

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, October 18, 1977 2:30 p.m.**

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

PRAYERS

[Mr. Speaker in the Chair]

head: INTRODUCTION OF BILLS

Bill 79
The Nursing Homes
Amendment Act, 1977 (No. 2)

DR. PAPROSKI: Mr. Speaker, I request leave to introduce Bill 79, The Nursing Homes Amendment Act, 1977 (No. 2).

Mr. Speaker, this bill will provide authority to make payments by the Ministry of Hospitals and Medical Care for nursing home patients on social assistance, rather than payments being made by the Department of Social Services and Community Health. Most important, Mr. Speaker, amendments provide for the establishment of procedures for nursing home operators regarding patients' funds entrusted in their care, by requirements to open and maintain a trust account and a variety of requirements to assure patients' funds and interest earned will be safeguarded.

[Leave granted; Bill 79 read a first time]

MR. HYNDMAN: Mr. Speaker, I move that Bill 79, The Nursing Homes Amendment Act, 1977 (No. 2), be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

Bill 231
An Act to Amend
The Alberta Health Care
Insurance Act (No. 2)

MR. R. SPEAKER: Mr. Speaker, I beg leave to introduce a bill, being An Act to Amend The Alberta Health Care Insurance Act (No. 2). This bill makes it possible to provide a comprehensive dental care program for all children under the age of 7.

[Leave granted; Bill 231 read a first time]

head: TABLING RETURNS AND REPORTS

MR. FARRAN: Mr. Speaker, I beg leave to table the fourteenth annual report of the Alberta Racing Commission.

head: INTRODUCTION OF SPECIAL GUESTS

MRS. CHICHAK: Mr. Speaker, I have the privilege today to introduce to you, and through you to the Assembly, 13 students from the H.A. Gray Elementary-Junior High School. They are from a special program of the prevocational class, prevocational 1. These students will continue in their education and preparation for life from the H.A. Gray school, many of them through the W.P. Wagner School. I am pleased that we have in this province and this city the availability of a school such as W. P. Wagner to enable these young children to be trained for some skills and thereby contribute to society in a meaningful way and, as well, have a fulfilling role in their own personal lives.

Mr. Speaker, these students are accompanied by Mr. Bahr and Mrs. Kuprowski from the school. They are in the public gallery. I would like them to rise and receive the welcome of the House.

head: ORAL QUESTION PERIOD**Oil Sands Development**

MR. CLARK: Mr. Speaker, I would like to direct the first question to the Premier and ask if he can confirm whether the estimated cost of the proposed third tar sands plant has escalated from the vicinity of some \$3 billion to something like \$4.7 billion.

MR. LOUGHEED: Mr. Speaker, I have no information on that matter.

MR. CLARK: Mr. Speaker, a supplementary question to the Minister of Energy and Natural Resources. Is the minister in a position to indicate to the House whether Shell Oil Company has approached the Alberta government with a proposal with regard to a third tar sands plant?

MR. GETTY: Mr. Speaker, we have had discussions with Shell Oil about a third oil sands plant.

MR. CLARK: Mr. Speaker, to the minister. In the course of those discussions, is the minister in a position to indicate if the cost of that plant will be in the vicinity of \$4.5 billion to \$4.7 billion? Or what are the approximate figures now?

MR. GETTY: Mr. Speaker, as I recall the conversation, the plant project has a variety of components. There is the mining operation itself and the upgrading facility. An expansion of pipeline is required, a power plant is required, and a number of capital expenditures have to be made over the course of the 20-year life of the plant. I don't recall any composite total of that amount, but I would say the mining operation, along with the upgrading plant, a power plant, and pipeline expansion — in other words, make it comparable to what we now know as the Syncrude capital project — is somewhere in the order of \$3 billion.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. In the course of those discussions with Shell, have discussions been held regarding the

possibility of the Alberta government taking a percentage interest in the Shell project?

MR. GETTY: There hasn't been serious discussion in that regard that I can recall, Mr. Speaker.

MR. CLARK: Mr. Speaker, I assume then from the minister's answer that there has been discussion of the possibility of the Alberta government taking an equity position in this venture.

MR. GETTY: Mr. Speaker, the discussions were very exploratory in some aspects. Shell has mentioned that they are not necessarily going to proceed with a plant. They wonder about who they might get as partners, and that's why I answered the way I did. They have pondered a variety of partners, and in the course of wondering who they might be, I do believe at one stage they mentioned they would welcome the Alberta government.

MR. CLARK: Mr. Speaker, in the course of these ponderings or discussions between the government and Shell, has one of the alternatives been the possibility of offering a portion of the plant to the Alberta Energy Company?

MR. GETTY: Mr. Speaker, I'm not sure if they raised it as offering an interest. I believe that in looking for partners, Shell Oil has approached a variety of companies. In one discussion with me they mentioned a lot of companies, and I believe the Alberta Energy Company was one of the group they approached.

MR. CLARK: Then could the minister indicate to the Assembly what directive or instructions the government has given to the Alberta Energy Company as far as AEC investing in future tar sand plants is concerned?

MR. GETTY: It would be, Mr. Speaker, that they conduct themselves in the best interests of their shareholders.

DR. BUCK: We happen to be those shareholders, Getty. [interjections]

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Has Shell Oil Company approached the Alberta government or the Petroleum Marketing Commission asking for a guarantee that production volumes from a third oil sands plant would be allocated to Shell's refineries in Montreal and Toronto?

MR. GETTY: Mr. Speaker, to the best of my knowledge that has not been discussed at any meeting I've been in.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Is the minister in a position to indicate to the House if that proposition has been discussed at any meetings between Shell officials and officials of the Alberta government?

MR. GETTY: None that I'm aware of, Mr. Speaker, although they could have had a discussion with members of the Petroleum Marketing Commission.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. To the minister's knowledge, have there been any discussions with respect to a similar deal re the power plant that the AEC has with respect to the Syncrude proposition?

MR. GETTY: No, Mr. Speaker, there haven't been. To clarify that answer, hon. members have to realize that Shell would have to make a decision seriously to go ahead with a plant, at which time we would get into serious discussion of commercial terms. As of now, they are merely exploratory discussions while Shell tries to determine whether they are seriously interested in making a proposal.

MR. NOTLEY: Mr. Speaker, a further supplementary question to the hon. minister. In the course of the exploratory discussions, have the Shell people set out as one of the conditions [that] they would expect from the government of Alberta a commitment through the Alberta Energy Company to build the power plant?

MR. GETTY: No, Mr. Speaker.

MR. CLARK: Mr. Speaker, I'd like to direct a supplementary question to the minister and ask at what stage negotiations are between the various Syncrude partners and the Alberta government on an extension of the soon-to-be-completed Syncrude plant?

MR. GETTY: Extension?

MR. CLARK: Extension, yes. Or an addition.

MR. GETTY: There are no negotiations being carried on.

MR. CLARK: Mr. Speaker, then a supplementary question to the minister. It flows from discussions we had during the spring session, when there were some indications that negotiations were being carried out with the federal government about a possible extension to the Syncrude plant once it's in operation. My question to the minister is: when did those negotiations break down?

MR. GETTY: I don't recall the discussion of negotiations during the spring session. The negotiations haven't broken down because they haven't been going on.

Native Land Claims

MR. CLARK: Mr. Speaker, I'd like to direct the second question to the Minister of Labour. It flows from the statement issued by the Alberta Human Rights Commission with regard to Bill 29 which was passed, over some objection, at the spring session. My question to the minister: in light of the Human Rights Commission's release, what action does the minister plan to take?

MR. CRAWFORD: Mr. Speaker, what the hon. leader is referring to is a press release that the Alberta Human Rights Commission released referring to a legal opinion they had received in regard to the effects and the relationship between Land Titles Act amendments this spring and human rights legisla-

tion. I was pleased to note that the effect of the legal opinion — whatever else might be said with regard to the question of retroactivity, which was fully debated in this House — is that no discrimination is apparent in the legislation.

MR. CLARK: Mr. Speaker, a supplementary question to the minister. Is it the position of the government that basically the Human Rights Commission is saying that there is no discrimination in Bill 29? Is that the government's interpretation of what the Alberta Human Rights Commission has just released on October 17, 1977?

MR. CRAWFORD: Mr. Speaker, I suppose the hon. leader and I are entitled to have different opinions on the real import of the statement. But to me the important reference was that the actual legislation was not itself discriminatory. I think that's a very clear implication from what has been published by the commission.

MR. NOTLEY: Mr. Speaker, a supplementary question to hon. Attorney General. In light of the comments made by the chairman of the Human Rights Commission, Dr. Wyman, concerning the retroactivity provision of Bill 29, is the government giving any consideration to repealing that portion of Bill 29 which is in fact retroactive?

MR. FOSTER: Mr. Speaker, as my colleague the Minister of Labour has already said, that matter was fully and fairly discussed in this Assembly at considerable length last spring. I am certainly not suggesting that the government alter its position on that whatsoever.

I don't want to reopen the debate, Mr. Speaker, but let me say once again that Bill 29 doesn't take away any claim that native persons or anyone else may have to aboriginal rights in this province. I have issued the invitation and I issue it again today: if those rights exist, I appeal to the groups involved to commence proceedings according to law, if they wish, and have a court decide it. That decision by other persons has not been taken. Bill 29 is now law, and it will stand. The government has no intention of reversing its position.

Grazing Reserves

MR. TESOLIN: Mr. Speaker, my question is to either the Associate Minister of Energy and Natural Resources or the Minister of Agriculture. Could either minister inform the House on the progress of the creation of pasture lands in the Lac La Biche area through the heritage trust fund?

MR. SCHMIDT: Mr. Speaker, in reply to the hon. member, under the grazing reserve program the department has under study and [is] planning for the 15 extra grazing reserves that will be ongoing over a period of 10 years. I would report to the hon. member that as promised, before the close of this sitting the first four grazing reserves in the gray-wooded areas of this province will be announced.

DR. BUCK: Wait till the Premier comes by. He'll announce it.

MR. TESOLIN: A supplementary, Mr. Speaker, if I may. Upon hearing of this government's thrust in this direction, many farmers have asked if smaller pastures rather than community pastures might be made available to individuals, as they fear mixing their cattle with others due to possible diseases and inferior breeding. I'd like to ask the minister to inform the House if this could be a possibility.

MR. SCHMIDT: Mr. Speaker, over the past summer, in the total review of the public lands policy and disposition of Crown land, in the holding of meetings across the province, and in the receiving of submissions, the problem the hon. member has mentioned has been brought to our attention: due to the high cost of capital improvements, some Crown land that could be made available for grazing is not being used either at all or to its fullest. It's something that could be considered, but no decision has been made because of the financial implications involved. We have some 4,000 individual grazing leases across the province, and of course it would be quite a financial burden to meet those requirements. But it is being considered.

Food Processing Industry

MR. MANDEVILLE: Mr. Speaker, my question to the hon. Premier is a follow-up to the question I asked last Thursday with regard to consumption of Alberta-made products in Alberta. Could the Premier indicate to the Assembly what methods the government uses to ensure that as much Alberta beef as possible is used in Alberta food outlets?

MR. LOUGHEED: Mr. Speaker, because of the detailed nature of the question, I think I'd refer it to the Minister of Agriculture. Suffice, perhaps, to underline the view we have that certainly our position is one of encouragement, not legislative or regulatory pressure. What we are attempting to do, I think with the support of the agricultural community in this province, is convince the consumer and business in Alberta to utilize Alberta products as much as possible, to the exclusion of products from elsewhere. Perhaps the Minister of Agriculture may wish to expand upon that position.

MR. MANDEVILLE: A supplementary question, then, to the hon. Minister of Consumer and Corporate Affairs. Does the minister's department carry out any monitoring on the number of fast-food outlets which serve only imported beef?

MR. NOTLEY Good point, Fred.

MR. HARLE: No, Mr. Speaker.

PWA Catering

MR. MANDEVILLE: A supplementary question then, Mr. Speaker, to the hon. Deputy Premier. Could the Deputy Premier tell the Assembly the policy of PWA with regard to the use of imported beef?

DR. HORNER: That would be a decision for the management of PWA, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh.

MR. MANDEVILLE: Supplementary question, Mr. Speaker. Would the hon. Deputy Premier check with PWA catering service to see whether foreign beef is served on PWA?

DR. HORNER: Mr. Speaker, I don't mind checking, through the chairman of the board, to ascertain the policy relative to that matter. But I wonder if the hon. member really understands down which road he is going.

AN HON. MEMBER: We know which road you're going, Hugh.

Wheat Pool Legislation

MR. BATIUK: Mr. Speaker, I'd like to direct my question to the Minister of Agriculture. Could the minister advise whether he has already received the proposed changes to The Alberta Wheat Pool Act, which were scheduled to be presented to him and, if so, were these recommendations favorable?

MR. MOORE: Mr. Speaker, I have not yet received the report of the committee which was chosen to review The Alberta Wheat Pool Act.

Public Service Labor Legislation

MR. NOTLEY: Mr. Speaker, I'd like to direct this question to the hon. Minister of Labour. It flows from the announcement this morning by the Canadian Labour Congress and the Alberta Federation of Labour that charges will be laid before the International Labour Organization that Bill 41 violates Convention 87 of that body. My question, Mr. Speaker: is the minister in a position to advise whether any review of the province's position respecting the ILO was undertaken prior to the introduction of Bill 41?

MR. CRAWFORD: Mr. Speaker, the question of the international convention certainly did come up, through the very considerable period of preparation of the legislation referred to as Bill 41, which is the responsibility in the Legislature, as the hon. member knows, of my colleague the Provincial Treasurer, who is responsible for the personnel administration office of the government of Alberta. But I might just say that the government is entirely satisfied that there is no conflict in either spirit or intent with any of the conventions, in particular the one referred to.

MR. NOTLEY: Mr. Speaker, a supplementary question to either the Minister of Labour or the hon. Provincial Treasurer. Can either minister advise whether or not the government of Alberta plans to make a submission or statement of defence to the ILO in view of the fact that these charges have been laid?

MR. CRAWFORD: Mr. Speaker, I don't mind responding to that. We have been favored at this point with a press release from the Canadian Labour Congress, following a number of weeks or months of that organization's making similar statements to the press. None of that has changed the fact, as I mentioned, that a full review of this issue was made

in the course of preparing the legislation. If, in due course, someone from Geneva gets in touch with us, I suppose we'll reply to them in some way.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. Was that review conducted in-house or did the government obtain the advice of legal counsel who are expert in the field of labor relations and also of international relations, in view of the ILO conventions?

MR. CRAWFORD: Mr. Speaker, I don't think I should try to testify here to the specific capabilities of the advisors the government might have depended on in preparing this legislation. It was done in the way that all legislation is prepared and with the most careful regard for any relevant matters of law.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. minister. In view of the fact that Canada is a signatory to the ILO conventions, and the minister's second answer indicated that should the ILO get in touch with Alberta some response would be made, my question to the minister specifically is: is it the government's intention, assuming that occurs, to make a submission to the ILO?

MR. CRAWFORD: Mr. Speaker, I'm of the understanding that in the event some person approaches the ILO with a particular type of brief or recommendation asking the ILO to make some manner of declaration on government policy of one of the member states — which in this case is Canada, and not Alberta — a response is expected and normally provided by the member state. I can't feature that any response would be made by them without ascertaining the facts.

MR. NOTLEY: Mr. Speaker, a supplementary question. I find this particular version of provincial rights interesting. But I ask the hon. minister whether he would assure the House that the province of Alberta will live with whatever judgment is finally rendered by the International Labor Organization with respect to this matter?

AN HON. MEMBER: Where are laws made?

AN HON. MEMBER: Here's where they're made.

MR. CRAWFORD: Mr. Speaker, I don't think the hon. member would wish to call into question the supremacy of this Legislature and the ability of Alberta lawmakers to make laws.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Minister of Labour. Is it not the position of this government that Alberta should live with conventions made by Canada, and that if those conventions apply to Alberta we will live with them and accept them?

MR. LOUGHEED: Mr. Speaker, if I may respond to that question, I think we should make it absolutely clear to the Legislature and to the hon. member that as far as we're concerned, the supremacy of this Alberta Legislature is such that when we deal with matters that are within our jurisdiction, they're dealt

with by the elected people of this province and those decisions stand.

Rail Passenger Service

MR. LITTLE: Mr. Speaker, might I address my question to the hon. Minister of Transportation. A recent announcement by the president of VIA Rail Canada has raised some concerns that rail service between the cities of Calgary and Edmonton may be discontinued. Is the minister in a position to confirm or deny this report?

DR. HORNER: Mr. Speaker, I've had some discussions with the new president of VIA Rail, relative to rail transportation in Alberta and in western Canada. The discussions we had at that time were that we wouldn't agree a transcontinental service would be one that would have to shuttle between Calgary and Edmonton, to extend zigzagging across western Canada.

With regard to the question of rail service between Calgary and Edmonton, there has been a massive study, which I think was tabled in this Legislature, relative to the various modes of transportation between the two areas. The problems with rail transportation are numerous, particularly because in any rapid type of rail transportation there are something like 143 unprotected road crossings across that rail. To separate these would be a mammoth physical as well as financial undertaking. That's not to say that with improved equipment a commuter type of service serving those communities may not be a viable proposition in the future.

MR. LITTLE: A supplementary. Is the minister prepared to approach the president with a view to continuing the service?

DR. HORNER: Mr. Speaker, the question of whether or not the service will continue will be a combination of recommendations of the CTC and VIA Rail, and I'm sure there will be a lot of opportunity for input before that particular service is discontinued. But I hope that all members would understand some of the complexities of the problem.

Correctional Institutions

DR. BUCK: Mr. Speaker, my question is to the hon. Solicitor General. It deals with the minister's proposed enlightened method of dealing with people in our correctional institutions. I'd like to know if it is the position of the government that a Borstal-style facility for offenders should be established near Lac La Biche, St. Paul, or Bonnyville because in the words of the Solicitor General, native people are a problem — and a lot of these people come from this area. Can the minister indicate if he is going ahead with this Borstal-type of correctional institution?

MR. FARRAN: Mr. Speaker, I have it under consideration. I haven't yet brought it to consideration by my colleagues, but I have it under consideration in the department.

DR. BUCK: Mr. Speaker, a supplementary question. Has the minister discussed or had under consideration the use of caning in these institutions?

MR. FARRAN: Mr. Speaker, the concept generally is a tough boarding school for 16- to 18-year-olds, who now comprise 25 per cent of the inmates in provincial correctional institutions. The general concept is that they should be segregated and put in a tough boarding school where they will be taught vocations or trades, similar to the Borstal system in Britain where the unions give full credit for 16-week courses in the building trades. The method of maintaining discipline in such a boarding school is of small importance compared with the overall concept, although I personally would have thought that, as in most boarding schools, the cane has a place.

DR. BUCK: A supplementary, Mr. Speaker, to the hon. minister. Can the minister indicate or table in the Legislature the studies that have been done by the minister's department showing the advantages or disadvantages of using caning for people in correctional institutions?

MR. FARRAN: This is at a very early stage, but I think the hon. member will probably be interested in this huge document, which has just arrived on our desks, on the Fourth National Conference on Juvenile Justice, which points to a very large degree of failure of present systems in North America. I believe the public generally is beginning to agree with the proposition that perhaps we've gone too far with the permissive society, and that we should have a little more accountability in the handling of young offenders.

MR. GHITTER: A supplementary to the hon. minister, Mr. Speaker. I wonder if the hon. minister could advise as to whether or not it is the intention in the Borstal-type of facility to have fluoridation in the water supply.

MR. FARRAN: Mr. Speaker, that would be a punishment I wouldn't inflict on anyone.

AN. HON. MEMBER: Spoken like a true Conservative.

MR. MUSGREAVE: A supplementary question to the minister. Could he advise the House whether the Borstal system in Britain, as he advocates, is expanding or contracting? Just what is the state of it in Britain?

MR. SPEAKER: It's getting somewhat far afield, it seems to me, in asking a minister what the state of affairs is in another country.

MR. GOGO: Mr. Speaker, supplementary to the minister for clarification. He indicated in his response to the hon. member's question that he was referring to 16- and 18-year-olds presently under his jurisdiction. Would he please confirm that 16- and 17-year-old females are not under his jurisdiction?

MR. FARRAN: They're not under my jurisdiction at the present time; women offenders over the age of 18 are.

MR. GOGO: Supplementary, Mr. Speaker, to the hon. Minister of Social Services and Community Health. Is the government considering placing 16- and 17-year-old females under the care and jurisdiction of the Solicitor General?

MISS HUNLEY: No, Mr. Speaker, we're not. If the government ever makes the decision that caning is to be done, I'd prefer to have it done under the jurisdiction of my department.

Gas Installation — Tax Rebates

DR. WALKER: Mr. Speaker, my question is to the Minister of Agriculture. Because of the great economic difficulties being endured by Alberta farmers, could the minister please advise us if he has made any representations to the federal government with a view to making tax concessions on capital payments made to gas co-operatives?

MR. MOORE: Mr. Speaker, representations have been made by this government over the past two or three years with respect to the deductibility or otherwise of the cost of installing natural gas on a farm as an expense for the year in which it's incurred. My recent information is that the federal taxation people have agreed they would allow that interpretation of the federal taxation act. I would hasten to add, however, that that information came to me verbally. I have not yet received such information in writing from the federal Minister of Finance or any of his officials.

Oldman River Studies

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of the Environment with regard to the \$0.5 million contracts that have been awarded to study irrigation and water management on the Oldman River basin. I want to ask the minister what role the research staff of his department will play with these private consultant groups.

MR. RUSSELL: Mr. Speaker, I suppose the role the department would play would be that of a project manager. Various components of the studies have been put to the private sector, eight in number I believe. They would be co-ordinated and put together in such a way that the public would have them in an integrated sense.

MR. R. SPEAKER: Supplementary to the minister. In contracting the various studies, what consideration did the minister take with regard to the capability of his own staff carrying out some of the studies?

MR. RUSSELL: Mr. Speaker, in work like this, it's traditional that the department — and I encourage them to do this — go to the private sector and use outside consultants wherever possible. We have a management committee composed of private citizens and civil servants who are doing and commissioning this work on my behalf. It was that committee which received submissions from the various firms wishing to do the contract work, and that committee which made the recommendations as to who should be hired.

MR. R. SPEAKER: Supplementary to the minister. At a meeting in southern Alberta the minister indicated a rather rigid time line in which the studies should be completed. Do the contracts between the consultants and the minister or the department have any penalty that can be imposed if the studies are not completed by a specific date?

MR. RUSSELL: Mr. Speaker, I am not sure of that without checking the penalty clauses in the individual agreements. Of course each of the firms involved — and there are nine, not eight — knows the deadline they have to meet, and they've given their consulting fee on the basis of meeting it. So that's the arrangement we're going forward with.

Bingo Regulations

DR. WEBBER: Mr. Speaker, my question is to the Attorney General. A slight preamble first, if I may. All the community associations in my constituency have expressed concerns regarding the effect on their operations of proposed bingo regulations. They are concerned that the increased number of volunteers they would require as a result of the regulations would necessitate the closure of their operations. The question is: could the minister assure us that any new regulations will not jeopardize these community bingo operations?

MR. FOSTER: Mr. Speaker, I am very grateful for the question because I do want to assure the House and indeed all community organizations that it is not my intention or the intention of the gaming control unit to put community organizations and community-operated bingo activities out of business. Indeed we recognize the very valuable work that community groups do in gaming activity to raise funds for highly desirable religious and charitable purposes.

At the same time I think everyone will recognize that a certain degree of regulation and control is necessary. As you know, we have circulated a comprehensive list of the proposed changes to guidelines for casinos, lotteries, bingos, et cetera, and have received a good deal of public reaction to them. We are in the course of assessing that reaction. Within a week or 10 days I expect to have a preliminary or tentative response to public reaction thus far. In any event, I expect we will be finalizing our suggested guidelines some time in the next couple of months. Subject to the approval of caucus and of course the government, [we] will bring these into effect on February 1.

I am very grateful, Mr. Speaker, to the many, many organizations and individuals in the province who have made their views known to us. After all, the reason we put these guidelines out was to assess response. We hope we can be responsible in our reply and yet maintain a degree of control that I think is essential.

Natural Gas Supplies

MR. KIDD: My question is to the hon. Minister of Energy and Natural Resources. In the minister's opinion, do we have sufficient natural gas in Alberta in excess of our 30-year forward supply, and in addition to that which we're exporting, which we could supply

to the United States during the building of the northern pipeline?

MR. SPEAKER: The hon. member used three introductory words which rather rule out his question. If he can put it on a basis other than "the minister's opinion" perhaps he could get information that might be relevant to the area of his concern.

AN HON. MEMBER: Try another run at it.

MR. KIDD: Does the minister have information suggesting that we have sufficient natural gas, and so on?

MR. GETTY: Mr. Speaker, it would depend on the amount of gas that was being requested. In fact, there does appear to be natural gas surplus to Alberta's foreseeable needs. What would have to happen, I believe, is that an application would have to be made to the Energy Resources Conservation Board for an amount of gas to be removed from the province. The board would have to assess that application and make a recommendation to the Executive Council, who would then consider it and decide whether to approve it as recommended, or subject to conditions. There has been some public debate and statements by the government of Alberta as to what type of conditions we would be looking for before allowing additional natural gas to leave the province.

MR. KIDD: A supplementary to the Prime Minister. [interjections] Might he comment on what special considerations we might request from the United States in return for such gas?

MR. LOUGHEED: Well, Mr. Speaker, I presume the question was directed toward me and I will respond.

The way I expressed the matter in the Legislative Assembly last Wednesday was that in the event the circumstances developed the way the Minister of Energy has described, we wanted to make it clear to those who would make the applications, before they went to the expense and trouble of doing so, that there would certainly have to be some benefit to the farmers of our province, in terms of access to the United States for products either one way or another, that we would think would be tangible and sufficient to warrant our making such an extraordinary arrangement.

Rural and Native Housing

DR. BACKUS: Mr. Speaker, my question is for the Minister of Housing and Public Works. Appreciating the problems of limited staff, can the minister indicate approximately the period that it has taken between application and approval for applicants under the rural and native housing program, specifically for those who already own their land?

MR. YURKO: Mr. Speaker, I believe the question is of such detail that it might better be handled by way of a motion for a return.

Water Management Policies

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

Premier or the Minister of the Environment. Due to drought conditions in southern Alberta this year that have had disastrous effects on agriculture, the mayor of Lethbridge hosted a water policy conference recently that involved many elected representatives of southern Alberta. At that conference a resolution was unanimously passed with certain recommendations and forwarded to this government . . .

MR. SPEAKER: Would the hon. member please get to the question.

MR. GOGO: Has this government received those recommendations?

MR. LOUGHEED: Mr. Speaker, I refer the matter to the Minister of the Environment, who has been dealing with the subject.

MR. RUSSELL: Yes, I did receive them under cover of a letter from His Worship the Mayor of Lethbridge. We've responded by saying how pleased we were that urban representatives met and agreed upon resolutions that support the agricultural sector in southern Alberta. It's the kind of co-operation we very much like to see, Mr. Speaker.

MR. R. SPEAKER: Mr. Speaker, a supplementary to the minister. Is the minister prepared at this time to make a commitment on behalf of the government to go ahead with the dam on the Oldman River, as requested in that resolution?

MR. RUSSELL: Mr. Speaker, I think we should be very careful to differentiate at this time between a dam and flow regulation, because it's possible they are not the same kinds of structure. As the hon. member is aware, we are committed to flow regulation. There are funds which have been committed, prior to the last election. They are in the heritage savings trust fund budget, and we're going to do it.

MR. KING: Mr. Speaker, a supplementary question. Is the minister prepared to go ahead with the dam on the Red Deer River, as supported by the hon. Member for Little Bow?

MR. RUSSELL: Yes, Mr. Speaker, that project is under way.

Rail Passenger Service (continued)

MR. HORSMAN: Mr. Speaker, my question is for the Minister of Transportation. I wonder if the minister could advise the Assembly as to the representations by this government — if representations were made — to the Canadian Transport Commission with respect to the proposed winter timetable for the south link of the VIA Rail service? If so, what response, if any, has been received by the government from the Canadian Transport Commission?

DR. HORNER: Mr. Speaker, we've had some discussions with both VIA Rail and the Canadian Transport Commission relative to what we like to call the southern transcontinental routing of passenger service through southern Alberta. We have made those

representations relative to the particular problem that I understand the greenhouse industry faces in the city of Medicine Hat. We hope we can get a positive response from the CTC and VIA Rail, or at least a more positive response than we've had in the past from Canadian Pacific.

MR. HORSMAN: A supplementary question, Mr. Speaker. Could the minister advise as to when he expects to receive the final recommendations from VIA Rail or the CTC with regard to timetabling of that particular link?

DR. HORNER: Mr. Speaker, the matter is somewhat complex at the moment in that VIA Rail doesn't take over until, I believe, April 1 of next year. So at the moment it's still being operated by Canadian Pacific. The other complexity is that VIA Rail has now come out and said that they don't agree with the CTC's plan of passenger rail service. I'm hopeful that that particular problem can be resolved in the near future, but I can't give any specific dates.

MR. HORSMAN: One further supplementary, Mr. Speaker. Could the minister advise the Assembly as to the position taken by the government of Alberta: whether this government supports the position of VIA Rail or the position of the CTC?

DR. HORNER: Mr. Speaker, our position is that we would like to see effective rail passenger transportation on a transprovincial basis in both the north and the south, and that the timetables of that particular operation should be conducive to both industry and business and to the people who want to use that method of transportation. I think one of the reasons we've had some difficulty in maintaining rail passenger service in the past is that we get the impression that certain railways, at least, have deliberately allocated timetables which discourage people from using their service.

Northern Development Branch

MR. TESOLIN: Mr. Speaker, my question is directed to the Minister of Business Development and Tourism in charge of northern development. I wonder if the hon. minister might inform this House if the northern development staff in Edmonton have reserved moving vans yet to move their offices where they should be, in northern Alberta.

MR. DOWLING: Mr. Speaker, we've examined to quite an extent the possibility of decentralizing the northern development branch. They are seven in number. The problem we're finding with it of course is their major contacts . . . And the reason they're now effective is that they are required to contact the officials of various departments and pass on the resolutions that are made to us from the presentations we receive. So we're having some difficulty in justifying that decentralization. However, we haven't disregarded it, nor have we disregarded any potential decentralization of government staff from our department.

ORDERS OF THE DAY

head: MOTIONS FOR RETURNS

158. On behalf of Mr. Clark, Dr. Buck moved that an order of the Assembly do issue for a return showing a copy of the special study on tuition fees referred to on page 15 of the 1975-1976 Annual Report of the Department of Advanced Education and Manpower.

[Motion carried]

159. On behalf of Mr. Clark, Dr. Buck moved that an order of the Assembly do issue for a return showing a copy of the special study on student enrolment fluctuations referred to on page 15 of the 1975-1976 Annual Report of the Department of Advanced Education and Manpower.

[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.

[Adjourned debate April 5: Mr. Ashton]

MR. ASHTON: Mr. Speaker, hon. members will recall that I made some rather lengthy comments last spring on this motion. Based on the attention I received at the time, I'm sure the comments I made are indelibly imprinted on their minds, so I won't take the time to repeat what I said last spring.

With respect to the first paragraph of the resolution,

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,

members will recall that although I employed a rather circuitous route, I arrived at the conclusion that I was definitely in favor of that first paragraph.

However, with regard to the second paragraph, whereby the motion urges the government to consider the adoption of 18 as the uniform age, hon. members will recall that I indicated some misgivings about the age that was picked. I didn't arrive at any conclusions to suggest any particular age. Of course the options appeared to be the ages 16, 17, or 18.

Having given this motion considerable thought during the summer, and having talked to some of my constituents about it, I'm now of the opinion that we should delete that second paragraph from the motion and submit only the first paragraph to the government for consideration and further study as to the exact age we should recommend. On that basis, Mr.

Speaker, I wish to move an amendment deleting the second paragraph, so that the motion would now read:

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.

MR. SPEAKER: The amendment proposed by the hon. Member for Edmonton Ottewell is that the second paragraph of the motion be deleted so that it will now read:

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.

I think the hon. member has some time left if he wishes to debate the amendment. Otherwise, if any hon. member wishes to debate the amendment, that would now be in order.

MR. LITTLE: Mr. Speaker, I would like to make some further comments concerning this motion. I did speak to the motion in the spring; I will speak to the amendment now. Is that in order?

It would appear, Mr. Speaker, that consideration to amending legislation concerning juveniles has been on the burner for considerable time. In July 1975 a committee that was commissioned by the Solicitor General at that time, the Hon. Warren Allmand, submitted this report, *Young Persons in Conflict with the Law*. Their initial report states that they have reviewed the Juvenile Delinquents Act; Bill C-192, the young offenders act, and the representations made in relation thereto; and the deliberations of the federal/provincial joint review on *Young Persons in Conflict with the Law* established at the December 1973 Federal-Provincial Conference on Corrections. So as I indicate, this has been pending since 1973.

I think it would be well to mention once again under what authority we in the province act. At the present time it is the Juvenile Delinquents Act or, as it is known, An Act respecting juvenile delinquents. In this act "child" means "any boy or girl apparently or actually under the age of 16 years, or any such other age as may be directed in any province pursuant to subsection (2)". Of course in 1952 the province of Alberta elected to have two ages: 16 for boys and 18 for girls. At approximately the same time most provinces in the country elected to have a great variety of ages for juveniles: 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 province of Alberta is the only one with the split age; that is, 16 for boys and 18 for girls.

When we debated this in the spring I commented that I had no strong feelings on it, that there must have been some very good reason for the split age at that time, and I had no quarrel with it. However, in speaking to the amendment at that time, I came out rather strongly in favor of age 16. I would suggest that if 16 were reasonable in 1952, it's even more reasonable today in view of the more sophisticated,

more highly educated, and more developed juvenile we have in our society today.

It naturally follows that a percentage of these juveniles will be incarcerated or require incarceration. In fact, Mr. Speaker, just a week ago a newspaper report indicated that crime in Alberta is not only at the highest rate of all provinces — in spite of the Solicitor General's explanation of those statistics — but is continuing to increase. Whatever criteria you use, I believe this must indicate that crime is increasing. We must ask the question, therefore: where do these people come from? I think it's fairly obvious that all adults were once juveniles. So if we can stop our crime problem at the juvenile level, I think it's fairly obvious we're going to make some pretty significant inroads into that of adult crime.

Of course we have various methods of reporting crime, and the Solicitor General certainly made a very valid point that the various types of reporting crime will skew the reporting of statistics throughout the country. But one rate has remained very firm for a good number of years: Canada has the highest recidivism rate in the western world. It has been rated for many, many years at 80 per cent. I think this would indicate that our penal institutions are doing something wrong. Penal institutions, or correctional or rehabilitation programs, are doing something wrong. I don't think we have yet determined just what that is.

However, a very extensive study was conducted by Dr. Martinson of New York University. This study extended from 1947 to 1965 in the United States, and I would suggest that's a lengthy enough period to make the study reasonably valid. Dr. Martinson's study was to determine the effectiveness of rehabilitation programs. He determined that those who were exposed to rehabilitation programs had approximately the same recidivism rates as those who weren't. The conclusion was that rehabilitation programs, or at least the type being used in that country, simply weren't working. So the question that must come up then is: what shall we do, what shall take their place?

I'm rather reluctant to make comment on age, approaching the senior age myself, but I would suggest that in the crime picture the over-40s are a dead loss as far as rehabilitation programs are concerned. Most of them have been exposed to them. Let's write them off.

AN. HON. MEMBER: Agreed.

MR. LITTLE: We won't write off all over-40s, hon. member. I think it would therefore be the next most reasonable step to concentrate all our efforts on juveniles, to see if anything can be done to rehabilitate them. In this country the costs of conviction and incarceration are absolutely horrendous.

A few years ago I attended a lecture by the commissioner of penitentiaries, who estimated that it cost \$20,000 to send one man to the penitentiary. If we can prevent one man going there, obviously it's a saving for taxpayers. But once again this one is clouded. Maybe he would steal more than \$20,000 in his first year if we left him on the street. The costs of incarceration: we had a report in this House just a year ago that in our provincial jails we range from a high in the Peace River institution of \$12,000 per man-year to a low in the Calgary institution of \$6,500 per man-year. Possibly it would be even more useful

to offer some of these offenders a subsidy to go to some other province.

We have found by study that many of the adult offenders are functionally illiterate. They're totally unable to cope with modern society. The current procedures in industry and construction have all but eliminated the laborer. Therefore when you get these persons of the adult age, particularly the over-40s, who don't have a trade, who don't have a vocation, who can't cope, they're almost put into a trap. Yet at the present time in this province, we're suffering from a chronic shortage of skilled workers.

I see the Solicitor General is looking at me almost in disbelief at some of these statements. Possibly he considers me the hard-liner in this area. But I suggest that if we are going to continue to incarcerate — and I see no substitute for this, because there is a hard core of both juvenile and adult offenders who totally refuse to respond to any type of treatment, any type of rehabilitation; they are bent on a life of crime and there appears to be no way of changing this — these persons must be incarcerated, many of them for the balance of their natural lives. But for the shorter term I would suggest there is a percentage of both the young and the old — more particularly the young — who do have potential if they are able to cope in the outside world.

Therefore I would highly recommend that we establish institutions that prepare these people to cope. Now, if they have been given this opportunity, if they have been taught a trade or a vocation or a skill, or furthered their education, and upon release they still refuse to obey the rules of society, they've put themselves back into the incorrigible situation. But I would suggest under our present system that to turn a man or a juvenile loose after a period of two, three, or more years of incarceration and he's no more able to cope with the problems of the outside world than when he went in, we have not only wasted time, we have wasted a great deal of taxpayers' money.

I would further suggest total segregation of young offenders and old, seasoned offenders, possibly in three groups: the juvenile, who I suggest comes up to the age of 16; the young offender, possibly the age of 16 through to the age of 24 or 25; and the adult or confirmed offender.

Mr. Speaker, I think it's totally acceptable that if we are to come to grips with the crime problem of this province, which by any standards or criteria is considerable, we must first deal with the problem of the juvenile offender. I would highly recommend that we give our approval to this particular motion.

MR. SPEAKER: May I just see whether the House agrees with what we are now about. As I understand it, the purport of the amendment is simply to delete the second part of the resolution, which starts with the words "Be it further resolved". It would seem to me then that until we resolve that matter, the debate now should be on whether or not that part of the motion should be deleted. Having determined that, we can then get on with the main discussion. So if there are any members who would like to debate further the advisability or otherwise of deleting that part of the motion, that would appear to be the debate which would now be in order.

MR. YOUNG: Mr. Speaker, may I have your direction. It would seem to me from your suggestion that the issue before us is whether or not this Assembly will give suggestion to the government as to whether there should be an age of 18 or in fact whether there should be any age at all, and that once that matter is disposed of, we then go back to the broader resolution. Is that correct?

MR. SPEAKER: There could be some scope for difference in interpretation. Strictly speaking, perhaps what we have is two motions. There's no harm, of course. The Assembly is quite entitled to debate two motions at once if it wishes to, as long as they don't decide to separate them. They are certainly related. The first one deals with a request to the Governor General. The second one deals with a practice which is being urged on the government of Alberta. It would seem to me that any debate which we have now should relate to the second topic and should not be specific to the first.

MR. YOUNG: Mr. Speaker, if I may proceed. I'm sure you will judge whether or not I'm proceeding correctly. I await your recommendation if not.

It seems to me that by deleting the second part of Motion No. 1, we are deleting the direction that the government consider the adoption of the age of 18. If in fact we as a Legislature choose to take that action, I submit to the Legislature that we are foregoing the opportunity we have here to direct the government what the age should be. Now if that is the will of the Legislature, I'm not too upset. I would like, though, the opportunity now to illustrate why I'm not too upset since it is in fact my motion.

Mr. Speaker, in the debate that occurred last spring, most of the focus was on the nature of the juvenile crime and treatment system we have in Canada, and more particularly in Alberta. I would like to submit that one of my objectives has been achieved in getting the motion before the House. My second objective was to try to get some clarification as to what age we should have for that point at which we treat individuals before criminal justice, whether it is age 16, 17, or 18, whatever it is. That, Mr. Speaker, presupposed that we were going to stay with the existing system. I would like to submit that it may be — and I have come to this conclusion as a consequence of some of the debate which I have reread and some of the discussions which I have entertained over the summer — that we should not be discussing criminal justice in terms of juveniles with respect to a calendar age at all.

Since no one else has advanced this position, I should like to do so this afternoon because I think it bears on the amendment before us. Clearly it is an alternative to expressing a specific age in statute or regulation. If the age is not 18 or 16, and there is considerable disagreement — I shouldn't call it disagreement but variation, pros and cons and some strong arguments laid both ways — perhaps we should go to an approach of what I understand in legal terms is expressed as "concurrent jurisdiction".

Mr. Speaker, if I could just raise the issue of concurrent jurisdiction for the benefit of members in determining whether that is an option they might like rather than age 18, a fixed age, I should like to draw to the attention of hon. members a position expressed

in July '76 by our Attorney General to the Hon. Warren Allmand. I think this sums it up rather neatly. Mr. Speaker, so that the record is clear, this correspondence was tabled in the spring of '77, in response to Motion for a Return 130:

... Alberta's position is that rather than create a whole new system for dealing with 14 to 18 year old offenders, we attempt to improve upon the systems already in place by making brief and simple amendments to the Criminal Code so that young offenders could be dealt with thereunder if necessary [and] in ... circumstances as determined by the Provinces. The Provinces would then be free to develop their own child protection legislation so that it is adequate to deal with young offenders who the Attorney General sees fit not to prosecute under the Criminal Code, but who would require something more in the way of treatment than is presently available. The country's resources could then be used in developing adequate treatment for a child once he is convicted of a criminal offence or adjudged to be a child in need of care and protection ...

Mr. Speaker, that really suggests that rather than have a separate system of criminal justice for juveniles and rather than deal front-on, in an arbitrary way, with the question of the calendar age at which a person is declared to be juvenile, we take a completely different approach, an approach which brings before the criminal courts all transgressions of criminal law regardless of age, but that in so doing we give special consideration and provide special reservations, if you will, special precautions in terms of safeguarding the rights and treatment of younger persons.

Mr. Speaker, I think that meets some of the concerns expressed to me. As I read through the debate, I think the hon. Member for Calgary McCall could perhaps accept and find that solution amenable. Certainly the hon. Member for Lacombe seemed to be searching for a system which would differentiate, which would take into consideration, the particular aspects of a crime or misdemeanor and would have the court consider whether in the circumstance there should be opportunity for special treatment. It seems also to have been reflected in the debate by the hon. Member for Clover Bar. Certainly it is reflected in some of the submissions to me over the summer.

So, Mr. Speaker, when hon. members make their decisions on how to vote on the amendment before us, I submit it is clearly an option — an option which did not, I think, receive much debate on the last occasion when this matter was before the House. But it's an option which I draw to the attention of hon. members, and suggest may in fact be the most preferable of all the suggestions which have been advanced to date.

Mr. Speaker, it's my interpretation that the amendment before us limits me to speak to that matter which I think deals with age or the alternative possibility in arriving at a decision on age. I shall conclude my remarks on the amendment at this point.

MR. SPEAKER: Are you ready for the question on the amendment?

[Motion carried]

MR. SPEAKER: Is there any further debate on the motion as amended? May the hon. Member for Edmonton Jasper Place close the debate?

HON. MEMBERS: Agreed.

MR. YOUNG: Mr. Speaker, in rising to the opportunity to close the debate, I want to express again to the members how important I think this topic is. In my early remarks on the last occasion I indicated how this matter is a combination of federal and provincial jurisdiction. I tried to indicate how it is a combination, or seems to involve different philosophical approaches to the recognition and treatment of juveniles. I tried to indicate how faltering, how slow the efforts have been to have our legislation reflect changes in society — changes in terms of the judicial conditions; changes in terms of the development of our society, the practices, and customs; changes in terms of the evolution of our social services.

Mr. Speaker, I would very much regret it if, after this resolution is disposed of today, the Legislature forgets about this matter. I would hope there might be a possibility of real federal leadership in this area. I would hope our own province can assist in that matter. I recognize we may in fact have to have a government in Ottawa which is able to sustain a minister in a portfolio for at least two years without alteration if we're going to expect any significant approaches and any consistent improvements. But, Mr. Speaker, I think the approach to our juvenile justice process needs attention very badly.

Mr. Speaker, we need to determine how we're going to balance the point of view of those who suggest that some juveniles need care and protection more than they need punishment. We need to be able to arrive at a system which balances the interest of the juvenile against the interest and protection of society. I submit, Mr. Speaker, that the system we now have is not adequate. Some of the debate which we have heard in past days reflects apprehension about the inadequacies of the system.

Mr. Speaker, I would very much regret if we leave the matter lie without further consideration, on the basis that we have already established certain types of institutions, and because we have these institutions in place — in short, because we have the establishment that has grown up over the years by planning or by topsy, however one prefers to look at it — that we should not do anything else, that we should not make any improvements that are going to cost us money, because clearly the system is inadequate.

Mr. Speaker, during the debate there were suggestions that the responsibility of parents should be safeguarded — not only safeguarded, but underlined, underscored, and at times almost forced upon parents, if I understood the hon. Member for Lacombe. Perhaps the approach of amending the Criminal Code and doing away with special legislation for juvenile offenders, if properly carried out, would have the capacity to keep parents in the picture, would require the courts to serve notice on the parents, and involve the parents more than the existing system whereby, it is my understanding, in some cases the social services take over and perhaps delude the parents into thinking that the transgression of the child is minimal. At the same time, Mr. Speaker, I think we would clear the air somewhat, because our

legislation at the present time is certainly full of anachronisms. All kinds of misdemeanors are identified in the legislation, which can be committed and which in this present day and age may be offensive to our moral code, but surely are not criminal acts.

Mr. Speaker, if we went the route of amendment of the Criminal Code and made it quite clear that when a juvenile is apprehended the offence is sufficiently serious as to require immediate attention of parents, we might be able to get all parties working together.

Mr. Speaker, I would like to thank those members who have participated in the debate. I especially would like to say publicly that I appreciated the comments from members of the public who took time to phone and write, to express their concerns and views. I would request of the Attorney General, the Solicitor General, and the Minister of Social Services and Community Health that they continue in their efforts to resolve the philosophical direction — which clearly seems one of difficulty, not only for this government but for all governments — then start building a system which reflects the 1970s and more particularly the 1980s. The challenge we have before us — to right and to provide for the proper establishment of treatment facilities — is one which is going to take not two years but at least a decade.

[Motion carried]

2. Moved by Mr. Notley:

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 April 5: Mr. Taylor]

DR. HORNER: Mr. Speaker, we're going to allow that motion to drop to the bottom of the Order Paper, to allow the hon. Member for Drumheller his opportunity to debate it.

MR. SPEAKER: I would think it would be open to another hon. member to carry on with the debate if he wished. Otherwise, if no one wishes to proceed, then under the second part of Standing Order No. 40 it would in fact drop to the bottom of the Order Paper.

3. Moved by Mr. Clark:

Be it resolved that the Ombudsman be requested to appear before the Legislative Assembly to answer any questions that any Member or Members of the Legislative Assembly may wish to put to him with regard to the Special Report of the Ombudsman's Investigation Dealing with the Calgary Remand and Detention Centre.

[Adjourned debate April 14: Mr. Kidd]

MR. KIDD: Mr. Speaker, I rise to speak to this motion very briefly, but hopefully with pertinence.

Mr. Speaker, I have read the special report of the Ombudsman, read the Solicitor General's reply to this report, listened to the many questions on the entire matter posed in this Legislature to the Solicitor General, and listened to the previous speakers on the motion. It seems to me all the pertinent questions have been asked, and all the answers have been given. However, that is apparently not the opinion of the Leader of the Opposition. So be it.

Mr. Speaker, there is a matter of principle here which is much more important than further questions and answers concerning the Calgary Remand Centre. Mr. Speaker, let me take a moment to develop my position. I was interested in reading a paper by Karl A. Friedmann of the University of Calgary, published in *The Canadian Journal of Political Science*, and entitled: *The Public and the Ombudsman: Perceptions and Attitudes in Britain and in Alberta*. The primary purpose of Mr. Friedmann's paper was to assess public knowledge and appreciation of the ombudsman.

To summarize, Mr. Speaker: based on extensive statistical analysis, he found strong, positive attitudes toward the office of the Ombudsman among two-thirds of the Alberta sample in 1969, while four-fifths of the 1971 sample exhibited strong, positive attitudes toward that office. The most important reason for his popularity was the perceived independence of the ombudsman from government and bureaucracy. That bears repeating, Mr. Speaker: the most important reason for the popularity of the office of the ombudsman was the perceived independence of the ombudsman from government and bureaucracy.

Mr. Speaker, I personally believe the establishment of the office of the Ombudsman in 1967 by the Social Credit government was an excellent action. I am sure the hon. Leader of the Opposition believes likewise. Therefore, Mr. Speaker, I am against any action which in my opinion would inevitably lead to the loss of independence of the office of the Ombudsman. If we call the Ombudsman before this Legislature, it would be perceived by the public as an erosion of his independence. In addition, it would seem to me that the additional stress placed on the Ombudsman, in the event the precedent were established that he would have to appear before the Legislature, might — and I only say might — tend to tailor his actions to accommodate that additional stress.

Mr. Speaker, I'm not unmindful of the Phylipzyk case. But in that instance the situation surely was not parallel. The Ombudsman had prepared a report, and the government had appointed Mr. Justice McLaurin to examine that report. His findings were that the Ombudsman had erred. The Ombudsman was then called before the Legislature. So the circumstances were unusual and, with due respect, Mr. Speaker, it seems to me that if the office of the Ombudsman is to be preserved, only in the gravest circumstances and with clear cause should the Ombudsman's findings be investigated in such a manner. Also, only in the gravest circumstances should the Ombudsman be questioned in this Legislature. Therefore as a matter of principle, which in my view surely overrides the matter of the Calgary Remand Centre, I would urge the hon. members to

defeat this motion.

I believe The Ombudsman Act is clearly written and thoughtful. Subject to other interpretations, I wonder whether Section 19 in fact precludes the Ombudsman from divulging to anyone anything more than he has presented in his report. Mr. Speaker, this section reads:

- (1) The Ombudsman and every person holding an office or appointment under him shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their functions.
- (2) Notwithstanding Subsection 1, the Ombudsman may disclose in any report made by him under this Act such matters as in his opinion ought to be disclosed in order to establish grounds for his conclusions and recommendations.

I said I'd be brief and I will be brief. In concluding, therefore, I would urge all members to consider the arguments I have presented; namely, that we are considering the effective preservation of the office of Ombudsman and the preservation of that office surely transcends all party lines. Therefore, all members, government and opposition alike, are again urged to defeat this motion.

Thank you, Mr. Speaker.

[Motion lost]

4. Moved by Dr. Walker:

Be it resolved that the government of Alberta introduce legislation concerning the medical consent of minors, allowing them to approve treatment by a qualified medical or dental practitioner under the same rules and ethics of confidentiality which apply to an adult.

[Adjourned debate April 19: Dr. Paproski]

DR. PAPROSKI: Mr. Speaker, as I stand to oppose this motion, I would like to just indicate to the House the essential purpose of the motion. The essence of the motion, as I understand it, is to allow minors under 18 to approve their treatment, medical or dental, without parental consent and have the same confidentiality that adults have.

I oppose this motion for a number of reasons, and I would like to enumerate those reasons if I may. First, this resolution is saying minors should be able to obtain their health care without parental consent, without counselling, without control, and without advice and yet not have, I suggest, the responsibility and the answerability to authority and the accountability for such action. In other words, they shall be free agents. Yet they do not pay the bills, they may not know the implications of the particular care that they are going to have. By such a resolution, they in fact are ignoring the family which, by and large, is directly responsible for them and which takes the greatest abuse if anything happens or a failure occurs.

To agree that all should have the right to medical care, Mr. Speaker, is a smoke screen — it's a smoke screen issue. Of course, no one can deny that minors or adults should have adequate medical care. It's a requirement of our society. But to imply that adequate care may not be given if parents are involved is false in 99.99 per cent of the cases. That small

fraction where parents are not responsible — a fraction of one per cent — is, I suggest, a very, very small percentage of the cases. I am also suggesting that the recourse for that very, very small percentage of the cases can be handled in other ways.

I'm suggesting to members of the Assembly, first, in emergency cases where parents are not available, everyone should know that if two medical doctors agree care is needed, action is taken in fact. If non-emergency cases occur and the parents deny medical care, there are laws dealing with abuse and/or neglect of children, and it's a crime of neglect, punishable by loss of those children to other authorities, and/or a fine, and/or incarceration. As a matter of fact, Mr. Speaker, it could even end up as manslaughter. This applies, of course, whether we are dealing with parents, foster parents, guardians, or even the province of Alberta or the state. So there is no excuse in not having medical care.

What I am suggesting to the members of the Assembly is that refinement is needed in this particular area in order that the child and the parent clearly understand their positions of responsibility within the existing law — I'm suggesting we don't need other laws — but not to remove the parent's consent and knowledge of medical treatment.

Mr. Speaker, if a hypothetical situation could be demonstrated: a minor wants to have medical treatment. The parents, for some reason or another, refuse and it's not an emergency. A child, a minor, should know the steps he can take, and the medical doctor or health professional should also know the steps that should be taken. I'm suggesting to the members of the Assembly that if two M.D.s agree, even in this case, then medical aid should be given and could be given, and the refinement of the law could be placed in such a direction. Similarly, the parents at that time, if there was going to be or probably going to be adverse effect on the minor, and the parents have refused, in fact could proceed with prosecution, because there is neglect and abuse.

I suggest that adequate publicity of such a direction and the mechanics to achieve it is needed. There is no doubt in my mind that in a very small percentage of cases that may be so. Certainly if that is the direction that the Legislature chooses, then in that small percentage of the cases, that mechanism should be clarified within the existing legal framework or else amplified and redefined, but not to go across the board. In other words, the exceptions will always be there, they have been there, they are there now, and it's a small percentage of the cases where some minors may not receive medical care because of irresponsible parents.

Members of the Legislative Assembly will recall that I supported the exception where the minor is living away from home and is self-supporting. I feel that minor in fact could have the right of seeking self-help and self-consent. I see no difficulty in arriving in that direction, because that minor is self-supporting and should be responsible for his or her affairs, providing that that minor is not receiving social assistance, Mr. Speaker, or is a ward of the government. Because if they are on social assistance or are wards of the government and they are minors, they are again under the authority of somebody else, maybe a foster parent.

The strongest stabilizing force in any society is the

family — we've heard this many times — the family, the basic unit of our society, with the church and the school. In other words, as Georges P. Vanier has stated, the best and surest way of giving men and women who are well-balanced and conscious of their responsibility to the country, is to protect the family, for the family, and thus they will better be prepared to put justice and truth before their own personal interest. Truer words, Mr. Speaker, I suggest, have not been spoken.

If we bring in such legislation regarding this particular item, we are in fact saying to parents and families, you are not able, you are not capable, you don't care, or society by law does not give a damn whether you care or not. I'm suggesting to the Members of the Legislative Assembly: who in this Legislature would agree with that? Therefore, to flaunt the family, the vast majority of parents — single or both parents — who are responsible, who are caring, who are loving, who counsel and want that responsibility, I'm suggesting is to flaunt the core of our society. Simply put, such legislation could help break up the family unit, fragile as it is already due to the many forces in our society. And I'm saying, Mr. Speaker, I for one will have no part in this, even if it were only possible, let alone probable.

Well, Mr. Speaker, I'm sure the resolution and those who support the resolution — be it the legal beagles or even some members of the medical profession, not necessarily in this House — are not deliberately undermining the family. But under the guise of this particular type of legislation, in fact they are — not intentionally. They're saying, our minors should have adequate medical care because many are not receiving it because the parents are not co-operating. Mr. Speaker, I'm saying this again to the Legislative Assembly to underline it: it's a few cases, maybe — depending on the area in our province or across the country — but across the board it's very, very few cases. These are, I'm suggesting, crimes of neglect and abuse, and should be dealt with in the way I suggested or by another more refined mechanism. And certainly they could be punished. But the majority are receiving good care and good counselling by their families in a flexible and reliable way. The vast, vast majority are receiving that.

What is the other reason, Mr. Speaker, I'm opposing this? The other one is the word "maturity". When is a minor mature? When is an adult mature? A most pressing and difficult question that the Legislature would have to answer. Is it at 14, at 16, or younger, or older? One thing rings true when we discuss maturity, if all things ring true: all things being equal, all intelligence being equal, the older the individual is, the more experience he has, undoubtedly the more mature he is. Mr. Speaker, the Lately report recommended age 16 — the 1967 report of the committee of age of majority, paragraph 481 — because in Britain it was the age of consent for sexual intercourse. Well, Mr. Speaker, the age to have sexual intercourse could have been 13, 14, 11, 10, 9, or 8. Could anyone in this Legislative Assembly see a person as mature because of that? Exceptionally, maybe. But because of that particular act, I suggest no.

Mr. Speaker, we've established the age of majority at this juncture at 18 years of age: to join the Armed Forces, to marry, to sign legal contracts, to drink

alcoholic beverages, and to seek medical advice and consent without parental guidance or authority. This has been adopted across Canada by and large, and it's working fairly well. But even in this area — and we've just gone through this debate of uniform age for the law — there is certainly a considerable amount of debate regarding younger people drinking excessively and the alcoholic consumption in the younger age groups. We already know the problem it has resulted in.

So if you drop the age for medical consent and medical treatment below 18, then maybe we should drop it to 16 for all other things, Mr. Speaker. I hope not. I don't think we're ready for that. To be clear, a person of 18 years of age or over can consent to medical treatment in Alberta according to The Age of Majority Act, yet no consent is necessary when it cannot be immediately obtained if there's an emergency. So there is really no major issue in that area. To say that those under 18 will be embarrassed or reluctant to seek medical advice because of the wrath of the parents, is to say in fact — by this resolution which could be translated into legislation — don't worry, your parents don't have to know, even if they do care; don't worry, you have no responsibility to them. And in fact we're saying, they don't even care about you; you don't have any accountability or responsibility to your family, the foundation of your background. As a matter of fact, if this resolution is translated into legislation, we're in fact saying, you have no responsibility to society. Because they're not paying the bills yet.

No, Mr. Speaker, the main notion of this resolution, the central purpose of the resolution, is unacceptable to me and I'm certainly urging all members to consider it very carefully and vote against it. Mr. Speaker, is it not true that responsibility must be demonstrated? And where best, may I suggest to the members of Assembly, could it be demonstrated than by showing the responsibility and accountability to the parents and the family — I mean all members of the family including brothers and sisters — during that developmental period? And hopefully it will be used in adult life.

The third point, Mr. Speaker, is the question: who is asking in fact for this legislation? Any members in this Assembly? A few, maybe. Maybe it's put on the table in this Assembly to debate and to see what the general tone is. I suggest maybe that is the reason. I hope it is. That's a good reason. But I am suggesting it is not those under age 18 requesting it, not the families of Alberta, not the churches of Alberta, not the counsellors in our province, not the communities in our province and, I hope, Mr. Speaker, not the legislators, who are supposed to be leaders and reflectors of our families and not in any way, directly or indirectly, [supposed to] harm the family, the fabric of our society, the core. I challenge anybody here to take a survey of the members of the community out there regarding such a direction. I suggest that the vast majority will be against this resolution and this direction.

Another point, Mr. Speaker, as I've indicated already, is that medical attention is available in emergency situations where the parent is not available, and two M.D.s can in fact sign it. And in a non-emergency situation comprehensive health care is provided, there's ample time for consultation, and it's

available and affordable for everyone, including minors. So there is no argument about a parent not wanting his child to have medical care because he can't afford it. And if such a minor is mature — and many are, I suggest the vast majority are — then under what circumstances would that minor not have prevention, diagnosis, treatment, or rehabilitation. I submit such care is always available, as it is for adults.

If those under 18 in fact have the capacity to decide for themselves — and I suggest the majority possibly, in a mature way, considering a lot of aspects, could — then, Mr. Speaker, I suggest they also have the capacity in a mature way to consult with their parents, consult with them and reach an acceptable balance in that regard. A mature minor will always seek that parental advice and direction, and do it without any difficulty. If they're not mature, and under 18, I suggest to the members of the Assembly, they need that counselling; they need that advice, loving, caring, and stabilizing force of the family. Not only that, they need M.D. guidance; they need the other health-professional guidance — in other words, a team effort to guide that particular minor in a proper direction.

So, Mr. Speaker, we are left with very few specific cases, not special to this particular generation, not special to Alberta or Canada at this present time, but more common, I suppose, in this generation according to statistics. The items that I'm going to discuss now are venereal disease, pregnancy and abortion, and contraception, which I suggest are the big three that may have prompted this legislation by some of the legal beagles out there who go over this. They in fact may feel that we should have abortion on demand, without reason, without logic, without counselling of the families. Maybe they believe a direction without responsibility to anyone is the one we should be taking. Mr. Speaker, if a minor dies in surgery or dies because of treatment, who will the medical doctor call? I suggest the parents.

Because of the importance of the big three to many of us, I suggest it certainly merits special attention. I cannot possibly cover the whole area in the few minutes that I have left and I don't intend to. But venereal disease is certainly a very common disease in Alberta, and across the world as a matter of fact. Treatment is excellent; it's available by medical doctors and in public clinics. No doubt there is embarrassment for the minors as there is for adults regarding the treatment of this particular problem. I suggest, Mr. Speaker, that the entity should be dealt with by proper public relations, education, and television media indicate the need for treatment. That treatment should be provided in that direction and focused on education, so that a minor or an adult could seek this therapy without fear that the parent might object or be upset about it. Of course he will be upset, and should be, but the minor will be upset also. So I'm suggesting that a firm, strong, and vigorous public relation program should be brought back to Alberta. I'm not arguing that public relations regarding venereal disease and the problems associated with it will desensitize our society, and they won't seek treatment. I think that is unacceptable.

Regarding pregnancy and abortion, Mr. Speaker: to hide under this type of legislation is to say that concern does not exist. I would suggest we need to elevate the importance of the family knowing, partici-

pating and assisting in this particular problem, if it occurs in a minor who is not married. To relegate the family to an irresponsible or a "we don't need you" role, and teach our minors this, is certainly unacceptable.

Surely the issues concerning minors — proper education, public relations, overall teaching of the proper interpersonal role of family life and the responsibility demonstrated by the family — could be resolved through the participation of the medical profession.

Regarding abortion, Mr. Speaker — and pregnancy goes hand in hand with this — to have or not to have an abortion is of course very important. But in my opinion it certainly should not be left to the simple decision of a minor and a medical doctor. A team effort should be involved here: the family, the health professional, the hospital committee, even as it applies to adults. The point made that legal action will be taken as a deterrent to health services for those under 18 if a medical doctor acts without parental consent, I suggest, is hogwash. It falls flat on its face when we examine the history of medical care in our society. The medical doctor and the health professional must exercise the same responsibility with a minor as he does with an adult. He has to listen, to counsel, to proceed.

In 21 years of medical practice in this province, I have not once — not once — found a parent who would refuse the care for their child under 18. If that parent was not available, there is adequate latitude within the legal framework, and if there isn't you can get special dispensation from the courts. I'm asking if any M.D. has really had experience to the contrary. Surely health workers know that emergency cases can be treated, and non-emergency cases have a way of being handled.

Finally, Mr. Speaker, the simple gut feeling, intuition, tells us — at least tells me, and I hope most members of the Legislature — that this type of resolution, if it flowed into legislation, would result in difficulties and disruption of the family responsibility, and increase the woes of parenthood when these concerns are already great enough in our troubled society. Not in an obvious way, Mr. Speaker, but in a subtle way. The fact that other provinces have this does not justify this direction or make it necessarily right. I suggest it's time that legislators here follow their own guidelines and responsibilities, for the most important heritage we have is our children, and the basic core of our society is our families.

I see no need for such broad legislation, which deflects responsibility to no one, and away from the family. I see a need for a refinement and strengthening of the law of child abuse, and a quick, clear mechanism to deal with this particular problem. It may involve failure of a parent to allow non-emergency medical treatment, or any medical treatment for the very, very small percentage of the cases, especially where that delay would adversely affect the health of that particular minor.

I see a need for an authority that will deal with minors — their special problems, if you wish — to uphold their particular rights as human beings, even if they don't have the same legal rights as adults. I see a need for a better public relations program regarding the responsibility of minors to the family, and families to minors. We certainly spend enough money on advertisements promoting Alberta Gov-

ernment Telephones. If only half of those funds were diverted in that direction I think it certainly would make some impact on the responsibility of government, the church, the school, and minors in the family.

Finally, what I am saying here is that maybe we need a bill of rights for children — a code, if not a bill of rights — which will embody essential principles special to children in this generation, so they will not be abused, even in a small percentage of cases, and will know their mechanism out of this. They may have a written foundation to hang their hat on and say, this is what we believe in as minors in our society. As they now [do] in the vast majority of the cases, they will clearly know their responsibilities to their families and to society.

Thank you, Mr. Speaker.

MR. ASHTON: Mr. Speaker, I would like to make just a couple of comments. I'll be brief to the extent of saying that I oppose the resolution and beg leave to adjourn the debate.

MR. SPEAKER: May the hon. member adjourn the debate? All those in favor of the motion for the adjournment of the debate please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The debate continues.

MR. ASHTON: Mr. Speaker, I missed your ruling on that one.

MR. SPEAKER: It wasn't a ruling. It was a vote. The vote on the amendment was that the amendment was not accepted. As I understand it, having moved adjournment of the debate, and that motion having been defeated, the hon. member has had his turn to speak.

DR. BACKUS: Mr. Speaker, I think there has been a great deal talked about and written on this motion. I believe that there has been a very sincere concern amongst many of the people who have written to me that this motion is seriously affecting our families, is serving to encourage loose living and even making abortions much easier.

I believe most people are sincere about it, but some people who have written must simply have seen in this motion the opportunity to express their particular points of view on the question of abortion, and really have borne very little relevance to the actual motion. According to some of the correspondence I've received, if I were now to get up and speak in support of this motion I would not only be deliberately attempting to break up the family unit and encourage loose living, but it would seem that the medical profession generally — although I'm glad one of our members was opposing it — must make their major living from performing abortions, and therefore are trying to provide this service on an easy come, easy go basis.

I don't really think the motion has anything to do

with these problems. At least it certainly doesn't aim at encouraging any of these serious deficiencies in our society today. I personally am a family man; I am a strong believer in the family unit. I'm reasonably proud of the way I've brought up my family and taken the responsibilities for them while they were under 21, and more recently under 18. But, Mr. Speaker, when I do a call to the hospital at 2 or 3 o'clock in the morning and see the number of 12, 13, and 14 year olds who are wandering the streets at that hour, when I go by the local pizza palaces and see 15 and 16 year olds in there with very little regard for any parental control, I wonder if in fact motions of this type are breaking down the family unit, or if they are trying to solve some of the problems created by the failure of some parents to take responsibility for their children.

We say that parents should be responsible for giving permission for their children to be cared for by a doctor. We think they should have this responsibility in spite of the fact that in some cases they have not accepted the responsibility that would have prevented the disease or disorder the young person has to come to the doctor to have treated.

Mr. Speaker, I therefore feel that we are not trying to resolve all the social problems in our society by this motion, but are simply looking at the problem faced by a doctor or a dentist who has before him a person sick from either an illness or a problem in his relationship with society. We are not making moral judgments; we are simply trying to facilitate that doctor's care of that patient, if the patient happens to be under 18.

I don't think there's anything too magical about the age of 18 as far as a doctor is concerned. I don't think a great many children today are all that mature when they get to 18; I still think 21 is a much more general age of maturity in human beings. But we have chosen the magical age of 18, and we say that is the age at which they shall participate in all sorts of things, that they don't require any further parental control. But when a patient comes to you at the age of 17 with problems which are the result either of conflict with society or parents who have failed to provide them with adequate controls, I don't think it really matters whether they're 17 or 18; the doctor is anxious to help them. Certainly I think the doctor wants that patient to feel he can come and discuss his or her problems with him.

Unlike the hon. Member for Edmonton Kingsway, in my practice I seem to have quite a number of patients who come to me, and the first thing they ask is whether I have to tell their parents about what they want to discuss. This is the introductory matter. I ask their age. If they are under 18 I say, well, it would be much better if you would discuss this problem with your parents and come with them to see me about it. But in many cases they have expressed a definite determination that if I have to talk it over with their parents, they will seek their care elsewhere, possibly even from non-qualified friends of their own age.

I think it is definitely a problem in society these days that young people who are approaching the age of 18 feel they wish to be able to discuss their problems with their doctor, and even have treatment if it's indicated, without their parents necessarily knowing it.

I don't think the doctor is trying to break up the

family unit if he gives that young person treatment and care. Very often, coming to the doctor does give a mature adult the opportunity for some advice, some direction, and some very definite help in sorting out his problems in society and the environment in which he lives.

If a young person came to me and said he was going to summer camp and he always got colds when he went to summer camp, and please could he have a prescription for something that would cure his cold, probably nobody would suggest that the doctor was breaking up the family relationship if he gave them a prescription for some cold tablets without first consulting the parents. That child or young person is exposing himself to certain risks by going to summer camp, and he wants some degree of security and advice from the doctor as to how he can avoid the serious consequences of those risks. On the other hand, if a similar situation occurs but the risk is that of pregnancy, there's a very strong feeling that the doctor should not prescribe something in the nature of birth control to protect that young person. They think the doctor should make a moral judgment and refuse treatment to the patient because he considers the immorality of sexual intercourse amongst unmarried people such that he shouldn't give them any help in this direction without first telling the parents all about it.

Mr. Speaker, I quite honestly don't think a doctor should refuse treatment purely on moral grounds. I think a doctor has a very great responsibility, which everybody has in this society, to try to establish high moral standards amongst our children. I think any doctor has the responsibility to help these young people recognize what's right and what's wrong in society. On the other hand, I don't think the doctor has a right to refuse treatment simply because that young person has not accepted the moral standards that the doctor himself happens to subscribe to. I've been in general practice long enough, Mr. Speaker, to know that very often the parents of that child succumb to the same immoralities for which we are suggesting the doctor should refuse treatment.

Mr. Speaker, in supporting this motion, I would like to try to separate in our minds the concept of moral responsibility and moral determination: the errors and sad situations that are occurring in our society today, the basic and simple principal relationship between a doctor and his patient, the need for young people to be able to talk to an adult about their medical problems and at the same time to be assured of some degree of confidentiality.

I think most doctors will recognize that they are not going to carry out treatment endangering the life or health of a patient without first consulting the parents. But I think, in many of the more minor situations, they should be free to give treatment and advice without necessarily requiring parental consent or divulging all the young person's problems to his or her parents.

Therefore, Mr. Speaker, looked at in this light, I would strongly support this motion.

MR. HORSMAN: Mr. Speaker, in rising to participate in this debate, I believe I waited an ample time for a member of the official opposition to rise and take part — particularly the Member for Clover Bar, as he makes a great to-do every time he rises in the

Assembly — to refer to the fact that the government allegedly does not listen to what the people are really concerned about in Alberta. Since this is a matter of real concern to the people of Alberta, I thought it would be very useful to have heard today from at least one member of the official opposition as to the stand that party takes on this very important topic. Since there will be sufficient time, following the conclusion of my remarks, for the official opposition to put their point of view, we will look forward to their participation in this debate.

There's no doubt in my mind that the question raised in this motion is a very real concern to many Albertans, and is indeed being talked about throughout Alberta. Since my election, Mr. Speaker, I can seldom recall a topic on which I have received more correspondence, not just from organized interest groups although there have been those, but I have received a number of letters from obviously very concerned parents of young people in this province, many from my own constituency and many from other constituencies.

I took the opportunity, since this is the second day on which this topic has been debated in the Assembly, to reread the debate of April 19 of this year. I regret indeed that there seems to be a great deal of misunderstanding abroad in the province about the purpose of the motion moved by the hon. Member for Macleod. In particular, there seems to be a misunderstanding with regard to the nature of what is known as Report No. 19 of the Institute of Law Research and Reform.

Mr. Speaker, I have read this document, which first came before the public in this province in December 1975, and I appreciate the obvious amount of work and effort that has gone into the preparation of this report, and the very real concern by the members of the institute for this very important question. Regrettably, there seems to be an impression abroad in the province that this report is in the nature of legislation proposed by the government for the people of Alberta, and in fact that the motion of the hon. Member for Macleod is in the nature of a bill supported by the government. I think it's important that we recognize that the Institute of Law Research and Reform has put out a discussion paper for consideration by the people, and the hon. Member for Macleod has put before this Assembly a motion by which we can debate the question and bring to the attention of the people of Alberta the positions of not only individual members but of political parties represented in this Assembly should they wish to do so.

I wish to emphasize that I have considered the report, the motion, and the debate that has taken place to date and, regrettably, have come to the conclusion that I cannot support the resolution in its present form. I cannot support it for a number of reasons, and I shall deal with those. Not because I disagree with the intention of the hon. Member for Macleod in bringing it to the Assembly — indeed I believe it should be debated here — but because I believe that what it attempts to do is to apply a very simple treatment to a symptom of one of the ills of society. No matter what has been said, either by other speakers in the Assembly, or by commentators, letter writers, pressure groups, or what have you, I think it really comes down to a question of whether young people still in the family circle can obtain

treatment, particularly relating to abortion. I say what we have here is really an effort to gloss over or apply a band-aid treatment to one symptom of the ills of our society.

Other speakers before me in this debate, in April and again today, have referred to the concept of the family. Concern has been expressed here for the destruction of the family concept apparent today. Indeed much of the debate so far has dwelt almost exclusively on the subject of the family. I refer, if I may, particularly to the comments of the hon. Member for Drumheller. Almost his entire speech last April dealt with the question of the family. It is really in that context that I would like to carry out my remarks today.

Mr. Speaker, in this Assembly and elsewhere in Canada and the free world, we often pay lip-service to the concept of the family. I think what we as legislators should attempt to do in this case, rather than react to a situation that has developed as a result of a breakdown in the family concept and adopt a reactionary role, is to go forward and perform a leadership role in our society in this province.

In recent days we have had a number of documents prepared on the question of education. There was a debate on education in the Assembly this year, and it will continue during the fall sitting. Interestingly enough, in the report that came forward recently from the Curriculum Policies Board there was, for the first time in many years I suggest, a very strong reference to the concept of family and the role the family plays in our society. We haven't seen that very often in recent years, Mr. Speaker. I suggest it is a very important measure that we should be debating — I don't want to be ruled out of order by getting involved in that — but in the overall context of the education of the individual, this question of what happens with young people, and why they allegedly require medical advice or treatment secret from their parents is reflected in the question of our overall education. I'm referring not just to schooling, but the concept of education.

I realize, as does every other father and particularly fathers and mothers of children who are in that very difficult time of life, once known as adolescence — that term I understand is no longer appropriate, desirable, or acceptable to young people in those years, but nevertheless I think most of us in this Assembly are aware of what it means — we are aware that during that period of one's life one goes through rebellion against parental authority and often assumes almost magical powers of knowledge. It recalls to mind a statement made by Mark Twain some years ago. I think I can at least paraphrase it. He said, when I was 14 my father was the most ignorant old fool — I could hardly stand to have the old man in the same house. But now that I'm 21, I'm surprised how much the old man has learned in those last seven years. The importance of that is there comes in that time of life the certain knowledge a teen-ager or an adolescent has, that they know everything, or if not everything then pretty close to everything, and parents know nothing. It's in that very difficult age, I think, that this type of motion would have a very great effect if allowed to become the law of this province.

I would like to suggest, Mr. Speaker, as other speakers have mentioned, that we as legislators must

show leadership in this area and, as legislators, we must support those agencies in our society that are attempting to strengthen the role of the family. Here I refer, among other agencies, to the church. I realize and strongly believe in the separation of church and state. I believe that is a fundamental concept of our democracy. At the same time, I believe it is incumbent upon legislators and legislatures to pass laws which will support voluntary agencies such as churches in their efforts to preserve our family system in our society.

We have what I believe to be the vehicle for providing the best possible way of life for citizenry anywhere on the face of this earth. Our society in Alberta, in Canada, in the free western democracies provides that concept of freedom found in few other places in the world; certainly not in totalitarian countries and particularly in those suffering under communist rule. Indeed I have observed that the breakdown of families in order to bring about thought control of its citizenry is one of the first objects of totalitarian communist regimes. So, Mr. Speaker, I suggest that as legislators we must preserve and protect our society and our way of life. That means to support those agencies which are trying to preserve the family. I'm indeed impressed by the emphasis on family life demonstrated by many church organizations and I urge us to continue to support them.

In this concept of the family and the question of its effect on youth, I think there's another area which requires some attention. That is the role of the media. That's a new word that has crept into our terminology of late; encompassing people who print words on paper, or put them over the air waves on radio, or disseminate them through pictures via television. Certainly in our last 25 years of development as a nation, we have seen an increasingly important role on the part of the media — using that term in its broad definition, but particularly television — in providing young people more information than they have ever had available to them. I think it is a good thing, or could be a good thing, but it is not without its dangers as well. We have had television showing our young people what is happening to families, the difficulties faced by families, and certainly educating young people, in a way, about some of the more unusual practices engaged in by young people outside our particular society. I think the media has had many good effects upon us. Unfortunately, when it comes to the concept of the family, I think it has had an opposite effect in many cases.

I think we have to look at the role of the media in our lives, and in the lives of our children and young people. I'm not suggesting that we in this Assembly should introduce the same type of commission introduced in Ontario in recent days under the chairmanship of the Hon. Judy LaMarsh, but I do think we have a role to play in trying to convince the media that they have a responsibility as well to our society in trying to promote and preserve the family.

I would suggest minors in the teen-age or adolescent years are particularly susceptible to television because it's been with them ever since they could crawl on the floor of the living room and watch the television set. We have had a recent example in the United States where an unusual defense was advanced on behalf of a young man charged with murder, in that he had been driven insane by watch-

ing crime shows. It failed. But the very fact that it was raised is indicative of the influence the media has upon young people. I suggest that the problem related to this motion [is] the dissemination through the news media, particularly television, of this question of moral standards and how one goes about resolving one's difficulties if one has stepped beyond the accepted bounds of moral standards, particularly with regard to unwanted pregnancies. How available abortions are, or should be disseminated through the news media, is a real concern to me, and I think the growing request for this type of motion and legislation may very well have originated, or at least gained impetus, from the influence that television has had on our society and on our young people in particular.

The role of community organizations in promoting this type of motion and so on, on one side or the other, I think should be examined by us as legislators, and I think we should indicate our support for those community and societal organizations which are trying to support the strength of our families, and which are in many cases opposed to this type of legislation being brought before this Assembly and being introduced into law.

As a parent, I indeed sympathize with some of the writers of letters I have received, who express what to many people is dismissed as emotional arguments about whether or not for example — to quote one from memory — would you want your 14-year-old daughter to have an abortion without your knowledge? Now, that's a rhetorical question, but it is obviously asked by a parent who is really and truly concerned. I realize the intellectuals in our society and in this Assembly, if we have any, say, well, that's an emotional response and therefore we should pay little attention to that. But I suggest, Mr. Speaker, that that emotional response is based upon a very real concern for the fundamental feelings that individuals, mothers and fathers, have for their children. That emotion is called, if I can put it in a four-letter word that is acceptable to this Assembly, love.

I think that we as parents and as legislators should be sympathetic and concerned with these parents who write to us and ask us these questions because, true, they may be emotional, but men and women are emotional creatures. That's part of our makeup. I think it's quite wrong for us to dismiss these arguments as being merely emotional, because I will take that emotion of love between family members any day before some of the cynical reactions that one reads, sees on television, and hears on the radio, about how people should relate one to the other.

DR. PAPROSKI: Hear, hear.

MR. HORSMAN: Therefore, Mr. Speaker, while I say that I appreciate the opportunity, and the spirit and intent behind what the hon. Member for Macleod is trying to do, I cannot support the motion, because I sincerely and honestly feel that it is an effort, not consciously, but it will result in — let me put it that way — a further decline in the family concept. It's just the chipping away at that family concept, one thing after another, that I have observed in the last few years, and has me worried about the future of our whole society. Because without a firm and strong foundation of support for the concept of our family and our society, our society will surely fail. It is for

that reason that I cannot support the motion of the hon. Member for Macleod.

MR. KING: Mr. Speaker, I would like the record to show once again that we attempted to allow an appropriate opportunity for an hon. member of the official opposition to rise and participate in this debate, and that they have declined to do so. I took the trouble to get a copy of *Hansard* which contains the last debate on this question, and I see that on that occasion the only member of the official opposition to speak to the debate was the hon. Member for Drumheller, and that this afternoon, notwithstanding the numerous opportunities they have had, no members of the opposition have risen to participate in this debate.

I make that point, Mr. Speaker, in light of some comments which were made yesterday about the responsibility of all members, including not only members of the government but members of the opposition as well, to be concerned about those things which concern the citizens of this province.

In my files this afternoon I have letters from The Voice of the Unborn Association of Alberta. It lists among its supporters Arthur J. Dixon, MLA for Calgary Millikan, Iris and Ira Fluker, MLA for St. Paul, the Hon. E.C. Manning of the Alberta Senate — I didn't know there was a senate in Alberta. This letter which I received was also received by every other Member of the Legislative Assembly including the opposition members. I also received a letter from Catholic Social Services, signed by Father William Irwin, a friend, and I see that he sent this letter not only to me but to every other Member of the Legislative Assembly, including the opposition members. I received a letter from the Canadian Physicians for Life, and I see that this letter was sent not only to me but to every other member of the Assembly, including the opposition members. In light of their comments yesterday, I'm surprised that they do not feel more inclined to participate in this debate.

I have to confess, Mr. Speaker, that expecting them to participate in the debate, I thought I would have a little more time to prepare my own remarks. Because I would like my remarks to be better prepared than they are this afternoon, in one moment I will beg leave to adjourn the debate. But in order that I may not be accused of adjourning the debate simply to state a position, I would like to state briefly that, like my colleague for Medicine Hat-Redcliff, I am opposed to the resolution for many of the reasons which he stated, as well as some others.

In order that I might do justice to my position, Mr. Speaker, I beg leave to adjourn the debate at this time.

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

HON. MEMBERS: Agreed.

DR. HORNER: Mr. Speaker, in view of the hour, perhaps we could call it 5:30 and adjourn until tomorrow at 2:30 o'clock.

MR. SPEAKER: Do hon. members agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: The Assembly stands adjourned until tomorrow afternoon at half past 2.

[The House adjourned at 5:17 p.m.]