did tremendous damage, and resulted in the owner going out of business because the insurance company decided not to insure that type of operation. Without insurance, they couldn't afford to stay in business.

When things like this are happening at those early ages of 9, 10, 11, 12, 13, and 14, some very definite deterrent has to be established very young in the lives of these boys and girls. I have claimed many times that one of the worst things we can do for a young offender is simply laugh off what he's done and let him get away with it, whether it's stealing a chocolate bar or doing tremendous damage to other people's property.

Whenever I see a court let off a young person because he happens to be young, and say, you've destroyed somebody's property but we're going to let you go this time, it seems to me the worst possible thing we could do for that young life. We're not being kind to him or her at all, because the sooner young people learn that if they destroy somebody else's property they must make restitution, the better it is.

That's why I'm so strongly in support of the policies being followed by the hon. Solicitor General in having offenders make restitution, pay for what they've done by either going back and removing the paint or building the thing they tore down: in some way restoring what they did. I would like to see our courts go more and more into the type of policy where any young person who destroys somebody else's property must pay, not particularly by spending time behind bars but by restoring to the greatest possible degree the thing that he destroyed. I think that would be excellent teaching.

I know of a boy who stole a chocolate bar from the store when he was 6. He offered his friend half the chocolate bar. The young friend said, you stole that, I'm not eating a stolen chocolate bar. The boy was so alarmed that his friend wouldn't eat his chocolate bar because it was stolen that he decided he would not eat it and threw it in the wastepaper basket. As far as I'm aware, he never stole anything again. It was the best possible lesson. He wasn't praised for doing something. He saw that his friend didn't appreciate it at all.

Holding this off until 18 is too late. In many, many lives, it's far too late to start talking about restitution or giving the proper training. They become pretty fixed in their ways. The earlier we start this, the better.

While there's no question about the definition of a child when they're 11, 12, 13, and 14, there's a lot of question when it comes to 15, 16, 17, and 18. As a matter of fact, some time ago we had a bill to raise the age for drinking beyond 18. I took it upon myself to ask a number of people who operate hotels if they were having difficulty with the 18 year olds as far as drinking was concerned. I didn't have an affirmative answer from any of them. They all said no, we have trouble with those under 18 who falsify their identification. Even though we question it, they have ID showing they're 18, and when we later find out they indeed weren't 18 but 16 or 17, we feel pretty bad ourselves.

The biggest difficulty [with] disturbances in their parlors comes from those who are well on, in their 20's and 30's. One chap who operated a beverage room for many, many years told me he knew of no

instance of a fight being started in his premises by a young person. It is always those who are much older.

The whole thing [revolves] around the point raised by the hon. member from Calgary who spoke a few minutes ago. We grow up much faster these days. Our young people learn much faster. They have cars and TVs, and become mature far faster than they did. If so, I don't see any reason to interfere with the age of majority. I think 18 is pretty sensible for the age of majority. My assessment of young people is that they are able to assume those responsibilities at that age.

But to say that those under 18 don't know right from wrong in regard to serious offences is, in my view, missing the point entirely. They do know right from wrong. And whether it's armed robbery, rape or any sexual offence, or anything else, the fact that they know right from wrong means very definite laws should be established to treat them the same, and to treat them as juveniles to the point where there is some hope of making sure they get a chance to mend their ways before they reach the age of majority.

While I haven't definitely decided, I'm beginning more and more to favor the age of 16. I've been observing wherever I could, wherever I've come across any offence, to check what it would be. How would I feel if 16 were the age? Did that young man or woman know enough at that age to be taken into adult court? So far, it's been very definitely in favor of 16. When I come down to 15, I come across young people who are not mature enough, who may not have enough experience to realize what they were doing. Some have but it seems to me many haven't.

I favor the same age for boys and girls. I think they're maturing much the same. If we take different ages for boys and girls, we come into pretty serious conflicts in regard to some of our serious offences. It becomes a little unreasonable if we treat the boy in one court and the girl in another for the same offence.

I favor the same for boys and girls, and at this time I've come to the conclusion that it should not be the age of majority. It should be lower than the age of majority. Even though I was a little disturbed when the Attorney General mentioned that a few weeks ago, I've come to the conclusion after giving it very careful thought and study that it's sensible to have the age under 18 under the Juvenile Delinquents Act. Unless reasons are advanced that would make me change my mind, it seems 16 is very, very sensible.

MR. COOKSON: It's a pleasure to rise and say a few words this afternoon on the resolution the Member for Edmonton Jasper Place brought in. I think it probably could be classified as a timely resolution in view of the proposal at the federal level to make some adjustments with regard to the categorizing of juveniles or children versus adults and versus the Juvenile Delinquents Act and the Criminal Code as we know it.

I'm not a legal person by any stretch of the imagination. I don't have that background nor do I have the background of the Member for Calgary McCall who spoke a short time ago, and his experience in enforcing across the country the laws the legislators write. But perhaps I could make some suggestions as a lay person and someone who feels the burden of parenthood resting on my shoulders. It seems that it tends to get greater each day that passes by. I hope there's

a point that it peaks and that one can relax to a more compatible family life.

I think the variations we find across the country have been mentioned by the members for Calgary McCall and Edmonton Jasper Place. When Sir John A. drafted legislation at the federal level during the initiation of the British North America Act it was mentioned that this was undesirable. I can't help but agree with that concept. If I could give a word or two of wisdom to the Solicitor General and just reinforce what has been said in the Legislature this afternoon: that they do their utmost when negotiating with the federal government to standardize as much as possible these differences in age. I know it's a difficult thing to do, because apparently people across the country have different ideas about what an adult is or when a child becomes an adult.

At the same time I would like to say, Mr. Speaker, that it is extremely important that whatever we do in terms of arbitrary age specifications — and that seems to be necessary because we have to define these distinctions in law — we take into consideration the individual differences of our young people. I think it's pretty difficult for us in the Legislature as parents to be able to define exactly and categorize when a child or a young person becomes an adult. Anyone can cite situations and cases where an adult never becomes an adult. They're an adult in terms of the legislation but in terms of their capacity — socially, psychologically, and emotionally — they never become an adult in terms of the experience of those around us.

We can say the same thing about young people. From my own experience as a parent I recognize these individual differences in my own family. The point I want to make is this. There's going to be some time during that period of perhaps 14 to 18 or 17 or 16 — whatever the number is we decide upon — that some of these young people are going to make a judgment decision partly as a result of the environment around them — it might be because of the consumption of alcohol, it might be because of emotional stress of some kind or another, it could be any number of things that occur — that is going to put them before the rules laid down by the laws. Here I think it's extremely important that first of all we give them all the rights they're entitled to — I'm not speaking about rights of adults, just simply rights of the individual — so they have recourse to representation both for and against their particular case so the courts can wisely decide how to handle the particular problem. I think this is extremely important. I think it's important that the judge or the magistrate who has to hand down a decision with regard to a young offender has enough parameters to make a good decision, bearing in mind that this young person may choose, because of his decision, to stay within the confines of the law once he has been reprimanded, or he may choose to do the opposite.

There's a period of time between 14 and, I use the figure, 18 when a young individual needs this kind of protection. He needs the wise decision of the courts and those who represent him to give him some alternatives, to defer if you like the hard decision of the Criminal Code and its enforcement to make it possible for him to reassess his position and situation, and hopefully to permit him to grow to what we would consider a mature adult in terms of his social, psycho-

logical, and emotional conditions.

So if I would make a case for the Juvenile Delinquents Act, for example, or the young offenders act which is being proposed by the federal government, I hope this sort of thing will always be the underlying factor. As has been pointed out, the age seems to be coming lower in terms of sentences with regard to this. There is a serious area during this period of growth when we have to be so very, very careful about the kinds of judgments that are made on these issues. So aside from the importance of standardization it's important that we provide flexibility in decisions that will hopefully salvage some young people from becoming permanent problems of society in their later years.

In addition there has been a requirement or suggestion that we standardize the male/female aspects in Alberta. We're the only province that has used two different age categorizations for males and female, with females at 18 and males at 16. [Like] the Member for Drumheller, I probably wouldn't argue one way or the other. It's been argued that females are more mature in many ways at 16, we'll say, than males. If you follow that argument through, maybe we should reverse the two age categorizations. But I don't think we should do that. I think if at all possible we should bring the two together in terms of standardization. I think it would be more acceptable. According to some articles I've been reading about the rights of the female part of our population, perhaps this is one area we can standardize that might give them the kind of rights males have at the present time — if you can call them rights; I'm not sure you can call them that.

Again, I think whatever age limit we come up with, whichever is going to be acceptable to Alberta, whatever we do, we [should] make sure that if we adjust these ages, we have the kind of facilities to back up the adjustments. Just recently, I had the, I suppose, pleasure of travelling through the Fort Saskatchewan jail which has some 550 in it at the present time. There doesn't seem to be any capacity: just pack them in until you can't get them through the door. I don't know whether or not that's standard procedure. What really worried me was when 30 to 40 inmates who had been sentenced came in. They were all grouped together in a common jail. Of course some were handcuffed to others. They were then asked to move one at a time through various stages of checking in — disrobing, showering, and receiving their prison garb — and then into the cell block itself.

What really worried me were the vast differences in age. I couldn't help but think, if I had a young son who had possibly [committed] his first major offence, had come before the courts, been sentenced, and then ended up in that situation for two years less a day, what would be the ultimate end for that young person when grouped together in a cell block with all the other ramifications, all the other cases, all the other levels of maturity or immaturity — whichever you want to classify them as — and all the exposures. Mr. Speaker, I think this would be more criminal than giving this young person a sentence. I think it's a crime to society. If we make any adjustments in legislation, it's extremely important we create facilities that are going to separate these young people — even young people themselves — from certain categories, because I can't help but agree with what has been

said: that there are many situations where a 15 or 16 year old is conceivably a hardened criminal for life. It is just revolting to me to think that some other young person would be grouped at that age with that type of individual.

Mr. Speaker, if I might make a suggestion to the Solicitor General, I think if we can agree on a standard age across Canada, that would be acceptable. I think we should try to standardize the male/female concept. Most important of all, I think we have to provide facilities to get these people back into society, and that means a major capital outlay. When we're talking about facilities, I can't help but again commend our own government for some of the things they have done. The Nordegg Forestry Camp — I'm not sure, maybe that started with Dr. Buck's era in the Social Credit government — but it's got to be a . . . I've read through the report. I know there are some problems.

MR. SPEAKER: With great respect to the hon. member in fairness to the hon. member who proposed the resolution, it would seem to be somewhat tenuous to be discussing correctional institutions generally in relation to a matter which really involves the selection of an age for juveniles in conflict with the law.

DR. BUCK: Mr. Speaker, speaking on that point of order, I think the hon. member is just trying to indicate that if we make the proposed changes, there will have to be changes in the correctional institutions. I think he is certainly well within his rights to try to tie the two together.

MR. SPEAKER: With great respect, I'll certainly continue to pay close attention to the debate, but it was my understanding that we were now about to hear a description of some achievements of the present government, which might not be directly related to the resolution.

MR. COOKSON: Thank you, Mr. Speaker. I think it's nice, though, to record some of the achievements of this government for posterity. But I would like to say that . . .

MR. McCRAE: You'll be around a long time, Jack.

DR. BUCK: The hon. member said the former government. That's okay, Mr. Speaker.

MR. COOKSON: . . . I was trying to relate it to the age that we will eventually arrive at. Because it's so vitally important that if we make these adjustments, we are going to be placing people in different situations. If we don't provide these facilities, we're going to be in real trouble.

I'd just like to end that part of my presentation by saying this about facilities: it's extremely important that young people, if they are incarcerated, have some facility to go to, in which they can work. If we're going to improve the penal system at all, some facility has to be made to make this possible. Again I refer to the progress report, Mr. Speaker, on Inmate Work Projects and the Fine Options Program. I know the Solicitor General has said some parts of it are not too successful, but I think we should proceed with it

because there's certainly lots of room for employment, for use of labor camps as such, and for development of techniques and skills. I'm just hoping that this would be part and parcel of the adjustment that will eventually be made with regard to age.

Finally, Mr. Speaker, I would like to say this about the age of majority in defence of the position that I took at one time in the Legislature. It has to do again with the social, psychological, and emotional age of young people. I get a little uptight when I hear the argument that because we have an age of majority which says in fact that's the age at which you have an opportunity to vote and to marry, therefore it has to be the age at which you have the right to handle alcohol. This seems like a strange analogy in view of the thing we're discussing this afternoon, where right across Canada we have different ages at which the Criminal Code should be enforced. In Alberta we have different ages for males and females to be treated as young people and as adults. I fail to see the argument that because we have an age of majority it in fact determines at what age one should be qualified to consume alcohol. With all respect to the kind of arguments I've heard over the months, I suppose the eventual decision and responsibility on that issue rests with this government. Perhaps that is the best way to leave it.

Finally I would like to say this about arbitrary ages and about laws in general. I ask this question: is social change due to laws being changed, or are changed laws creating social changes? If you think about that question, you might address yourselves to it. I'm extremely interested, for example, in the case of the Hutterian Brethren, who in fact basically handle all their own problems of delinquency. They handle them in their own way. They really don't go much by the man-made laws and the arbitrary figures and dates we have to use in legislation. They simply go by the laws laid down in the Bible. Maybe that's an oversimplification of the kinds of problems we have in Alberta, but it seems to work in their case.

So I wonder sometimes if we as legislators aren't creating some of the social problems. I think we've gone through them. Going through the estimates of the Minister of Social Services and Community Health, for example, millions of dollars are going toward single-parent families, millions of dollars are required to solve the alcoholic problems. Millions of dollars are required to incarcerate people who have broken the law. I wonder whether many of those social problems haven't been created by some of the laws the Legislature has passed.

I just want to say in passing that I don't think you find too many of our Hutterite Brethren incarcerated. I don't think you find too many of them with alcoholic problems. You don't find too many of them breaking the law, even off the colony, without being pretty severely reprimanded. I don't know what method they use within the colony.

But there may be some kind of lesson to be learned in all this process. Any time legislatures pass laws which tend to invade the privacy of the family, they tend to take away rights of the family. That's why I question some of the legislation that we in our wisdom stand up and address ourselves to. Whether a lot of the social problems we have are due to this would be an interesting study.

In conclusion, I would say I wish the Solicitor

General luck in his deliberations with regard to the young offenders act. In particular, I hope we can standardize the procedures across Canada.

DR. BUCK: Mr. Speaker, I would just like to say a word or two on this resolution. First of all I would like to compliment the hon. Member for Edmonton Jasper Place. I think he certainly covered the entire range of the resolution we have before us this afternoon. I feel that possibly in about two years when we are going to have this musical chairs project, the hon. Member for Edmonton Jasper Place should not be overlooked again. He has certainly done a lot of work in researching the resolution. So I think maybe there should be a little bit of room for him on the front bench. We may enlarge the cabinet to 28 or 30 to look after all the members who were possibly promised front benches. But I think the hon. member has certainly done an excellent job, and I would like to compliment him on his presentation and research.

For the hon. Minister of Municipal Affairs, I would like to say that once in a while talent is rewarded. Other times, where you end up is a matter of where you come from.

Mr. Speaker, back to the resolution. I'd just like to say it might have been quite interesting to sit in caucus or in the Legislature during the debate about why boys should be considered adults at 16 and girls at 18. It has really been quite baffling to me to understand why there should be a differentiation. If anything, I could certainly understand it being the other way around. Because when we look at the maturity of the female as opposed to the male, it's a well-known biological fact that the female matures earlier than the male. I'm sure the hon. Member for Edmonton Kingsway would be the first to indicate that that is a medical fact.

MR. KING: In our climate, we need a two-year head start.

DR. BUCK: So, Mr. Speaker, why we have this differentiation certainly puzzled me. I'm sure we are all unanimous in our opinion that there should be uniformity between the sexes.

As far as trying to decide if the age should be 16, 17, 18, 19, 15 and a half, 16 and a half, 17 and a half, or what have you, Mr. Speaker, I think we have to address ourselves to this fact are we looking at rehabilitating or incarcerating the criminal? I think that is really the question here. This is why I cannot support the hon. Member for Calgary McCall.

But I know we all have our biases. I'm sure the hon. member, in the work he has done as a policeman, has seen young people of 14, 15, or 16 who really are hardened criminals. But that will not solve the problem. It certainly will not solve the problem the hon. Member for Lacombe brings up: what do we do with these young people? Are we really trying to rehabilitate them?

I'm sure I can tell more stories about the Fort Saskatchewan Correctional Institution, formerly called the Provincial Gaol, hon. Member for Lacombe. We have this new modern terminology now. But in essence that's still what it is, a jail, a place where we incarcerate people who have done wrong in the eyes of the learned judges.

So, Mr. Speaker, the point the hon. Member for

Lacombe makes is very valid in this debate. We have to have facilities available if, as the resolution says, we make the age 18. You are a juvenile offender until the age of 18. Because in spite of the efforts this provincial government has made in trying to rehabilitate the young offender, they certainly made a very major blunder when they got rid of the facilities at Bowden without having other facilities to replace that institution. I think that decision was very premature, Mr. Speaker. I think the government must be chided for making that decision.

On the other hand I compliment the government for some of the programs they are — as the hon. Member for Lacombe says, I'm not sure if they initiated them or are carrying them on. But that doesn't really matter. I think some of the outward programs the hon. Solicitor General has put into place and is following up on are excellent. These young people must be made to feel that they are not completely lost, that there is some hope for them. They must be shown that they have some inner worth.

This is why the two questions, Mr. Speaker, are related. If we decide to make the age 18, do we have the facilities to segregate the hardened criminal, the habitual criminal, from this young man or woman?

In my tours through the Fort Saskatchewan Correctional Institution, I remember one specific case that touched me. I saw this young man mopping a portion of that facility. Just a young kid, that's all he was. Just a young boy. I said to the deputy warden who was conducting the tour, what's that kid doing in here? Well, he shook his head and said, he's not going to be here very long, he's going out on day parole. Well at least he was going out on day parole, Mr. Speaker. But the fact remains, he still had to come back to that place at night.

I've told the story in this Legislature about a young girl, 15, 16, a beautiful and intelligent young person who was going out on day parole. She was in there on a drug charge. This was a kid who could have been the daughter of any of us in this Legislature. As the hon. Member for Lacombe says, these things can happen very innocently.

So I think if we were to move the age to 16, we would give these people a criminal record. We would throw them in with hardened criminals, and the rehabilitation program would be twice as difficult.

I'd like to tell a little story about the time I was giving a course in umpiring to the insiders at Fort Saskatchewan. It is quite an experience to teach them to become umpires in fastball and baseball. We did the in-house training first. We had the on-the-field demonstration after the initial lectures on how you umpire a baseball game. We had the five or six boys interested in the program rotate positions. You'd be behind the plate, then behind first base, and then behind third base. When we were having the game of insiders versus outsiders, the insider who was the apprentice umpire was behind the plate. There were two questionable pitches just about shoulder-high that the novice umpire called strikes. The insider at bat called time and said, Mr. Umpire, whose side are you on? The point of the story, Mr. Speaker, is that these are young men who I think have an opportunity to be rehabilitated.

DR. WEBBER: What's the punch line?

DR. BUCK: For the hon. member Mr. Webber, the punch line is that the umpire, being on the inside, should surely be pulling for the boys on the inside rather than the outsiders.

But the point about having facilities available is very, very important to the discussion we are having this afternoon. I know some of these facilities are available.

At the same time we have a segregation of ages. We are now using psychologists and social workers to try to segregate not only agewise but offencewise and potentialwise. I think it's very unfortunate when we throw kids who are in on possibly a traffic offence with 17 and 18 year olds who have been in the drug traffic business for up to four years. I think we have to have this segregation a bit wider than just age.

Mr. Speaker, the resolution we have before us this afternoon has ramifications, as I mentioned previously. Basically, do we want to try to rehabilitate or do we want to incarcerate?

At the same time we ask for legislation, and teachers, our preachers, or our legislators to do something about it, why don't we ask ourselves where the ultimate responsibility lies. And that is . . .

MR. FLUKER: Right around the breakfast table.

DR. BUCK: Mr. Speaker, right around the breakfast table is right.

MR. McCRAE: Want to buy a game farm?

DR. BUCK: That's exactly . . . right around, right around the breakfast table. And the hon. member responsible for Calgary affairs: do we want to buy a game farm? You bet your life we want to buy a game farm, Mr. Speaker, because then we can take those kids. If the hon. member wants to go downstairs to the Library and have a look at the signatures of those 312 kids who signed the petition asking this government to keep the Game Farm . . . I'm going to be bringing in a ream of them.

The responsibility of the family is of utmost importance. I get sick and tired of listening to people say to me, what are you people going to legislate to make sure my kid does this or that? I also get sick and tired of having teachers blamed. Why should teachers have to teach religion, sex education, right and wrong? Surely we as a society, as adults and parents, have a responsibility. Mr. Speaker, that is really the responsibility society is now negating.

So, Mr. Speaker, I support the resolution that there be no differentiation between the sexes. And I feel that if we are genuinely interested in rehabilitation, we must treat these young adults as juveniles up to the age of 18 and truly try to rehabilitate them.

Thank you, Mr. Speaker.

MR. ASHTON: Mr. Speaker, I must confess I wasn't paying too much attention to the debate until I heard the hon. Member for Lacombe suggest we should standardize the male/female concept. When I heard the hon. Member for Clover Bar suggest uniformity between the sexes, I really started to pay attention.

I wish to make a few comments. I am in favor of the resolution as worded, although I reach that con-

clusion rather reluctantly. The anomalies explained by various members — including the Member for Edmonton Jasper Place and, I believe, the Member for Drumheller — that the legislation between the provinces is different, don't concern me. That doesn't bother me because many things are different between the provinces. That is the very concept on which the federal government allowed the provinces to make their own decision on these matters. They knew some of these issues would be treated differently in various provinces.

I can certainly understand why girls and boys are treated differently with respect to age under the existing legislation. I think in many respects our legislation and criminal law are a reflection of the mores of our society. To treat women differently is something that has always been with us, and I hope in some respects will always stay with us. It doesn't bother me that women will be treated differently with respect to whether or not we'll all stand back and hold the door open for the hon. Member for Edmonton Norwood.

I don't regard this type of legislation, which grants an additional privilege to girls or women, as at all discriminatory. In fact it's the reverse. Because it grants an additional privilege, and [for] the same reason we grant an additional privilege to senior citizens with respect to some of the benefits they receive.

It may be true that girls are not less mature than boys at an early age. In fact, as the hon. Member for Clover Bar explained, probably the reverse is true. But this difference doesn't bother me. I think it's pretty clear, from those who have observed young people and those of us who have children, that boys are in fact more aggressive. Sometimes they have to be treated differently in those learning years.

However, it is unfair that uncertainty now exists as a result of the court proceedings explained by the Member for Edmonton Jasper Place. I think we have to make a decision and resolve that uncertainty. As a parent with three teen-age daughters, and another one coming, I suppose I tend to look . . .

AN HON. MEMBER: You mean another daughter coming?

MR. ASHTON: No. Mr. Speaker, I wasn't making an announcement.

I may look at some of these things differently, but I can suggest to you that perhaps some of the offences involving a 16-year-old boy and a 16-year-old girl may just as well be dealt with by the courts as by some irate father who wants to take the law into his own hands.

I don't agree with the suggestions by the hon. Member for Calgary McCall. I do agree with the members for Lacombe and Clover Bar on their point with respect to children not being much different now than they were when we were in our teens. My observation would not be that they are committing more offences. It would be that at the time many of us were growing up, society in general had more the attitude of the Hutterites today than we do. The community and parents were more involved in guiding their young people. The sanctions were not necessarily the first reaction to call the RCMP or the police force to deal with these problems. The

parents, the neighbors, whoever, tended to guide the children, admonish them, and move them to the straight and narrow so to speak. In my opinion the only reason it appears to be more common nowadays is that we are exposing what is happening rather than dealing with them on a more private basis.

I consider the age of 18 — if I've got to pick an age it is better than 16, although I'd be prepared to compromise at 17 — because I think the Member for Lacombe expressed better than I ever could the problems of growing up and how children have to be treated differently at that age because they are not completely mature. There may be exceptions, but we can guide them and they have to be treated differently.

So in that respect, Mr. Speaker, I again confirm my support for the resolution. It is an important topic. I urge all members to support it. If they can't support the age of 18 necessarily, perhaps they can at least support the first part of the resolution.

I did have more comments to make, Mr. Speaker, but if there are no other speakers at this point I would like to adjourn the debate.

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

HON. MEMBERS: Agreed.

2. Moved by Mr. Nottley:

Be it resolved that

- (1) this Assembly adopt and recommend to the government the principle of provincial/municipal revenue sharing with a fixed percentage of overall provincial revenues, excluding money placed in the heritage savings trust fund, to be transferred to municipalities;
- (2) that such percentage of provincial revenue be pooled and allocated unconditionally to municipalities on a formula to be devised with them, based on such factors as isolation, growth, population, and service area;
- (3) that such portion of provincial revenue be set at a level which encourages efficient local administration but which is adequate to carry out the needs of Alberta citizens for local services.

[Adjourned debate: Dr. Buck]

DR. BUCK: In speaking on this resolution, Mr. Speaker and hon. members of the Assembly, I would like to say that it's unequivocal, or whatever that big word is — I get a little tongue-tied this time of the afternoon — that I support the resolution. Not in its entirety. But I have to support the resolution because in all modesty, I presented a resolution similar to this two years ago. Mr. Speaker, it really boils down to: do we believe in local autonomy or do we not? That is the basic issue . . .

AN HON. MEMBER: Wrong.

DR. BUCK: Who said that?

AN HON. MEMBER: This whole side of the House.

DR. BUCK: Mr. Speaker, I know that side of the House does not believe in local autonomy. It pays lip service to it, but that's all it does. Because if we really believe in local autonomy, if we really believe in true democracy, true democracy exists at the local level because at that level elected people have a better idea of what the people they represent wish to do with their fiscal means than we do at the provincial or the federal level.

Mr. Speaker, it was a fine, fine election campaign in '67 when we talked about local autonomy, getting the action back in the Legislature. We heard that stuff in the election campaign of '71 when we were talking about "how now, now".

AN HON. MEMBER: Brown cow.

DR. BUCK: Then after the new government came into power all we did was take more and more power away from the local level of government. We still talk about local autonomy, but our actions do not coincide with our talking. So it behooves the government, Mr. Speaker, to seriously consider revenue sharing.

It was quite interesting, Mr. Speaker, when I was attending a seminar in Jasper last fall to have the reaction of elected people on school boards, on municipal boards; to really discuss what they considered a very, very important aspect of municipal financing, and that was this sharing of revenue. I say sharing of revenue, Mr. Speaker, without having strings attached, because that's where we lose local autonomy.

Now I know the government can make self-righteous speeches about all the moneys it is giving to municipalities. And that's true. But, Mr. Speaker, I charge that this government does not want to lose the power of the purse strings. If it did, we would move into the area of unconditional grants. Because when we give unconditional grants we say to the municipalities you know better than we do what the problems are.

But you know, as a provincial politician this other system is nicer. It's a nicer system for us to operate under, because what we do is give the local municipalities some funding, which is never sufficient, and then say to them, here's the money but you take the flak. Now that's a good system for us to operate under the dome here, because we can be great fellows by telling the municipalities: look, we've given you all this money, what are you complaining about? So the local municipalities are the buffers; they are the ones taking the flak because of the shortcomings of some of the programs.

I would say, Mr. Speaker, that it would be much more democratic and much fairer to the municipalities if we said, okay this is the way we're going to do it, we've set up a formula and everybody is going to get their fair share of the pie with a plus or minus factor to take care of special circumstances. Then we would say to the people [in] local government, here's your fair share plus or minus a special circumstance in your area. You administer that money the way you feel it should be done, not the way we feel it should be done. So the government must start looking at getting rid of the conditional grants and going to the unconditional grants system. At the same time we say this, we have to look at additional sources of revenue and additional methods and differential

methods of raising revenue for the local municipalities.

It was quite interesting, Mr. Speaker, to be at this seminar in Jasper when a paper was presented and we studied revenue sharing through personal income tax and corporate income tax. You know, I really thought something would happen when this government came in in 1971. I thought there might be a change in the way municipal grants and municipal taxes were raised and administered. But really nothing happened. Basically nothing happened. One or two election promises were fulfilled. The former Minister of Municipal Affairs got a lot of votes when he said, well, we'll reimburse your share of the taxation. And they did it. At one time I was very, very cynical [about] how we were going to be juggling the books to make this happen. But of course a very happy thing happened. The price of our oil doubled, tripled, quadrupled, and quintupled . . .

MR. RUSSELL: And the royalties went up.

DR. BUCK: . . . and the royalties went up. We broke a couple of contracts, and we rewrote a couple of contracts. So this election promise was fulfilled. But that was about the only change in municipal taxation we had, or the raising of municipal revenues. That was about the only thing that happened. Since that time we've really delegated the Department of Municipal Affairs, to less and less of a junior portfolio, to a rookie member of the Legislature who is trying to learn the game, trying to find out what municipal affairs is all about. This government really has completely written off the municipalities. Basically it has. For years we've waited for The Planning Act. We've waited for some innovative new legislation that [inaudible] municipal affairs nothing. Nothing has happened.

MR. RUSSELL: Water and sewer, recreation.

DR. BUCK: Water and sewer, certainly. Water and sewer — I find it really quite difficult to sit in my place and hear how we the government have ensured that every town and village in Alberta will have water and sewer. I would like to inform the hon. members of this Assembly that just about all the towns and villages had water and sewer before this present government came into power in 1971. [interjections]

MR. McCRAE: That's running water, Walter.

DR. BUCK: If the minister of Calgary affairs has nothing else to do, he should go ahead and have a look at how many towns . . . take a look through the Municipal Affairs department.

MR. R. SPEAKER: The highest in Canada.

DR. BUCK: The highest in Canada, that's right.

So you know it really wasn't such a new program. It was an extension of an old program. That's what it was. That's exactly what it was. We are waiting for the minister — and it's a good thing we don't hold our breath waiting for the minister — to bring in something new and different in the Department of Municipal Affairs because we would all expire.

Mr. Speaker, being a representative of a part rural

and part urban constituency, it frightens me a little to hear the Minister of Municipal Affairs threatening to tax farm homes. Now the minister is very good at flying kites. He says we are looking at such and such, we are looking at this, and if letters in opposition don't come flowing in to his office, the minister may make a move.

MR. R. SPEAKER: Right or wrong.

DR. BUCK: But I say to the hon. Minister of Municipal Affairs that if they go to taxation of farm buildings, this is one move that's going to guarantee this government gets kicked out. I would like the hon. Minister of Municipal Affairs to remember that. I'd like the hon. minister of Calgary affairs to remember that. I know that in the government caucus the rural members really have no influence about this decision. It's quite obvious. It's quite obvious that the rural members have no heavyweight influence . . .

AN HON. MEMBER: How about the urban . . .

DR. BUCK: . . . about a decision as important as this. With a farming economy close to having serious financial problems, this may be the straw that breaks the camel's back.

Mr. Speaker, in looking at how taxpayers' money should be spent at the local level, a good example is what has happened to welfare expenditures in this province in the last five years. We have been moving more and more away from local autonomy. We've been moving more and more to control under the dome here. Who better recognizes what is needed at the local level than the local people?

At one time it was not that easy to beat the welfare system. You had to go down to your town hall or your village council or your municipality if you wanted welfare. If you had a justifiable need, you got the help. But now you practically write your own cheque. If a person goes from Vegreville or Slave Lake into Edmonton, how are the people in the Edmonton office to know if his need is justifiable or not? We have many people working in that department, pushing paper. Are they to know the circumstances the applicant is under? They don't know.

AN HON. MEMBER: Who set up the regions?

DR. BUCK: So, Mr. Speaker, we have seen our welfare budget enlarge and enlarge and enlarge. Unless we return this to the local level, it's going to keep enlarging.

When we talk about the largesse of the government, let's talk about the responsibility of the local elected governments: the school boards, the hospital boards, and the municipalities. Basically the school boards and hospital boards right now are nothing more than rubber stamps for the provincial government, except that those rubber stamps have to take the flak, as I mentioned previously.

When you speak to hospital people, when you speak to educational board people, they say, really we have these nice social get togethers when we decide how we're going to divide the pie that the government in all its wisdom has given us, without the provincial government considering the needs or special needs.

So the basic issue, Mr. Speaker, is: does this government believe in local autonomy or does it not? Does it trust them? The same people who elect the local governments elect the provincial government. Why should we be so much wiser than the people at the local level? I don't think we are, Mr. Speaker.

Let's just look at what would happen to the civil service if we were to get rid of many of these strings-attached grants. The mayor of the city of St. Albert made an excellent presentation at the seminar in Jasper. He said, just think of the number of civil servants we could give into some constructive output . . .

AN HON. MEMBER: Did you understand him, Walter?

DR. BUCK: . . . if we did not have to have, in essence, policing of all the strings tied to the grants. We wouldn't have to have a civil servant running out to St. Albert or Kinuso to see if the policing grant was being used just for policing. We wouldn't have to have someone running out to follow the grant that's going to put — can you believe, Mr. Speaker — a \$53 patch on a school in Chipman, a special \$53 fund to patch a hole in a roof in Chipman. I would hazard a guess that it probably cost the Department of Education \$500 to make sure that \$53 was used to patch that hole in the roof.

But this is really just the tip of the iceberg.

MR. BATIUK: It's the formula.

DR. BUCK: It's the formula. That's right. But, hon. Member for Vegreville, somebody has to administer that formula. Somebody has to go out and look at that hole to find out if it justifies the Minister of Education's special grant. That is the problem. Not only are we wasting money, we're wasting manpower. But we are taking away the power of that local government. That's what we are doing, taking away the power of that local government.

So, Mr. Speaker, we have seen the urban and rural municipalities ask the government for fewer conditional grants. We have seen the urban municipalities especially, asking for the ability, the legislation, to be put into place so they can raise their own corporate taxes and their own personal income tax. Mr. Speaker, this has to come either with this government or

the government that will follow this government rather soon. It's an issue of true democracy. It's an issue of, do we believe in local autonomy?

Mr. Speaker, I would like to say that the towns, villages, and municipalities of this province deserve a better shake than they're getting, not in dollars but in the way those dollars are given to these municipalities, that we in our wisdom feel we know more of what the needs are at the local level and how those funds should be spent.

So, Mr. Speaker, I would like to support the resolution. It is a resolution that we as the official opposition brought in several years ago, and an area we strongly believe in. We believe the people at the local level have the expertise and knowledge to make sure those funds are properly spent in the best interests of the taxpayers of this province.

Thank you, Mr. Speaker.

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

MR. SPEAKER: May the hon. Member for Drumheller adjourn the debate?

HON. MEMBERS: Agreed.

MR. HYNDMAN: Before calling it 5:30, Mr. Speaker, tomorrow we would first move to what I guess will be Government Motion No. 2, for the adjournment of the House from tomorrow at 5:30 until Wednesday the 13th at 2:30; then to Committee of Supply to consider departments which have been reviewed in subcommittee, beginning with Social Services and Community Health, followed by Transportation, and if there's time, Recreation, Parks and Wildlife.

I move we call it 5:30 and that the Assembly adjourn until tomorrow afternoon at 2:30.

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 adjourned at 5:24 p.m.]