

**LEGISLATIVE ASSEMBLY OF ALBERTA**

Title: **Wednesday, March 30, 1988 2:30 p.m.**  
 Date: 88/03/30

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

[Mr. Speaker in the Chair]

**PRAYERS**

MR. SPEAKER: Let us pray.

O Lord, grant us a daily awareness of the precious gift of life which You have given us.

As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country.

Amen.

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

MR. DOWNEY: Mr. Speaker, I rise today to present the report of the special committee to select the members of the select standing committees of this Legislature. I have five copies.

head: **INTRODUCTION OF BILLS**

**Bill 224****Religious and Ethnic Holidays Act**

MS BARRETT: Mr. Speaker, I beg leave to introduce Bill 224, Religious and Ethnic Holidays Act.

Mr. Speaker, the purpose of this Bill in a multicultural province like Alberta is to amend the Employment Standards Act to allow any employee, on one month's notice, to be entitled to take as a holiday any day of special -- either ethnic, cultural, or religious -- significance to that employee, on the understanding that it would be taken either without pay or the time would be made up at the discretion of the employer.

[Leave granted; Bill 224 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. SHABEN: Mr. Speaker, I wish to table the annual report of the Alberta Motion Picture Development Corporation for the year ended March 31, 1987. Copies will be made available to all members of the Assembly.

MR. CLEGG: Mr. Speaker, I would like to present the annual report of the Water Resources Commission for the year ended March 31, 1987.

head: **INTRODUCTION OF SPECIAL GUESTS**

DR. WEST: Mr. Speaker, it's my pleasure today to introduce to you and through you to the members of the Assembly, two groups of individuals from my constituency who represent the greatest resource we have in the province of Alberta: our youth. The first group is grades 7, 8, and 9 from the Loughheed school; it's situated in the southern part of the constituency. There are

43 in this group. They are seated in the public gallery, accompanied by their teachers Joan Drager, Larry Narwot, Helen Steadman, and Muriel Fankhanel, and parents Sheila Tanton, Glen Kelly, and Allan Ness. I would ask that they rise and receive the cordial welcome of this House.

As we move down Highway 13 about 8 miles, we come to Sedgewick central high school. Today we have two grade 10 groups, 37 in total, that are participating in the field testing of the new social studies 10 curriculum. The unit they're studying at the present time is Canadian citizenship. They're accompanied by their teacher Greg Martin and a parent Darlene Kalawsky. I would ask them to stand in the public and members' galleries and receive the warm welcome of the Assembly also.

MR. SPEAKER: Minister of Social Services.

MRS. OSTERMAN: Thank you, Mr. Speaker. Today I would like to introduce to you and to members of the Assembly, a visitor to the Legislative Assembly who comes from the Three Hills constituency. He is seated in the members' gallery and, I might add, is an example of a young, energetic, community-minded individual. I'd like Harry Salm, the administrator of the village of Irricana, to stand, please.

MR. SPEAKER: Member for Red Deer-South.

MR. OLDRING: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to the Members of the Legislative Assembly, 31 enthusiastic, bright, and courteous grade 6 students from the Piper Creek school in Red Deer-South. They are accompanied by their teachers Mr. Larry Pimm and Mr. Gordon Brownlee and by two parents Marilyn Ripka and Sharon Gall.

I should say, Mr. Speaker, that when Mr. Pimm is not busy teaching students, he's busy serving the citizens of Red Deer as a senior member of Red Deer city council, a person I had the pleasure of serving with and I know is serving the citizens well. I would ask that they would rise in the members' gallery and receive the warm reception of this Assembly.

MR. SPEAKER: Member for Calgary-McCall.

MR. NELSON: Thank you, Mr. Speaker. Today I would like to introduce a number of people from across the province, from many constituencies, who have traveled to Edmonton today to attend a meeting of the Alcohol and Drug Abuse Commission -- these people are dedicated in their efforts to assist Albertans with their problems of alcohol and drug abuse -- and, also, three of the people who look after the organization. I would ask them to stand and, once they're all standing, the Assembly to give them a cordial welcome. They are Walt Boddy, Joe Lipka, Dr. and Mrs. Tom Melling, Stan Mlynarski, Lee Reekie, Leona Shandruk, Len Blumenthal, Brian Keams, and Terry Lind. Give them a fine welcome.

head: **ORAL QUESTION PERIOD**

**Minimum Wage**

MR. MARTIN: Mr. Speaker, to whomever is in charge over there. I take it it's the Deputy Premier. The Getty government has never increased the minimum wage. In fact, you have to go

back to May 1, 1981, to find any compassion or understanding for the working poor. My question to the Deputy Premier: is the Deputy Premier not ashamed that the minimum wage in this province is the lowest in the country and has been for some time?

MR. RUSSELL: Mr. Speaker, I think it's been indicated on other occasions that that matter will soon be taken under consideration by the government.

MR. MARTIN: Mr. Speaker, it's been taken under consideration since 1981. It's 1988. Alberta's minimum wage is \$3. 80. No one else has a minimum wage below \$4, nobody else in the country. My question is: has the minister considered how a working person could live on \$3. 80 an hour?

MR. RUSSELL: Well, Mr. Speaker, I indicated to the hon. leader that that matter will soon be taken under consideration, including all the complex issues that are attached with a minimum wage, particularly in an economy like Alberta's.

MR. MARTIN: Mr. Speaker, we've raised this question in almost every session, and they're always considering it. The working poor want some answers; they want some money rather than considering.

The Premier apparently was in Calgary yesterday at a food bank. He said he was bothered that working poor were using the food bank, but he said, "But as long as there are food banks like this, it isn't so bad." Maybe he would like to go to the food bank and line up. My question is to the Deputy Premier. When are you going to quit stalling around? Tell us today when we can look forward to a raise in the minimum wage of this province.

MR. RUSSELL: Mr. Speaker, I can assure the hon. leader that this government has a well-thought-out, organized plan of action and that the response to the concerns raised by the hon. leader will be addressed on our schedule.

MR. MARTIN: Mr. Speaker, that is not good enough. Albertans are embarrassed. In this rich province we have the lowest in the country, behind Newfoundland, everywhere else. Rather than saying it's on this government's schedule, will the Deputy Premier tell us today what that schedule entails and when we can look forward to an increase in the minimum wage. This month, next month: when? Next year, after the election, or when?

MR. RUSSELL: Well, I believe the short answer to that question is no, but I think it's important to mention that Alberta's average wage is the second highest in Canada. Our economy is in the process of making a strong comeback, and we have indicated that one of the things to consider in this period of recovery is that existing minimum wage level.

MR. TAYLOR: Supplementary to the Deputy Premier, Mr. Speaker, who, I'm sure, prides himself on his logic. Since there is no evidence to show that jobs are decreased when the minimum wage goes up, why doesn't this government go ahead now and raise the minimum wage?

MR. RUSSELL: Mr. Speaker, I think I dealt with that question in my earlier comments to the leader.

MR. CLEGG: Mr. Speaker, I'd like to ask the Deputy Premier if he believes there'd be any effect on the unemployment rate if we raised the minimum wage.

MR. RUSSELL: Well, Mr. Speaker, I indicated in earlier replies that that is one of the complex issues that has to be considered; also, the classes of people who are making that minimum wage, where they are working, whether it's full- or part-time employment. It is a complex issue, and this government will be addressing that issue shortly.

MR. SPEAKER: Second main question, Leader of the Opposition.

MR. MARTIN: Certainly complex for this government.

For my second, I'd like to designate my question to the Member for Edmonton-Glengarry, Mr. Speaker.

### Oldman River Dam

MR. YOUNIE: Thank you, Mr. Speaker. For the Minister of the Environment or, in this case, potentially the minister in charge of disaster services. In December 1986 Hardy and associates evaluated the Oldman dam site in relation to 1980s preliminary engineering studies and concluded that there was, and I quote, "undue haste to rush into construction before many... of the design studies are complete." Many people believe this is a design-on-the-run project where safety plays second fiddle to construction and political deadlines. Will the minister allay those fears by tabling in the Legislature all of the design studies and engineering studies, especially the final design documents, for this dam?

MR. KOWALSKI: Mr. Speaker, I wish to thank the Member for Edmonton-Glengarry for raising that point today. What I would like to table in the Legislative Assembly today is a copy of a letter that I sent on May 6, 1987, a letter without prejudice to the chief and the council of the Peigan Nation, which responds and refers to a report that was commissioned by the Peigan Nation that I received on February 19, 1987.

All members will recall that the Peigan Nation approached the government and asked for some assistance on undertaking a wide-ranging evaluation of reports and we, the government of Alberta, provided the Peigan Nation some \$750, 000 and asked them to go out and hire whatever consultants they wanted to hire with respect to as many subject areas they would want to take a look at with respect to the Oldman River dam. They did that and provided to me on February 1987 some 13 reports -- reports that I looked at, that I read, that I evaluated. I responded to them in writing with respect to that matter, including the dam report, and I also met with the Peigan Nation, Mr. Speaker, in 1987.

I would also like to point out that the authors of the report basically indicate that they were raising a number of questions. I understand that they've now publicly commented in the last two days that all of the concerns they raised at that time have now been dealt with by Alberta Environment.

MR. SPEAKER: Supplementary.

MR. YOUNIE: Thank you. The public hasn't seen any of that, and there are some serious concerns raised there, including increased danger from earthquakes. I would ask the minister

when he will table in this Legislature all of the design documents so that the people of Alberta can see them and decide how accurate his answers are.

MR. KOWALSKI: Mr. Speaker, we have two groups of people that advise the government of Alberta with respect to dam safety. One is an international panel of experts from around the world who work hand in hand not only with Alberta Environment, which also has its independent group that looks at the construction of this particular project.

I should point out as well, Mr. Speaker, that the actual designing and construction of the Oldman River dam project is done by a consortium of engineering groups in the province of Alberta, independent of the government. It's headed up by UMA Engineering, and the engineering profession in the province of Alberta might be contacted with respect to their analysis and their evaluation of the performance of this private-sector engineering firm, this consortium headed by UMA Engineering. It certainly is an option and an opportunity for the New Democratic Party to do that. I would also like to point out not only to the New Democratic Party but to all of the people of Alberta that Alberta Environment has a library located in the Oxbridge building here in downtown Edmonton and also has...

MR. SPEAKER: Thank you.  
Supplementary.

MR. YOUNIE: And getting information out of it is like getting into Fort Knox.

I would ask the minister if all of the solutions to all of the problems raised in that paper have increased the cost at all or if he's found some way to do it for free. If it's increased it, where are the recalculated cost-benefit analyses?

MR. KOWALSKI: Mr. Speaker, the construction project known as the Oldman River dam was announced in 1986. It will come in at \$349.6 million in 1986 dollars, plus the \$3.7 million in terms of local roadwork that we've already agreed to. The report in question has now been discounted by the very authors of the report, publicly, by public statement. Statements already carried in the media clearly show to us that there is no cost addition as a result of the information provided to us.

I have a very difficult time understanding and appreciating, Mr. Speaker, how a little project known as the Oldman River dam, located in the extreme southwestern part of the province of Alberta, could hardly lead to an earthquake scare in the province of Alberta.

MR. YOUNIE: Thank you. I could explain to him, except I'm sure that would stretch your indulgence.

In that case, I would direct a question to the Deputy Premier, that being that he and the government as a whole show a little more farsightedness than the Minister of the Environment by subjecting the entire planning process for this dam, including all engineering studies and the final engineering documents, to independent review by independent engineers.

MR. RUSSELL: Mr. Speaker, I've been waiting for that question for years. You know, when I became Minister of the Environment for the province of Alberta in 1975, one of the things I inherited from my predecessor, Bill Yurko, who's been called the best Minister of the Environment this province ever had, was a stack of studies on the Oldman River that high. In the inter-

vening 14 years that this government has rushed into building that dam, that thing has been studied to death.

MR. SPEAKER: Westlock-Sturgeon, with a supplementary question.

MR. TAYLOR: Sorry, Mr. Speaker. The shock of being recognized so quickly quite bowled me over.

This is back to the Minister of the Environment without commenting on the fact that the old volcano has a little bit of fire left in there. If I may go back to the Minister of the Environment. In view of the fact that the Environment Council of Alberta, the ECA, has had its budget cut from \$1.2 million to only \$800,000 in the last couple of years -- and it's this type of council that we need to examine things like the Hardy report and others, because this government is so loathe to let any questioning go on -- would he not now reconsider the funding of the ECA, because it might have to fold up, and move it back from \$800,000 to \$1.2 million?

MR. SPEAKER: [inaudible] on the Oldman dam.

MR. KOWALSKI: Well, indirectly, Mr. Speaker, I think a point of clarification here.

The report in question is not a report of the government of Alberta; it is not a report of Alberta environment; it is not a report of the Environment Council of Alberta. It is a report commissioned by the Peigan Nation. The Peigan Nation owns the report, can make the report public, can provide it to anybody to have it evaluated. I think it's very important, Mr. Speaker, that everyone understand that it can be evaluated by everyone, including the Environment Council of Alberta. There's no requirement for additional funds to evaluate a report. I evaluated the report. It didn't cost me any money to do it. I had experts come in and give me their views on it; they've provided it. I want to repeat again: the Liberal Party has nearly \$400,000 for research; the NDP caucus has nearly a million dollars a year for research. They can evaluate the report.

MR. SPEAKER: Main question, Leader of the Liberal Party.

### North Central East Labour Dispute

MR. TAYLOR: Thank you, Mr. Speaker. This is a continuation of yesterday to both the Minister of Labour and the Minister of Education. In view of the fact that we have one fiasco after another as far as our youth are concerned, whether it's the Bosco Ranch or children going hungry in our schools or no funding for the Caritas home for unwed mothers in Vegreville -- finally, we now have this teachers' strike. There's one thread that runs through all of this: very much a callousness by this provincial government as far as the problems of youth are concerned.

The first question is to the Minister of Education, Mr. Speaker. In view of some confusion that she exhibited yesterday in the case of whether or not how much of the moneys are being withheld in view of the strike in northeast Alberta, has she now had a chance to find out accurately how much moneys are still being withheld from the school boards of northeast Alberta where the strike is taking place? Has she an exact figure of the dollar amount?

MRS. BETKOWSKI: Well, Mr. Speaker, perhaps we could

direct the confusion to the other side of the House, not to here. If he'd asked the question yesterday, I'd have been ready to give him the answer.

Under section 137(13) of the School Act there is an ability to withhold the grants payable to a school board and be reduced in order to prevent any financial benefit flowing to that school board during the time of a strike or lockout. If the hon. member is suggesting that boards should benefit financially from a strike, then perhaps he can put the matter on the Order Paper and we can have a good discussion.

MR. TAYLOR: Mr. Speaker, she is a better skater than Mademoiselle Manley. The question was how much money had they held back, not whether or not they were holding it back. I already informed her of that yesterday. The question then to the minister since these taxes were collected from the people of Alberta, from the people in that area to pay for schools, what right has this government to sit on that money and refuse to pass it to the boards so they indeed could make a settlement?

MRS. BETKOWSKI: Oh, Mr. Speaker, you're getting very close to the heart of the matter here. If the hon. member would like to suggest that the right to strike be taken away from teachers in this province, he can put that on the Order Paper too.

In terms of withholding dollars from school boards, as I've already indicated, that is a matter that is dealt with in the current School Act, section 137(13), if he'd care to look it up. Since the strike is still occurring, I can tell him that for the seven school boards involved in the strike, the approximate reduction of their grant per school day of the strike is about \$40,000.

MR. TAYLOR: Mr. Speaker, \$40,000 per day: obviously, the minister is just reading a memorized statement given to her by one of her leprechauns earlier in the day.

Let me switch over to the Minister of Labour, who may be able to answer some questions rather than read off a prepared statement by one of his minions. Could I ask the Minister of Labour... [interjections] The natives are restless. You rattle a cage and the whole works wakes up, Mr. Speaker.

MR. SPEAKER: Let's rattle the cage with a question.

MR. TAYLOR: Thank you, Mr. Speaker. To the Minister of Labour. He has been quoted as saying that he had some ideas on how to settle this strike, but he was withholding them. I would like to know what those ideas are. Would he share with the House what ideas he says he had on how to settle the strike? Would he share that with us?

DR. REID: Mr. Speaker, I don't read statements like the hon. leader of the Liberal Party reads his questions. Perhaps that's why they're usually clearer; the answers are usually clearer than the questions, I think.

The situation is that this is a dispute between two entities. I have some ideas; some of them have been implemented. It's because of that that we now have a situation where they are so close. The parties themselves seem to be unable to get to that stage themselves, but the parties themselves should be able to conclude the process. I said yesterday that we would continue the intensive efforts to try and get the parties back to the bargaining table to complete the negotiations and get an agreement, and those efforts are indeed continuing to date.

MR. TAYLOR: Final supplementary, Mr. Speaker, back to the Minister of Education, then, since the Minister of Labour has run out of gas or whatever it is. Could the Minister of Education now admit that it's due to her strangulation policy of the school boards, due to the fact that she's not funding education, due to the fact that this government moves it way down the priority list in spite of the sanctimonious singing they do about it being number one, that that is why our school boards do not have the money to pay our teachers a decent living wage?

MRS. BETKOWSKI: Well, Mr. Speaker, perhaps the leader of the Liberal Party would have a case if there had been no teacher settlements since the grant announcements had been announced in this province on January 8. In fact, there have. In fact, there was a settlement within the actual area where the strike is occurring now. So the priority of this government on education is without dispute.

I think we discussed yesterday -- and certainly I welcome the opportunity to repeat the fact that of the major grant programs, all of them across the government, we took the very progressive, the very much leadership step this year in saying that in fact basic education is the most important function we perform as a government and, therefore, awarded it with the highest increase of any of the major grant programs.

DR. WEST: A supplemental to the Minister of Labour. Could the minister explain why in the province of Alberta the boards cannot hire replacement teachers in this situation such as in other labour disputes?

DR. REID: It has to do more with the internal organization of the Alberta Teachers' Association. Teaching in this province has to be done in the public system and in the separate system by certificated teachers who have to join the Alberta Teachers' Association, and within the Alberta Teachers' Association they do not allow teachers to take such replacement work.

MR. PIQUETTE: Mr. Speaker, since it is obvious that zone bargaining is not working in Alberta, when will the Minister of Labour institute provincewide bargaining so that the province can finally assume responsibility for settling the dispute in the teaching profession?

DR. REID: Mr. Speaker, zone bargaining has worked very well in the past in this province. It is true that the Alberta Teachers' Association may not like it, but on the other hand, when the Alberta Teachers' Association insists upon Barnett House staff signing every agreement rather than the locals of the ATA, then I think it is quite reasonable that in response to that type of behaviour on one side the school boards should be able to form a formal employers' organization on the other so that the clout on the two sides is more equalized than it would be otherwise.

Provincewide bargaining is not always successful, as we recently saw in the dispute between the Alberta Hospital Association, representing the hospitals, and the United Nurses of Alberta.

MR. R. SPEAKER: A supplementary question to the Minister of Labour. The minister has indicated that he is putting forward the proposal that at a point in time he would order the teachers back to work. Could the minister indicate how long that process will take and possibly when the starting point will be?

DR. REID: No, Mr. Speaker, I'm not prepared to put any deadline on these negotiations. The parties are as close as they can be without finally agreeing. To introduce the concept of back-to-work legislation which involves binding arbitration, when the difference between the parties is about 5 percent on the cost over a 32-month period, is somewhat difficult to justify, certainly at this time.

MR. SPEAKER: The Member for Little Bow, followed by Cypress-Redcliff, Edmonton-Avonmore, Vegreville, Calgary-Buffalo, Stony Plain, Edmonton-Mill Woods.

#### **Water Management, Little Bow River**

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of the Environment. The budget is now down, and the people of Little Bow are waiting for that big announcement about the dam on the Little Bow River. I was wondering if the minister could indicate the status of that today and when we'll start.

MR. KOWALSKI: I take it, Mr. Speaker, that the petition made by the leader of the Representative Party is for another dam in the province of Alberta, to dam Mosquito Creek and Little Bow. That would include some water diversion, perhaps from Mosquito Creek to Clear Lake, the lake that is on the map of Alberta but has no water in it, a lake that I had an opportunity to go and visit last fall.

I think the intent, Mr. Speaker, would be to deal with this matter during the estimates. The Minister of the Environment and all members know that one can be designated and could have been designated for today, so we might have talked about it later today. But I suspect we'll be dealing with it during 1988, to be very specific in terms of the question from the leader of the Representative Party.

MR. R. SPEAKER: Mr. Speaker, a supplementary question. Could the minister indicate the details of dealing with the dam in this year? Will that mean moneys for the planning stage, or would that mean moneys as well for the start of construction?

MR. KOWALSKI: I think, Mr. Speaker, that we would want to deal with this matter in much the way in which I dealt with it several days ago in responding to a similar question from the leader of the Representative Party: that we would want to, number one, ensure planning; number two, we would want to deal with the need to move some water to Clear Lake, a recreation lake in that part of Alberta that has no water in it; thirdly, then we would want to be in a position to commit to a construction program.

The timing, really, in terms of the three events would be: number one, conclude all of the planning that's required with respect to this project; secondly, to initiate the minor movement of water to Clear Lake; and thirdly, then to get into the next stage, and that would be the working towards the actual construction.

MR. R. SPEAKER: Mr. Speaker, a final supplementary to the minister. Could the minister indicate the dollars that have been allotted for this project in the current budget that is before us?

MR. KOWALSKI: Mr. Speaker, that is part of the final, definitive difficulty we have in terms of concluding the planning for this. Part of it has to do with land, and land in the area that

might be required. There is a Hutterite colony that's very close to the river in question. The final determination of what the reservoir fill would be would then lead us to making a decision as to actually how much land would be required and then being in a position to give a definitive statement with respect to the cost.

It's my desire, Mr. Speaker, that when such an announcement is made with respect to this water management project, the figure that we would announce -- we would have great knowledge in terms that it would be the definitive figure. I think it would be premature at this point in time to give a dollar statement, because it would be my intent that when we do announce the actual figure, that would be the figure we would want to see the whole project completed at, so that there wouldn't be any misunderstanding. As an example, when the original announcement was made of the Oldman River dam, although it was made very clear that it was a temporary...

MR. SPEAKER: Thank you, hon. minister.  
Final supplementary?

MR. R. SPEAKER: That's enough.

MR. SPEAKER: That's the end of the flow on that river system? Okay.

Could we recognize then, please, the Member for Cypress-Redcliff, followed by Edmonton-Avonmore.

#### **Water Resources Management**

MR. HYLAND: Thank you, Mr. Speaker. The first part of my question is to the Minister of Agriculture. I'd like to ask the Minister of Agriculture if he has any plans or has formed any committees to discuss and develop a strategy to deal with the drought that we may have from one end of this province to the other this summer.

MR. ELZINGA: Mr. Speaker, yes, we have put together a group within our department, and we are working in conjunction with the Minister of the Environment as it relates to a serious problem that could arise within the province.

What we also have done is we've put into place a number of groups to conduct an inventory study as to feed supplies throughout the province. There are sufficient quantities of feed at this time, plus we were encouraged by the indication in the Speech from the Throne, which was underscored in the budget, whereby the water program under the Minister of Transportation and Utilities is going to be continued.

There are a number of programs in place. In the event that we need to take special measures, we will examine them at that time. But I would hope, and I guess we all would hope, that we would see a repeat of some of the areas that did receive sufficient snowfalls between March 26 and 28. The weather can change so quickly that we are going to continue to monitor it, but we're not going to panic.

MR. HYLAND: Mr. Speaker, again to the minister. Has the minister examined any possible changes to the transportation of water by temporary aluminum pipes, and not only tie farmsteads and farmers into that but small towns and villages throughout this province which, even with the snowfall that was had over the weekend, won't have sufficient runoff?

MR. ELZINGA: Mr. Speaker, that is something we would be open to examining. As the hon. member is aware, it would involve a number of departments, including the Ministry of Transportation and Utilities and the Environment department. I'm sure the Minister of the Environment would like to supplement.

MR. HYLAND: A supplementary to the Minister of the Environment. I wonder if the minister has examined the possibility of reinstituting, as in the last time we had a drought throughout the province, the water well drilling program for domestic water wells throughout this province.

MR. KOWALSKI: Mr. Speaker, that matter is currently under review.

MR. HYLAND: Final supplementary, Mr. Speaker, to the minister of transportation. It may be a strange question tacked onto the end of a question on drought, but with certain parts of this province having some snowfall and it piling up rather than spreading out, I wonder if the minister of transportation has been approached by councils and is in a position to indicate if he can supply additional funding to them for the removal of snow on their streets from this storm of the last two days.

MR. ADAIR: No.

MR. SPEAKER: Vegreville, followed by Westlock-Sturgeon, supplementary.

MR. FOX: Thank you, Mr. Speaker. To the Minister of the Environment: I've been contacted by a number of producers in northeastern Alberta whose dugouts are dry, and they're wondering if there are any legal implications involved if they're to try and pump water from lakes and rivers adjacent to their property to fill these dugouts.

MR. KOWALSKI: Mr. Speaker, there's a process that all people who want to divert water in this province must follow, and that includes all individuals, as it includes, of course, Alberta Environment and agencies of the government of Alberta. I'd be very, very happy to provide information to the Member for Vegreville in terms of the process that should be followed.

MR. TAYLOR: Mr. Speaker, this is a supplement back to the Minister of Agriculture. In view of that fact that the weather modification program to suppress hail was canceled because it was causing too much rain, would they now rethink the process and reinstitute the weather modification program, because we indeed do need the rain?

MR. ELZINGA: Mr. Speaker, as the hon. member is aware, what we have done is take a number of steps, and I'm not about to give any justification to his very misleading statement. But the associate minister just recently announced the extension of our forage insurance to cover the entire province. We have insurance in place so that in the event a disaster does take place, we have measures we can react with. In addition to that, I think it would be very valuable if the associate minister responded, as it relates directly to weather modification, as that did fall under her.

MRS. CRIPPS: Mr. Speaker, I'd be pleased to respond to the

member's question. There certainly is no unanimous agreement among farmers or researchers in the province of Alberta about the effect of weather modification or of the actual results of that modification. At this point in time our budget is set, and we do not have any plans to reintroduce the weather modification program in 1988.

MR. SPEAKER: Edmonton-Avonmore, followed by Vegreville, Calgary-Buffalo, Stony Plain.

### Pay Equity

MS LAING: Thank you, Mr. Speaker. To the minister responsible for women's issues: the Alberta Advisory Council on Women's Issues has expressed concern, as we heard earlier today, about the fact that the level of the minimum wage is the lowest in Canada and stated further that the service industry, which employs most women, is characterized by minimum-wage jobs and part-time jobs. These factors can be linked to the fact that 60 percent of low-income persons between the ages of 16 and 64 are women and, further, that 60 percent of female single-parent families live below the poverty line.

The minister has said she is concerned that increasing the minimum wage will have a negative impact on small business. Does she really believe that higher minimum wages in other provinces have had a negative impact on small business?

MISS McCOY: Well, Mr. Speaker, the question that was asked of the other ministers earlier today indicates that there are many complexities. I'm reminded that at our policy conference last fall a woman from Red Deer, a successful small businesswoman, got up and explained to us that she herself would not want to see the minimum wage increased because the minimum wage represented often enough an entry-level wage for those who are entering the work force on sometimes a temporary basis, who are then taken on a permanent basis at a higher wage. There are many complexities.

I would say, though, Mr. Speaker, that the hon. member is hitting on a matter that we are all very concerned about, and that is the poverty that many women experience, particularly those who are single parents. We in this government, of course, wish to do everything we can to help them out of that rather difficult situation.

MS LAING: Mr. Speaker, the position of poor women has not changed. The advisory council also recommended an extensive and comprehensive public study on pay equity. The minister said that she was not ready for a quick-fix remedy. What concrete measures is the minister prepared to advocate to her cabinet colleagues to eliminate the wage gap?

MISS McCOY: Well, Mr. Speaker, interestingly enough, I was reading earlier an article by Maureen Sabia, who is a feminist in Ontario, who is pointing out that in fact pay equity is a quick-fix solution that does not address the problems that have been identified by the hon. member. Taken on average, the lower wages of women can be attributed to several factors, as was pointed out by Judge Abella in her report some years ago. There are many factors involved, one of them being, for example, preparation for career choices. I'm pleased to say that this government, led by the Women's Secretariat and supported by Career Development and Employment and by Education, has instituted a program mentioned in the throne speech called Stepping Stones,

which we would hope will increase the options available to their knowledge to both young men and young women in our junior high schools.

MS LAING: Mr. Speaker, differences in women's employment history and such factors account for only one-third of the difference of the pay inequity, and in fact women with university degrees earn only 69 percent of men with the same education. How can the minister justify not taking action towards implementing equal pay for work of equal value? You can't just shove it off as factors specific to women.

MISS McCOY: Well, Mr. Speaker, the Ontario Green Paper on Pay Equity which was published in 1983 indicated that only 5 percent of the 38 percent differential in Ontario was attributable to actual wage discrimination. There are many other variables, one of which is that many women who enter the work force choose then to have a family, and many of them choose to stay home and nurture the children at least in their early years. There are other factors, such as the commitment to the work. The women often do not work the long hours. Many women are not prepared to put up with the health difficulties that are sometimes required when you're on a search for excellence or a fast-track program, and there are other factors as well which I will not outline in greater detail at the moment. But the point I wanted to reiterate is this: the Ontario government itself in 1983 identified that only 5 percent of the 38 percent differential is attributable to wage discrimination.

MS LAING: Well, Mr. Speaker, in Australia the pay differential was reduced by 15 percent after pay equity was introduced.

To the Deputy Premier: has this government done any research to calculate the millions of dollars that could be saved by increasing the minimum wage and introducing pay equity, thereby reducing the need for personal income support programs, health and child care subsidies, housing support programs, social...

MR. SPEAKER: Thank you, hon. member. That's more than sufficient for a supplementary question.

Deputy Premier.

MR. RUSSELL: Well, I appreciate the concerns the hon. member has put out, but I think even she would agree that that's almost explaining how the world revolves. There are so many aspects and factors that have been alluded to in her question that that's an analysis of the entire economy. Of course, that's what any government or any Legislature does on an ongoing basis.

MR. DAY: To the minister, Mr. Speaker: can she indicate to us in her studies, taking into consideration Alberta's positive tax regime which taxes at a lower rate than anywhere else in the country, the fact that Albertans have the highest disposable income after taxes? Has she taken that into consideration as she looks at the minimum wage question?

MISS McCOY: Well, Mr. Speaker, there is no question that we in Alberta enjoy one of the most favourable tax regimes, and our budget that we just introduced the other day is one of the best that anyone in this country has brought down within the last 10 years. We're all very proud of that.

In the meantime there is no question that I have the same goal, I think, as the hon. member opposite has, and that is to

forward the position of women in Alberta, which will benefit thereby all men and women in Alberta. It's certainly something that our Premier has undertaken to do in his commitments at the First Ministers' conferences. We will all work towards economic equality for women in Alberta.

MRS. HEWES: Mr. Speaker, a supplementary to the minister. Will the minister support benefits -- health care and so on -- to part-time workers? It's a serious problem that is critical to women in the labour force. They're forced into jobs that end up being three-month wonders. Will you support benefits?

MISS McCOY: Well, Mr. Speaker, I don't wish to give the impression that I would agree with all of the implications that are being put by the member opposite on that particular question. Part-time work is becoming an increasing phenomenon. There is no question; many women are in those part-time jobs. [interjections] Often it is a matter of choice, a life-style choice which accommodates both the nurturing of children at home and the career...

MR. SPEAKER: With due respect, hon. minister, perhaps take your seat until such time as the rest of us can hear what's being said.

Hon. minister.

MISS McCOY: As to benefits for part-time workers, it's a larger question, I think, than is being suggested. It is one of those sorts of things that everyone is studying at the moment, but there are enormous implications for introducing that as well in our economic picture. However, it's something that I, for one, have an eye upon.

MR. SPEAKER: Member for Vegreville, followed by Calgary-Buffalo.

### Rural Postal Service

MR. FOX: Thank you, Mr. Speaker. To the Minister of Federal and Intergovernmental Affairs. The Mulroney Conservatives have told the Canada Post Corporation that they must balance their budget by late 1988, and in response Canada Post developed a business plan that calls for closing up to 1,700 rural post offices and privatizing 3,500 other rural post offices. I'm wondering if the minister has made any representation to the federal minister in charge of Canada Post about these plans which threaten many of our small rural communities in Alberta.

MR. HORSMAN: No, Mr. Speaker. That is not part of the responsibility that I hold in this government. The federal government is solely responsible for the post office. That's in the Constitution of Canada. I would refer the hon. member to section 91 of the Constitution Act.

MR. FOX: Well, for the minister to suggest that this government has not been prepared to intervene in the past and recommend to the federal government changes about things which affect and hurt Albertans is ludicrous.

MR. SPEAKER: Perhaps a supplementary question.

MR. FOX: Is the minister, then, saying that he's not concerned about plans this federal government is making to close up to 180

post offices in rural Alberta and that he's not going to do anything about it?

MR. HORSMAN: Mr. Speaker, I'm not saying that I'm not concerned about postal services in Alberta. For the hon. Member for Vegreville to suggest that is ludicrous. Of course, though, it is the responsibility of this government to carry out certain responsibilities given to it under the Constitution Act. For us to assume the responsibility of dealing with postal services is something that I do feel should best remain where it belongs. I've often said that if the federal government could deliver the mail properly to Canadians, including Albertans, they could then, perhaps, give us some advice as to how to carry out our constitutional responsibilities.

MR. FOX: In fairness, it's difficult for Conservatives to run anything properly, Mr. Speaker.

Is the minister, then, saying that this government is prepared to sit back and let the federal government do whatever it wants to Alberta, as long as it's in their so-called constitutional rights to do so?

MR. HORSMAN: Mr. Speaker, the hon. Member for Vegreville can make representations to his Member of Parliament, and I think he should be prepared to do that. He is free to do that, as are all Albertans. Therefore, I would suggest that I am not about to undertake postal services issues on behalf of this government. It's not our responsibility to carry out those. [interjection] Well, the hon. Leader of the Opposition constantly...

MR. SPEAKER: With due respect, Attorney General. Is there a further supplementary question on this issue, Vegreville?

MR. FOX: Mr. Speaker, if this government isn't concerned, the opposition is.

MR. SPEAKER: Question, Vegreville. [interjections] Order please..

The Chair recognizes the Member for Calgary-Buffalo with a main question.

### Education Funding

MR. CHUMIR: Thank you. This is to the Minister of Education. Mr. Speaker, this government has consistently been oblivious to the needs and concerns of lower income Albertans, as opposed to the Pocklingtons. Last year I asked the minister about increased user fees in our schools which make it difficult for lower income children to access programs. I also asked about hunger in our schools. It's becoming increasingly clear that, in addition, schools in lower income areas with many single-parent families and large immigrant families are in need of greater funding in order to maintain even the same quality of education in schools as in wealthier areas.

The minister stated on April 28 and 29 that she would look into the issue of user fees. The question is: can she now give us a complete report on this matter, since almost a whole year has passed?

MR. SPEAKER: The time for question period has expired. Might we have unanimous consent to complete this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

MRS. BETKOWSKI: Mr. Speaker, I can't just deal with the one out of six questions that are in the question. But with respect to user fees, I think the reintroduction of the School Act in the spring session will be a good opportunity to discuss the pros and cons of having user fees in our school system as a portion of an income which a school board can derive. Suffice it to say that I would think -- and certainly the comments I've had from parents across this province with respect to their students using textbooks would far prefer to pay a user fee in order to rent those texts as opposed to having to go out and purchase the books outright. So the issue is not quite as black and white as the hon. member would like to define.

MR. CHUMIR: Well, that reflects an appalling simplification of a very, very difficult issue, Mr. Speaker. I'm wondering what the minister is doing about hunger in our schools and to review the options for addressing this heart-wrenching problem. No more studies; the difficulty is well known.

MRS. BETKOWSKI: Mr. Speaker, how the member gets from user fees to hunger is questionable. But nonetheless, obviously the problem of young children going to school hungry is a problem which all of society must face. One of the reasons we have moved to block funding, for example, is to recognize that different jurisdictions of school boards across the province are dealing with different sets of problems and circumstances, one of which may be the problem of addressing hunger in the schools. I am quite pleased, frankly, with the work done by the Calgary boards in looking at the problem within their city.

As well, I think it would be wrong for me to not highlight the point of the...

MR. SPEAKER: Please, hon. minister, could we save some for some more supplementaries?

MR. CHUMIR: Well, the minister is quite ready to interfere when it's a matter of the ward system or sales of school buildings, yet it's hands off when it's fairness between rich and poor children. I'd like to know what the minister is doing to address the funding being experienced by schools in lower income areas. This is a problem which has been raised by many of these schools and has been...

MR. SPEAKER: Hon. member, the question's been asked. We're into supplementaries. The time period has been extended courtesy of the House.

Hon. minister, to the question.

MRS. BETKOWSKI: Mr. Speaker, I think an important point to make is one that was recognized in our budget last Thursday night when we increased the allowance for social assistance with respect to food purchases, because I think -- and the Minister of Social Services may wish to supplement my answer -- that will in fact assist the difficult problems faced by some families in our cities and across our province.

MR. CHUMIR: Mr. Speaker, the community schools program has a great deal of promise for helping to address many of these problems which I've raised, but its funding was cut last year.



Will the minister tell this House, since she isn't building on the potential of this wonderful program, what other strategies she has for helping lower income children receive a quality education?

MRS. BETKOWSKI: Mr. Speaker, the hon. member is quite correct in pointing to the community schools program, and there is close to \$3 million in the Department of Education budget which will be discussed during my estimates. Certainly how those \$3 million are allocated amongst the schools is a question that I think we should address as a Legislature, as community school associations across the province -- something which I have asked them to do in order that some of those schools which are operating without a cent of provincial government support as full-fledged community schools might address a better way to apportion those funds.

MR. PASHAK: Mr. Speaker, given that there is nothing more unfair than equal treatment of unequals, what plans does the minister have to upgrade the older schools in the lower income areas of our cities?

MRS. BETKOWSKI: Well, Mr. Speaker, the upgrading of local schools and the restoration and the modernization and the building program, totaling a \$6 billion capital investment in this province, is something I am certainly proud of and our government is proud of in terms of supporting education. As the hon. member is well aware, the issue of better meeting the equity needs amongst school boards is an issue that I put out a paper on in the fall, and perhaps the hon. member would like to address some of those options when the School Act is reintroduced this spring.

MR. NELSON: Mr. Speaker, to the Minister of Education. Would the minister consider asking the boards of education in the province to examine funding on an individual school's need rather than by global budgeting, considering the concerns raised in those areas with lower income families and considerable ESL students?

MRS. BETKOWSKI: Mr. Speaker, the manner in which school boards designate the dollars provided to them by the province is an issue which local school boards have as their own responsibility. We have examples of both global budgeting and individual budgeting taking place in this province. In fact, I think it would be an improper move to now direct boards on how they should spend those dollars rather than the block funding concept which we have moved to.

MR. SPEAKER: Supplementary information, in some interesting manner, from Social Services.

MRS. OSTERMAN: Thank you, Mr. Speaker. I wanted to address the questions earlier on that dealt with children coming to school hungry. I think the hon. Member for Calgary-Buffalo could certainly assist many parents in that regard if he'd give consideration to also challenging parents to manage better.

I wanted to give over to the Assembly the type of information that comes to my desk. There are many, many parents out there who manage very well on the amount that is allowed under social allowance. They are saying to me as minister, why don't I do something about the parents who are sending their kids to school hungry because the money has been spent on something

else? I might add, Mr. Speaker, that that follows as well with higher income families. So I think it behooves all members of the Assembly to speak to parents about their responsibility as well. Because community organizations have offered programs...

MR. SPEAKER: Order. [interjections] Order please, hon. minister.

The time for question period has expired. The Chair recognizes the Member for Little Bow with respect to a point of order.

MR. R. SPEAKER: Mr. Speaker, I rise on a point of order that follows out of the discussion of the Agriculture estimates last night. At the conclusion of estimates, the Minister of Agriculture quoted page 1623 of the November 13, 1981, *Hansard*, the comments of which I was the author. The minister quoted part of my remarks but not all of my remarks and, on that basis, did not leave the correct interpretation of what I said at that time.

I quote the remarks last night that were made in part, and this is my statement as of November 13, 1981. I'm saying in remarks under the estimates of the Heritage Savings Trust Fund, at which time we're talking about the process by which people are able to access the various programs -- I have said this and have been quoted by the Minister of Agriculture:

I am directly involved in filling out many applications of young farmers who want to apply for money from the Alberta Agricultural Development Corporation . . .

Then leaving out a space, the minister goes on to quote me in saying:

It's many hours of work, many hours of frustration, many phone calls, many arms twisted . . .

The minister stopped there, by the inference that I was twisting the arms of the public servants to give loans to my young farmers.

Mr. Speaker, if we clearly read *Hansard* of that day, that is not what I was talking about. What I was talking about was the process through which people have to work in the bureaucratic system and that we were concerned at that time -- and I am supported by my colleague of that day, Mr. Clark, who indicated in his comments about quick decisions, they were not forthcoming from either the Alberta Agricultural Development Corporation or the Alberta Opportunity Company. In my remarks, that was the point I was attempting to make. In following what the minister quoted, I go on to say:

. . . many arms twisted to say, get your job done because we need a response by a certain point in time.

And that is the point I'm making, Mr. Speaker: that I was encouraging -- and that's my job as a member of this Legislature and a representative in a constituency -- the public service to act as quickly as possible in serving my constituents. That is not interfering with the process of delivering policy or forcing a civil servant to do something outside of his terms of reference. Because I have not done that.

I would say, Mr. Speaker, that maybe the minister did not have the background to this matter and have all the *Hansard* placed before him. Maybe his researchers did not advise him correctly. I would think that with his experience -- and I certainly will accept it on that basis -- in the House of Commons and this Legislature, he would accurately quote someone from the *Hansard* and accurately state what that person has said. I feel at this moment it's a point of privilege, and I do raise it as a point of order.

MR. SPEAKER: It's being regarded as a point of order, and it's somewhat irregular because it applied in a Committee of Supply rather than in the main House. Nevertheless, Minister of Agriculture, briefly in response?

MR. ELZINGA: Mr. Speaker, I'm more than happy to respond to the hon. Member for Little Bow. I didn't refer to him by constituency or by name yesterday. I referred to the page in *Hansard* so that anybody who wished to gather the full implication of what I was saying would have the opportunity to read the entire page. I'm more than happy, if the hon. member will allow me the time, to read the entire quotation, which he acknowledges would take some considerable time. What we want to do on this side is make sure we're always accommodating, and in the event that the hon. member does have problems with the... [interjections] I'm unaware of what I should apologize for. If the hon. member would indicate where he feels he has been slighted, I am more than happy to take it under consideration.

But I want to leave the hon. member with the assurance that what we want to do is make sure our public service, or those individuals who do serve the public interest in the province of Alberta, always does act in a forthright manner. That's our hope, that's our challenge, and I leave that commitment to the hon. member also. But I also indicated last night, which I will again underscore: whereby so often there are accusations from members in the New Democratic Party or the Liberal Party or the Representative Party that relate directly to some actions we have taken, we all share collectively in those decisions, Mr. Speaker, because we are a Legislative Assembly developing policy statements and policy positions for the province of Alberta.

If the hon. member feels that I have misrepresented him, I would hope he would say so in a direct way and quote from what I said last night that did misrepresent him. But he indicated himself, and I'm more than happy to go on and conclude, I didn't figure I should take more time than I did last night, because I wanted to have participation by all those who did wish to participate in the budgetary estimates debate.

MR. SPEAKER: Thank you, hon. members, for your representations. The Chair will indeed refer to *Beauchesne* 608, which reads:

Procedural difficulties which arise in committees ought to be settled in the committee and not in the House.

Therefore it directs that this be decided by a Committee of the Whole when the committee returns to Committee of Supply and the Chairman is in the Chair rather than take up the time of the House. Thank you.

## ORDERS OF THE DAY

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

MR. SPEAKER: Member for Stony Plain.

MR. HERON: Thank you, Mr. Speaker. I have the special privilege of introducing the parents of our newest page Miss Kara Stewart, who is from Stony Plain. Mike and Lorraine Stewart are seated in the members' gallery, and I ask that all members of this Assembly offer them the warmest welcome. Would you please stand.

MR. YOUNG: Mr. Speaker, Her Honour the Honourable the Lieutenant Governor will now attend upon the Assembly.

[Mr. Speaker left the Chair]

head: **ROYAL ASSENT**

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

[The Honourable W. Helen Hunley, Lieutenant Governor of Alberta, took her place upon the Throne]

HER HONOUR: Please be seated.

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.

No.	Title
8	Natural Gas Rebates Amendment Act, 1988
14	Appropriation (Interim Supply) Act, 1988
15	Appropriation (Alberta Heritage Savings Trust Fund, Capital Projects Division) Interim Supply Act, 1988-89
16	Appropriation (Alberta Capital Fund) Interim Supply Act, 1988

[The Lieutenant Governor indicated her assent]

CLERK: In Her Majesty's name, Her 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: **GOVERNMENT MOTIONS**

6. Moved by Mr. Young:  
Be it resolved that when the House rises at 5: 30 p. m. on Wednesday, March 30, 1988, it shall stand adjourned until 2: 30 p.m. on Wednesday, April 6, 1988.

[Motion carried]

head: **COMMITTEE OF SUPPLY**

[Mr. Gogo in the Chair]

MR. CHAIRMAN: Will the Committee of Supply please come to order. The Chair recognizes the hon. Member for Little Bow.

MR. R. SPEAKER: With the directive from the Speaker that occurred earlier in the Legislature, I'd like the advice of the Chairman as to how to handle the matter I raised at that time.

MR. CHAIRMAN: Thank you, hon. member. The Chair be-

lieves it would be in the best interests of the committee if the hon. Member for Little Bow could have a discussion with the hon. Minister of Agriculture, if that would be possible. Because the Chair perhaps shouldn't really consider the matter unless the hon. minister is in his place. If the Member for Little Bow would be prepared to undertake that now and perhaps report back to the Chair with either the results or an option, we'll consider it at that time.

MR. R. SPEAKER: Mr. Chairman, I'll also take that matter under care.

MR. CHAIRMAN: Thank you, hon. member.

### Department of the Attorney General

MR. CHAIRMAN: Hon. minister, do you have any opening comments?

MR. HORSMAN: Yes, Mr. Chairman, I have. I'm pleased to announce the 1988-89 budget requirements for the Department of the Attorney General. I believe the statement reflects our government's commitment to provide quality administration of justice in Alberta while continuing to exercise reasonable fiscal restraint as our economy begins to recover.

The total funding requirement for the 1988-89 fiscal year for the Department of the Attorney General is \$135.5 million. This represents an increase of \$1.7 million, or 1.2 percent, over the previous fiscal year. Notwithstanding this small overall increase, it is notable that the estimates in seven of the department's nine programs have been reduced from last year, and in a few moments I will elaborate a little on some of these programs.

With respect to revenues, Mr. Chairman, things are much improved. The revenue increases forecast last year as a result of planned fee increases are being achieved and, in many cases, exceeded. These increased fees have contributed more than \$20 million in additional revenue to the province, bringing our department's revenue to over \$75 million annually. These revenues serve to significantly offset the costs of the department's programs. In fact, our revenues now comprise over 55 percent of the department's total 1988-89 estimate, indicating that net funding from the General Revenue Fund will be in the order of \$60 million to finance the department's operations.

Our review of fees for this current fiscal year indicates that fees charged by our department are comparable to those charged in other provinces and, accordingly, further increases have not been proposed during this '88-89 fiscal year.

With respect to our budget estimates, it should be noted that there are many factors affecting the business of the Attorney General which are external to the department and therefore constrain the activity and cost reduction options available within certain programs. Examples of these include our Court Services and Legal Services programs, which comprise over 60 percent of the department's total budget. In these programs activity levels and the resulting resource requirements are dictated primarily by caseloads. Such realities have made the achievement of the department's budgetary objectives particularly difficult in this and past years. I am, however, satisfied that planned costs have been reduced wherever possible, while at the same time giving due regard to providing all Albertans with an effective and efficient legal system.

Now, with your indulgence, Mr. Chairman, I would like to elaborate a little on some of our activities. Shortly after my ap-

pointment as Attorney General I made a personal commitment to visit all the judicial centres in Alberta, and to this point in time I've visited nine judicial districts. There are three districts remaining -- those of Peace River, Edmonton, and Calgary -- and I intend to visit them during the course of the forthcoming fiscal year. These visits have provided me with a valuable opportunity to meet with the members of the local Bar, the judiciary, courthouse staff, and prosecutors. The visits have also been a source of much pride to me personally, both as an Albertan and as the Attorney General, because I have been able to personally view the excellent facilities we are fortunate enough to have in this province and, as well, to meet with an exceptionally fine, able, and courteous staff both at the courthouse level and within the judiciary.

In addition to visiting the existing courthouse facilities, I've also been privileged to participate in the official openings of the Medicine Hat courthouse and the Calgary Court of Appeal. While both of these buildings were renovated in a manner that preserved their historic character, they were completely upgraded and modernized with respect to their interior design and function. The forthcoming fiscal year will see the official opening of two other courthouses in our province. The provincial court at High Prairie will be opened in the very near future, and the St Paul courthouse has been slated for completion in September of this year, with the official opening taking place some time thereafter. These new facilities should be a source of much pride to the local communities and, indeed, to all Albertans.

As of June 1, 1988, the Attorney General's Department will cease to provide the service of documentation connected with private civil litigation. This change continues the government's initiative in reducing the duplication of services which are available from the private sector. The change will enable budget reduction while at the same time encouraging the growth of the private sector. This modification in the sheriffs' process serving will create a system that's similar to those in other western provinces, and it is expected that the cost to the users will be decreased. The civil litigation document services which will be discontinued are those relating to the statements of claim, petitions for a divorce, small claims summonses, garnishee summonses, orders, notices of motion, originating notices of motion, appointments, petitions, correspondence, and other civil litigation documentation. After May 31, 1988, all private litigants will have to direct their request for these services to private process servers operating in the area in which their documents are to be served. A directory of private process servers will be available from any provincial court or Court of Queen's Bench facility after May 1 of this year.

It is expected that this change in document service will result in an annual budget reduction of \$467,500. As this change in service will not be implemented until June 1 of this year, actual savings for the '88-89 fiscal year will be somewhat less than this amount. The transfer of this document service to the private sector also will enable the sheriffs' offices to focus more on judicial process matters.

The maintenance enforcement program in Alberta collected 42.4 percent of all orders on the system according to February statistics. Moreover, the rate of recovery on new orders registered since January 1987 is 86.4 percent. This program collected \$4.4 million for the Crown during the '87-88 fiscal year, and the monthly collection is currently averaging \$400,000. The total projected recovery for the '88-89 fiscal year is estimated at \$5.5 million. In addition, there has been over \$11 mil-

lion collected and disbursed to individual creditors. Collection on behalf of individuals is estimated at \$12 million for the '88-89 fiscal year.

This Alberta maintenance enforcement program has been used as a model for establishing similar programs in other jurisdictions, and the department is continually receiving requests for updated information on our procedures to assist these other programs. It is difficult to compare Alberta's success rate to those in other jurisdictions, as reporting practices vary. In an effort to standardize these reporting procedures, however, Alberta will be participating in the federal/provincial maintenance enforcement meeting scheduled for Ottawa in June of this year. The maintenance enforcement program currently employs 58 Albertans: 23 permanent staff and 35 project staff. The number of files each collection officer handles is 1,000, and a study to assess future manpower requirements will be completed this April.

The legal aid program. One of the two programs that will receive increases in funding is the legal aid program, which will provide funding of \$15.7 million to support its operation. This represents, Mr. Chairman, a \$3 million increase over last year's estimate and more appropriately recognizes the annual operating requirements of the Legal Aid Society, which has encountered substantial caseload increases in recent years. The fundamental purpose of the Legal Aid Society is to ensure that all people enjoy the right to equality before the law and that no person goes unrepresented in the legal process by reason of a lack of financial resources. An applicant's eligibility is determined by use of financial eligibility guidelines, which provides a sliding scale based on family size. The applicant provides basic information relative to his ability to retain counsel privately without undue financial hardship. The financial guidelines were increased by about 20 percent as of April 1985. The impact of this was to make a greater number of Albertans eligible to receive legal aid. In fact, the number of applications received during the '86-87 fiscal year was 35,343, of which 26,000 were approved for assistance. This represents a greater than 10 percent increase over the previous fiscal year.

Mr. Chairman, the Young Offenders Act has also had a considerable impact upon the Legal Aid Society of Alberta. The number of young persons granted coverage has increased significantly. The Act guarantees a youth right to counsel and also provides that he or she be advised of his or her rights. The resulting increase in demand for legal aid continues to strain the society's budget. Financial eligibility for legal aid for young offenders is determined according to income and assets guidelines, including an assessment of the financial status of the youth's parents or guardians. The amount expended for legal services for youths has risen substantially since 1984. In 1984, 500 cases were completed, at a total cost of \$146,000. In 1987 the number of cases completed was over 4,500, at a total cost of more than \$1.5 million. It is anticipated that the current trend of increased activity experienced will not stabilize in the near future. It is expected that heavy workloads on the society's staff, as well as pressure on legal services budgets, will continue in future years.

Additional funding is also required for the protection and administration of the property rights program.

MR. CHAIRMAN: Excuse me, hon. minister. Could we have order in the committee, please.

MR. HORSMAN: The 1988-89 estimate for this program ex-

ceeds last year's estimate by \$2.6 million. This increase represents part of the planned expenditure for the further development of the automated land titles system within the Alberta Land Titles Office, as well as the acquisition of the required computer equipment. This initiative is projected to result in considerable benefits to those who rely upon land titles information.

The 1988-89 fiscal year marks the commencement of the conversion project for the Alberta land titles automation -- with acronym ALTA -- project. As much as I hate acronyms, Mr. Chairman, it appears that that one is going to stick.

AN HON. MEMBER: Alberta land titles what?

MR. HORSMAN: Alberta land titles automation project.

During the course of the conversion project over 1.3 million titles which are now maintained in individual folders and stored on about two linear miles of shelf space will be converted into a computerized data base. The ALTA project is unique in that it will not only generate significant internal benefit to the Land Titles Office but will also have a major impact on all levels of government and industry. For example, it will allow the Land Titles Office to provide computer-supported services via terminals at major remote locations such as Grande Prairie, Lethbridge, and Medicine Hat. These terminals will have on-line access to land titles information. A computerized data base will also be able to respond to new types of requests for information and will allow the Land Titles Office to maintain better service levels in times of restraint and fluctuating demands for its services.

While the project will cost an estimated \$13 million to complete, it will generate significant revenues for the province. We expect that the system will save \$1.4 million annually through staff reductions and materials and equipment savings at the land titles offices. In addition, the reduction in errors will increase the title system's integrity and will result in less liability to the assurance fund.

Because of the sweep searches and the ease of access to computerized land ownership information, we project an annual increase in revenue of \$5.4 million. We also estimate that external users of land titles information will benefit by approximately \$3.2 million annually, due to reduced demands on their resources. This is because the ALTA system, through facilities such as electronic data transfer, will eliminate external data conversion costs and allow for direct connection of user terminals.

Personal property security Act. Mr. Chairman, during the course of the spring sittings of the Legislature, I intend to reintroduce a personal property security Act. A draft of this legislation had been introduced for first reading only in 1985 for the purpose of receiving public comment. Much public comment has been received, and I'm pleased with the positive support the legislation has received. The new Act is intended to provide a unified structural basis to the law in respect of taking of security on personal property. It establishes a set of comprehensive and rational rules to replace the current statutory common law and equitable rules which are complex and at times lack coherence and which can, in many cases, lead to commercially unreasonable results.

The basis of personal property security legislation in Canada is article 9 of the Uniform Commercial Code, which has been in force in almost every state of the United States for over a quarter of a century. Personal property security Acts are currently in force in Ontario since 1976, Manitoba since 1977, Sas-

katchewan, 1981, and the Yukon territories in 1982. It's my understanding that British Columbia will also be introducing personal property legislation in the near future.

Apart from the benefits of clarity and uniformity, which this legislation will bring to Alberta, which will be of significant benefit to businesses involved in interprovincial and international, particularly United States, transactions, I also expect that the legislation will permit us to greatly enhance the current service being provided to our personal property registry offices.

Finally, Mr. Chairman, I want to comment on the Alberta Gaming Commission. The purpose of the Gaming Commission is to provide policy direction, control, and regulation of gaming events in the province. The commission issues licences for bingos, casinos, raffles, and pull tickets; the resolution of appeals and provisions of public consultation; and information on gaming policy. In 1987 gross gaming receipts were approximately \$425 million, an increase of 5.7 percent over 1986. After payment of prizes and expenses, Alberta's charitable and religious organizations retained approximately \$70 million to be used in support of their various community activities.

During 1987 we issued 6,974 gaming licences. Those included 2,386 for bingos, 3,135 for raffles, 842 for pull tickets, and 611 for casinos. Before I conclude on this note, I want to comment, Mr. Chairman, that those are very high numbers, and there are problems associated with applications, particularly for casinos, both in Edmonton and in Calgary.

What the Gaming Commission is wrestling with, Mr. Chairman, at the present time with respect to Calgary is remarkably different to the problem they're wrestling with as associated with the city of Edmonton. And that is a matter which will have to be resolved by the Gaming Commission during the course of the next few months. If I could just take a moment to describe the situation, in Calgary it is proposed to establish a full-time, world-scale casino to be operated by two agencies alone. In the case of the city of Edmonton, it is proposed to establish something of a similar nature for a group of community organizations, approximately 160 in number -- quite a different scene than the Calgary situation. So the Gaming Commission has quite a load to assess.

The difficulty with both of those scenarios, however, is that if either were to be granted -- and I don't want to prejudge the outcome of their deliberations -- it would have a serious impact upon the other licensed agencies that are now in place and now through the lottery process are granted licences from time to time. It is of great concern to me, Mr. Chairman, as Attorney General, that this matter be dealt with and that large-scale gaming through casinos not get out of hand in Alberta.

I took the opportunity during one of my visits to the New York office to visit with the Attorney General of the state of New York, who came out very strongly against licensed casino operations in the state of New York in the report which is now a few years old. But it's still very current in view of fact that the state of New Jersey has large-scale casino operations. Based upon his observations in our quite lengthy meeting, I am even more determined than I have been in the past to prevent the same type of operation coming into this province, and that, of course, Mr. Chairman, is because of the many, many problems that are associated with large-scale casino operations.

What we have now fits the circumstances of Albertans, permits small organizations, community leagues, and so on to from time to time make some money for smaller purposes. And it is really a matter of considerable concern to me that we would even consider moving into this world-scale type of casino opera-

tion that is being proposed in this province.

So I just make those comments in connection with the Gaming Commission to point out that they have a very major responsibility to the people of Alberta as they go about making these decisions. It certainly isn't an easy situation, particularly given the discrepancy, if I may use that word, between the types of applications currently before the commission relative to the two major metropolitan areas.

In conclusion, I believe that this budget and these programs which I have outlined today continue to reflect sound and responsible planning and stewardship of our resources by the deputy Attorney General and the members of the Department of the Attorney General. As I said, Mr. Chairman, in my visits throughout Alberta to the various courthouses, I was extremely impressed with the quality of our staff who are serving the people of Alberta through this department. I found it a very interesting and useful opportunity for me to visit each of the judicial districts that I've outlined, and I of course intend to conclude that process of visitation during this forthcoming year.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, hon. minister.

[Mr. Wright rose]

#### Department of Agriculture

MR. CHAIRMAN: Before proceeding, hon. member, a few moments ago a matter was raised by the hon. Member for Little Bow regarding the estimates last evening in Agriculture. It came up originally as a point of order referring to a matter of privilege. The Chair would remind the committee that *Beauchesne* 19 says, and I quote:

A dispute arising between two Members, as to allegation of facts, does not fulfill the conditions of parliamentary privilege.

However, the Chair has considered the matter. The Chair asks the two individuals to perhaps have a discussion.

I would now call on the hon. Minister of Agriculture at this point to perhaps respond to the comments of the hon. Member for Little Bow.

MR. ELZINGA: Thank you very much, Mr. Chairman. I had the opportunity to have a good visit with my dear friend and colleague from Little Bow, and I must share with him that I'm not sure what he finds offensive. If he does find something offensive, I'm more than happy to rephrase or retract what he does find offensive. I do respect that he will work very conscientiously on behalf of his constituents, as will all members, and in the event that there are some specific phrases that he finds offensive, I would be more than happy to examine them, if he would point them out to me. I would just refer him, too, to the comment whereby I indicated we all have to share the blame and we all have to work together to follow through in helping our agricultural community, but if there is something specific that the hon. member does find offensive, I wouldn't want to leave that lying on the table, sir.

MR. R. SPEAKER: Mr. Chairman, on the point of order. I thought I had made my point clear to the minister. My point is very clear in my mind, and specific. The words of the minister indicated, in the discussion last evening, of which I did not have the opportunity of taking part because of the time limit on the study of the estimates -- the inference here made by the minister

is that I as a member prior to 1981, because those remarks were made in 1981, was twisting the arms of public servants to give my constituents, my young farmers, loans; that I was asking the public servants to give them loans when maybe they shouldn't have had loans. That's the inference by the remarks of the Minister of Agriculture. That is the remark that I take exception to, because that is not what has happened.

In the remarks I made in 1981, I was making reference to the process that to get a decision out of ADC or the Alberta Opportunity Company I would have to work hard; it was often frustrating, and I would have to twist arms to get a decision made on time so that certain contracts between the vendor and the purchaser could be met. That was the twisting of arms: to hasten the process, but not to interfere in the process to ask for special consideration of my constituents in terms of a loan. Because that is why we hired loans officers: to make that decision, what's right and wrong -- and under their policy the loan becomes available.

That inference is what I take exception to, Mr. Chairman; that inference that I believe I interpreted as the remark of the hon. Minister of Agriculture. Now, if that has been misinterpreted by myself, I am certainly willing to accept an explanation and the comments of the minister.

MR. ELZINGA: Let me briefly close, because we'd like to deal with the estimates of my hon. colleague. But if the inference was anything other than what the hon. Member for Little Bow has suggested, I apologize and would ask that they be retracted, because I would not wish anybody to be under the impression that I meant anything other than what the hon. member just indicated.

MR. CHAIRMAN: The Chair deeply appreciates the comments of the hon. Minister of Agriculture, and if the hon. Member for Little Bow is satisfied, the matter is now closed. The Chair apologizes for the interruption of the estimates, but as members know, these matters must be dealt with at the earliest opportunity.

#### **Department of the Attorney General** (continued)

MR. CHAIRMAN: The hon. Member for Edmonton-Strathcona.

MR. WRIGHT: I'm obliged, Mr. Chairman. The budgeted total of the department apart from public utilities and gaming control for the 1988-89 fiscal year is \$132.3 million, and that's down from actual expenditure in 1986-87, the last reported year, of \$136 million, and as the Attorney General has said, up \$1.7 million, or 1.4 percent, from last year's estimates.

I should note at the outset, Mr. Chairman, that not all of this is a saving to the people of Alberta. In fact, possibly none of it is a saving to the people of Alberta but a transfer of expense from the public purse to the private. Now, that may or may not be legitimate -- I'm not arguing that at this point -- but it is so. For example, so far as I can judge by comparing the last full year in which we had the previous full complement of court reporters with the present estimates, \$1.4 million was saved by reducing the scope of the court reporting service and thereby eliminating some 34 court reporters. In fact, I notice in the elements that the number of full-time positions this year compared to last is reduced exactly by that number of 34, so whether that

is how the difference came about or it's just coincidence, I don't know. Actually, 33 is the actual number.

So we must add to the \$1.7 million extra the \$1.4 million extra too, because the cost of the court reporters is now borne by litigants -- and much more than the cost of the court reporters, because on the average the cost to litigants now is about 150 percent of what it was before for transcripts of discoveries or cross-examination and so on, affidavits and so on. So what we're looking at, really, is an increase to the public of \$3.1 million. That's quite apart from the increase in fees, which the Attorney General tells us is \$20 million, that the litigating public now has to pay. I'm not saying there shouldn't be an increase in the fees. They were out of date; that's fair enough. I do quarrel, as I did last year, with the transfer out of the court reporters. I believe that was a reasonable compromise between the taxpayer paying all of those costs and none of them.

Now, there've been decreases in the costs of all the services except for Support for Legal Aid and Protection and Administration of Property Rights. I'm referring to the comparative summary of expenditure on the first page of the estimates, Mr. Chairman. So my first question to the Attorney General is: since the establishment of civil servants remains the same, taking away the court reporters, yet all of these programs have been reduced in cost, how has this come about? Is it by increases in efficiency, as may well be the case where automation takes place and as the Attorney has described with respect to what is expected in the Land Titles Office? It's not by an increase of fees, because that doesn't show up here. Or is it by reduction of service in some way? I don't expect him to tell us all the details -- I'm sure he doesn't know all the details -- but in general how it is that the people can be kept constant but the costs go down. I think we're entitled to know what reduction in service has taken place, if any.

One of them he has averted to, and that is services of process now being privatized. In fact, by reason of the indifferent service in this respect, one has to say, of the sheriffs' offices up and down the province, it's been largely privatized voluntarily by the lawyers and litigants who found that was the only way to get things done quickly.

Going to the first vote, Mr. Chairman, Departmental Support Services, I note just something very small but odd, first off: Financial Transactions, \$5,000. This was previously write-offs and losses. I don't know whether it was that last year, but in previous years it's been that. As far as I can see, it's something that doesn't occur in any other department, and I just wondered what the reason for that was. It was much larger when Mr. Crawford was the Attorney General, at \$25,000. So it's reduced there. But I suppose it's just a cushion.

Am I right, Mr. Chairman, in supposing on the explanation of vote 1 -- actually, no, this is still an explanation of the entire budget -- that the breakdown between Operating and Capital represents capital that is spread across all the votes, and is simply broken out there for recognition? If so, does Capital refer to capital costs in an accounting fashion, or does it refer only to land and buildings? I take it to be the former, but perhaps that could be confirmed.

In the Auditor General's report for 1986-1987, there was one recommendation to the Attorney General's department, and that was that better procedures be put in place so that senior management's ability to monitor the completeness and accuracy of the department's revenues be increased and made satisfactory. I presume that by now that has been done. Perhaps the Attorney General will tell us in what way it was done and when, if in fact,

it has been done.

The revenue for the department is impressive in relation to the total cost of the department, and it's becoming more impressive yet as the Attorney General has said in that it was \$56.2 million in the year '86-87 and now up another \$20 million or \$25 million. That is, as the Attorney General says, 55 percent of the total, which is a very good figure for any department.

Perhaps something could be explained by the Attorney General, and it's this. It's in the public accounts. There is a figure there for statutory fines -- I forget the number, perhaps \$16 million or something like that. Where do the nonstatutory fines go, the regular fines for people convicted of criminal offences? I'm sure I should know this as a lawyer, but I'm not much of a constitutional lawyer on this respect anyway, so I don't really know where those go. And while we're on the point, I noticed from an old set of estimates -- I took the trouble to dig out the estimates for the department, actually for all the departments, for the year April 1, 1956, to March 31, 1957, which was the first year I was in the Department of the Attorney General, and I noted that then we paid the judges of the district court and it was an item in the budget for the Attorney General's department. So I just wonder if the province still pays judges, or was the change which eliminated the district court in Alberta one which shifted the burden of paying all our superior court judges to the federal government, and if so, what did we have to give up in return? Or was it purely a transfer of a liability to the federal government without anything in return? It's a matter of curiosity, but I think hon. members should be interested in that information.

While I'm on the point, Mr. Chairman, it's interesting to note that the Attorney General's budget for the complete year of 1956-57 was \$4.502 million compared to \$135 million now. At that time it also included the judicial sort of functions that are transacted by the Solicitor General's department presently, because there was no Solicitor General's department then.

On vote 1, Mr. Chairman, I notice a considerable decrease in Supplies and Services, amounting to a 25 percent decrease and some \$400,000. I wondered how that has come about. It's impressive, but I hope it does not mean a decrease in service to the public.

On vote 2, Mr. Chairman, which is Court Services, I can cover something which I was going to cover in another way if I didn't get the chance here, and that was the effect of the elimination of witness fees. That's one of the economies that's been taken in the last year, and I take it that has enabled part of the decrease in the cost of court operations. But I wonder what assurance the Attorney General can give us that this will not result in a decrease in the willingness of citizens to come forward and identify themselves to the police. I mean, once they are identified you can subpoena them and they'll probably come anyway, and grumble a bit. But when word gets around that it's a complete dead loss going to court, you don't even get the 10 bucks, which could buy you a decent meal or lunch anyway, to turn up, it may in fact discourage people. I wonder what assurance the Attorney General will give us that this will not happen. I presume that some sort of cost/benefit analysis was done at the time, and perhaps you'll tell us about that. I realize that in fact in some other provinces there is no payment and that under the Criminal Code the payment for a day in court for a witness is \$4, if the province wants to pay it. We were paying more than that, but even so, I hope that some thought had been given to that possibility before the step was taken.

On vote 3 the Attorney General has told us about the Mainte-

nance Enforcement Act. That is certainly an Act which we very much support on this side of the House and did call for it for many years before it became law here. Undoubtedly there are some bugs that have to be worked out in any new program, and this is no exception. My hon. friend the Member for Edmonton-Avonmore will be speaking about this. I would only say myself that the relatively few people that work on that program have been worked very hard to date, and I'm sure that consideration has been given to lightening their workload by getting more people working on this really cost-effective program.

Item 3.1 in vote 3, Mr. Chairman, is Law Reform; that's the heading for the section of Legal Services. Perhaps the Attorney General can tell us to what extent this overlaps with the Institute of Law Research and Reform and whether over the years any duplication has grown. In the annual report the function of this section is described; it is to consider, amongst other things, reform of the law. That's exactly the mandate of the Institute of Law Research and Reform. I just wonder what it itself -- i.e., the Law Reform section -- has done in the way of publishing any papers on reform of the law or producing draft legislation and so on.

One of the unsung heroes of the public service is Legislative Counsel -- and I'm not talking about Parliamentary Counsel, but Legislative Counsel -- because one thing that we can't afford to do is to be lax in our use of words in statutes and regulations. Modern life being what it is -- I suppose it's the development of the English language being what it is; it's a very flexible and changing language, more so than practically any other -- it is hard to find the people who are skilled in using the necessary precision for good legislative drafting. Yet I do believe our legislation in this province is drafted as well as any other in the common law world. I'm not talking about the quality of the statutes; I'm talking about the expression of them.

So I hope that that precision can be carried forward into the computerization of the statutes. I take it, and perhaps the Attorney General can confirm, that they're all going into -- I don't know what the word is -- a data base or something. But they're all going into the computer and can be retrieved, and it will make consolidations of statutes all that much easier and the decennial consolidation of the statutes -- or revision of the statutes, as it's called; rather a misnomer there: it's just a consolidation really -- all that much easier. I remember that when I worked on that in 1956-57, it took two of us a year to manually assemble it all, and there hadn't been a previous revision since 1942, I think. But now it can be done much more expeditiously.

One request that I would make to the Attorney General, because I guess by now they're already gearing up for a 1990 revision, is to put in the last volume the same sort of very useful collection of constitutional statutes that you'll find in the last volume of the 1955 revision, which was the one I worked on. Because it's sometimes annoying, particularly to the ordinary practitioner that may not have a set of the revised *Statutes of Canada* or any Canada statutes but needs to see what the Constitution says or what the Alberta Act says or what the North-West Territories Act says or the Rupert's Land agreement, and so on. It's really handy to have in the index volume those extra statutes.

Turning to vote 4 -- I haven't been keeping track of time, I'm afraid, Mr. Chairman, but I'm sure you'll let me know; thank you -- I note that there is a big percentage difference in support for legal aid and in the right direction, namely upwards. It's actually not such a big change -- in fact, it's really hardly any change at all -- from what was actually expended in the last year

for which we have the figures, 1986-87, but of course that was \$15.336 million, while the amount to be voted is \$15.65 million. So obviously, there was a great increase in the expenditure, well above what was projected in that program, and I daresay it had a lot to do with the Young Offenders Act and the necessary representation there.

But there is a real crisis in legal aid, Mr. Chairman, and I fear that this vote will not address the part of it in which there is the worst crisis, and that is civil legal aid. The Constitution requires, in effect, criminal legal aid, so we have no option in that. We do have an option in assistance to citizens who cannot afford to pay for civil litigation. So I took out the latest report of the Alberta Legal Aid Society, and I was astonished -- actually, I wasn't astonished; my fears were justified, because I thought this must be something like this. But it's still an astonishing decline in the amount of legal aid that goes to civil cases. The figures stated there seem to show no difference, so I think they've lumped in young offenders with civil legal aid. I can't figure it out. But the graph is very graphic: it shows that in 1984 more than 3,000 civil legal aid cases were completed; by 1987 that had dropped to one-tenth -- I would guess about 300 -- and I know most lawyers have given up on sending people to civil legal aid other than in pressing matrimonial cases, and it is a very bad thing. It really belies the stated aim of the Legal Aid Society, which calls itself a "judicare model" service; it isn't that at all. In fact, I notice that the wording in the annual reports has hardly changed over the four years. On civil coverage it says:

Coverage is available on a generally broad basis, in any matter which is subject to the jurisdiction of the courts.

There are some exceptions; you'd better believe it -- like 95 percent. That's exactly the wording that it had in 1984 when they were handling 10 times as many civil cases.

The cost per citizen of all the legal aid, civil and criminal, is only about 50 cents a head per annum. Compare that to medicare, for example. I mean, there's no comparison whatever. Furthermore, it's a great figure, the \$15.65 million, but we get \$6 million of that supplied by the government of Canada. At least we did in the last year, in public accounts; that's up to March 31, 1987. So no one can say that we are being generous in legal aid in this province.

I leave aside other problems such as choice of counsel, which was -- and if you read the report, still is, on the face of it -- a right of the litigant [interjection] It's not.

Vote 5 has a big increase in Property Services. Now, I don't believe that's the Land Titles... [interjection] It is? Oh, I see. Okay. So that's explained by the on-line system. Well, all lawyers will heartily welcome that computerization. I take it that it will mean we can now tap in -- when it's set up, that is -- to title searches and the like and even instrument searches from our offices. Will that be at any time of the day or only during business hours? I wonder if the Attorney General can answer that. I suppose that if you're willing to pay the fee, it can be round the clock. In fact, that makes it cheaper to provide, because you spread the usage around the clock too. You can even have differential rates: cheaper searches at night.

Fatality Inquiries is vote 6. It still is the case that we don't have a full establishment of medical examiners. The Assistant Medical Examiner in Edmonton has not been appointed. Dr. Dowling has stepped up from that position to being the Medical Examiner in succession to Dr. Pounder. They're still one short. The last six medical examiners have left, and some of them have not gone completely quietly. I put it to the Attorney General

that there is a malaise in the organization there. I've had certain information given me, as I'm sure he probably has, which may or may not be true, so I won't repeat it here. But it shows that there is a malaise, for whatever reason, and I hope he can come to grips with it soon.

I have remarks to make, Mr. Chairman, on the remaining votes, but so do some of my colleagues. Perhaps if time permits, I can have another crack at that.

MR. CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Chairman. These departmental estimates reflect a theme that we see throughout the government's approach to expenditures, and that is a lack of attention to the problems of lower income Albertans. The budget in fact shows that very little has been done to address these needs in the legal area. I might note how this stands out in stark contrast to some of the expenditures in the past in building monuments in the form of courthouse buildings approximating mausoleums. The best example that we have in recent times is the new Medicine Hat courthouse, which is a testament to such extravagance and waste that it would qualify for the wretched excess award, which was given out at one time by *Esquire* magazine.

Now, a good example of the failure of the minister to address some of the major problems relating to lower income families is the absence of any attention to the issue of reducing costs and complexity of the legal system. Now, I dealt with this matter in great depth in a motion presented to this House last year. The general point that I made was that the legal system has become too complex and too expensive, not just for lower income individuals to afford but indeed for those of average income. I'm not going to repeat my comments here. There is a need for a global review. We in the Alberta Liberal caucus have some suggestions to make, particularly by way of several Bills that have been proposed by the leader of the Liberal Party; namely, to increase the limit of authority for the small debts court from \$2,000 to \$10,000 and, in addition, to provide for night sittings of many of the courts.

I would also like to particularly make note of one problem that has been raised by a number of individuals in Calgary, and that relates to the cost of obtaining transcripts, which are necessary in order to file appeals or to review court proceedings in anticipation of an appeal. This is tantamount to denying to these individuals the right to make such appeals. It's a very serious problem for those individuals. It's definitive; it precludes access to the court system. I believe it would be to the credit of this government if they were to show some concern and review the problem and determine what means might be utilized to make transcripts more accessible. Unless you're a pauper or a prince, if I might quote my friend Mr. Rumpole.

Yes, it is true, Mr. Chairman, that we do have the Institute of Law Research and Reform doing some review of a small aspect of this particular problem, but a more global review is needed. Instead, what do we find? We find an 8 percent cut in the Law Reform budget following close upon the heels of a 10 percent cut last year. Instead of doing more in this area, we're doing less. The institute does valuable work, it receives inadequate recognition and funding, and it would serve us well to use it more effectively to review many of these problems that I alluded to a moment ago and in my comments last year.

[Mr. Musgreave in the Chair]



So I would like to ask, in light of the absence of action in this realm, whether the minister is in fact satisfied that the legal system is serving the needs of lower income and average income Albertans. If he shares the concerns, as I do, of many Albertans that the system is not operating adequately, will he undertake to set in motion an early review? I might note that we have a \$180 million slush fund of lottery moneys sitting in the minister of career development's vault, and it would be a worthwhile use of some of these funds to set in motion improvements in the legal system. For as I have noted before, Justice Learned Hand once most aptly noted that the commandment that should govern in this area is that thou shalt not ration justice.

Now, in terms of legal aid the government unfortunately continues to underfund legal aid, despite the illusion of the 24.4 percent increase. The reality, as has been pointed out by the hon. Member for Edmonton-Strathcona moments ago, is that the funding level is the same as it was two years ago, and on top of this, we have a large part of the expenditure and the increased spending being accounted for by duties of the legal aid system under the Young Offenders Act and under child welfare legislation. I might ask the minister if he would advise as to what portion of that \$15 million-plus is allocated to those two pieces of legislation as opposed to the traditional legal aid duties and suggest that it would certainly be helpful if in future they could be set out separately in the budget.

The trend which I noted in my comments last year unhappily continues. The volume of cases and the demand increases, and the number of applicants being turned away increases commensurately. The minister has said that the volume is up 10 percent, yet we see that over the last two years, taken collectively, the funding has in fact been cut.

Now, in terms of our global role in funding legal aid, I noted last year that the 1983-84 figures, which are the latest I have access to, indicated that our per capita expenditures on legal aid were \$4.66 per capita, whereas the national average for such expenditures was \$7.11 per capita. So we stand at 66 percent of the national average, which is not a figure that we can take any pride in whatsoever.

I also note that last year, of the \$12.58 million that we spent on legal aid, over \$4 million was received from the federal government. I wonder whether the minister might advise how much we anticipate receiving from the federal government in respect of their contributions to this year's budget. Why are we spending such a low amount on justice in relation to other provinces?

I noted last year and repeat again my concern that there are far too many refusals of legal aid in the Calgary region in relation to other areas of the province. I wonder whether this is something that the minister has addressed in light of the concern I expressed last year and might be able to give some reasons with respect to. The income levels, as well, are too low and too inflexible. So changes are needed.

I understand that a committee has been set up to review the legal aid system. I hope it will lead to improvements. We need, for example, a legislative framework for the legal aid system. We're the only province without a legal aid Act. Our system operates by means of an agreement between the government and the Alberta Law Society. We need some specific changes, such as the implementation of the right to choice of counsel in criminal cases. I'm wondering whether the minister might care to comment on some of these matters and would particularly advise when we can expect the report on this matter and whether he anticipates being in a position to act promptly on that report

or in the usual manner.

In terms of the Crimes Compensation Board I note that the budget is down again, after a 21 percent decline last year. I'm wondering how it is that the minister is able to predict these declines. I'm wondering whether perhaps the minister has asked the Crimes Compensation Board to reduce awards. It's supposed to be an independent board, and I'm wondering why it is that when the volume of crime is at least stable and certainly increasing in many areas, these awards are down. In terms of victims of crime some concern has been expressed that inadequate services are being provided to assist those victims, aside from the role played by the Crimes Compensation Board, and I'm wondering whether the minister might give his views with respect to the need for programs to assist victims beyond that criminal compensation realm.

In terms of the Legal Profession Act, Mr. Chairman, I asked a number of questions of the minister last year, many of which have been raised by citizens in general and members of the Victims of Law Dilemma organization in particular. I won't take the time of this House to repeat those questions, which are indeed very important issues with respect to the administration of justice in this province. I'm wondering whether the minister might advise as to what progress we might anticipate with respect to those particular problems. I know that a review of the Legal Profession Act is now being undertaken, and perhaps he might indicate whether this will be a global review which will address these problems definitively and when we might have some action in that regard.

In terms of the Charter of Rights I have some concerns, as do many Albertans. The federal government has established a \$9 million fund to assist litigation under the Charter of Rights, particularly with respect to the equality provisions under section 15. The Ontario government has established a fund of approximately \$1 million to the same end. Charter rights are amongst our most important rights. They impact not only the individuals involved but the whole of our society, and we are collectively impoverished by the inability to adjudicate these rights. I'm wondering whether the minister shares my concern in this regard, and if so, why it is that the government seems to oppose virtually every claim of a Charter right when these go to court.

The funding of litigation, of course, is expensive, and it's impossible to fund everything. But we do need some sign of recognition in this province of the importance of allowing those without funds to advance important cases in relation to human rights. We need a symbol of hope to be placed before the people of this province. And, accordingly, might I just make the minister aware that our party, the Liberal Party of Alberta, has suggested what is an all-too-modest kick start in that direction by establishing a \$250,000 per year fund for the purpose of assisting Charter litigation, as a start. I'm wondering whether the minister would be prepared to undertake to take some action in that regard.

Now, I'd like to raise an issue with respect to court administration and, in particular, the salaries of judges in our provincial courts. I note that the court operations budget is down almost uniformly across the board, and I've been led to understand that no increase has been provided for the salaries for provincial court judges. If my understanding is correct -- and I would ask the minister to correct me if that is not so -- this flies in the face of what was an understanding that provincial court judges would be given increases in the same amount as those provided for federally appointed judges. Federally ap-

pointed judges have received an increase. It's not munificent; it's apparently inflation related. But it is an increase, and as I mentioned earlier, I understand provincial judges have not received an increase.

Now, this process of relating provincial court judge increases to federally appointed judge increases, in effect an objective criterion, had the benefit of enhancing the independence of our provincial judiciary. If this formula is to be deviated from, we are now put in a position where the judges' salaries are dependent on the state of digestion of the Attorney General. This unfortunately is fraught with the same kind of potential difficulty as we have seen arise with respect to the appointment and payment of justices of the peace. So I'm wondering whether the minister would comment on this particular issue, would advise what he is doing and plans to do with respect to provincial judges' salaries, and if I am correct in my information, why he has deviated from this very sensible approach of previous years that was entered into by his predecessors.

Finally, Mr. Chairman, a brief word about gaming control. As the minister mentioned, a number of applications are before the Gaming Commission for changes in the system. I'm wondering if the minister might advise when the decision might be anticipated. I might indicate my own personal view that in such decision I hope we will see that the system remains fair to all groups and does not deprive existing beneficiaries nor future potential beneficiaries of gaming funds in favour of special privileged groups.

[Mr. Gogo in the Chair]

Now, certainly most of these matters impact lower and average income Albertans in a very significant way, Mr. Chairman. They need attention, and I would hope that the minister would see free to respond to those at an early date.

I would like to close with a request that if the minister replies in writing to the questions of other members here, would he please provide me with a copy of the replies that go to others? I know that he would send me a personal response with respect to the questions I have raised, but I'd like to see the answers to some of the other very excellent questions.

Thank you, Mr. Chairman.

MR. JONSON: Mr. Chairman, I'd like to pose questions to the minister in three areas concerning the programs and the resources provided in this budget. First, the maintenance enforcement program has been successful in collecting moneys for support as ordered by the courts as a result of marriage breakdown. There are many cases where child custody is awarded to one parent and access ordered for the other. Is the minister aware that many parents -- that is, noncustodial -- cannot see these children in spite of the access orders? Would the minister advise as to what could be done to improve this situation? Does he support the intent of Bill 211, the Children's Access Rights Enforcement Act? Are the resources to accomplish this provided for in this budget?

A second area, Mr. Chairman, that I'd like to pose a couple of questions on concerns the Gaming Commission and specifically the activity of horse racing. I might be less qualified than the hon. Member for Highwood to ask questions in this area, and I know that the Gaming Commission seems to be very busy with applications for various other profit-making activities from local communities and particularly the urban areas. However, as I understand it, periodically the misuse of drugs is a concern

in the area of racing, both thoroughbred and standardbred. It's further my understanding that the commission has... [interjection] Oh, I'm sorry. I'm asking about the wrong department. That's the Solicitor General's department. Oh, well.

Mr. Chairman, I'll go on to the third question then and think of a fourth one while I'm talking about the third.

MR. R. MOORE: Well, they're both generals.

MR. JONSON: That's right.

Mr. Chairman, my third area concerns the very major topic of civil actions against the Crown. Now, a number of my constituents associated with two particular cases have expressed great frustration at the time factor in concluding these civil actions. It is fully realized that it is a duty of the government and of the minister and his department to act in the interests of the people of Alberta. On the other hand, I think the image of the justice system in this province, particularly as it applies to conflicts between individual citizens and the Crown, has to be carefully assessed. I wonder, Mr. Chairman, if the great delays, the extreme lengths of time that it seems to take to settle such matters, is a matter of a lack of resources being provided in this budget for the Attorney General's department. Or are there other reasons? It would seem to me -- and I would like to emphasize and repeat that certainly the justice system has to deliberate and render a fair and just decision. But surely the continued delays and, as some people would say, the twisting and turning that takes place when an individual is in pursuit of the Crown on a civil matter are sometimes such that it does discredit the overall system in the eyes of the public.

Mr. Chairman, not having thought of another item to raise, I will save my second concern regarding the Racing Commission for the Solicitor General.

Thank you.

MR. CHAIRMAN: Yeah, we do have two generals.

The hon. Attorney General.

MR. HORSMAN: I would like to deal with some of the matters that have been raised this afternoon if I could. The hon. Member for Edmonton-Strathcona has raised a number of questions of a specific nature, some of which I could deal with by a written response, which I will do.

With respect to the issue of the maintenance enforcement program, I noted carefully his comments as well as the comments raised by the hon. Member for Ponoka-Rimbey. That's an extremely important program, and it is, as I indicated in my opening remarks, for the most recent cases providing a very high percentage return, and that, I think, is extremely important. To some extent it does meet the concerns raised by the hon. Member for Calgary-Buffalo relative to the justice system itself in terms of dealing with people of lower to middle incomes. So it is the type of thing that we are trying to deal with with respect to assisting people in recovering from the other partner -- from their former partner; I guess that's the best way of putting it -- in a marriage. It's not perfect, but we're making some very major steps forward in that area.

On the specific question -- I'm just going through... The question was raised as to the Law Reform amount shown in the budget. That is actually the grant that was made to the law reform commission, so it's not independent research being carried out within the department.

I appreciated, too, the remarks that the hon. Member for

Edmonton-Strathcona made relative to Legislative Counsel. We are indeed fortunate with the staff we do have in serving the government of Alberta. That, of course, has been something we've been blessed with over the years, and it's certainly our intention to maintain that quality of legislative drafting. With regards to the consolidation of the statutes, the hon. member has touched on something of considerable importance, because with the loose-leaf system which is now available for the statutes, we're able to keep up with the revision on a constant basis. That is something we will continue to do.

The subject of legal aid: several members have made reference to that. That, of course, is a matter of difficulty with respect to the amount of money and the types of cases that can be dealt with. I just want to tell members of the Assembly that it really relates to the question of access to the justice system in the broader sense. We're going to address that issue as ministers of justice and attorneys general from across Canada later this year. The major conference is scheduled for Toronto in June, in which I intend to participate along with my colleagues from the other provinces, to determine how we can make the system more accessible to the average Canadian. My colleague from Ontario, the Hon. Ian Scott, has initiated this idea. I've met with him and discussed the conference on at least two occasions.

I think it will be of considerable note to Canadians when that conference is held, because we recognize the difficulties inherent in the expense associated with litigation, either civil litigation or criminal charges. As attorneys general in this country we want to come to grips with this question of access to the justice system. So that conference, I think, will be worth noting, and I'm sure the hon. members who have asked questions or made comments this afternoon will be interested in the outcome of that. I want to assure the members of the Assembly that Alberta will take a very active role in that entire process. Of course, part of that will certainly deal with the subject of legal aid and how the system can be made to work better in the interests of all the citizens.

I do have to take issue with the hon. Member for Calgary-Buffalo relative to the Medicine Hat courthouse. It is not a mausoleum; it is, like most of the courthouses in Alberta, a building which serves the interests of justice. It's not just a question of being there; it's a matter of serving as a symbol of the justice system. That is true in most of the judicial centres that I have visited. Our justice buildings must appear to be and are there as symbols of the system. I can assure the hon. Member for Calgary-Buffalo that the people of Medicine Hat would not share his views relative to that particular courthouse, and I of course have a particular interest in that.

On the subject of benefits to judges, I want to mention to the Assembly that we pay the salaries of provincial judges. The district court judges, of course, were elevated to the Court of Queen's Bench when that was created. Those salaries are now paid entirely by the federal government. We've had in place a policy of this government which linked the salaries of provincial judges on a percentage basis to the levels of judges at the federal level. That matter is now being reviewed, and this really relates to the question asked by the Member for Calgary-Buffalo. We're reviewing that in light of what the federal government has done and in light of what is taking place in other provinces. As a result of our system we have leapt far ahead of every other province except Quebec, which just recently made a very substantial increase in their provincial judges' salaries, bringing them to about the same level as judges in Alberta. At the same

time, we're also engaged in an active review of the pension plan that is available to provincial judges. Those two are linked, and I hope during the course of this year to be able to resolve both those issues insofar as our provincial judges' salaries are concerned.

There are a number of other specific questions that were raised with respect to the Crimes Compensation Board. Let me assure the Assembly that I have never discussed with the Crimes Compensation Board the level that they should be awarding in their awards. It would be entirely improper for me to do so, and I can assure the Member for Calgary-Buffalo that there has been no interference by myself with respect to the independence of that particular body. I'm pleased to advise the Assembly that the membership of three has now been filled, and for the first time an Alberta woman will be a member of the Crimes Compensation Board as a result of the appointment today in Executive Council of Elva Rowlands of Calgary. So I think that's an important step forward as well relative to making sure that women's views and understandings are brought to that particular tribunal. That is an important step forward, I believe.

I can advise as well, relative to the subject of access, that a committee has been struck by my department to examine, amongst other issues, the monetary jurisdiction of the Provincial Court, Small Claims Division. That committee's recommendations will be carefully reviewed and legislative solutions considered upon submission of their final report. That committee membership consists of Assistant Chief Judge Woods; representatives of the Law Society of Alberta and the Canadian Bar Association, Alberta branch; a justice of the Court of Queen's Bench; a representative from court services; and the director of legal research and analysis. That will also deal with the subject, again as I mentioned, of our access to the system by average Albertans.

I'll be dealing with some of the questions about specific positions and so on, I think, perhaps better by correspondence rather than answering here. I wanted in a general way, though, to indicate to the members of the Assembly in committee that on some of the principle issues, principle policy matters, we are in fact addressing some of the concerns that have been raised.

One question that was asked -- and it is an interesting one -- I would like to answer for the record. It related to the subject of whether or not the elimination of witness fees had any impact upon the willingness of Albertans to come forward. There's just no indication whatsoever that that has in any way impeded the view of the average citizen of Alberta, that they would not be prepared to provide names and serve as witnesses, as most Albertans who come forward as witnesses do so out of a sense of public duty and not for the modest amount of witness fees that were formerly paid. In any event, the discretion is still there for the judge to direct a witness fee to be paid, and in the case of expert witnesses judges are in fact setting those fees. Of course, we do reimburse witnesses for their meals, accommodation, and travel.

There are other people, I know, who want to get in with some additional questions, but I thought it would be useful for me at this time just to try and answer some of the matters of principle and certainly to put on the record my concern for the accessibility of the legal system to citizens of Alberta and to indicate some of the steps that we are proposing to undertake relative to those very valid concerns. But I know that other members do wish to ask some additional questions, so I will conclude now.

MR. CHAIRMAN: The hon. Member for Edmonton-Meadowlark.

MR. MITCHELL: Thank you, Mr. Chairman. I'll be very brief. I have several questions of the minister arising from discussions I have had with participants on the executive of a community league in my riding. These questions concern the practices of the Gaming Commission and certain policies arising from the Gaming Commission. First of all, is it a clear policy or regulation of the commission that groups receiving funds through certain gaming undertakings such as casinos and bingos are not permitted to use those funds for travel? Is the minister aware of any cases where that particular policy has...

MR. CHAIRMAN: Order in the committee please, hon. members.

Edmonton-Meadowlark.

MR. MITCHELL:... not been followed? If so, does this represent a loosening of that particular regulation? If the minister is not aware of any such cases, would he deem it appropriate to investigate and audit the application of that particular policy?

Similarly, the Gaming Commission, it is understood, has a policy that workers working on behalf of a community group at a bingo or at a casino are not to be paid. Is the minister aware that that policy is being implemented fairly and effectively? Is he aware of cases where perhaps workers are being paid? If he is not aware, does he deem it necessary to investigate or audit the application of that policy?

With respect to community access to bingos could the minister please indicate whether he is satisfied that that access is fair and open to all community groups or whether there are certain community groups who have a de facto monopoly on access to

bingo halls? Finally, could the minister please indicate what is the status of the Gaming Commission's deliberations with respect to the Edmonton application to establish a standing casino in the Edmonton Convention Centre, and when might we anticipate a decision in that regard?

Thank you.

MR. KOWALSKI: Mr. Chairman, I move that the committee rise, report progress, and request leave to sit again.

[Motion carried]

[Mr. Speaker in the Chair]

MR. GOGO: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports progress thereon, and requests leave to sit again.

MR. SPEAKER: Does the Assembly agree with the report and the request for leave to sit again?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

MR. KOWALSKI: Mr. Speaker, on behalf of the government I'd like to extend a happy Easter to all Members of the Legislative Assembly, and I know that all members of the Assembly would like to extend a happy Easter to all the people of Alberta.

[At 5:26 p. m. the House adjourned to Wednesday at 2:30 p. m.]