

LEGISLATIVE ASSEMBLY OF ALBERTAhead: **ORAL QUESTION PERIOD**Title: **Friday, April 29, 1983 10:00 a.m.**

[The House met at 10 a.m.]

PRAYERS

[Mr. Speaker in the Chair]

head: **INTRODUCTION OF BILLS****Bill Pr. 10****Alexander La Fleur Minerals Title Act**

MRS. EMBURY: Mr. Speaker, I would like to introduce Bill Pr. 10, the Alexander La Fleur Minerals Title Act.

The purpose of this Bill is to give legislative authority for the return of the mineral title of property of Alexander La Fleur to Rose Landry, in her capacity as an administratrix.

[Leave granted; Bill Pr. 10 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. RUSSELL: Mr. Speaker, I would like to table the reply to Motion for a Return No. 150.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. HYNDMAN: Mr. Speaker, today it's my pleasure to have the opportunity to introduce to the Assembly some 45 alert grade 6 students from Laurier Heights School, who are doubly fortunate in the sense that they are in both the public and members galleries. There are two teachers with the group, Renata Szwender — that means the Szwender family is represented both in the gallery and on the floor of the Assembly today — and Claire Desrochers. Parent Maureen McFetridge and teacher aide Aurora Trapasso are with the group. I would like the Assembly to give them the usual warm welcome at this time.

MR. CHAMBERS: Mr. Speaker, I would like to introduce to you, and on your behalf to members of the Assembly, 52 grade 6 students from Bishop Savaryn School in the constituency of Edmonton Calder. They are accompanied by their teachers Mr. Kowalczyk and Mr. Marler. They are seated in the members gallery, and I would like you to join me in extending them the usual warm welcome of the Assembly.

DR. BUCK: Mr. Speaker, I also take great pleasure in introducing to you, and through you to members of the Assembly, 58 grade 6 students from Rudolph Hennig school in Fort Saskatchewan. They are accompanied by their teacher Al Faubert, Mr. Lopka, and a good golfing and curling buddy of mine, bus driver Eric Van Camp. I would like that group to stand in the public gallery and be recognized by the Legislature.

Hazardous Waste Disposal

MR. NOTLEY: Mr. Speaker, I'd like to direct the first question to the hon. Minister of the Environment. It's with respect to the selection of a company to undertake the construction of the waste disposal facility in this province. Last July the government announced that its first choice out of 19 applicants to operate the plant in Alberta was Chem-Security Ltd. Is the minister in a position to advise the Assembly what criteria were used in the selection process and who was responsible for investigating the capability of the 19 applicants?

MR. BRADLEY: Mr. Speaker, there was quite an extensive process with regard to the selection of a proponent for the construction of a special waste management facility. A number of people were put together in terms of a technical review committee which reviewed the proponents. Some people from around the world with international reputations, from the United States and Europe, also took part in the selection process. They came forward with the recommendation for the proponent.

MR. NOTLEY: Mr. Speaker, a supplementary question to the minister. What assessment did that review committee give? I refer to the minister the deputy minister's observation in an October 1982 document, Special Wastes Update, indicating that this particular company and the parent company, Waste Management Inc., had an excellent record of compliance in their activities in other jurisdictions. What investigation did the committee reviewing the applicants undertake of the parent company's record of non-compliance, keeping double books, influencing the Teamsters' union, and illegal political donations in the United States?

MR. BRADLEY: Mr. Speaker, the hon. member is making certain allegations at this point in time, the validity of which I'm not able to pass judgment on. I am able to advise the House that the Department of the Attorney General was involved with regard to a review of the proponents, in particular the proponent selected by the government, and was satisfied that the company that was selected had a good operating record.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the minister telling the House that the committee set up by the Department of the Environment undertook the investigation, or is the minister telling the House that the Attorney General's Department undertook the investigation? Specifically, did that investigation include the activities of the parent company, which was referred to in the deputy minister's comment of October 1982, and the activities of some of the other subsidiary companies which have violated laws in other jurisdictions?

MR. BRADLEY: As I indicated, Mr. Speaker, the Attorney General's Department undertook a review of not only the proponent but also its parent company.

MR. NOTLEY: Mr. Speaker, a supplementary question. Given the minister's answer, in view of the fact that there are a number of documented cases of convictions, on what basis could any representative of this government indicate that the company's record of compliance was excellent?

MR. BRADLEY: Mr. Speaker, the parent company is a very large company in the United States, operates a number of different facilities there, and has also purchased a number of companies which had previous operating practices. The whole question has been reviewed. Currently, there have been some charges laid against the parent company in the United States, which have come to my knowledge since the selection of the proponent. I have asked the Attorney General to review the current outstanding charges against the parent. Until such time as the Attorney General reports to me, negotiations which are currently under way with our proponent. Chem-Security, have been suspended.

MR. NOTLEY: Mr. Speaker, a supplementary question with respect to the way in which a proponent's record is evaluated, either by the minister's department or by the Attorney General's Department. In view of the fact that many of these convictions relate to ...

MR. SPEAKER: Order please. We're just debating the merits of this thing endlessly. Each question the hon. leader is asking is embellished with all sorts of extraneous facts that are not essential to the question, in order to debate the merits of choosing this particular company. I'm sure that if the hon. leader would like to debate that question, there would be ample opportunity to do it when all members could get into the debate and have notice of it.

MR. NOTLEY: Mr. Speaker, on a point of order. I think it is a matter of interest in the question period as to whether or not, in reviewing the applicants, the government is properly investigating their record of compliance, especially in light of public positions taken by this government. With respect to your observations, sir, I would say that questions that try to ascertain the method by which the government reviewed the applicants are in order. With that in mind, I would put to the minister again ...

MR. SPEAKER: Order please. I'm not going to debate this topic with the hon. leader, but I would like to put his latest observations into a proper context. There is 'no question that inquiries made of the minister with regard to the nature of the inquiry are totally in order. However, what the hon. leader is doing — and has done for practically all the questions he's asked so far — is embellishing the questions with the results of his own inquiry. Let's deal with the minister's inquiry. If the hon. leader wants an occasion for publicizing the results of his own inquiry, I'm sure he can find it.

MR. COOK: A supplementary question, Mr. Speaker.

MR. NOTLEY: Mr. Speaker, in making an observation on your tentative ruling, I simply say that in my judgment it is certainly in order to try to ascertain — and the point of my questions was to ascertain — the mechanism by which this government assesses the compliance with the law of proponents which may operate around the world.

I put to the minister again: what specific directions did the department issue to either the committee undertaking the investigation of the proponents' compliance or the Attorney General's Department, to ensure that information which was on public record was in fact gained when the minister and the government made the announcement in the first place?

MR. BRADLEY: Mr. Speaker, I've already indicated to the Assembly that a technical review committee was in place. In terms of the proponent selection process, it went through a number of criteria that were listed, particularly with regard to the terms of reference for the proponent. This committee was of world-renowned people, with regard to waste management in the world and Canadian expertise.

There have been questions, as put by the hon. Leader of the Opposition, of allegations and rumors. As I indicated, the Attorney General's Department was requested to review these types of allegations, et cetera, and any other charges against Waste Management Inc., the parent of the subsidiary which was eventually selected. Chem-Security. In terms of the operation of Chem-Security itself, there's nothing which would lead me to come to the conclusion the hon. leader seems to be coming to.

MR. NOTLEY: Mr. Speaker, a supplementary question.

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

MR. NOTLEY: Then can the minister explain why a committee of world-renowned experts failed to uncover records of conviction which were public documents in other jurisdictions?

MR. BRADLEY: Mr. Speaker, I've indicated to the hon. member that the Attorney General's Department has reviewed that type of information with regard to what the facts are with regard to waste management.

MR. COOK: A supplementary question, Mr. Speaker. When he was making that decision last summer, did the minister have available to him information that arose out of the Environmental Protection Agency hearings in Congress this spring? The charges the hon. leader is referring to arose out of the EPA hearings held this spring on superfund. Was the minister able to have those pieces of information that were available to the U.S. Congress this spring available to him to make the decision last fall?

MR. NOTLEY: Look at the public documents, Rollie.

MR. BRADLEY: Mr. Speaker, that information pre-dates my responsibility in the portfolio. But as I've indicated, the Attorney General's Department was involved in a review of all allegations, innuendoes, and charges which may or may not have been brought against Waste Management Inc. Because of the nature of further charges which were brought against the parent company this spring, I have indicated to the Assembly that I have asked the Attorney General to do a further review and have suspended any negotiation at this point in time with regard to coming to a conclusion with Chem-Security.

AOC Loan

MR. NOTLEY: Mr. Speaker, I'd like to direct the second question to the hon. Premier. It concerns Ram Steel. Is the Premier in a position to advise the Assembly whether he met the legal counsel of Ram Steel, the former Attorney General, on either June 14 or July 7 or 8, 1982?

MR. LOUGHEED: Mr. Speaker, I do not have any recollection of meeting the former Attorney General on those dates. I may have. I would have to check. I would

also have to check and ascertain whether or not there was any conversation with regard to the question of Ram Steel during that time, and report back to the House.

MR. NOTLEY: Mr. Speaker, a supplementary question to the Premier. In view of the substantial \$8 million loan eventually approved by AOC, is the Premier in a position to advise the Assembly from his memory whether, during the course of 1982, he met with Mr. Foster or any official of Ram Steel?

MR. LOUGHEED: Mr. Speaker, I don't have any recollection. I do recall the decision. It was an important decision, in our view, with regard to the project. It was in central Alberta. It involved basic economic diversification in this province. It was a significant plant that had a good future in terms of a general economic recovery. It was a plant that employed a significant number of people in the Red Deer area. It was a plant whose technology was ...

MR. SPEAKER: Order please. It would seem we're getting considerably beyond the scope of the question.

DR. BUCK: Nice speech.

MR. NOTLEY: Mr. Speaker, a supplementary question. Is the Premier in a position to advise the Assembly whether any person in the Premier's office met with Mr. Foster concerning either direct or indirect investment in Ram Steel?

MR. LOUGHEED: Mr. Speaker, it may have happened. Again, if I could be allowed, it was a very sound judgment decision for this government to make in supporting Ram Steel.

MR. NOTLEY: Mr. Speaker, a supplementary question to the hon. Premier. Could the Premier be a little more precise than "it may have happened"? Is the Premier in a position to recall whether or not there were any discussions on this matter by any person in the Premier's office?

MR. LOUGHEED: Mr. Speaker, I would have difficulty answering a question like that in the question period. I would have to respond as in my first answer: take it as notice and reply in due course.

MR. SPEAKER: I might say that I did not intervene, despite my misgivings about the question, a question of such particularity [interjections] being just so undoubtedly suitable for the Order Paper.

MR. NOTLEY: But Oral Question Period too, Mr. Speaker.

Alberta Products

MR. R. SPEAKER: Mr. Speaker, my question to the Minister of Economic Development is with regard to a major plank in the economic resurgence program of this government that has rather a trend toward spending more public funds to bolster the economy in the province.

On April 14, I believe, the minister announced a program of support for Alberta companies supplying goods and services to government projects. I wonder if the minister could indicate whether departments or agencies of government have not been purchasing Alberta products, that there hasn't been preference, and that there is a

large amount of room in this area for government departments and agencies to purchase Alberta goods at the present time.

MR. PLANCHE: Yes, Mr. Speaker, they have been buying Alberta goods. The thrust of this is not to spend more money to bolster the economy. The fact of the matter is that habitual buying often leads to the request for brand-name merchandise instead of equal or equivalent Alberta-made. That's something that just needed to be corrected. In the case of specific brand-name purchasing, the people responsible for buying now will encourage tenders to be submitted on brand names or equivalent.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Does the minister include in this program some provision for selecting Alberta bids for contracts over non-Alberta bids, even if the Alberta tenders are more costly? Has any kind of a directive to that effect been given by the minister?

MR. PLANCHE: No, Mr. Speaker. The policy of this government for material and services has been and continues to be that wherever equal, Alberta goods will be preferred.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Could the minister indicate what types of results will be achieved? Has the minister estimated, in gross dollars, types of programs, types of Alberta goods that have been ignored by the government up to this time, what will possibly be included in a program such as this?

MR. PLANCHE: In our judgment, Mr. Speaker, there is a need to update to everybody on the boards and agencies who is buying — and indeed in the ministries — an awareness that it's important to review to find out whether or not Alberta suppliers are now able to supply things that have traditionally been bought elsewhere. It's a matter of upgrading awareness. It's a matter of being certain that Alberta firms, wherever, are encouraged to tender, and of Alberta firms having a vehicle whereby, if they were unsuccessful in their tenders, they can find out why, to afford them a better opportunity on the next go-around.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the hon. minister. In the press release, the indicators are that the normal staff of various departments will be alerted to pay greater attention to this program. Can the minister indicate whether any extra cost will be encumbered by government, relative to implementation of this program?

MR. PLANCHE: Mr. Speaker, it was intended that there would be a contact person in each department, board, or agency. It's simply a matter of affording industry better access to the information on tendering and the specifications on tendering than they had before. But it's not anticipated that any extra cost at all will be involved.

Mortgage Company Bankruptcies

MR. MARTIN: Mr. Speaker, I'd like to direct my question to the Premier. Is the Premier in a position to inform the House whether Mr. George de Rappard, during his tenure as vice-president and executive director of Dial

Mortgage, met with government officials concerning that company's financial difficulties in 1979 or 1980?

MR. LOUGHEED: No, I couldn't give the House any evidence on that. It's similar to the other question I was asked. I'd have to check and report.

MR. MARTIN: Supplementary question. The Premier will find out and report back to the Assembly during this session, then?

MR. LOUGHEED: Yes, Mr. Speaker, I will.

MR. MARTIN: Supplementary question to the Minister of Consumer and Corporate Affairs. In view of the number of mortgage companies in difficulty in the province, what changes in legislation is the government considering to protect innocent investors?

MRS. OSTERMAN: Mr. Speaker, I think the hon. member's question and the way it was worded is an indication of what our problem is to some degree, in that you used the term "investor". I'm sure one of the things that has happened is that those people who are in fact investing think they're making deposits. So I have under consideration a number of ideas that may help us, either by way of legislation or by way of an information program, assist people in the community in coming to terms with the difference.

MR. MARTIN: A supplementary question, Mr. Speaker. Before recommending a substantial cutback in funding of her department's regulation programs this year, did the minister assess the adequacy of the department's capacity to investigate the financial viability of institutions with which Albertans are entrusting their savings?

MRS. OSTERMAN: Yes, Mr. Speaker.

MR. MARTIN: A supplementary question, Mr. Speaker. Since many of the creditors of the financial failures we've looked into are elderly citizens for whom — I'm sure the minister would agree — time and money are of the essence, will the government give consideration to purchasing assets of bankrupt firms, to cut liquidation costs and provide creditors with some immediate relief?

MRS. OSTERMAN: No, Mr. Speaker.

MR. MARTIN: Supplementary question. Why not?

MRS. OSTERMAN: Mr. Speaker, I think that should be patently obvious, in that governments can't bail out the entire community that gets into financial difficulties.

MR. MARTIN: Supplementary question.

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

MR. MARTIN: If they're not prepared to go that way, is the minister now in a position to look at the Ombudsman and following the Ontario model that I talked about before?

MRS. OSTERMAN: Mr. Speaker, speaking to the suggestion of the hon. member causes me some difficulty, because it would also get me into discussing a matter

that's before the courts. There is a relationship. Hopefully, one day soon I'll be able to speak to that.

But I want to correct one reference the hon. Member for Edmonton Norwood made, in that some companies are doing business using their registrations under the mortgage loan companies Act but are not conducting mortgage operations.

Wolf Control

MR. STROMBERG: Mr. Speaker, I would like to question the associate minister of public lands on his wildlife. [laughter]

MRS. CRIPPS: You don't have to answer.

MR. STROMBERG: As Alberta wildlife biologists have finally realized that wolves are not vegetarians, I wonder if the minister could indicate how his newly launched wolf control program is going.

MR. SPARROW: Mr. Speaker, we do not really have a newly launched wolf control program. It's an ongoing monitoring of the wolf population in the province and the harvesting of that resource. We have had educational programs for trappers, to try to encourage the increased harvest of wolves, and we would like to encourage more farmers to take advantage of not having to have a licence to hunt wolves. We would also encourage everyone in this room to help us with the problem. If any people have any problems with wolf control, we would like them to notify our nearest office. We would definitely respond immediately.

MR. STROMBERG: A supplementary, Mr. Speaker. In light of the very poor moose harvest encountered by Alberta hunters this past fall, I wonder if the minister has any intentions of bringing down the wolf population to increase the moose population.

MR. SPARROW: Mr. Speaker, I didn't realize that when you come home from hunting and don't get a moose, it has anything to do with the wolves. Basically the program is designed to try to keep the wolf population under control. We very definitely have problems in certain areas with wolves killing younger moose, but it has been reported to us just in sparse areas.

MR. STROMBERG: Another supplementary, Mr. Speaker. How many complaints have there been of wolf damage and destruction throughout the province?

MR. SPEAKER: That would seem to be a question for the Order Paper, if it could be stated within a time limit.

MR. STROMBERG: Another supplementary to the associate minister. Has your department contacted the state of Alaska and the Northwest Territories as to their success in using poison in wolf control?

MR. SPARROW: Not since I have taken office, Mr. Speaker.

MR. STROMBERG: A final supplementary, Mr. Speaker. Has the minister any indication of how many wolves there are in the province of Alberta?

MR. SPEAKER: Again, possibly the hon. member could put that question on the Order Paper.

The hon. Member for Clover Bar followed by the hon. Minister of the Environment, who wishes to supplement some information previously given.

Hunter Safety

DR. BUCK: Mr. Speaker, my question is also to the Associate Minister of Public Lands and Wildlife. I thought the minister would answer the first question by saying that it was a howling success. [interjections]

My question is to do with safety when hunters are in the woods. Can the minister indicate what studies the minister's department has had on the relationship between the use of blaze orange — when hunters are dressed in blaze orange — and the use of red? Mr. Speaker, just a short explanation. A very good friend of mine shot one of his hunting buddies because red does not show up in the evening — it appears dark — whereas fluorescent orange and day-glow orange do show up in the evening. Can the minister indicate what studies the department is doing as to phasing out red and using only blaze orange?

MR. SPARROW: Yes, Mr. Speaker, there has been quite a lot of discussion with fish and game groups throughout the province on the issue of red. Basically the hunter training program in this province is being pushed by the fish and game associations, and they want mandatory hunter training. No matter what color, red or orange, that just indicates the other hunter. One of the problems we have if people are out there hunting — the other side of the coin is that maybe they should not have any color, because the farmer working in his field isn't wearing red or orange.

DR. BUCK: Mr. Speaker, a supplementary question to the minister. The question I asked was specific: what studies is the department doing as to the merits of the use of blaze orange as opposed to red, which does not show up at dusk? That is the basic question I am asking. What studies are going on in the department? Not the hunter training program — that's a different story.

MR. SPARROW: Basically that's why I answered it that way, Mr. Speaker. The approach the government is taking is to try to get hunter training programs so that we train our hunters well. If there's a doubt and near dusk, you shouldn't be shooting. There's a lot of pressure to discontinue the color totally, because not everyone who is out in the fields at hunting time is wearing any color at all. We are definitely not considering changing to orange at this time.

MR. LOUGHEED: Mr. Speaker, I'd like to supplement. There's been an informal direction to all cabinet ministers since November 2, 1982, to use blaze orange and royal blue. [interjections]

MR. MARTIN: That's so they won't get shot, right?

MR. NOTLEY: Maybe they will. You'd better watch out. I think they should be protected in your legislation.

DR. BUCK: Mr. Speaker, a supplementary question. Has the Premier noticed that the colors that are still hanging on the posts, those orange and blue signs, are fading

rather rapidly, just like the government is fading rapidly? [interjections]

MR. LOUGHEED: Mr. Speaker, I recall a similar question being asked three and a half years ago by the hon. member. [laughter]

DR. BUCK: Mr. Speaker, back to my original question. The question to the minister is, is the department doing any studies as to the use of blaze orange in preference to red? That is the question, Mr. Speaker. He has waffled around and around, but he has not answered the question. Is the department doing any studies?

MR. SPARROW: Mr. Speaker, not to my knowledge.

MR. NELSON: Mr. Speaker, a supplementary to the Premier. Has the Premier noticed that possibly the Prime Minister, through his suggestions — and maybe he could answer whether it was through his suggestions. The post office has changed their vehicles to blue and orange.

MR. LOUGHEED: Mr. Speaker, my only comment is that we're still looking at the question of using yellow in the Heritage Savings Trust Fund hopper cars, and we'll take that question as advisement.

MR. SPEAKER: The hon. Minister of the Environment followed by the hon. Minister of Consumer and Corporate Affairs, who wishes to deal further with a previous answer.

Hazardous Waste Disposal (continued)

MR. BRADLEY: Mr. Speaker, I'd like to supplement answers I gave to an earlier question in the question period today with regard to Chem-Security and the proponent selection process. At the time Chem-Security put forward its proposal to the Department of the Environment and the government, it was a subsidiary of Chem-Nuclear. At that time, there was no connection, corporate or otherwise, with Waste Management Inc., United States. Subsequent to their application and selection, their parent company, Chem-Nuclear, was bought out by Waste Management Inc., United States. I think that's an important fact to put before the Assembly. At that point in time, the Attorney General's Department was asked to do the review of Waste Management Inc. and the charges which were alleged against it.

Mortgage Company Bankruptcies (continued)

MRS. OSTERMAN: Mr. Speaker, I want to say to the hon. Member for Edmonton Norwood that I may have made a mistake in reference to the Act that a number of mortgage companies are operating under. It should be the Mortgage Brokers Regulation Act.

ORDERS OF THE DAY

head: GOVERNMENT BILLS AND ORDERS (Third Reading)

[It was moved by the members indicated that the follow-

ing Bills be read a third time, and the motions were carried]

No.	Title	Moved by
7	Department of Economic Development Amendment Act, 1983	Planche
26	Widows' Pension Act	Embury

MR. CRAWFORD: Mr. Speaker, His Honour the Honourable the Lieutenant-Governor will now attend upon the Assembly.

[Mr. Speaker left the Chair]

head: **ROYAL ASSENT**

SERGEANT-AT-ARMS: Order! His Honour the Lieutenant-Governor.

[The Honourable Frank Lynch-Staunton, Lieutenant-Governor of Alberta, took his place upon the Throne]

MR. SPEAKER: May it please Your Honour, the Legislative Assembly has, at its present sittings, passed certain Bills to which, and in the name of the Legislative Assembly, I respectfully request Your Honour's assent.

CLERK: Your Honour, the following are the titles of the Bills to which Your Honour's assent is prayed.

[The Clerk read the titles of all Bills to which third reading had earlier been given]

[The Lieutenant-Governor indicated his assent]

CLERK: In Her Majesty's name, His Honour the Honourable the Lieutenant-Governor doth assent to these Bills.

SERGEANT-AT-ARMS: Order!

[The Lieutenant-Governor left the House]

[Mr. Speaker in the Chair]

head: **COMMITTEE OF SUPPLY**

[Mr. Appleby in the Chair]

MR. CHAIRMAN: Would the Committee of Supply please come to order.

Department of the Attorney General

MR. CHAIRMAN: Does the hon. minister wish to make some remarks?

MR. CRAWFORD: Yes, Mr. Chairman, I'd like to make a few introductory remarks. When we're at this stage of the sittings and all the estimates are going through, colleagues often raise the question as to whether or not you're going to speak too long when you get up for your introductory remarks. I've just been through that with a couple of my colleagues, most of whom just left. I assured them that by a quarter to one, I'd have finished my

introductory remarks, but I rather think we're probably looking more at a brief overview. I've often said — and the hon. Member for Little Bow will agree with me — that my speeches aren't long; they only seem to be long.

[Mr. Purdy in the Chair]

In any event, Mr. Chairman, I look at the programs of the Department of the Attorney General and note the detail in which they appear: court services, legal services, the protection and administration of property rights, and fatality inquiries, which to a certain extent are the ones, I guess, along with gaming control and licensing, where department policies and policies of the government actually come to bear in the delivery of those services. Areas also closely connected with the department, and budgeted for, are support for legal aid, crimes compensation, and public utilities regulation. These are areas where, in each case, there is an agency — either a board or, in the case of legal aid, a society — which in effect delivers the service. They are indeed a very important part of the overall picture.

The sort of overview I thought I would give this morning, in noting that the department's work is relatively easily divided into a civil side and a criminal law side — maybe just a few remarks about what that means in the sense of development and moving ahead, as we are, in a number of areas in both those fields. On the criminal law side, we have over 100 Crown prosecutors and other legal counsel involved on a continuing basis throughout the province in order to carry in excess of 200,000 cases per year to the provincial courts. The workload in the civil courts has increased significantly. I don't have right at hand the percentage figure as to the way civil litigation is increasing, but it has been very substantial. I would think that the Court of Queen's Bench is handling in the neighborhood of a 25 to 30 per cent increase over previous years.

The overall budget increase of just under 9 per cent from the forecast of 1982-83 also represents virtually no change in manpower. Only 12 of about 2,500 positions have been added, and those are in court services for the administration of the courts and, in particular, for new judges that have been appointed over the past year in the Court of Queen's Bench. We've not provided for new judges in the Provincial Court this year. We have 106 Provincial Court judges. The system is worked hard enough because of the increase in criminal cases, but it has grown substantially over the past several years. For that reason, it was thought it could continue to function well and efficiently without an increase in numbers.

We've been doing some very interesting things with respect to personal property registration. I think I've talked about that each of the last couple of years, always sort of hoping and predicting that we would soon be somewhere with automation and electronic record keeping. We're getting there. I think it's a very important development. I mention it because during this fiscal year, we will have made a major step in our capacity to handle registrations with respect to personal property.

Members of the Assembly may recall that we predicted that a new personal property security registration system would be in place within a relatively short time now, requiring new legislation, and that we have been moving toward bringing in the necessary computer equipment and developing software and programs in that area in order to build toward moving from a manual system to an electronic system. There is an appropriation of about

\$1.25 million this year to complete the development and begin the operation of what will be referred to as the central and vehicle registries information system. That consists of both the central registry, which is primarily personal property other than vehicles, and the vehicle registry. Of course the registries record the security interests and provide searches. The new system will automate the functions of the two registries.

Construction is nearing completion, and testing for acceptance of the system will begin shortly. Once the testing is completed, the new central and vehicle registries information system will be available for registrations. Late last year, in November, we began converting all the records in the central registry that had been registered after January 1, 1981. About 400,000 of these have now been converted, and that work should be finished relatively soon.

The positive effect will be an improvement to the processing time for registrations and an improved searching capability. The system will offer a fully computerized registration service for both central and vehicle registries and a fully computerized search service for the central registry by March 31, 1984. I think that's a very important step, hopefully to be completed during this fiscal year. Manual search will be replaced, and we will have a much more up-to-date and reliable information system. This provides much greater satisfaction to the public required to use it, of course, and a greater degree of certainty in dealings with personal property or chattel property, as it's often called.

We're also rather into computerization in the court atmosphere, the court automation project. Over the past few years, we have found the volume in the courts increasing significantly. Severe time and accuracy requirements are a demand on the court system. If the process gets far behind, it doesn't take much for people to become very aware of that and become considerably inconvenienced, whether it be in Provincial Court, for the process of minor charges, or in civil court, where trial lists tend to lengthen. That is soon a source of concern and some irritation to people who want to have their cases disposed of.

Some of the functions of the court automation project — and I know I've referred to it in previous years, but it's evolving and coming along. For example, when violation tickets and Criminal Code information are received by the courts, that data is entered into the court automation system. From that data, docket lists can be automatically produced. Various court documents, such as warrants for arrest, are produced by automatic equipment. Accounting records are automatically produced for fines and inquiries into the names of accused, and the status of cases is available from the system on a province-wide basis. This means that an accused can pay his fine at any court location in the province and that inquiries into the status of any case in process can be made at any court location in the province. This leads to the ability of the courts to handle the increased volumes without proportionally increased staff levels, and that's an important consideration.

I think one of the major policy areas, which is not reflected as a large item in any way in the budget but nevertheless is perhaps of interest to hon. members ... We've had some occasion — I think it was primarily in question period — to respond a little bit about what the new young offenders provisions will mean in the province of Alberta. The Solicitor General gave a statement on behalf of himself and the Minister of Social Services and

Community Health, in regard to how that sort of service will be provided to young people through the Solicitor General's Department over a time frame that will be complete in approximately two years, the spring of 1985. We expect the federal government to proclaim their legislation in a few months, October 1.

A provincial young offenders Act, referred to in the Speech from the Throne, is also planned. It would deal with offences under provincial statutes and municipal by-laws, as distinct from the federal legislation, which would of course deal with offences under any federal statutes and under the Criminal Code, which is a federal statute.

The history has been a long and difficult one. The Juvenile Delinquents Act had a philosophy which placed the machinery of the justice system of the province or the federal government in the role of the parent. The interests declared under the Juvenile Delinquents Act were that the young person was treated as a sort of errant soul who perhaps needed some treating or sympathy or some manner of program to try to help him not be a delinquent, without any real regard for the seriousness of the offence in many situations.

The philosophy of the Young Offenders Act is quite different. It's more consistent with propositions that young people are to be held responsible, at least to a limited extent, for their actions; that distinctions must be made between lesser offences and more serious ones; and that the judicial process should have available to it a number of different ways of disposing of cases rather than simply declaring whether or not, as under the previous legislation, a person was found or not found to be a juvenile delinquent.

A number of changes in the administration of the justice system are required relative to the Attorney General's Department, with particular reference to the role of criminal prosecutions of young persons. The major area that will be involved in that is that there'll be an age change, of course, as also anticipated by the new legislation. When I refer to the age change, by 1985 a young offender will be any person up to 18 rather than any person up to 16. That changes the role of the young offenders court. It transfers a lot of cases from the Provincial Court, criminal side, to the Provincial Court, young offenders side.

Through the operation of both that legislation and the Charter of Rights, a lot of attention is being given to the representation given to young people in court, in the sense of legal counsel. With the greater formality and the greater accountability of young people in the youth court, there will be more use made of both prosecutorial services and defence counsel. In the sense of the prosecutorial services, that will have an impact upon the requirements, of the Attorney General's Department.

The services that may be related to it — there are always the counselling and follow-up types of services — are not so much part of the role of the Attorney General's Department. But there are a number of other issues still relative to both the federal and provincial Acts, having to do with records control and the like, which are important matters of principle. There will therefore be some involvement in additional manpower, capital expenditures, and contract of services in relation to this.

I began, Mr. Chairman, by making only the briefest of references to the interest of the department in the criminal side. I'm pleased that just a matter of a few weeks ago, we appointed a new Assistant Deputy Attorney General for criminal law. That reflects a slight change in the organization of the department, which is important. It was undertaken a number of months ago. The position

was filled by a temporary appointment for a few months. We recently recruited a person who, by the role that he fills as assistant deputy for criminal matters, is certainly a very senior and vital part of the overall operations.

We have strong belief in the need for the consistent and even application of prosecution policies. There were times over the years when the activity in the criminal courts didn't make such great demands upon the role of the Attorney General. Those demands are there now. Organizationally and from the point of view of the talent available to us among many Crown prosecutors and other senior officials in the department, I believe we are well equipped in that area.

I thought I would just mention the volume of criminal activity. I think everyone knows it is increasing, certainly in an overall sense. The demands I mentioned on the senior department people and Crown counsel are also obviously placed on the courts — increasing case lists. I mentioned the danger of backlogs.

In Canada, a violent crime takes place every four minutes, and crime against property occurs about three times a minute. Violent crime increased 17 per cent between 1977 and 1981, and property crime at twice that rate. A document produced by Statistics Canada, *Uniform Crime Reporting, 1980-81*, reports an increase in the national average in that four-year period — as a matter of fact, in the last year of the period over the second-last year of the period; in other words, 1981 over 1980 — of 6 per cent for all Criminal Code offences and just over 7 per cent for crimes against property. I should mention that it's a little too early yet to have up-to-date figures for 1982; that's why reference is made to that. In Alberta, the increase was 9.4 per cent in Criminal Code offences and just over 11 per cent in crimes against property. Indications are that those trends have not flattened out yet and that throughout 1982 there were continuing increases in those statistics.

Mr. Chairman, I've made the overview remarks I wanted to make with respect to the department's work generally. I'm very proud of the work the department does. It's vitally important in so many areas, and I haven't even touched on key areas such as land titles work and that sort of thing. I mentioned in passing only some others, which are also important. I think we have a very good and effective gaming policy in place right now.

I'm very proud of the way new — as of the late 1970s — fatality inquiries processes were put in place. That's working very effectively. In Calgary this year, we're opening another medical examiner facility to do much of the same work for southern Alberta as the one opened two years ago does here. These are staffed by highly competent people, and I believe our fatality review procedure is about as good as there is anywhere in North America.

In concluding these general remarks, I mentioned, in passing, legal aid. There is an increased demand for that, for a number of reasons, and the support has been increased in this budget to the necessary extent.

Thank you, Mr. Chairman.

MR. COOK: Mr. Chairman, I wonder if I could ask the Attorney General a couple of quick questions. Before I do, I'd like to first of all congratulate him. I think he's a very effective member of cabinet. In watching him through the years, I can honestly say that I look to the Attorney General, and when he makes an observation in caucus or cabinet deliberations, I'm paying close attention, although it's difficult to do sometimes, given the amount of time it takes to express an idea. But I very

much enjoy his contributions.

Mr. Chairman, I'm particularly interested in the Attorney General's office in environmental control. I'd like to make reference, if you like, to the Suncor trial. While I don't want to talk about the specifics of that case, I want to talk about the way the department handled the prosecution. It seems to me that that is a very specialized area of law. It's very technical. We require lawyers who have backgrounds in that area to handle those kinds of prosecutions and enforcements on a day-to-day basis.

My question to the Attorney General is this: is there a strategy in the department for handling prosecutions in technical fields of law, like treasury, environment, or perhaps the mortgage area? Do we develop specialists and second them to departments? And if so, has there been some thought given to doing that in Environment?

Mr. Chairman, I think it's important that we do that. There is a model for it, and I look to the public affairs personnel who perform a similar service function, if you like, to departments. Public affairs officers work on a day-to-day basis with departments, right in the departments, instead of acting as sort of a pooling resource on an as needed or requested basis.

Secondly, I'd like to ask the Attorney General: are clinics in enforcement offered to departments? Again, with reference to the environment office of the department, I think our staff there needs to be developing an attitude toward how to gather evidence, how to keep notes in a way that the courts will find acceptable, what the law is, and what the weaknesses and strengths are in our legislation so that we can enforce it more vigorously. Does the Attorney General plan to offer clinics in departments that have a need for a little more enforcement? Those are my two questions.

MR. WEISS: Mr. Chairman, I'd like to address three concerns to the minister. One issue was actually covered by the Member for Edmonton Glengarry. I'm certainly supportive of his concerns with regard to the environmental expertise that might be offered in the legal area. I too would not wish to discuss the case because, of course, it is in litigation and a decision is yet to be announced by the presiding judge. I think there are some interesting merits to the side of having a full in-house person and would certainly support such an endeavor as far as the legal support is concerned.

The minister made reference to the remarks that his speeches only appear long. I would guess, Mr. Chairman, that that would depend on which side you're on: the listening side or the talking side. We'll defer that judgment.

AN HON. MEMBER: I think that's a compliment.

MR. WEISS: Mr. Chairman, as I said, I would like to talk about three specifics; one actually having been covered, brings me to the second, with regard to the Fort McMurray region specifically. I ask if the minister would consider, by exemption, letting the area become more autonomous, in that we are an outlying area that really has no direct relationship to either a farming community or an agricultural base, but specifically to a fixed location. All the area around the McMurray region is Crown land, and the other areas of course are some of the outlying communities such as Fort MacKay, Anzac, Janvier, Conklin, and Fort Chipewyan.

My question to the minister is: would he consider, as I say, by exemption, allowing this community to serve as a

region and a head base, to establish a land titles area for that particular location? We feel it creates undue hardship and problems, especially in view of the fact that the community has gone through what we call a rapid growth area in the last five years. The housing populace, of course, has increased. We have a lot of new families coming in. A lot of titles are being transferred and changed, and because of the ongoing community, we're not what you might call a . . . It's not that it's not a stable community. We have an awful lot of transient people. Thank goodness they do come to the community. But with the plant personnel and changes, we have people on a rotational basis, and that would certainly help and enhance the overall community as well. So I'd ask the minister and his department to review that concern.

The third one is very touchy and deals with the legalities of the department. I'm going to ask it in a direct question. Does the Attorney General's Department monitor or review the judicial rulings regarding the consistency of sentences handed out by the courts? Perhaps I can be more specific in providing some information to the minister to use as a comparison, and why I raised this particular question. In fairness, Mr. Chairman, I don't think it is specific to the region but would be specific to all Albertans. I am sure an awful lot would share the concerns. The hon. Member for Edmonton Norwood recently raised a similar concern with regard to a sentencing.

Two recent decisions have been handed down by the courts, and I would like to use them as an analogy. A person was convicted of theft over \$200 on circumstantial evidence, as ruled by the presiding judge. Yet in his closing remarks, he said this was to set an example to the person committing the offence. As a deterrent, that person was sentenced to 15 months in jail. I pause, Mr. Chairman — 15 months for committing a crime over \$200.

In comparison, the next case is a person convicted of a violent crime, rape. The minister's own words just a few minutes ago indicated that violent crime had increased 17 per cent. That person was convicted — 24 months. There is no comparison to the action or the type of crime. In one case society was wronged; in the other, a person's life has been altered. The families' life styles in both cases have been altered. But there's something wrong with our system. If the department does not monitor or review this, I would ask that they seriously consider reviewing it and giving us some answers, that the system is going to work for all Albertans.

With those few closing remarks, I defer to other members to have the opportunity to discuss any issues they have as well. Thank you, Mr. Chairman.

MR. MARTIN: Mr. Chairman, I would just like to make a couple of remarks and ask the Attorney General a couple of questions. I mentioned this before. If I were to go around my riding of Edmonton Norwood and take a poll — which I plan to do — I am almost sure the number one concern would be crime. In that particular riding it has to do with vandalism. I realize this goes over into the Solicitor General's Department. But I think many people in this day and age are concerned about crime, and I take it that's not just a concern to Edmonton Norwood but across the province. It is a growing concern of people, and I think the Attorney General's Department and the Solicitor General's Department are going to keep getting more and more complaints in that area.

We have some figures, and I know we could quibble

over figures. It seems that the violent crime rate in Edmonton is approximately twice the national average. I know it's very complicated, and I know there isn't a simple answer why this happens. But in his closing remarks, I would like the Attorney General to philosophize a bit — and I don't think he would mind doing that — about why the crime rate is so high in this city, what he sees happening in the future: the whole area generally, and how the Attorney General's Department will reflect on that.

I was going to ask about consistency of sentences. I think the Member for Lac La Biche-McMurray put it very well, so I don't have to enlarge on that. One of the concerns people have — as the Attorney General is well aware, if we lose respect for law and for the courts, then we lose a lot in terms of our free society. Due to the inconsistencies that the Member for Lac La Biche-McMurray stated, there is a lot of feeling out there, rightly or wrongly, that the courts are not reacting to public pressure. I think it's a serious problem when people — they may not say it to you — sort of grumble behind the scenes. I see a growing number of people doing that, thinking that the courts are not reflecting what's happening in society. I think that could be a problem for the Attorney General down the line. I would be interested in his remarks to the question of the Member for Lac La Biche-McMurray.

I would be interested in the specific question of crimes compensation. It's fairly new, and I am interested not specifically in each case but in a general answer about the types of crimes that people are compensated for, if an increasing number of people are going to crimes compensation, and what the Attorney General sees happening in that area. I think a lot of people would be interested. Who gets paid for these types of crimes?

The only other comment I would make to the Attorney General, Mr. Chairman, is on legal aid. With the high unemployment we have — and I know that's one of the reasons crime has gone up — I expect that legal aid, even with the increase, may not be sufficient. Lawyers that I talk to say many of these people do not have any money so they are increasingly turning to legal aid. I realize there is a substantial increase in legal aid. With as many people as we have unemployed, I question if that will be enough. Maybe it will be; I'm not sure. But in the next year, I think we are going to see a lot of people using legal aid, and they may be swamped. So the Attorney General may want to look at that.

With those general remarks, I would be interested in the Attorney General's philosophy of what is happening — specifically those inconsistencies mentioned by the Member for Lac La Biche-McMurray, crimes compensation, and legal aid, when he gets time to reflect on it.

Thank you, Mr. Chairman.

DR. CARTER: Mr. Chairman, my comments to the Attorney General are very brief. As chairman of the Social Care Facilities Review Committee for the last three years, I have been able to visit with members of the committee, all the facilities in the province for young offenders. Consistent with the philosophy of that committee, we always go unannounced. That allows us to deal with the facility not only in terms of the physical condition or the serving of meals but also to tour the facility and have some kind of discussion with staff members, as well as young offenders, with respect to the programming that is taking place.

I am pleased to be able to announce in all sincerity that

the facilities in the province really are among the best in the whole country. We have gone to about four or five other provinces to examine their facilities as well.

My question to the Attorney General is with respect to when things are in place between the Department of Social Services and Community Health and the Department of the Solicitor General with respect to all the ramifications of facilities and the holding of young offenders. I urge the Attorney General to consider — and to help us implement — the fact that no matter what the outcome as to which jurisdiction the young offenders will be placed in, the terms of reference of the Social Care Facilities Review Committee will be expanded so the committee will be able to continue making these visits on an unannounced basis, to guarantee that the young offenders are indeed being well cared for.

We realize that they are there to pay some kind of penalty for whatever their crimes have been. But I think it would be some reassurance to the general public for the terms of reference of the Social Care Facilities Review Committee to be extended so that we might continue to act in that kind of watchdog function with respect to young offenders.

Thank you, Mr. Chairman.

MR. NELSON: Mr. Chairman, there are a couple of comments I'd like to make, plus a couple of questions to the Attorney General. First of all, one subject that has been of concern to many people, particular to the police service, especially in Calgary, is that many times they attend a number of court cases in any given day — be it their time on duty, on a day off, or whatever. The time they have to wait to make representation on a case that they have placed before the court takes a considerable amount of time out of their day. In other words, a full day off is taken up, at great expense to the taxpayers of the city of Calgary. One of the concerns that has been raised is: why should the police have to expend so much time — to one extent, I guess, wastefully — waiting for a court case? Is there nothing that can be done to have the courts run more efficiently, so the police do not have to expend their time waiting for a particular case, and the community does not have to expend millions of dollars in overtime or day-off payments to the various police officers?

Mr. Chairman, someone has stated that the Tory solution to lessen crime is to increase jail sentences and to end mollycoddling of prisoners in the institutions, and that possibly we should express more views in community programs. Quite frankly, I think maybe we should all listen to the views of some of the people in the community. Maybe some should go and visit some of these institutions. Last year I had the opportunity to visit an institution. One of the biggest problems I find, and certainly it's reflected to some degree in the increase in crime rates, is that many who are incarcerated are repeats. One of the reasons they repeat is because we don't make it tough for them in there. We encourage them to return by giving them all the amenities that are there during their incarceration.

Many years ago, when prisons were a little tougher, we discouraged their return by making it pretty tough for them in the prisons. I'm not sure that the Attorney General has much to do with the prisoners or the prisons. It's possibly under the Solicitor General; I'm not sure. However, I'm just going to make the brief comment that possibly we should be returning to making things a little tougher, especially for some of these repeat offenders, by

incarcerating them for a longer time in an institution that can deal better with some who continually crop up in the jails, so as to discourage them from wishing to return, rather than mollycoddling them and giving them the thought that returning to a prison atmosphere with their buddies is the thing to do.

Certainly no one wants to be incarcerated. But if they've placed a criminal activity on society and injured somebody, a little money through a compensation board isn't going to help. I think the average taxpayer in the country and the province abhors the situation of continually having to pay for these people being sent to prisons. Possibly we need to make things a little tougher, not only through the court sentencing but also in the jails, to discourage them from wanting to return.

However, as I've already indicated to the Attorney General, my primary question is relevant to the court backlog as far as policing is concerned. It is a concern in the municipalities that it is costing a considerable amount of money to have police wait around on overtime rates or to bring them in on days off for court attendance.

Thank you, Mr. Chairman.

DR. BUCK: Mr. Chairman, my representation to the minister will basically be fairly simple questions. The first is: can the minister indicate when the province will be passing the young offenders Act?

[Mr. Appleby in the Chair]

Secondly, what will the focus be? Will it be pretty well in the direction of the federal legislation; that is, on rehabilitation and pre-trial diversion programs so the juvenile can, if possible, be diverted out of the court system? I am sure the minister, the department, and all of us as legislators are concerned about trying to rehabilitate these young people. I'm sure that will be the thrust, but I'd like to know from the minister. Will the parental right to be informed of all court proceedings related to their child be guaranteed? I think it's very, very important that the parents of these children have that right.

The other question is: can the minister indicate if there will be an increased demand on the court system, or will we be able to function using the present system and modifications thereof?

I'm sure that the minister has already conditioned himself to look at all the appeals we will be having to the federal Charter of Rights. As we move into new ground, I'm sure we'll certainly be having these challenges to the Charter of Rights and Freedoms.

In the 1982 budget, reference is made to the construction of new family and juvenile courts in both Edmonton and Calgary. I'd like to know if construction has commenced and, if so, where we can find the budgeting for these facilities.

Another question I have has to do with the workload of judges, especially in the southern part of the province. It's been brought to our attention that in Drumheller, for instance, the judge appears to have an almost unbearable workload.

My other area of concern has to do with the Public Utilities Board. I'm covering quite a range here, Mr. Chairman, but I think I'd like to give the minister some of the concerns I have, then we'll have most of these areas covered. What controls will be placed on the Public Utilities Board, given the impact its decisions have on Albertans? For many, many years now, when we're talking about the rulings that the arbitration boards make in

wage settlements, I've had the feeling that our Public Utilities Board seems to be living in a vacuum.

Now I don't know if the dice are loaded against the Public Utilities Board so that they can't function. Maybe the board is *pas*. The attitude the taxpayers have is, you know, the Public Utilities Board is going to grant the increases, so why fight it? People also have the attitude that the board knows the monopoly utilities are guaranteed a rate of return, so they don't have to be efficient. They know they're going to get their increase. I think that's probably one of the main concerns that we as politicians have to address ourselves to: the attitude people have that the system is not working.

So, Mr. Chairman, those are some of the main concerns I have, and I will be asking some of the smaller ones when we go through the estimates clause by clause. But that is sort of a quick overview of some of the concerns we have. I welcome the minister's comments.

MR. CHAIRMAN: Before we proceed, would the committee agree that the hon. Associate Minister of Public Lands and Wildlife might revert to introduction of visitors?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**
(*reversion*)

MR. SPARROW: Mr. Chairman, it is my pleasure today to introduce to you, and through you to members of the Legislative Assembly, 30 bright and eager grade 6 students from Devon. They attend Riverview junior high school. They're accompanied by their group leader Jack Plumb, and I'd like them to rise and receive a warm welcome from the House.

head: **COMMITTEE OF SUPPLY**

Department of the Attorney General
(*continued*)

MR. PAPROSKI: Mr. Chairman, I'm pleased to be given the opportunity to ask three questions of the Attorney General in our discussions of the estimates today. First, could the hon. Attorney General comment on whether the courts are being utilized sufficiently in the evening hours in an attempt to handle the increased number of cases, so that we may see swift justice? Unfortunately, because of logjams in the courts, I believe that cases are not heard for perhaps months and, of course, swift justice does not occur in that area. Perhaps the Attorney General could even comment as to whether we might be able to utilize the courts 24 hours a day. I know that causes some difficulties. However, perhaps there are some areas that we could utilize the courts in that area.

I have a similar question to the one raised by the Member for Calgary McCall. I understand that police officers spend a significant amount of time in court. Could the Attorney General investigate or at least reply to this: how to better utilize the time of police officers so that — we have many police officers now showing up in court, and court is dismissed, put over, or adjourned. I just wonder if the Attorney General's department has investigated this particular area to perhaps streamline this

in some fashion.

Thirdly, many Edmonton Kingsway constituents have raised a concern that was brought up today. That deals with the major discrepancies in sentencing across the province. I ask the Attorney General to comment on that too, please.

MR. CLARK: Mr. Chairman, I just have one short question for the hon. minister. I wonder if his department has taken any measures to increase the safeguards on trust accounts. I'm speaking now of the moneys required to be held in trust by lawyers when working on behalf of their clients in areas such as settling estates and buying property. I realize that the Law Society has fulfilled its obligations in Carseland in the case of Peter Petrasuk, but I wonder if there's any thought of putting further amendments to the Act to safeguard the accounts that, in some cases, are required by law to be held in trust.

MR. NOTLEY: In entering this discussion today, I'd like to confine my remarks in the main to the operation of the Public Utilities Board.

During the course of his remarks, I believe my colleague raised the issue of crimes compensation. I know that in many parts of the province the increase in crime is a matter of real concern to Albertans, especially older Albertans who worry about vandalism. While some of the observations that I believe my colleague made would be just as appropriately, if not more appropriately, directed to the Solicitor General, because we are talking about the administration of justice in the Attorney General's estimates, the right of people to protection of life, limb, and property is important.

I simply add one word to my colleague. I hope the government takes a look at this whole concept of neighborhood policing. I think we have to take a leaf out of the book of those American cities that have tried it. It seems to have had some positive impact in reducing the incidence of petty crime — we're obviously not going to be able to deal with organized crime in that way — which is frequently the sort of thing that frightens many of our older citizens in the central part of the cities.

Frankly, we've been very fortunate in the Peace. People still go into Fairview and don't lock their cars. They even leave the keys in the car. There had to be a local by-law passed about people leaving their keys in their cars and that sort of thing. So we're very fortunate in many parts of rural Alberta, but the rising incidence of petty crime, especially in the urban areas, is something that I think we really have to reflect upon as we discuss the Attorney General's estimates and the estimates of the Solicitor General.

When several members of the Legislature went on a trip to Europe to look at workers' compensation legislation in other countries, one of the things I found most impressive was an event that occurred when we had a reception in the middle of London. The Member for Clover Bar will recall this quite vividly. Our hostess from the parliamentary association was a woman in her mid-40s, I suppose. After the reception finished, about 9:30, she walked back to her flat in the middle of London, and that would be a mile or so. We were kind of astonished that she would do that: you know, good heavens, by yourself?

I often wonder whether any of us would frankly want to go out or have our wives go out late at night in our cities of Edmonton or Calgary. But here in the central part of one of the largest cities in the world, a woman

could walk freely without any fear. I think that says quite a bit about respect for the law, the policing system, and the judicial system. Many things in Great Britain may be wrong, but one of the things that was vividly brought to our attention was the sort of safety on the streets. In parts of the inner city in Calgary and Edmonton especially, I think our senior citizens would say, if you can emulate that kind of condition here, all the more power to you.

Mr. Chairman, I'd like to move from there and deal in a little more detailed way with the operation of the Public Utilities Board. Frankly, this is one of those issues where one should almost have two ministers present in order to discuss the issue properly in the estimates. Just as we should perhaps have the Solicitor General here when we talk about certain aspects of policing that have implications for the Attorney General, so we probably should have the Minister of Utilities and Telecommunications here when we're reviewing the operation of the Public Utilities Board.

I'm not going to go into some of the aspects of the operation of the board which I think more appropriately relate to the Minister of Utilities and Telecommunications. I do, however, want to advise the Attorney General of a situation in rural Alberta that is causing no end of concern; that is, the effort of the two power companies to gobble up REAs. These cute little manoeuvres that are being undertaken by both power companies in this province to acquire REAs, and the offers that are made to REAs, are absolutely scandalous. We had a situation in the Waterhole REA, where the evaluation was \$160,000. The offer was \$16,000.

It seems to me that the Public Utilities Board or somebody has an obligation to — it may well be the Minister of Utilities and Telecommunications. I would give the Attorney General oral notice that if I have a chance, I'll be bringing this matter back. We have to do something to protect the REAs from this kind of questionable takeover procedure.

Now how does this relate to the PUB? The question I put to the minister, and I'd like his response: on what basis do we use REAs which have been gobbled up by the power companies, as the equity base? Instead of being owned by X, Y, and Z rural electrification association, the line is now owned by Alberta Power or TransAlta Power. To what extent does that line come into the equity base on which the PUB guarantees a rate of return to the power company?

Mr. Chairman, the point I would raise to the minister is: on what evaluation is that REA added to the equity base of the power company? Is it on the basis of what they paid the REA members? Is it on the basis of what the REA is worth now? Is it on the basis of what it would cost to replace that REA? That's quite important. Our whole rate structure, the whole pass-through principle of the Public Utilities Board, is based on the proposition that the board can pass through costs to the company. The board can also allow a rate of return, which I believe this year is 14.75 per cent, on everything the company owns. But the question is: how do you value what the company owns?

Mr. Minister, let me give you another example of what worries me. In the Worsley-Eureka River REA, we have a little community, a Metis settlement, which the Department of Housing has encouraged in a positive way. It's not too often that I congratulate this government, but once in a while you do something right. This was a good scheme. The power company said to the Worsley-Eureka River REA — but of course these people have to be

company customers, you see — we will buy the line from you. The information I have is that they bought the line for a little less than \$2,000. They then turned around and charged Alberta Housing over \$20,000.

Mr. Chairman, on what basis is that stuck into the rate structure? Do we now have a \$20,000 line as opposed to a \$2,000 line, that we're going to be paying 14.75 per cent on? That's the sort of thing, Mr. Minister, that has a lot of people concerned.

Another aspect of why we have to save these REAs is that the only way we have any ability to keep an eye on what is being passed through in the form of costs is through the REA, because the REA secretary finally gets a compilation from the power company of the work they've done. Unless you have an REA which is locally based, there's no way of checking whether the power company has used common sense.

Let me give you another example: Highland Park, which is about 20 miles west of Fairview. We found, in one particular instance, that they had these trucks chasing back and forth for coffee breaks. Now, if that's all being automatically shuffled through the process — mileage, time off, everything else — what you have, Mr. Minister, is a situation where the consumer has no way of cross-checking what's going on.

I've met with a number of REAs in this province and, in almost every case, I've been impressed with the fact that, where they are functioning, they're able to act as a countercheck, if you like, on what the companies are doing. We all know with a rural line, continual work has to be done: a lightning storm breaks the line, new poles have to be put in, or taps disconnected: a whole series of things that continually have to be done. But the value of maintaining our REAs in place — frankly, I'd like to see the government put a freeze on the purchase of REAs by the power companies, so we can protect this important local component. There's no way we can change the Public Utilities Board, sitting in Edmonton, to be able to make any kind of intelligent assessment on what happens in Waterhole, Bluesky, Highland Park, Bruderheim, Granum, or wherever the case may be. You have to have the evaluation that comes from the local board, who take their duties seriously.

I make that submission not in a partisan way. People laugh a bit at that, but once in a while one can say this, quite apart from partisanship. I think that I would ask the minister, along with his colleague the Minister of Utilities and Telecommunications, to seriously consider this issue. I'm glad the Minister of Utilities and Telecommunications is now in his place. If we allow this process of having these REAs gobbled up to go on, we are doing more to kick the rural consumer in the shins than anything else. As I see it, we have to maintain the REA structure.

MR. CRAWFORD: Mr. Chairman, I want to thank hon. members for a variety of interesting and, in several respects, challenging questions, and for useful observations as well. I'll deal with the observations made by members in the order they spoke.

The hon. Member for Edmonton Glengarry asked me, firstly, whether there was a strategy for handling prosecutions in specialized areas. He used the example of the Suncor prosecutions. The important aspect that's there — and I am like the hon. member in not wanting to deal specifically with a matter which hasn't yet come to judgment. But I could perhaps reflect on some of the process insofar as it involved the people who had to

prepare the case, in the Attorney General's Department and the Department of the Environment as well.

I have a friend who says to me every now and then: even though you're a lawyer, you can really be very plain, straightforward, and frank. I don't know if it adds any difficulties that I'm also a politician, but I've found that with some attention and practice, one can indeed be straightforward and frank. So I try to be.

In respect of that case, the answer is that we did not have an adequate and fully effective preparation when it was first undertaken. That fact, without criticizing the individuals involved, was of course then a matter for some reflection in the department. I wanted to be able to assure hon. members that the result of that very conscientious examination of what was involved in preparing cases in difficult, technical areas, is that we did in fact create a strategy for handling future prosecutions. They are basically using a strongly led team of legal counsel, one or more of whom would probably be the prosecutor in an individual case and, as well, the proper relationship and tie-in with the people on whose behalf — in this particular case, the Department of the Environment had the responsibility of gathering and presenting evidence.

There's a history to this sort of case. When I was Minister of Labour, I felt that the Attorney General could perhaps have done more with respect to occupational health and safety cases. I had a conversation with my predecessor at that time. He saw the problem, and I do believe began to try to resolve that. This is another area where the application of work prepared by inspectors, and people who do that type of work, must be matured to a certain extent of expertness and detail in order to present it to court. There is every reason why legal counsel should have things like briefing sessions, even when there is no specific case to be considered, in order to be sure that people who are doing the important inspection and similar types of work, are indeed properly preparing it and keeping records.

This first came to my attention with respect to occupational health and safety. In those areas, I believe we are certainly handling our prosecutions with that type of dedication and, in answer to the hon. Member for Edmonton Glengarry, with the same sort of strategy with respect to environmental concerns.

I think the reference I made, pretty well answers the specific question as to whether or not we had types of clinics for departmental personnel. It goes at least as far as I've just described. I don't know if the team approach we're using in several of these specialized areas has been formalized to the extent one usually thinks of — in workshops or that sort of thing — but certainly the communication is there.

The Member for Lac La Biche-McMurray raised the same point, and that has been dealt with. He made a specific suggestion with respect to the possibility of having land title services more localized to Fort McMurray. I think I must leave that on the basis that it's my hope that the increase in use of electronic equipment will ultimately serve many parts of the province outside Calgary and Edmonton much better than they are now. But to move a registry system as such — I realize the hon. member's remarks didn't necessarily imply that. I think the physical presence of a registry office is perhaps not essential to the concern he has and that it might be satisfied by greater accessibility to records. Who knows? I suppose that one day the possibility of doing registrations electronically is still there. I think that's where the real hopes are for improvements in the future.

I say that because there are certain advantages to having centralized systems. The completeness of record keeping in a centralized system is an advantage. There are areas outside of land titles where there have traditionally been registry offices for every judicial district; for example, in registry of chattels, assignments of book debts, and things like that. That is not free from some difficulty when you find there are so many places in the province you have to check with respect to something. I realize that land is more firmly in place than the items I'm talking about that have traditionally been registered in the judicial districts.

The next very important question, and at least two members raised it, had to do with whether or not we monitor the consistency of sentences given by the courts. I should say that for our proper purposes we do. Our proper purposes include advocating in court what appropriate sentences are and urging a consistency upon the courts. We look to the higher courts for guidelines of that type of consistency in making presentations in court. If we find a case where, based on a proper guideline laid down by the Court of Queen's Bench, the Court of Appeal or, indeed, the Supreme Court of Canada, a judge doesn't seem to be following that in giving a particular sentence, then there's almost certainly an appeal. We have succeeded in having some sentences raised on appeal in a number of important cases in recent months.

Judges work hard at this too. They meet from time to time in sort of a seminar type atmosphere where at least sentencing policies can be discussed. Obviously, they don't interfere with each other's individual cases, but they try to respond to concerns they are quite aware of which may exist with regard to sentencing.

Leaving, for the moment, the attitude of the judges and the specific approach the department uses, there is something else that should always be said with respect to consistency of sentences; that is, how very difficult it is to achieve. I've often observed to people who have this concern that if your son or daughter were the accused in a particular case, and let us say that in due course they were found guilty, at that point you would be the one who very dearly wished for flexibility in the system. There would probably be nothing you would be hoping and praying for more on that day than to see some accommodation given with respect to the person's youth, the person being a first offender, or holding such great promise — as many offenders, including first offenders, do — for a life that you do not want to see ruined at that point by imprisonment.

All these things are there. The judge looks at them. At that point, he or she argues in his or her own mind what all those factors mean with respect to the person in front of the court at that moment. If something can be achieved by tempering justice with mercy, it's done. But there are clearly cases where mercy is not called for, and judges do their best in those cases too.

Undoubtedly they make mistakes, and some of those are never corrected on appeal. But on the whole, knowing the matters they take into account, in my view it is still a very credible system. I know how much attention can be attracted to one, two, or more celebrated cases, where clearly the public is concerned that a given crime hasn't been fully and adequately punished. I think the judicial and legal system and the system of administration of justice have to survive those criticisms and aberrations, and work to improve everything that is done there. The best way to do that is to have the assurance that cases on both sides are fully presented, that sufficient time is taken

for that, and that we have an able bench, as I am satisfied we have.

Another question raised by the hon. Member for Edmonton Norwood was why the crime rate is so high in Edmonton. There are perhaps a number of reasons for that, and I'm sure one can only speculate. To me, it was quite surprising — and I don't have the percentage figure in mind at the moment — that it seemed to be more serious in our own city in the extent of increase over previous years than in many other places. Once again, something has to be said about what that really means. There have been situations — and I'm not saying that's the answer in this case — where statistics were presented in this way, and careful examination showed that the high rate showed a very successful police force that was at least detecting more crimes than others in other cities. That yielded a higher statistic because there were more people placed under arrest. That obviously points to the fact that the police force's clearance rate is an extremely important part of any discussion on the subject. You want to know not only how many arrests are made but how many cases are successfully concluded.

Given the obvious variables in the gathering of statistics of that type, and speaking of the last two or three years, when increases in Edmonton have been noted to be so high, I don't think it would be far off to speculate that the large number of people who have come to the city in very recent years, added to the decline in the economic well-being of the community, are undoubtedly factors. I think that would have to be there. However, I'm sure all of us noticed that during the build-up of the economic boom, there tended to be significant increases in crime too, probably a direct result of people not having any real roots in the community in relative terms arriving here in fairly large numbers, some of them intending to be here only for a short period of time. During that period, the city of Edmonton police force significantly expanded, increased its manpower and expertise, and in my view is responding effectively to that situation, as difficult as it is.

I had a question from the hon. Member for Edmonton Norwood on crime compensation awards. In some respects, they are interesting figures. The total dollar amounts are going up. For example, the increase in 1981-82 over the previous year was the relatively small sum of about \$15,000. In the preceding years, they had been somewhat higher. But the highest previous increase in the five-year period had been about \$90,000 over the preceding year. In the past year, the increase was about \$470,000 over the preceding year. So you have an increase in the size of the awards, relating in part to the fact that the board is probably giving slightly higher awards now, but also to the number of cases. I don't have precise figures on the increase in the numbers of cases dealt with by the board, but they tend to fall into the areas of assault, robbery with violence causing bodily harm, and some attempted murder cases. In 1981 the board made 297 decisions. That gives some indication of the number of people coming forward. Perhaps more figures can be provided, but that, in part at least, responds to the hon. member's question.

As to legal aid, there are a couple of features there. We have annual meetings with the board of the Legal Aid Society. It has on it members from the Attorney General's Department and representatives from the Law Society. We discuss things like the tariff of fees that legal counsel should receive, but we don't determine that. That's determined by the Law Society. The increase in budget, therefore, and the feeling lawyers have about the

adequacy of the system really depends on how much of a return the lawyers most actively involved in it are getting, and that's occasionally presented as a matter of concern. The other feature of course is the increase in the number of cases. So I think all that can be said about it is that the required funds have always been available. On occasion, including in this past fiscal year, we have had special warrants passed. As a result of doing as careful budgeting as can be done but being prepared to add funds by way of special warrant, there has not been any real inability on the part of the legal aid system to handle the situation and perform the important duties that they do.

The hon. Member for Calgary Egmont raised a number of items with respect to the Young Offenders Act. In particular, he wondered whether or not the terms of reference of the Social Care Facilities Review Committee would perhaps change because young people, up to the age of 18, would be in facilities administered by the Solicitor General as distinct from the Department of Social Services and Community Health. The hon. member makes the excellent point that these are the same individuals that have been involved in social care facilities in the past and there might be some value in that committee still having access. I must say I don't know that that question has been addressed yet as a matter of policy by any of the ministers involved. But it's certainly worth raising and worth noting.

The Member for Calgary McCall raised the question about waiting time in court for policemen. This is something that every police force is concerned about. Once again, there are so many reasons why a case, once scheduled, may not maintain the particular schedule. We've had discussions with chiefs of police, particularly in Calgary and Edmonton, about what could be done to alleviate this problem. Really it's a combination of things, none of which will absolutely solve it. The scheduling of courtrooms and cases into courtrooms, and making that as precise as can be done, is about all that can be done from our end of things that will help. In other words, if occasionally we are in a position when cases are scheduled for an afternoon and it's clear that one of the cases isn't going to be reached because the one ahead of it is taking longer than anticipated — and with very minor cases, you'd often schedule more than one case in the same time period — then some simple thing like the availability of another courtroom and judge might enable that case to go ahead on schedule that afternoon. Sometimes that can be done and, in that particular case, everybody goes home happy. The police find that their time wasn't wasted after all, and it works out. But if that can't be done, the case isn't reached and they go away at the end of the day having lost valuable time. There will certainly be many occasions when that simply can't be helped.

Of course other things happen all the time. Policemen are called there, and I suppose even if the appearance is relatively brief, it occupies several hours of their time. The policemen get to court and find that the accused has just decided to plead guilty and they don't need witnesses any more, so away they go. They may have committed three or four hours getting ready, in the sense of preparing evidence, talking to legal counsel, arriving at court early, waiting for the case to be called, and all those things. That will happen. Other times they'll arrive and find that for some reason, defence counsel wants an adjournment, some other witness doesn't show up — there are any number of reasons why these delays occur. I don't know how absolute fairness can be assured to an

accused if there isn't a fairly flexible accommodation of concerns when they are raised on behalf of the accused by a defence counsel. The judges take that into account.

The hon. Member for Calgary McCall wondered about what could be done in regard to repeat offenders, noting that it's a matter primarily for the courts. The philosophy of punishment for crimes is an evolutionary type of thing. There is the concern, starting a few decades ago, that too much attention was given to rehabilitation as distinct from punishment, and that that was not good for either the convict or society. I think those concerns remain, and the answers are so difficult. You can do things like legislate in the Criminal Code minimum sentences for certain offences. That is surely one way to assure that a person is going to be jailed for a specific period of time and not less, if found guilty.

But most legislators shy away from minimum sentences in legislation for the very reason that it does not allow the judge to take account of mitigating circumstances. A few moments ago I described how many of those mitigating circumstances there could be in an individual case. So all I can say to the hon. member in respect of that is that the matter is certainly not free from difficulty but, as well, no easy solutions can be readily applied, unless it is something like an approach to minimum sentences. Then the court's discretion is gone, and one wouldn't have to worry about the person appearing to get off easy. But it could create injustices in numbers of cases.

The hon. Member for Clover Bar asked about the schedule for the young offenders Act. I hope to introduce it, Mr. Chairman, during the spring sittings. The philosophy of the Act will be very similar to the philosophy of the federal Act. The only differences in concept would be based on the fact that the offences involved on the whole are much less serious than Criminal Code offences. I would say that's true in almost every case of violation of provincial statutes or municipal by-laws. It's true in areas such as the Liquor Control Act and motor vehicle offences. There are provincial statutes where relatively serious infractions might take place but, subject to that, many of the types of illegal activity and punishment available in respect of those activities are relatively minor in comparison with Criminal Code offences.

The question of parental rights to be informed came up. The proposal I'll be making when the Act is finally drafted, and this is not too easy to define, is that for the more difficult cases where a youngster could be punished in a way similar to how he might be in respect of a Criminal Code offence — and I refer again to the motor vehicle ones, moving offences, or the liquor control ones — it be automatic that the parents be notified. I think there are numbers of other cases where perhaps it wouldn't be necessary, particularly bearing in mind that a person approaching 18, as it will be under this new legislation, still being treated as a young offender, may for a speeding ticket or something like that — I don't think you'd want to have a rigid system that sort of required the court to bring the parent in in all such cases. That's the type of distinction we'll be trying to make, and I think we can find a way of drafting that.

The hon. member also referred to the increased demand on the court system. I mentioned earlier in my opening remarks that we thought it possible, at least for this year, not to increase the size of the Provincial Court. Of course we'll really have to see how that works. It's true that they are working hard enough, but we think the court system can handle those demands. By some North American standards at least, the backlog of cases is not

serious. At the same time, it's not as good as it could be and perhaps not as good as it has been. As recently as two or three years ago, we had basically a very short time lag — less than one month in fact — for bringing most cases in for their first appearance in Provincial Court. I think that record would be hard to surpass. My information is that that time frame is lengthening a bit now and that it could become a cause for concern, but it's not yet a cause for concern in any serious way.

As to new facilities in Calgary and Edmonton, the Calgary Court House acquired two new courtrooms last year. We believe more are needed, and there is a study under way with respect to that.

The specific reference to the family or young offender areas — the Edmonton provincial court building is under construction and will be opened later this year. That will assist everyone involved, but it does not have dedicated space for the family or young offender courts.

There was a question about the workload for certain judges. Specific reference was made to Drumheller. We have been looking at the situation there, wondering if the court calendar couldn't be changed in some way in order to alleviate a situation where it has turned into a problem of volume for the available judges.

The hon. Member for Edmonton Kingsway wondered if we could improve things by moving the courts into evening hours or, indeed, 24 hours a day. A lot of my lawyer friends have often told me they are used to coming home at 2 a.m., but they have never said they want to go to court at that hour. I don't know if it would be a very good system. Certainly we could schedule our end of it. If we had to, we could schedule judges and staff on a 24-hour basis. I suppose we could schedule the accused on that basis. But remember that almost all accused are not in custody. They come, you might say, on their own time. I suppose you would get some complaints from the public for being summoned at unusual hours. I'm saying that I don't think it's practical. We do have 24-hour-a-day availability for setting bail. I think that's very important, and perhaps an assurance to any hon. members who may need that service in the future. I hope none of us do.

The reference to evening hours — I would have to say I'm not sure whether some courts could provide a little more, maybe in the sense of small debt courts, traffic courts, or something like that. There is a limited practice in that respect in some of the courts at the present time. It's worth looking at, but I think the greatest hope still lies in the normal court schedule and creating as many efficiencies as we can with respect to scheduling.

MR. HYNDMAN: Make the user pay.

MR. CRAWFORD: My colleague suggests a user-pay arrangement. That is in fact the arrangement we have.

The hon. Member for Drumheller raised an important question with respect to lawyers' trust accounts. That has been a matter of considerable concern. One of the ideas that came up in recent discussions of the two large defaults — one in Calgary and one in Edmonton, which are well known — was whether lawyers shouldn't be obliged to be bonded rather than having the Law Society operate the assurance fund. I am not yet persuaded that that's the way to go. It would certainly change a great deal with respect to practice. There would be lawyers who would not be able to practice independently as professionals in those circumstances. That may not be the greatest drawback to it, but it's one that bears some consideration.

I would have to say to the hon. member that the idea

of changes to the Act is something I'm not ready to address yet. We have been looking at the results of the Liknaitzky and Petrasuk cases. I am aware that there is some dissatisfaction among people who have made claims which were not paid. I think the benchers of the Law Society determined almost all those cases on the basis that the individuals involved were not dealing on a solicitor/client basis but in fact had been enlisted by the lawyer as a business acquaintance or a partner in some of their endeavors.

I realize that doesn't solve the problem, because a person goes to a lawyer's office and may have many dealings on a solicitor/client basis. Although the lawyer's mind may change gear when he realizes he's no longer acting as a solicitor on that highly confidential and professional basis between himself and the client, he may note the transformation, but the client can't really be expected to note the change in the dealings between himself and that particular lawyer. I've heard one or two of the benchers say that perhaps they should prohibit lawyers from carrying on these other businesses unless they carry them on in different premises. I think that's an interesting suggestion. It is certainly not done that way now in many small business arrangements. But the legal profession raised several millions of dollars in the last two years in order to pay claims, and in fact the amount of claims paid was in the millions of dollars.

The hon. Member for Spirit River-Fairview dealt with two matters. One was neighborhood policing. I can respond to that only by saying that no doubt there are many advantages to it. I am interested in some of the things the police have done recently with respect to Crime Watch. Some of it seems to have been successful. This is a program they picked up because some other police forces used it.

I just about had a crime-watch incident of my own not long ago, in that one of our neighbors' houses was broken into. At the point when the police got there, I went over to see if any information I could offer would be of help. I realized that although I had seen the car, I didn't get the licence number. It wasn't a very good job of crime watching. Mind you, it's not easy to read dirty licence plates in the dark. But it just occurred to me, although something like that may never occur again, how close any one of us might be at any moment to being able to help just a little bit. In that case, I was only able to give a description of one of the occupants and of the vehicle. I think the result was that that wasn't enough; they needed more. That is unfortunate. But that's the extent so far of my experience in neighborhood crime watching.

The hon. member's question had to do more with the deployment of police in that respect. I guess all I would say is that given the contemporary approach our major police forces all have with regard to policing practices, and given the constraints of manpower and budget they are under at all times to some extent, I would still be ready to place confidence in them with respect to the evolution of new and more effective policies, which I believe they are well able to do and, indeed, are doing.

Just before I go on to the last item, I want to give credit where credit is due. The hon. Member for Drayton Valley has sent me a note saying that one of the hon. members over there says I'm getting a lot more out of the questions than she is. That's just a way of saying to me that, as with other members, I must keep my eye on the clock.

In conclusion, Mr. Chairman, I don't know whether my colleague the Minister of Utilities and Telecommuni-

cations will be able to add something with respect to some things that may be in the future for the rural electrification associations. I think I would undertake to put to the Public Utilities Board the very question the hon. leader has raised from the point of view of valuing for rate of return purposes: how are some of the rural electrification associations which have been acquired by major power companies accounted for? How are they brought into that company's base? I think that's a good question and one we should all know the answer to.

Generally on the topic of the Public Utilities Board, given the desire all of us would have not to see runaway costs in an area where everything that's done is absolutely essential to people's homes — heating, light, water, and telephone are absolute essentials — given the desire not to see that increase in cost at too rapid a rate, there is still a matter of considerable difficulty for the Public Utilities Board. I think a deeper examination probably does have to be done with respect to what a supplier of a utility is entitled to in respect of what is built into the rate base and what sort of return might be expected. But the philosophy followed by the board is that the calculation of the return is based on what is believed is required in order that an investor will invest in a utility company, or perhaps in its debentures. That would be a very important feature.

It's always been part of our policy that, given an effective way of rate control, private investment is superior to public investment in this field. There is no real way of controlling costs once governments get into the business and, as is the case in most of Canada, start building the utility systems themselves, particularly in the area of electrical generation and distribution.

We have the story of one province, and there may have been more than one, which deliberately curtailed increases in rates — and could do so because it was a provincially owned facility — and found, so I'm told, that they'd harmed their capacity to borrow in the market, because the analysts would take one look at the way they had put into the system the cost of all their facilities, what they were supplying to their customers, and the rates they were charging, and judge it an impossible situation which would never pay for itself. Given those types of judgments, the question is always there: do you really save anything by fooling yourself that way? I don't see how you can. So I'm not quarrelling with the legitimacy of the questions on this point. It's just that the way the Public Utilities Board has to respond is not a simple and straightforward thing either.

I'm not sure what sort of examination of the process would be most effective. But I'm well aware of the desire the people have to see that examination take place. No doubt it is time for that. There are probably a number of suggestions members would like to make, knowing, I think, of the government's willingness to see the situation examined in light of recent significant cost increases and the probability of more, given the fact that the capital cost of new facilities is as enormous as it is and that several are pending. However, I don't think I'm able to become very specific on those issues today. I just wanted to make general comments.

Mr. Chairman, believe it or not, I think that concludes my remarks.

MR. BOGLE: Mr. Chairman, I would like to supplement the remarks made by my colleague the Attorney General. I'll confine my comments to the rural electrification associations. I might also mention that I'd be pleased to

expand upon these comments once the estimates of the Department of Utilities and Telecommunications are before this committee.

For the information of hon. members, today in Alberta there are approximately 280 rural electrification associations. Those REAs come under legislation by our colleague the Minister of Consumer and Corporate Affairs. Annual meetings of each of the rural electrification associations are held. Whether or not an REA chooses to sell to a power company within whose franchise area that REA is located is solely and totally the responsibility of the members of that REA.

I can think of two very recent instances, Mr. Chairman. In the constituency I have the honor of representing, last year the REA vote at an annual meeting came within one vote of passing a motion to sell to TransAlta Utilities. This year at the annual meeting, the vote was approximately two to one against selling to TransAlta Utilities. In my view, one of the reasons for that change was the fact that through the Union of REAs and actions taken by my predecessor, certain studies were initiated to determine the future viability of REAs and the best way to ensure that adequate electrical services would be provided to farmers in the rural parts of this province.

I recall another instance in the constituency represented by the hon. member who posed the questions to the Attorney General, where at a very recent annual meeting a decision was made to sell to the electrical company within that area. In my view, Mr. Chairman, it would be most inappropriate if we as members of the the Legislature, through this government, tried to direct or influence the decision-making process which has so clearly been spelled out over a number of years, whereby the local members within an REA must make a decision whether they wish to continue through their own association or, through a contractual arrangement, sell to an electrical company within that area.

Before resuming my seat, Mr. Chairman, I might also mention that at the annual meeting of REAs this year, which will be held in June in the city of Red Deer, I know the question of proposed restructuring, the future of REAs, will be the key topic. I think it important that all rural members of the Assembly make themselves available to REA members in their areas so they're current on the thinking of the REAs. So when there is an appropriate discussion in this Assembly, we will be representing the wishes of the various REA members across the province, but in no way trying to influence the REAs as to whether or not they should sell to an electrical utility company.

MR. NOTLEY: Mr. Chairman, I'd just like to make a couple of comments, then put a question on a related area to the Attorney General. I certainly will accept the offer of the hon. Minister of Utilities and Telecommunications to pursue the issue of REAs at somewhat greater length when that minister's estimates come before the committee.

The concern I express, Mr. Chairman, has been brought to my attention by members of REA boards, not only in my own constituency but, for that matter, in other parts of the province as well. It's certainly fine to say that this is something which is totally up to the members of each rural electrification association. In the case of some of the REAs that I know have accepted the offer of the company, they have had a vote at the annual meeting. However, the concern of REA board members, some of whom talked to me after their regional meeting in the

Peace, is: on what basis is this offer presented, the factual information, the ability of the REA board members to have the counter-arguments, if you like, presented to the membership of the REA?

I might say, Mr. Chairman, that the minister referred to an example of one REA in Spirit River-Fairview constituency which had sold. Let me give another example of an REA, where the board had met with the Alberta Power people, had concluded that they would recommend an offer to sell, and then when the matter was further discussed and brought to the annual meeting, it was turned down. Out of 60-some members in that REA, more than 30 turned out for the annual meeting. Any time you get 50 per cent of an organization coming out to a meeting, most of us would agree that that is an indication of some considerable interest.

The other point I'd like to make with respect to the Public Utilities Board — and we'll pursue the REA matter when we get to the estimates of the Minister of Utilities and Telecommunications. The Attorney General indicated his view, and presumably the view of the government, on the deficiencies in public ownership. Again, I think that kind of debate would be better taken up with the Minister of Utilities and Telecommunications in his estimates. However, the point I want to make now, while the Attorney General is before us, is that I would hate to see us getting into a situation where we are commissioning new projects that are going to require enormous capital investment in this province in the absence of all the information available on what the options would be. And one of the options at the moment is the power grid.

It seems to me we have to ensure that the Public Utilities Board looks not just at the question of power rates as it applies to how TransAlta can get enough money to expand X plant, how the combination of TransAlta and Alberta Power could get enough money to build the Slave project. What Alberta consumers have a right to expect from the government, but also it seems to me from the board, is that in looking at the options for growth over the next 20 years, we have the data. Will it be cheaper to go into a power-sharing arrangement with one of our neighboring provinces, whether that province is British Columbia, which is building additional facilities on the Peace River just west of the Alberta border, or the Manitoba power grid?

It seems to me that it's not just a case of looking at the rate of return for a set of investors, because obviously the investors of Alberta Power and the investors of TransAlta are going to be proposing on the basis of what makes sense for their expansion. But Alberta consumers have to expect that their Public Utilities Board is not only going to be looking at the rate of return for a given project but looking at the options available, or in fact somebody has to be doing that. I leave that with the minister as an observation.

The question I'd like to put to the minister: when we last dealt with estimates of the Attorney General's Department, I think it was before the final decision on the levy for the Litnaitzky and Petrasuk defaults, for want of a better expression. At that time, there was some discussion about whether or not lawyers for the government would be included. As I recall, a year ago the minister was not able to tell the Assembly what the resolution was. In the meantime, I gather there has been a decision and government lawyers in fact are paying the levy. I'd like a bit of an explanation from the Attorney General as to why we're doing that, Mr. Chairman.

It seems to me that it's one thing for lawyers who have

trust accounts and are dealing in that sort of situation to bear some responsibility as members of a professional organization for what is a breach of trust. But in the case of government lawyers where that isn't the case, I really wonder at the rationale. The suggestion could be made that with the large number of government lawyers, do we not in fact reduce the liability of lawyers in the private sector by paying a part of the levy for government lawyers? I'm not quite sure what that levy is, whether it's exactly the same for government lawyers as it is for lawyers outside, but perhaps the Attorney General could bring us up to date on the discussions and what the resolution was in dollar terms.

MR. CRAWFORD: I can certainly do that, Mr. Chairman. I think the number of lawyers employed by the government of Alberta is probably about 5 percent of the Alberta bar. It's certainly a very significant number. In the overall impact in respect of the raising of funds, I think it should be looked at in that light.

Of course other governments within the province also employ some lawyers, but I don't think the cities and the federal government would employ as many — about 175 or 180 all told — as the province. I mention the comparison with other governments because I have a thought that there are similarities, and maybe if we had a system where the government lawyers were not to pay the assurance fund levy because they are not in control of any trust accounts, presumably the same would have to apply to other lawyers who are also not in control of trust accounts, being federal government lawyers, municipal government lawyers and, no doubt to some extent, lawyers employed by corporations.

So bearing in mind what the issues are, I certainly considered whether or not we shouldn't amend the legislation just to make it unnecessary for lawyers in those positions to contribute to the assurance fund levy. I never discussed that specifically with the benchers of the Law Society, because we had abandoned the idea before getting it to the discussion stage. We did ask in early 1982, by way of one of the assistant deputy ministers of the department attending a meeting of the benchers, specifically to be excused from that levy for the reasons given. The benchers refused that request. We have lived with the result; you might put it that way.

The reason we have decided not to amend the Act is the argument that a profession, one that is to be responsible to society at large, must be taken as a total profession and the responsibilities equally meted out to its members. To create two classes of professional practitioners in a relatively small field like law, we thought would be damaging in some way. There is no doubt that some rationale could be attached to making that distinction, but we weighed that and decided that the harm that might come from creating by legislation two classes of lawyers would be greater than there would be the other way.

The other point on the same subject is that as government we look upon ourselves as a corporate type of employer. I don't think the hon. member's question really raised this as an issue, although it has been an issue. It was on that basis that we decided the government would make the payments, as they had in the past, for employed lawyers rather than looking to them to pay those sums from their own funds. As I say, the hon. leader didn't exactly raise that, but that's an issue related to it that had come up and was another part of the decision. I made the argument to my colleagues on the basis that for a good

corporate employer which has always done this, the change wouldn't be justified in those circumstances.

Agreed to:	
1.01 — Minister's Office	\$230,450.
1.02 — Deputy Minister's Office	\$288,990
1.03 — Administrative Services	\$2,070,310
1.04 — Planning, Research and Development	\$1,014,580
1.05 — Executive Management	\$667,030
1.06 — Personnel	\$1,143,250
1.07 — Finance	\$2,313,600
Total Vote 1 — Departmental Support Services	\$7,728,210
2.1 — Court Support Services	\$9,400,990
2.2 — Court Operations	\$42,147,800
Total Vote 2 — Court Services	\$51,548,790
Total Vote 3 — Legal Services	\$22,089,800
Total Vote 4 — Support for Legal Aid	\$10,421,000
5.1 — Public Trustee	\$4,812,310
5.2 — Central Registry	\$3,664,760
5.3 — Land Titles	\$9,554,930
5.4 — Land Compensation	\$421,550
Total Vote 5 — Protection and Administration of Property Rights	\$18,453,550
Total Vote 6 — Fatality Inquiries	\$4,142,530
Total Vote 7 — Crimes Compensation	\$909,710
Total Vote 8 — Public Utilities Regulation	\$3,235,710
Total Vote 9 — Gaming Control and Licensing	\$431,740
Department Total	\$118,961,040

MR. CRAWFORD: Mr. Chairman, I move that the vote be reported.

[Motion carried]

MR. CHAIRMAN: Did the hon. Attorney General wish to give some guidance to the Chair?

MR. CRAWFORD: Mr. Chairman, on the basis that the Chair has just given some guidance to me, I move that the committee rise, report, and ask leave to sit again.

[Motion carried]

[Mr. Speaker in the Chair]

MR. APPELBY: Mr. Speaker, the Committee of Supply has had under consideration and reports the following resolution, and requests leave to sit again:

Resolved that there be granted to Her Majesty for the fiscal year ending March 31, 1984, sums not exceeding the following for the Department of the Attorney General: \$7,728,210 for departmental support services, \$51,548,790 for court services, \$22,089,800 for legal services, \$10,421,000 for support for legal aid, \$18,453,550 for protection and administration of property rights,

\$4,142,530 for fatality inquiries, \$909,710 for crimes compensation, \$3,235,710 for public utilities regulation, \$431,740 for gaming control and licensing.

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

HON. MEMBERS: Agreed.

MR. CRAWFORD: Mr. Speaker, Committee of Supply has been designated for Monday — the Department of the Environment. It's not proposed that the Assembly sit Monday evening, but we would sit Tuesday evening. I

also plan on Monday to move the motion in respect of referral of the position paper on the Legislative Assembly Act to the Standing Committee on Privileges and Elections.

Mr. Speaker, I move we call it one o'clock.

MR. SPEAKER: Does the Assembly agree?

HON. MEMBERS: Agreed.

[At 12:57 p.m., pursuant to Standing Order 5, the House adjourned to Monday at 2:30 p.m.]

