

## Legislative Assembly of Alberta

Title: **Monday, April 6, 1992**

**2:30 p.m.**

Date: 1992/04/06

[Mr. Speaker in the Chair]

MR. SPEAKER: I appreciate you humming *Happy Birthday*. Peter Elzinga and I both appreciate it today, and both of us are glad we've survived long enough to be able to have you sing it for us.

head: **Prayers**

MR. SPEAKER: The prayer for Parliament at Westminster was used since 1659. I'm not that old.

Let us pray.

We, Thine unworthy servants here gathered together in Thy name, do humbly beseech Thee to send down Thy heavenly wisdom from above to direct and guide us in all our considerations.

Amen.

head: **Presenting Petitions**

MS CALAHASEN: Mr. Speaker, on behalf of the people of Trout Lake and Peerless Lake I'd like to present a petition regarding the withdrawal of services from these communities of doctors flying to these communities. Hopefully we can resolve this issue as quickly as possible.

MR. TAYLOR: Mr. Speaker, I beg leave to submit a petition from 150 teachers in seven schools in my constituency in the towns of Gibbons, Morinville, and Bon Accord that urges the Legislative Assembly to accord favourable consideration to a resolution on pensions.

head: **Tabling Returns and Reports**

MR. SPARROW: Mr. Speaker, I'm presenting to the Legislative Assembly today four copies of the financial statements of the Alberta Sport Council for the year ended March 31, 1991.

MR. ROSTAD: Mr. Speaker, I'd like to table the annual report of the Law Society of Alberta for 1991.

MR. HORSMAN: I'd like to table the 17th annual report of the Department of Federal and Intergovernmental Affairs.

MR. KOWALSKI: Mr. Speaker, I'd like to table with the Assembly today three reports. The first is the annual report for 1991-92 of the Association of Professional Engineers, Geologists, and Geophysicists of Alberta. The second is the 28th annual report of the Alberta Racing Commission to March 31, 1991. The third is the seventh annual report of the Wild Rose Foundation to March 31, 1991.

DR. WEST: Mr. Speaker, I'd like to table four copies of the report of the Midwifery Services Review Committee.

MR. KLEIN: Mr. Speaker, I would like to table the report of the Bow River Water Quality Task Force.

head: **Introduction of Special Guests**

MR. KOWALSKI: In both the members' and public galleries today are 100 young people from Barrhead elementary school.

They're led by three teachers: Mr. Laurin Lamothe, Mr. Mike Loitz, and Mr. Mark Potvin. They are accompanied by four parent helpers: Mrs. Carol Roberts, Mrs. Karen Macaulay, Mrs. Susan McElroy, and Mrs. Donna Miller. Mr. Speaker, I'd ask our young guests to rise in both galleries and receive the warm welcome of the Assembly.

MR. SPEAKER: Edmonton-Avonmore, followed by Calgary-Glenmore.

MS M. LAING: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to members of this Assembly 13 students from Mill Woods Christian school, which is located in beautiful Edmonton-Avonmore. They are accompanied by a teacher, P.J. Reimer. They are seated in the public gallery, and I would ask that they now rise and receive the warm welcome of this Assembly.

REV. ROBERTS: Mr. Speaker, I'd like to welcome 24 students from St. Joseph's high school in Edmonton-Centre. They're here today with their teacher Ms Basarab. I'm not sure what gallery they're in, but if they'd please like to stand and be welcomed by the members here today.

MR. SPEAKER: Calgary-Glenmore.

MRS. MIROSH: Thank you, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly Mrs. Margaret Mrazek, the Chair of the Midwifery Services Review Committee. Mrs. Mrazek is a nurse who turned lawyer and has done a wonderful job on this report. I have to congratulate her and her committee for the hard work and the excellent report they have produced. I believe Mrs. Mrazek is sitting in the members' gallery. Would you please give her a warm welcome.

head: **Ministerial Statements**

### National Wildlife Week

MR. FJORBOTTEN: Mr. Speaker, it gives me great pleasure to rise today and formally acknowledge this week, April 5 to 11, as National Wildlife Week. The theme this year is "Keep Canada ever green for wildlife," which emphasizes the importance of wildlife, their habitat, and the conscientious management of our wildlands, rivers, forests, and streams.

National Wildlife Week was first established by the Canadian Parliament in 1947 to pay tribute to a true conservation pioneer and a champion of wildlife in Canada, Jack Miner. Among many other contributions he made, Mr. Miner established one of the first wildlife sanctuaries in 1909. He was born on April 10, 1865, and in his honour National Wildlife Week annually occurs on the week that includes his birthday.

Our province is blessed with some 442 animal species and more than 2,000 plant species, and from our badlands to the Rocky Mountains we have more ecoregion diversity than any other province.

As part of National Wildlife Week the Canadian Wildlife Federation has developed an information kit, and my department obtained 2,500 copies for distribution in Alberta. The kits will be given to Project Wild leaders and other conservation education volunteers. Classrooms and other youth groups can, through the Habitat 2000 program, apply for a grant to be used for any wildlife habitat project. I can think of no greater contribution than to involve our young people in their environment, and to that end, Forestry, Lands and Wildlife staff have been encouraged to visit

at least one school class during the week to make presentations and talk to students.

To date, 45 Alberta communities have officially proclaimed National Wildlife Week, planning festivals and special events in this celebration. I hope each one of us will set aside some time to become actively involved and celebrate this magnificent natural resource: our wildlife heritage.

MR. MARTIN: Well, Mr. Speaker, certainly we in the Official Opposition welcome the statement by the minister during National Wildlife Week, April 5 to 11. We, too, would like to pay tribute to Mr. Miner. The contributions he and many others made are very important.

I notice that the minister says we are "blessed with some 442 animal species and more than 2,000 plant species." The only point I would make is that 20 years from now I hope we can say the same thing. I think there's a feeling that a lot of government policies could be questioned in terms of the future, whether there will be that many there. I think there's a feeling that where it's development versus the environment, with this government the environment is always going to come out second fiddle, Mr. Speaker.

So while I certainly agree with the minister's statement and the things he says in it, I would hope that our policies, in the future at least, would be somewhat more balanced, especially dealing with the northern forests, Mr. Speaker. It'd be interesting to see what statement might be made 20 years from now when the minister and I won't be here, if the same sort of statement will be made.

2:40

MR. SPEAKER: The Minister of Culture and Multiculturalism.

### Tartan Day

MR. MAIN: Thank you, Mr. Speaker. Today I rise on behalf of the government of Alberta and, I expect, Members of the Legislative Assembly to speak in honour of a special day for Canadians of Scottish descent. Today is April 6. It is the date that has been chosen to recognize and appreciate ancestors who came to Canada to establish a new life here and to embrace this country as their own.

Mr. Speaker, the Federation of Scottish Clans in Nova Scotia chose this day as their day of celebration, and in 1987 this date was declared Tartan Day by the Legislature in that province. This day is also recognized by other provinces, and we're doing that here in Alberta as well.

Canadians of Scottish descent have made tremendous contributions to this province and to this country. Early settlers worked hard in the fledgling railroad and shipbuilding industries. Scottish Canadians were represented in Canada's military ranks in two world wars. Mr. Speaker, there are many people in this Assembly who are of Scottish descent from those who were involved in the wars, including the Minister of Culture and Multiculturalism, who traces his ancestors back to Inverness.

I'm delighted to see that Canadians of Scottish descent are celebrating and sharing their heritage with Albertans. On this date, April 6, Mr. Speaker, the Federation of Scottish Clans encouraged the wearing of the tartan as a reminder of what can be accomplished by hard work and loyalty.

MR. MARTIN: I finally found something that the minister of multiculturalism and I agree on. I'm sure that our Scottish ancestors are turning over in their graves right now. Mr. Speaker,

I trace my ancestors back to the Isle of Lewis, which is a long ways away.

Mr. Speaker, I might point out too, if I may, that Scottish Canadians were well represented in Canada's military ranks in two world wars. I have a grandfather, who of course is since deceased, who was in the Boer war, and I happen to have the medals from his participation in that war.

I know it's Tartan Day. I have seen in the past the Member for Westlock-Sturgeon in a kilt, and I refuse to do that. I refuse to go that far if I'm going to look like that, Mr. Speaker.

Certainly it's a joyful day for all the people of Scottish ancestry.

head:

### Oral Question Period

MR. SPEAKER: The Leader of the Opposition in business suit.

### NovAtel Communications Ltd.

MR. MARTIN: Yeah, right.

Mr. Speaker, this weekend it was revealed that the Alberta government could be planning to dump NovAtel for the sum of \$30 million. This would be a sale to one of their competitors, Northern Telecom Limited. Now, this would be quite a deal: buy for \$185 million and sell of \$30 million – Tory economics. They're the ones that really understand business. I would say it's no wonder that this province has a deficit out of control as it is, with a Treasurer and a government that can make deals like this. My question to the Treasurer is simply this: will the Treasurer update us and tell us if it is true that NovAtel could be sold for as low as \$30 million?

MR. OLDRING: Mr. Speaker, we're never surprised to see this type of speculation occurring from the members opposite, and we know where they do their research. As the minister is away at some important meetings in Ottawa right now, I'd be happy to take this as notice as the Acting Minister of Technology, Research and Telecommunications.

MR. MARTIN: Mr. Speaker, this isn't even cute. The Treasurer knows what's going on. That minister doesn't even know what's going on in his own department.

Now, the Treasurer is on a three-member committee. I would like him, rather than evading the issues, to stand up and tell us what's going on. I have to take it by that answer, by him not standing up, that they are considering it.

I want to ask the Treasurer then: if the government is considering selling NovAtel's assets, will they also be selling NovAtel's debts?

Don't ask him to stand up, Mr. Speaker. This is crazy.

MR. OLDRING: Mr. Speaker, nobody is asking him to stand up either. I'd be happy to take that question as notice.

MR. MARTIN: I can only take it, by the fact that the Treasurer won't stand up and passed it on to the minister of social services, that this in fact must be true, Mr. Speaker. That's what we have to assess.

I want to ask the Treasurer again – he is the Treasurer; maybe he could answer this. How much is this fiasco going to eventually cost taxpayers? Is it \$155 million, \$360 million, \$525 million? Give us the number.

MR. JOHNSTON: Mr. Speaker, it is the tradition of all Assemblies to have acting ministers respond to questions of this order. That's exactly what we've done here. I should say that the Leader

of the Official Opposition is responding only to speculation. As the minister has just indicated, when the Minister of Technology, Research and Telecommunications is back here, he'll be glad to handle those questions.

MR. MARTIN: I thought you were on the committee. I guess I give you too much credit for knowing what's going on.

### Heritage Savings Trust Fund

MR. MARTIN: Mr. Speaker, let's go from secrecy and evasion with NovAtel to exaggeration with the heritage trust fund. The University of Alberta published a report on Friday which shows that the heritage fund is overvalued by \$2.5 billion. Almost everyone except the Treasurer acknowledges that the fund is not worth the \$12.1 billion that this government talks about. It's the same old exaggeration, just like their budgets where he's wrong one year after another. Overestimate the revenues, overestimate the trust fund, and not tell the truth to Albertans: that's what it comes down to. My question, then, to the Treasurer. I take it that he still might know something about the trust fund. He might answer the question. Will he start telling the truth to Albertans and confirm to this Assembly that the trust fund is overvalued by at least \$2 billion?

MR. JOHNSTON: Mr. Speaker, I'd be glad to deal with that issue, which calls into some debate the financial disclosure of the Heritage Savings Trust Fund. I can say that as recently as early last month we published the quarterly investment report of the Heritage Savings Trust Fund, a document which updates Albertans, provides full information as to what's happened with the fund over the course of the year, and that document is available to any interested Albertan who would like to read it.

Mr. Speaker, I want to make it very clear that the financial assets of the heritage fund are over \$12 billion, liquid assets that work for the people of Alberta in diversifying this economy, providing an income transfer to the General Revenue Fund, which has totaled over \$14 billion since the inception of this fund. Together with that \$12 billion is over \$3 billion in deemed assets, which we report, providing more than \$15 billion at work for the people of Alberta.

Now, to call into question the assumption, Mr. Speaker, you can make the world turn upside down if you assume you're standing on your head, and that's essentially what this academic has done. He's assumed away all of the strengths of the Heritage Savings Trust Fund, and upon those assumptions, which he deemed in his own view to be reasonable, he has adjusted valuations. Quite clearly he's not at all accurate. It's the same old story we saw before. I can report to the people of Alberta that the assets of the fund, some \$12 billion of financial assets, are in place and are working for them.

MR. MARTIN: Well, just like the budget: he was right on again. Everybody else is wrong but the Treasurer. How can he possibly say this?

Alberta Mortgage and Housing, the Agricultural Development Corporation, AOC, investment venture loans: that's the money we spent. They're not the market value, and the Treasurer knows that full well, Mr. Speaker. I want to ask the Treasurer again: how can he stubbornly insist that this fund is worth \$12 billion when these examples, anybody can see, show how vastly overrated it is?

MR. JOHNSTON: Mr. Speaker, let me say that I've said before in this Assembly both in the very vast and detailed debates that

we've had on the heritage fund estimates over the course of the past many years that in fact the assets of this fund are strong and in fact they're worth more than the \$12 billion that's reported here. As a matter of interest, we privatized some of our debentures of two entities over the past year. People will remember the sale of Telus Corporation. Telus Corporation were debentures of Alberta Government Telephones which were recorded here at cost. We sold those for a profit to the heritage fund and to the people of Alberta for close to \$400 million.

2:50

Secondly, during the course of this past year, Mr. Speaker, we have sold into the marketplace certain debentures we held of Alberta Municipal Financing Corporation. We picked up profits close to \$200 million in that transaction. So you can see that there are assets in here, these Crown corporations in particular, which are at least equal to the cost value – that is the \$12 billion that's reported – and in fact in all instances have value way above that. Any words to the contrary are simply misleading.

MR. MARTIN: Mr. Speaker, if it wasn't so sad, it would be funny. Sure you sold Telus, sold all the profit making. We've got NovAtel. Brilliant.

They want to overinflate the value of the trust fund for political reasons. They don't want Albertans to know how they squandered it, Mr. Speaker. My question to the Treasurer is simply this: if he's so sure about his figures then, will the Treasurer now agree to establish an independent public review of the heritage fund so that once and for all Albertans know the real value of this fund?

MR. JOHNSTON: That's an insult to the members of the heritage fund committee, who are Members of the Legislative Assembly, who are on a special independent committee chaired by the Member for Cardston with members representing both opposition parties, who go through on an annual basis all the transactions. In that review, Mr. Speaker, every dollar spent by the heritage fund comes under close scrutiny by that independent committee.

Secondly, Mr. Speaker, when the budget comes down I, as a matter of course, provide estimates of the capital projects division spending. Those estimates by way of time allocation of this Assembly receive at least 10 days of legislative review as they pass through the process of this Assembly.

Thirdly, on top of that, Mr. Speaker, the Auditor General of Alberta, appointed by this Assembly, independent from the government, reviews these statements every year.

MR. McEACHERN: Appointed by the Treasurer.

MR. JOHNSTON: Appointed by this Legislature, Mr. Edmonton-Kingsway, independent of the government. They review this every year, and that report is tabled in this Assembly as well.

### North Saskatchewan River Boat Ltd.

MR. DECORE: Mr. Speaker, the Treasurer in *Hansard* has referred to MagCan as the taxpayers' investment. The minister of economic development in *Hansard* has referred to Northern Steel as our investment, and that same minister, when he talked about Carbovan, talked about the fact that there was no risk to the Alberta taxpayer. Our party calculates that in fact there is \$1.7 billion of risk to Albertans on loan guarantees. My first question is to the minister of tourism. If this loan guarantee to the riverboat enterprise is such a good business investment, will the

minister agree to table documentation that relates to the loan guarantee in this Assembly as soon as possible?

MR. SPARROW: Mr. Speaker, it's a pleasure to have the opportunity to talk about the benefits of this North Saskatchewan riverboat project. It's a major tourism asset for the city of Edmonton and all of northern Alberta, and in our department we definitely feel we can market this not only locally but provincially and internationally. As I said in the House, we look at this as being an investment and not a risk and the three levels of government in the first five years of operation including construction could look at \$5.6 million worth of tax revenues from it.

Mr. Speaker, the guarantee is a normal guarantee that is handled by Treasury. With due diligence, backup at the bank, I'm sure that we'll have a first charge on the assets, and in our view there should be no problem.

MR. DECORE: Mr. Speaker, I don't know if the minister doesn't hear or doesn't want to hear. If this is such a good business investment, commit to filing the documents, Mr. Minister. The question is: are you going to agree to commit to file the documents, yes or no?

MR. SPARROW: Mr. Speaker, transactions with the private sector: numerous times questions like this have been responded to. The commercial confidentiality of transactions is there, and very definitely we do not look at this as being anything but a good investment.

MR. DECORE: Mr. Speaker, we can see what freedom of information is going to look like for Albertans down the line. It's a hollow promise.

My last question is to the minister of economic development. The minister has been receiving representation from businesspeople in Alberta saying, "Don't get government involved in the marketplace." Is the minister prepared to commit today to say that there will be no more skewing of that marketplace and that loan guarantees will not occur any longer?

MR. ELZINGA: Mr. Speaker, consistent with what we've said on a continuous basis, we feel that as a government, in the event that the economy is on a downward slant, we've got an obligation to provide jobs for Albertans. The economy has been strong in this province. It's been strong because of the economic policies advocated on behalf of this government. I should indicate to the hon. member, as we have said in the past, that we have pulled back drastically, recognizing that there was strength in the Alberta economy. That's not to say that's going to preclude our involvement. We want to make sure that we have a competitive climate within the province of Alberta. That is the message we are receiving on a consistent basis from those who are making presentations to us on *Toward 2000 Together*. We look forward to the tabulation of all that input, and at the appropriate time we'll come forward with a comprehensive policy that will lead us onto greater strengths within the province of Alberta.

#### **Grain Handlers' Work Stoppage**

MR. MUSGROVE: Mr. Speaker, my question is to the Minister of Agriculture. In that the strike at Alberta Wheat Pool terminals at Vancouver is ongoing at considerable cost to the Alberta farmer and the fact that Alberta farmers own the Alberta Wheat Pool and as it is not considered illegal or unethical for owners or management to replace striking workers during contract negotiations, has

the minister considered choosing some qualified Alberta farm people to replace these striking workers until a contract can be negotiated?

MR. ISLEY: Mr. Speaker, the hon. member is certainly correct in referring to the problems at the Vancouver port as having serious implications for the farmers in Alberta and western Canada. His idea for a solution is something he may wish to consider discussing with the Wheat Pool delegates in his area, because the province does not own the company. The farmers own the company.

There are, however, options that the Alberta Wheat Pool could look at that may be less confrontational. One is shipping through the Seattle port, as some grain companies and the Wheat Board did at the time of the last strike. It's certainly an option that is being advocated by some of the grain producer organizations.

I might also say, Mr. Speaker, that if we made some of the right changes in the way we regulate the grain industry and the way we pay for transportation, incidents like this would be a lot easier to deal with. If the farmer was paying the full transportation costs, he would then decide how it was going to be transported, where it was going to go. If we were dealing with a North American domestic marketplace, that would certainly go some way in dealing with this.

MR. SPEAKER: Thank you, hon. minister.  
Supplementary, please, Bow Valley.

MR. MUSGROVE: Mr. Speaker, in that the Alberta grain farmer has been strapped for cash income over the last year or so and this strike is just adding to his problems, has it been considered that the striking dockworkers could be considered essential services and, therefore, legislated back to work?

3:00

MR. ISLEY: That's a matter that was given some discussion at the time of the last strike. We made recommendations to the federal government to consider declaring all workers involved in transporting and handling grain as essential service workers. Up to this point in time the federal government has not chosen to act.

#### **Social Assistance Policy**

MS MJOLSNESS: Mr. Speaker, the Edmonton region of Family and Social Services will be requiring people on social assistance to fill out reporting cards and send them back in order to guarantee receiving their benefit cheques. This will be a serious problem for people who cannot read or who are disabled and who will not be able to fill out these forms. To the minister: given that clients currently have great difficulty reaching their social workers for assistance, will the minister agree not to delay the cheques or cancel cheques, as stated on the cards, for failure to return them until a social worker can meet with the client to discuss the matter?

MR. OLDRING: Mr. Speaker, again the Member for Edmonton-Calder comes to conclusions that aren't appropriate. I can tell the member that this isn't a concept that's suddenly being introduced. It's a concept that we've piloted for the last year, year plus, in other offices. We realized that that was a concern in some areas, and we're satisfied that there are the necessary supports available to individuals that find themselves in those situations. So it isn't providing an undue hardship. The concept is working very well.

MS MJOLSNESS: Mr. Speaker, the minister should know that it's very difficult to contact social workers if you need to. The minister should know that.

Right on the card it says that benefits will be canceled or cheques will be delayed if these cards are not filled out. I'd like to ask the minister: what specific action is he taking to guarantee that people will receive their cheques if these cards are not filled out?

MR. OLDRING: Mr. Speaker, the changes are very consistent with some of the reforms that we've brought forward in our social programs here in Alberta, in particular the support for independence. One of the messages that we've carried forward in a very forthright way is that there is an onus of responsibility on individuals that are going to be on this program, and part of that responsibility means that it's important for them to keep us informed as to their current circumstances. It's very important. It's consistent with a recommendation of the Auditor General. Normally the members opposite are anxious for us to be able to respond to the recommendations of the Auditor General. This is one of the recommendations that he's brought forward. We have responded. Not only is it helping us in terms of keeping our files current, but it's also helping individuals in making sure that they're getting all the benefits they're entitled to as well.

MR. SPEAKER: Edmonton-Meadowlark.

#### **Heritage Savings Trust Fund** (continued)

MR. MITCHELL: Thank you, Mr. Speaker. On the one hand the Treasurer of this province holds billions of dollars of debt on which we have to pay interest. On the other hand he holds assets in the Heritage Savings Trust Fund which earn, at best, questionable earnings. My question is to the Treasurer. Why will the Treasurer not stop this charade and sell the Heritage Savings Trust Fund or what's left of it to pay down his spiralling debt?

MR. JOHNSTON: Mr. Speaker, there is a series of assumptions there which obviously are built on the same false premises that all the Liberal Party's policies are built upon, and that is that they don't really understand what's going on when it comes to the way in which a fiscal plan has to be put together. There's no doubt that the heritage fund has been one of the important aspects of the fiscal and economic strength of this province, allowing the province of Alberta, since the inception of this fund, to do very unique things to further the economic benefits of our great province, provide special services to Albertans which are unique in Canada, and to continue the diversification of this province in a way in which we can have strong economic growth taking place, as it now is in Alberta, when a recession is found in all the other socialist provinces, such as Ontario. That is why we have the heritage fund: to build on the strengths, to diversify the economy, and to provide special unique quality of life advantages to the people of Alberta.

MR. MITCHELL: Wake up, Dick. Nobody believes that rhetoric any more.

#### **Speaker's Ruling** **Referring to a Member by Name**

MR. SPEAKER: Order please, hon. member. Thank you for the opportunity. In the last week or so we've been having too many

people being called by their first names in the Chamber, and that's not parliamentary. It will cease as of now.

Your supplementary, please.

MR. MITCHELL: Wake up, Mr. Johnston.

Sorry, Mr. Speaker.

MR. SPEAKER: Order please. Hon. member, I think under the circumstances you've lost your supplementary.

Lesser Slave Lake.

#### **Health Services for Natives**

MS CALAHASEN: Thank you, Mr. Speaker. In January the Athabasca health unit pulled out drugs from the northern communities of Trout Lake and Peerless Lake. In March the medical services branch of the federal government unilaterally pulled out services of doctors flying into these communities to treat these people, thus compounding the problem. These communities are extremely upset, and rightfully so, because they are a good four hours away from the nearest medical facility. Will the Minister of Health work as quickly as possible with the federal government to restore services of fly-in doctors to Peerless Lake and Trout Lake so that the people have access to medical care?

MS BETKOWSKI: The short answer to the question, Mr. Speaker, is yes. My officials will be meeting with National Health and Welfare, who have agreed to meet with us, early next week to review these matters, some of which are described by the hon. Member for Lesser Slave Lake.

MR. SPEAKER: Supplementary, Lesser Slave Lake.

MS CALAHASEN: Thank you. While this issue of doctors' services is under discussion, hopefully towards a resolution as quickly as possible, will the minister give some assurance to my northern constituents that Alberta Health will work with the Athabasca health unit to restore the dispensation of medical prescriptions for these northern communities?

MS BETKOWSKI: Mr. Speaker, I think it's important to put on the table what this issue is about. What we had in the past were public health nurses in the position of prescribing and dispensing pharmaceuticals, which is not an allowable scope of practice for a public health nurse. That is the reason why the health unit felt that in terms of liability they could no longer do that. The interim plan was for the physicians who were traveling in to take the prescriptions, have them filled in Slave Lake, and have another physician take them in. That is part of the issue that we're working through. I have asked my staff to look at contingency plans that we might look at to ensure access to health services by these northern Albertans.

#### **Senior Citizens Programs**

MS BARRETT: Mr. Speaker, the Seniors Advisory Council for Alberta made its report public today following public meetings that it held during 1991. Amongst the observations, I think the ones related to health are the most significant. It says:

Seniors expressed concern about the increasing costs of both eyeglasses and dental care, and the amount that they must now pay in addition to what the program pays. Several said that the reduction in the amount the program covers for dental care is a source of worry.

My question is to the minister responsible for seniors. If this government has truly grown new ears, will it listen now to the

recommendations of this report and reverse the cuts that it unilaterally imposed upon seniors last year?

MR. BRASSARD: Mr. Speaker, this government does listen to the concerns of seniors and always has. I'd like to point out to the member that going across the five neighbouring provinces, we're the only province at all that has programs of any kind in those areas she's referred to.

MS BARRETT: Well, Mr. Speaker, in the first place, the government made the cuts without consulting the seniors, and I just heard the Treasurer say that we must be the richest province in the universe. I think the point is that those seniors weren't consulted, and they don't like the cuts to the programs that they worked hard to pay for. Is the government not prepared to restore those programs to the pre-1991 cut levels?

MR. BRASSARD: Mr. Speaker, the comments she has made about the lack of consultation have been acknowledged, and we have done everything possible to rectify that. As a matter of fact, the report that she refers to was designed specifically to make sure that the communication between seniors' organizations and this government is ongoing. The information flows both ways. The report is excellent. There's nothing new about it. Last year's annual report contained something like 16 recommendations to this government by the advisory council. That's their business. They are in the business of carrying the message both to the government and to the seniors. They're doing it very well. I think it's an excellent report, and we look forward to reviewing it.

MR. SPEAKER: Edmonton-Avonmore, followed by Edmonton-Whitemud.

### Juvenile Prostitutes

MS M. LAING: Thank you, Mr. Speaker. My questions are to the Minister of Family and Social Services. Research consistently shows that a significant majority of juvenile prostitutes are survivors of child sexual abuse and that prostitution is either a means of escape from violent environments or a way of working through the trauma of the abuse.

**3:10**

The minister says that he is concerned about these children, yet his department has restricted and eliminated funding for support and treatment of child victims. My question to the minister: will he now commit to treatment for these children by reinstating funding and broadening the department's mandate to include children who do not have status with the department?

MR. OLDRING: Mr. Speaker, no, we haven't restricted funding and we haven't decreased funding. In fact, we've increased funding. But to answer the question in a little broader way, I am committed to working with my colleagues in government and to working with my colleagues outside of government, and I think of the municipalities and the community agencies that are willing to be partners in addressing this need within society today. We're going to continue to work in co-operation, and we're going to continue to make sure that those services are available.

MS M. LAING: Well, Mr. Speaker, the minister obviously does not know what's going on in his department, because children who do not have status with the department cannot access service through the department.

A recent survey of child prostitutes in the inner city of Edmonton indicated that prostitutes need safe houses, training, education and employment opportunities, and free child care if they are to escape their lives on the street. My second question to the minister: given the serious risk to both prostitutes and members of the communities which they frequent, will the minister take concrete action to help these young people by funding safe houses, substance abuse treatment programs, and programs to facilitate healthy employment options?

MR. OLDRING: Mr. Speaker, the member has outlined a number of suggestions that are beyond the parameters of my department. But I will say this: I agree that we should be doing all that we can to help prostitutes off the streets and into a healthier environment. I think we all know that prostitution is a dead-end road. I can say that we make many services available to young women that find themselves in that particular situation. A number of the suggestions that the member made are in fact available to those young women today. What I'll say again is that we're committed to doing all that we can. I'm committed to offering a very broad range of services within our child welfare, and it is very substantive. I might note that other provinces are looking to the innovative things that we're doing here in Alberta to be able to respond to some of the needs there as well. We're very committed to helping those young women in that situation. We're going to continue to offer the support and services of government, and we're going to continue to work in partnership.

MR. SPEAKER: Edmonton-Whitemud.

### Video Lottery Program

MR. WICKMAN: Thank you, Mr. Speaker. On the one hand this government implies that it supports free enterprise, but then at the same time it threatens to wipe out business owners of amusement video machines. To the minister responsible for lotteries: why was the minister not prepared to enter into an agreement to allow these business owners to install and operate the government video terminals for a small percentage of the take and allow them to stay in business instead of being wiped out?

MR. KOWALSKI: Mr. Speaker, under the Criminal Code of Canada private ownership of devices such as video lottery terminals is not legal.

MR. WICKMAN: Mr. Speaker, my question was very, very clear. I did not talk in terms of ownership; I talked in terms of installation and operation. Is the minister prepared to pursue this matter with the association representing the amusement video owners?

MR. KOWALSKI: Mr. Speaker, for the last 18 months to two years rather large-scale consultations occurred not only in Canada but throughout North America and, in fact, even on a world level with law enforcement agencies with respect to the experiences they've had in the area of private ownership of gaming devices. Without a bit of reservation or hesitation the information provided to me by the RCMP in Canada, by law enforcement agencies in the United States, by state and provincial jurisdictions both in the United States and Canada, and in consultations that I've had with gaming organizations in other countries of the world, their conclusion was that if a jurisdiction should get involved in activities such as that which we have in the province of Alberta with video lottery terminals, the ownership, management, and the

operation of those devices should rest with the state or a state authority.

### Mobile Home Parks

MR. PAYNE: My question this afternoon is to the Minister of Consumer and Corporate Affairs. I raise it on behalf of the tenants of the Chateau Estates mobile home park in my constituency. Tenants in that park, Mr. Speaker, have received yet another notice of a pad rental hike, the third in 18 months, which would put the rents well over the \$400-a-month mark, a crippling level for many of the tenants, especially the seniors there. Compounding the problem are the zero vacancy rates in other mobile home parks in the Calgary area and the frustrating problem of an absentee landlord, with whom direct communication is impossible. In view of the frustrating and debilitating conditions faced by the Chateau Estates tenants, would the minister agree to contact municipal authorities in Calgary to explore ways to bring onto the market additional mobile home park lots?

MR. ANDERSON: Mr. Speaker, I appreciate the concern that the hon. member expresses for constituents in mobile homes. I know that in Calgary there is a particular problem with regards to the amount of land now available for that purpose. I would be pleased to talk to the minister responsible for housing in the province but most notably to the municipal authorities to see if there are some options that can be explored with regards to this circumstance.

MR. PAYNE: Mr. Speaker, as reluctant as I am to put any kind of a time embargo on responses to questions in question period, given the urgent circumstances in Chateau Estates mobile home park, could the minister tell me and the other members in the Assembly and, indeed, the tenants in that park how much time he thinks it would take to involve the city and his colleague here in a resolution of this matter?

MR. ANDERSON: Mr. Speaker, I wouldn't want to mislead the member by suggesting that there is an immediate solution to a problem that results from the lack of land that's developed for that purpose in the Calgary area. We will with all speed possible carry out those discussions. However, investment in that particular type of accommodation and the zoning required to do that are both difficulties that will have to be overcome.

I might say to the hon. member that it is the intention of the government to introduce mobile home legislation in this sitting of the Legislature which will at least make sure that the residents of mobile homes have adequate time notice and have other protection that we are now granting to tenants in fixed accommodation through the Bill we passed last year. It is our intention to proceed with that this spring. That at least should reduce the number of times his tenants can have rental increases indicated and some other areas that would allow them at least some safety in terms of the presence of their mobile home on a site.

MR. SPEAKER: Stony Plain, followed by Westlock-Sturgeon.

### Health Services for Natives (continued)

MR. WOLOSHYN: Thank you, Mr. Speaker. While treaty Indians are the jurisdiction of the federal government, the Health minister is aware that as much as half the population of Peerless Lake and Trout Lake are either nonstatus, Metis, or nonaboriginal. Last Friday officials of the members' services branch of the federal government met with the physicians who have been

providing services to these remote communities. They indicated a willingness to provide on an interim basis half the annual cost of \$90,000 travel for doctors visiting these communities. Will the minister live up to her responsibilities by immediately committing to pay half the travel costs for physicians on an interim basis so that while long-term solutions are being sought, people from these communities will have access to the physician services they require?

MS BETKOWSKI: Mr. Speaker, I'll repeat that we are reviewing the contingency plans in order to provide appropriate access for Albertans living in these two communities. I will certainly commit, as I did earlier in question period, to insuring that our officials continue to meet to resolve the issues.

3:20

MR. WOLOSHYN: Mr. Speaker, while the minister has talked, the people in Peerless Lake and Trout Lake still don't have the services of physicians.

I would then ask the minister if she is prepared to station a doctor there on an interim basis so that prescriptions can be written and proper services can be provided through these people until such time as the Alberta government and the federal government resolve the issue.

MS BETKOWSKI: Mr. Speaker, there are more ways to provide health services than simply stationing a doctor in a community, and we are certainly committed to providing the best health options to the people living in those communities. That is the commitment that I have made and will reiterate.

MR. SPEAKER: Westlock-Sturgeon.

### Aboriginal Women's Rights

MR. TAYLOR: Thank you, Mr. Speaker. My question today is to the minister in charge of women's issues. Canada's council of native women have lost their court case for representation on the Canadian Constitution aboriginal talks. Since a large number of Alberta native women are now in danger of becoming second-class citizens by losing their individual rights to the collective aboriginal rights, will the minister make formal representation to the government of Canada in this regard?

MR. HORSMAN: Mr. Speaker, that really is a matter that falls to my responsibility.

That is a matter which rests between the federal government and the native women in view of the responsibilities that the federal government has under section 91(24) of the Constitution Act of Canada. It seems also worthy to note that in organizations which are recognized by the federal government and the provinces relative to representing the interests of all native organizations, this is a matter which obviously has to be dealt with internally in those native organizations purporting to represent the interests of the native communities.

MR. TAYLOR: Mr. Speaker, I'm most unhappy with that response, because the Charter of Rights means that every individual's rights in Canada, no matter where they are, become everybody's responsibility. It's just not sufficient for the Deputy Premier to get back and wash his hands of this whole affair. We have tens of thousands of people in Alberta that are classified as aboriginal women who are in danger of being second-class citizens. All I'm asking is: will the minister, on behalf of this

government, make representation to the federal government that the Charter of Rights is paramount when dealing with native women as individuals?

MR. HORSMAN: It goes without saying that the Charter of Rights applies universally in Canada to people of all origins. That has been the position of our government throughout the whole of the discussions that are now under way relative to the Constitution of Canada. However, during the course of the next several days, since there will be a meeting in Halifax of ministers responsible for constitutional affairs with the federal government, the matter may very well be discussed. I will undertake to discuss the matter with the federal representatives there. The Rt. Hon. Mr. Clark will be chairing that meeting. Nonetheless, I restate again that the Charter of Rights and Freedoms applies universally to citizens in Canada no matter what their origin may have been. I'm sorry that I can't make the hon. Member for Westlock-Sturgeon happy on this occasion.

MR. SPEAKER: Athabasca-Lac La Biche, followed by Edmonton-Mill Woods.

MR. CARDINAL: I don't have a question today, Mr. Speaker.

MR. SPEAKER: Great.  
Edmonton-Mill Woods.

#### **School Buildings Health and Safety**

MR. GIBEAULT: Thank you, Mr. Speaker. My questions today are for the Minister of Education. This past Saturday the Alberta Teachers' Association at their annual representative assembly passed a motion urging that the government conduct a study of the air quality of schools and that funding be provided to rectify any situations that are unacceptable. Given that this concern comes after much controversy surrounding the removal of asbestos from schools, as well as exposure to other hazardous substances, will the Minister of Education respond to this plea from Alberta's educators so that they and their students can be assured of a safe place in which to work and to learn?

MR. DINNING: Well, Mr. Speaker, this is the first I've heard of it, but if the hon. member has a specific concern relating to the health and safety of children in one or more of our schools, I would invite him to provide me with that information.

MR. GIBEAULT: I'm surprised he wasn't at the ARA. As Minister of Education he should be knowing what's happening there.

Let me ask a supplementary question, then, to the minister. Surely he's aware of the health and safety dangers posed by asbestos and other hazardous substances. I simply ask the minister if he will give his support to the teachers' request for an air quality study and ensure that there will also be financial support available so that we can rectify unacceptable situations. Is he concerned about the students' and teachers' health or not?

MR. DINNING: Mr. Speaker, I am well aware of the health and safety concerns associated with asbestos, and especially the removal of it. I am concerned about it if a problem exists. So I say to the hon. member: is he so concerned about standing up and making political points, or is he more interested in the health and safety of our children such that he would bring a specific concern to my attention?

MR. SPEAKER: The Member for Calgary-McKnight, followed by Calgary-Mountain View if there is time.

#### **Advanced Education Programs**

MRS. GAGNON: Thank you, Mr. Speaker. Co-operative education offers the advanced education system innovation, better use of facilities, and a student prepared for the workplace. My question is to the Minister of Advanced Education. The University of Calgary's number one priority request, more co-operative education programs, has been sitting on the minister's desk for two years, since January 1990. When will the minister approve the University of Calgary's number one priority?

MR. GOGO: Mr. Speaker, I recognize as well as others that access to our postsecondary system is one of the top priorities both for government and our postsecondary system. It's true it's the number one priority in terms of access at the University of Calgary. It's also this minister's number one priority to ease the whole problem of access.

MRS. GAGNON: Mr. Speaker, I'd like to address my second question to the Minister of Career Development and Employment. Since the educational progress club of Calgary and the Calgary Chamber of Commerce have endorsed co-operative programs, will this minister intervene to ensure that this excellent career preparation program is approved and supported?

MR. WEISS: Mr. Speaker, I believe the former minister addressed the issue. I'm not aware of the particular concern. If the hon. member would like to bring it to my attention or makes representation in that regard, I'd be prepared to look at it and assess it.

MR. SPEAKER: Calgary-Mountain View.

#### **Legal Works Management Ltd.**

MR. HAWKESWORTH: Thank you, Mr. Speaker. Since late last year staff at Consumer and Corporate Affairs have conducted an internal review of the operations of Legal Works, a collection agency that closed its doors in Calgary last fall. The minister recently appointed the director of financial examinations as trustee for the files of former Legal Works clients. I presume from that action that the internal review is now completed and that the minister is trying to close the book on this unhappy situation. To the Minister of Consumer and Corporate Affairs: will the minister release the internal report, its findings and recommendations so that the public can have the opportunity to review it?

MR. ANDERSON: Mr. Speaker, with respect to the hon. member's assumption in this regard, I have to tell him that until the circumstance has been fully explored, and that means through the trustee having a period of time to go through files to assess the circumstances, all facts won't be known. In any case, it's not a matter of a formal report that will be there but rather an investigation of the circumstances that took place. I'd be happy to discuss those with him at any time.

MR. HAWKESWORTH: Mr. Speaker, I'm concerned about past inactions, but I'm also concerned that Consumer and Corporate Affairs might be running the risk of compounding the injustice. They now have control of 3,000 files of the former clients. If those clients can't get at those files, they can't pursue their claims. The statutes of limitations may run out, and their position may be jeopardized a second time: first as a client of Legal Works and

secondly by not being able to get those files from Consumer and Corporate Affairs. I'd like to ask the minister how his department is going to quickly get those 3,000 files back to the clients so that they can pursue their claims and not have insult added to injury.

3:30

MR. ANDERSON: Mr. Speaker, as the hon. member may know, when a trustee is appointed, he has certain obligations under the court order that appoints that trustee, and that requires that he follow through on procedures in accordance with legal requirements. Now, having said that, the instruction has always been to give as much information as possible under the law to those who might be able to take action as a result of having access to their file. We did earlier in the process duplicate the files that were then in our hands and tried to make sure that those who required them had those. If there are particular instances that the hon. member is concerned with, I am sure that the trustee appointed would appreciate receiving them, as would I.

MR. SPEAKER: The hon. Minister of Health wishes to supplement information with respect to a question raised last Friday by the Member for Stony Plain.

The Minister of Health, please.

#### Health Services for Natives

(continued)

MS BETKOWSKI: Thank you, Mr. Speaker. The Member for Stony Plain on Friday, April 3, raised a question with respect to the operation of the school on the Enoch reserve and the Stony Plain health unit. The member alleged that Health and Welfare Canada were prepared to pay the cost for immunization of those students. In fact, when my officials in the Department of Health checked with both the medical officer of health and the director of nursing at the health unit, those two individuals were surprised to learn about the willingness of Health and Welfare to fund the inoculation services. The health unit has been discussing the matter with Health and Welfare Canada for some time, and at no time has the federal government indicated that they would pay for the service. So if the hon. member has information that he would like to share with me and the Legislature, I would be pleased to receive it.

MR. WOLOSHYN: Mr. Speaker, at this time I still stand by the information that I was going on. When I verify that, I'll be pleased to discuss it with the minister or bring it to the House, whichever.

MR. SPEAKER: Thank you.

A response is not really required.

head: **Orders of the Day**

head: **Government Motions**

8. Moved by Mr. Gogo on behalf of Mr. Stewart:  
Be it resolved that the report of the special committee appointed March 19, 1992, pursuant to Standing Order 49 be now received and concurred in and that the committees recommended therein be hereby appointed.

MR. SPEAKER: Discussion? Call for the question.

[Motion carried]

head: **Government Bills and Orders**  
head: **Second Reading**

#### Bill 10 Energy Resources Conservation Amendment Act, 1992

MR. PAYNE: Mr. Speaker, I'm just wondering if we shouldn't give an additional opportunity to other opposition members. As I recall our experience on Friday, we had just got into second reading debate from the opposition side. The Member for Edmonton-Centre had participated, and I believe the member for Lochiel wanted to get in as well.

MR. SPEAKER: Just half a moment.

MR. TAYLOR: Mr. Speaker, did I see a nod of assent?

MR. SPEAKER: Give us just half a moment, please, so I can recheck the records for Friday since I was not here.  
Westlock-Sturgeon. Yes, please.

MR. TAYLOR: Mr. Speaker, it's a great day for the Scottish, but I will keep quiet.

Thank you to the hon. member for giving me the entrée.

Actually, speaking on this, I'm constrained to vote against it, Mr. Speaker, for two reasons. One is the authority that it seems to give the board to go ahead.

. . . may apply to the Court of Queen's Bench for an order requiring that person or his employees or agents to comply with the order or direction.

This is entirely unnecessary, or at least it is in my opinion. I haven't heard an argument so far that would justify why we would give this board that kind of authority. I think this is probably one of the most powerful boards that we have now, and with the fact that it has a lot to do with decisions on environment as well as oil and gas, it could become quite autocratic. In no way, shape, or form am I trying to criticize the present members. I think I, in my position as a critic in both Energy and native affairs and Agriculture, have had occasion to come up against the board a number of times. I find that for a group with such outstanding powers they are relatively tolerant, willing to listen, and, I believe, in general fair. However, what we have here is a board, now that it's been given the rights in many of the environmental fields, that will be intruding on nearly every Alberta's life-style in the next few years. I have the feeling, although I am not a constitutional lawyer – not a lawyer, as a matter of fact – that the altering of that one clause would give them too much power.

I think that the individual has a right. Maybe you heard earlier in question period. I'm always very concerned – and I think this is a classical Liberal position, coming from the old Latin word “liber” – that the individual has to be able to stand up to the state or the collective rights at any time, has to have the facilities and the wherewithal to stand up to the all-powerful state. This is what I see creeping in here, a chance that the conservation board be given authority that they do not need. However, I will sit and listen to what the hon. member might counter with.

The second area that causes me some problems with the Energy Resources Conservation Board: it's really not a conservation board; they're an exploitation board. Their whole orientation for some two generations now has been to see what we can extract out of the ground as fast as we can and sell it to somebody, usually some foreigner, that needs it or maybe down east. In other words, it's a board that's dedicated to exploiting our natural resources, not conserving them. It's a little bit like the words “progressive

conservative.” They just don’t make sense if you look at them collectively, and actually if you look at them individually, they don’t make sense either. We have the same here with the Energy Resources Conservation Board, whose sole duty is to see that the holes are drilled properly to get all the oil out of the ground, that the gravel is dug up and sold, and that whatever assets we have – the timber’s cut – and it moves on down. Of course, it’s done in a sort of a humane way, and in such a way that it doesn’t rape and pillage Mother Nature too much; nevertheless, it is still with the idea of going out there and exploiting rather than conserving.

To give this board more authority, I’m very sceptical. I would feel a lot happier if I could look at that board and instead of seeing a bunch of my fellow engineers and fellow oil men and fellow people that are used to digging holes and selling Mother Nature’s gifts to the highest bidder, had maybe some consumer advocates there, maybe even one of the minister of public works’ long-haired hippies he worries about all the time, conservation oriented, that isn’t ready to saw down everything that’s in sight. Maybe if some of those were on the board, then I wouldn’t feel quite so worried about turning over as much authority as we now want to do.

Finally, Mr. Speaker, I would like to apologize to the member. I’m sure he thought he was introducing a Bill that would cause no problems, would go through without even a burp in the Legislature, but I just feel a little bit bothered. I think I have to make a stand somewhere, and I want to make a stand here in that I just don’t approve of giving the so-called Energy Resources Conservation Board more exploiting powers.

Thank you.

MR. WICKMAN: Mr. Speaker, just one question that relates to this particular Bill. Possibly the member may not be able to address it at this particular time, but he or the Minister of Energy may be able to when the Bill is debated in second reading. That is: has consideration been given, as amendments are being done to this particular Act, to restricting the powers of the board in the sense that they would not be allowed to create that conflict with residential areas such as west Edmonton where residents are objecting to the smell of sulphur, gases, and so on? It’s just something I ask the member to take into consideration and respond to when the Bill is before us at committee stage.

Thank you.

3:40

MR. SPEAKER: Calgary-Fish Creek, summation, second reading of Bill 10.

MR. PAYNE: Thank you, Mr. Speaker. First of all, I’d like to thank the members for Edmonton-Centre and Athabasca – no; sorry. What’s the member for Lochiel’s riding, Mr. Speaker?

MR. SPEAKER: Westlock-Sturgeon.

MR. PAYNE: Westlock-Sturgeon as well as the Member for Edmonton-Whitemud for their contributions to Bill 10 second reading.

On Friday past the Member for Edmonton-Centre raise four or five questions. I scanned *Hansard* this morning, and I think I’m in a position to provide brief answers to those questions. If more substantive response is required, I’d be happy to provide those at committee stage.

First of all, Mr. Speaker, he asked for clarification. Have there been some mechanisms before for this kind of interjurisdictional collaboration? I guess the answer is: not so much a mechanism

as a practice. From time to time we have seen these kinds of interagency, interjurisdictional collaborations. For example, from time to time the provincial Gas Utilities Board will join with the Public Utilities Board and the ERCB for joint reviews. The OSLO project, Al-Pac, I guess, are other cases in point.

What this Bill addresses, however, Mr. Speaker, is to put in statute what in fact has become a very useful practice. In the past, I am told by the board, they haven’t really needed this kind of interjurisdictional collaboration, but they anticipate there will be an increasing need, and in anticipation of that need let’s get it into statute.

Secondly, Mr. Speaker, the Member for Edmonton-Centre asked as to the initiative for such joint panels. You know, who is the spark, who initiates the convening of this kind of collaborative process? I guess the answer is that they would probably be triggered by an application before the ERCB, and then the ERCB would have other people join in as a matter, I suppose, of regulatory efficiency.

Thirdly, Mr. Speaker, the Member for Edmonton-Centre asked, in fact, if other jurisdictions have joint hearing legislation. My research, admittedly preliminary, suggests that no other jurisdictions appear to have this type of legislation. It’s my view that Bill 10 is, of course, a proactive Bill and could very well be used as a model for other jurisdictions, depending, of course, on the subsequent experience.

Fourthly, the member asked: how would joint panel recommendations flow back to us here in Alberta? Well, after a hearing with joint or other jurisdictional participants, recommendations would flow back to the responsible ministers, and members of other jurisdictions, of course, by and large would get the same report.

That response really dovetailed into the final question raised by the member, and that is: how binding would joint panel recommendations be on other participating agencies or governments? I think the answer to that, Mr. Speaker, is that the binding nature of the decisions and recommendations of these joint panels would have to be worked out prior to a joint hearing. The ground rules would be worked out by the participating agencies or governments before the panels began their work.

Now, as to the two questions raised by the Member for . . . I don’t know why it is, Nick.

MR. SPEAKER: Westlock-Sturgeon.

MR. PAYNE: Westlock-Sturgeon.

MR. SPEAKER: Hon. member, I’m sure you won’t refer to him by his Christian name. Thank you.

MR. PAYNE: In response to the incisive, perceptive questions raised by the member, I would take exception to his dramatic reference, his overblown reference to the phrase “the all-powerful state” and using that as a springboard into his conclusion that this Bill would give the ERCB authority they don’t need.

Well, speaking firstly, Mr. Speaker, to section 3 of the Bill – that’s the one that amends section 34 and provides for a mandatory injunction option for the board – I’m assured by the board that this mechanism would be used “only as a last resort.”

MR. TAYLOR: Why don’t you ask the elephants what they think about stomping on people?

MR. SPEAKER: Order please.

MR. PAYNE: I'm sure the member would agree with me that over the years the Energy Resources Conservation Board has built for itself a very justified reputation for fairness. It's hardly perceived by the industry, and for that matter by the public at large, as an autocratic body. I am utterly persuaded on the basis of the past years of experience by the board that it would not use the mandatory injunction provision in an indiscriminate way. On a highly selective basis, Mr. Speaker, the ERCB anticipates the need on occasion to expedite the process of putting restraint on a particularly inappropriate activity. As the member will appreciate, in some instances, albeit rare, time is of the essence. In those very rare circumstances the mandatory injunction option is warranted and I think does belong in their statute, and certainly in the ERCB Act.

Finally, Mr. Speaker, the member referred to the board as an exploitation board, making the justifiable point that over the years its focus has been to work with industry in bringing resources to market, but by the same token, in public hearing after public hearing after public hearing in which the ERCB has been a participant, there has been more than adequate representation on behalf of the consuming public and there has been a traditionally responsive ear on the part of the board to that perspective. I'm sure that will be the case if these amendments are now codified in law.

With those brief responses to the questions raised so far, Mr. Speaker, I would now like to thank the members for their support, albeit qualified, and now to ask for their support for at least passage of the Bill at second reading.

[Motion carried; Bill 10 read a second time]

### Bill 11 Petroleum Marketing Amendment Act, 1992

MR. SPEAKER: Calgary-Fish Creek.

MR. PAYNE: Thank you, Mr. Speaker. I'm obviously pleased once again to move second reading of very useful legislation, this being Bill 11, the Petroleum Marketing Amendment Act, 1992.

To summarize the intent of these amendments, Bill 11 simply updates the powers of the Alberta Petroleum Marketing Commission to reflect the contemporary or modern practices of the oil and gas industry and the APMC. Secondly, again in summary, Mr. Speaker, the Bill will enable the APMC to deal easily with minor overdeliveries and underdeliveries through the use of cash payments in lieu of small crude oil volumes.

The first set of amendments, Mr. Speaker, are found in section 2 of the Bill, and these would amend sections 13, 15, and 16. I should clarify at the outset for the benefit of the members today that these amendments do not change in any way what the commission will do. They simply clarify the commission's ability to carry on activities currently being undertaken. [interjection] In response to the request from my colleague here for clarification, these activities would include futures and swaps, currencies trades, and storage of crude oil – should I read more slowly, Mr. Colleague? – and storage of oil outside Alberta. Now, in the existing legislation, the APMC can only exercise its powers as specifically enumerated in their current legislation. In these new sections, the APMC's powers are conferred in broad terms using words similar to that contained in the Alberta Business Corporations Act.

To illustrate the need, Mr. Speaker, some persons have hesitated when entering into certain transactions with the APMC that although clearly ancillary to the commission's listed powers, are

not expressly listed. For example, during the Gulf war the commission's authority to transact oil swaps to take advantage of the high prices prevailing during the Gulf war was questioned by the other party to those swaps. Private sellers of crude oil are not subject to this impediment. Consequently, it can be a competitive disadvantage to the APMC when selling into the same market.

3:50

Mr. Speaker, another example of an ancillary activity the commission could undertake is storage of crude oil outside of Alberta. The ability to enter storage agreements outside the province will provide the APMC the flexibility marketers of crude oil require in such markets as the Chicago area.

The second set of amendments found in section 5 of the Bill, amending section 18, provide the commission with the flexibility it needs to deal with minor overdeliveries or underdeliveries. In short, Mr. Speaker, these legislative changes will allow the commission to reimburse their overdeliveries or collect their underdeliveries on a cash basis instead of in kind. In this manner the Crown is able to avoid any financial penalty if the price of crude drops in the month the shortfall would otherwise be made up. A second benefit of these amendments would be industry's increased ability to be more current in their reporting and reconciliation of Crown royalty volumes.

I trust, Mr. Speaker, that these few comments are sufficient for the members to understand the thrust of the Bill and what is intended. Obviously, I once again welcome their comments, their questions, and certainly their support.

MR. SPEAKER: The Member for Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. I'd like to add just a few comments to this Petroleum Marketing Amendment Act, 1992. As I've been doing some research and come up to speed on so much in this field, it really is quite impressive just what a major outfit the Alberta Petroleum Marketing Commission is. I was not aware, in fact, that it's the largest volume seller of crude oil in Canada and that it gathers crude oil at more than a thousand receipt points throughout the province. It's a very major player in the field on behalf of Alberta and our resource. So in that way I'm still trying to get the sense of the commission and its powers.

In terms of what I understand to be more housekeeping, minor changes to its Act, I don't have too much of a problem except to say that in the first amendment to section 13 the Member for Calgary-Fish Creek was saying that what they want to do by virtue of this amendment is to make it more clear what the powers of the commission are. I'm certainly up for trying to editorially make things more clear, but it seems to me to in fact collapse at least eight or nine very specific items – the commission can do this and can do that – including section (f), which currently reads “storage facilities.” The member referred to its power to be able to have storage facilities. It's already there, clearly spelled out, whereas the amendment before us – maybe we'll get into this at committee, Mr. Speaker – seems to collapse it down to more embracing language in only three sections.

So I don't know the wisdom – well, I do know the wisdom; there's wisdom in trying to say things more clearly and more succinctly. At the same time, we have to be careful that by collapsing eight sections into three, we're not in fact missing something that needs to be clearly spelled out.

That was my only real comment. The other amendments do seem to be minor. The Member for Calgary-Fish Creek has answered my question about why in the final amendment subsection (2) provides this greater flexibility for the commission to

accept payment of money in lieu of delivery of oil. I get the sense that he's wanting to ensure for the board and for Albertans that in fact these oil shipments are more of a liquid asset, that we can get at the cash value of them more immediately as there are fluctuations in the market and in political circumstances, and that we don't want to incur any financial penalty if the prices drop and so on. It seems to make sense to me. As I say, I'll dig away at more of what this is about and have more questions at committee stage.

MR. PASHAK: Westlock-Sturgeon?

MR. SPEAKER: Thank you.

Westlock-Sturgeon, as recognized by the Chair, not by Calgary-Forest Lawn.

MR. TAYLOR: Actually, don't fight over me; I would have got up anyhow.

Mr. Speaker, this one, I think, is essentially housekeeping, and the one issue in the Bill that bothers me – I can see why it would not bother the NDP, because it looks like creeping socialism, and they don't mind that.

MS M. LAING: We want galloping socialism.

MR. TAYLOR: Galloping? No. The energy I've seen in the NDP recently, "creeping" is more fitting than "galloping." Nobody would ever accuse your party of galloping anywhere. [interjections]

If I may go a little step further, Mr. Speaker.

MR. FOX: How many governments have you guys formed lately?

MR. TAYLOR: They're nattering away there. You know, if you go after one of them, then the whole cage comes after you, Mr. Speaker.

It is outlined in here that "the Commission has the capacity and, subject to this Act, the rights, powers and privileges of a natural person." Then it's allowed for the commission to engage in "activities related or incidental to" the business of oil and gas marketing. Now, the old regulations, Mr. Speaker, restricted the commission's activity to anything to do with marketing, collecting, pipelining, and refining. The new area – and it concerns me a bit – says "engaging in activities related or incidental to that business," which is oil. Well, I'm wondering whether the government is trying to sneak up or set up another Alberta Energy Company or what, because to me it enlarges this Bill, enlarges the capacity or the rights of the marketing commission far beyond what's necessary to handle and sell oil. It seems to allow them to – actually they could get out, explore, drill for, and develop leases under this new broadening where they couldn't have under the old one.

Now, my experience with this government is usually that they're not that secretive. Well, they're secretive enough, but they're not usually that clever that they have designed something here to put the marketing commission into the oil business. I think they would probably be more direct than that. Like any party that's in power 16 years, they come at you with a sledgehammer rather than very sneaky. Nevertheless, I would like an answer from the minister when he counters as to why he felt it was necessary here to give so many powers. I know the minister said it was all right to give the other people powers because they'd been such nice people, but I think he advised them to read that old book by Lord Acton, which said, "Power . . . corrupts and absolute power corrupts absolutely." Giving organizations more power than is

necessary for them does not seem to me to be reasonable, but certainly the only change I see that they've gotten outside the fact that they can store oil outside Alberta is that they can also explore, develop, and get into the oil business themselves. That's something I don't think we want. We already have Disneyland and a paddle wheeler on the North Saskatchewan. We don't need another oil company dabbling around throwing away a million dollars drilling dry holes around northern Alberta in the name of the Alberta taxpayer because it is such a good deal.

Thank you.

MR. SPEAKER: Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Speaker. I just wanted to assure you that I wasn't trying to take your powers away from you. I was just trying to defer to the hon. gentleman from Westlock-Sturgeon if he wanted to rise ahead of me.

I also am concerned, Mr. Speaker, about the section that the Member for Westlock-Sturgeon drew attention to; that is, the amendment that would expand the powers of the Alberta Petroleum Marketing Commission to engage in activities related or incidental to that business. I, too, agree that that's one of the key provisions in the proposed Bill. The Member for Calgary-Fish Creek is probably well aware that increasing volumes of oil, petroleum are traded on the futures markets, particularly the NYMEX, the New York Mercantile Exchange, and I'm wondering if this clause is written in such a way that it would facilitate that kind of trading on the part of the Alberta Petroleum Marketing Commission. If so, could he give us just some general idea of the kinds of volumes that are being traded by the Alberta Petroleum Marketing Commission on the NYMEX today, what those volumes would be, and how well we're doing in terms of placing bids there?

4:00

MR. WICKMAN: Mr. Speaker, this Bill being introduced by the same member who introduced the previous Bill gives me the opportunity to again ask him if he would respond to the comments I made earlier pertaining to the previous Bill.

Thank you.

MR. SPEAKER: Additional?

Summation, second reading. Just a moment.

Calgary-Foothills. Thank you.

MRS. BLACK: Thank you, Mr. Speaker. Just a couple of comments. Back in the olden days when the APMC was created – the Member for Westlock-Sturgeon will remember this – a lot of the concern was to have a facilitator in Alberta that would help do away with some of the duo-taxation that was being imposed by the feds on Alberta crude. By having it go through a Crown corporate body, that would help get rid of some of those problems. It has been a successful body within Alberta over the years and has administered the marketing of crude very successfully and provided a vehicle for our producers to get their product to market. By bringing the marketing commission into today's business environment, I feel the principle of this Bill is basically a housekeeping item and is fundamental.

I would ask the hon. Member for Calgary-Fish Creek if he could expand on his explanation of storage facilities outside the province, because I think that's a little concerning. I also think that I would like to recommend that Bills of this nature should adopt the Minister of Consumer and Corporate Affairs' promotion of plain language. This Bill again is in the traditional format, and I'd like

to see some of the energy Bills come forward in a plain language mode so that they are easily understood and interpreted.

As we've seen this industry develop, we have seen changes take place, and I think the Bill in principle is in fact dealing with those changes in allowing for the adaptation of the industry. I would appreciate under section 3 a further explanation on the changes on the "deficiency in deliveries of the quantity of the Crown's royalty share of crude" and how that is in co-ordination with the Mines and Minerals Act on royalty penalties. I think they're compatible, but I just wanted to be sure that they were compatible with deficiencies on Crown royalties.

That's all I have to say.

MR. SPEAKER: Additional?

Bill 11, second reading. The Member for Calgary-Fish Creek in summation.

MR. PAYNE: First of all, Mr. Speaker, I'd like to thank the number of members who have participated today. Their questions and comments have frankly been very, very helpful.

[Mr. Deputy Speaker in the chair]

Perhaps I could respond to the questions raised in the order that they were raised this afternoon, Mr. Speaker, beginning with the question from the Member for Edmonton-Centre in which he made reference to the present provision, 16(1)(a), which refers to a "storage facility." I would like to point out to the member if he would just read the next two words in that provision: "in Alberta." So in the storage context it's a very limiting provision, and the proposed amendments would remove that territorial limitation, if you like.

I believe it was the Member for Westlock-Sturgeon who then got into the debate with allegations of creeping and galloping socialism and what have you and left, I think, with the House the impression that these new and additional incidental activities that would be accommodated in the amended Bill are not appropriate and that it would result in enlarged powers or capabilities for the commission that are not warranted. I can only repeat for the member, Mr. Speaker, what I said earlier. These amendments will enable the Petroleum Marketing Commission to compete in terms of the 1990s. They are not now able to do so. These amendments will make the Petroleum Marketing Commission, simply speaking, a better marketer. The powers of the Alberta Petroleum Marketing Commission need to be updated. Hence my earlier reference to such mechanisms as oil forwards, futures, and swaps and so on.

I guess the bottom line, Mr. Speaker, is: we want to make the Petroleum Marketing Commission a modern marketer able to use contemporary practices. I guess it's an appeal to the future, and I would like to distance myself from the Member for Westlock-Sturgeon and his quite typical clinging to the past. This is a government of modern technologies, of modern strategies, and of modern procedures. These amendments simply enable the marketing commission to become a modern marketer for and on behalf of the crude oil producers and the people of Alberta.

The Member for Edmonton-Whitemud repeated the question he had raised during Bill 10, and I thought that I had at least in a limited way responded to it when I indicated that, based on my observation of the Energy Resources Conservation Board over the years, they have always paid full and due heed to concerns of the consuming public. Now, I recognize that the member phrased his question with a specific reference to residential communities, and one needs only to reflect on the peripheral communities of Edmonton and those of Calgary that may or may not be impacted

by oil and gas developments. My answer in both Bills is that the ERCB has demonstrated sensitivity to the needs and the interests and the fears and the aspirations of people in the residential communities and that that sensitivity would not be changed in any way by the amendments that we're bringing forward today both with respect to Bill 10 and to Bill 11.

The Member for Calgary-Forest Lawn shared the concern that had been raised by the Member for Westlock-Sturgeon – that is, to these related and incidental activities – and then he focused his concern with respect to futures trading. I should clarify, and I was remiss in not so doing. The APMC has not and is not currently trading on the futures market. This provision would enable them to do so in the future, and I understand the member would like clarification on what kinds of volumes are anticipated by this activity. I don't have those data here, but I'd be happy to bring them to the committee stage, Mr. Speaker.

With those brief responses, then, to the questions that have been raised today, I would like to move second reading of Bill 11.

[Motion carried; Bill 11 read a second time]

### Bill 13

#### Agriculture Statutes Amendment Act, 1992

MR. DEPUTY SPEAKER: The hon. Minister of Agriculture.

MR. ISLEY: Thank you, Mr. Speaker. The Agriculture Statutes Amendment Act, 1992, proposes a number of changes to five Acts administered by the Department of Agriculture. Many of the changes are minor revisions, while others are more significant and aimed at upgrading our legislation with respect to industry and public health concerns.

While cattle have traditionally been identified by hot iron brands, the industry continues to investigate alternatives which minimize damage to the hide and discomfort to the animal. Proposed changes to the Brand Act would, therefore, recognize electronic methods of cattle identification which are becoming increasingly available and feasible. I recognize at this point in time that the electronic methods are not very suitable out on the range or where we've got numerous producers pasturing cattle together. But where cattle are kept in contained facilities, as they are in feedlots, there may be the potential of shifting, and that's one area that we're doing some more work on with the industry. This is partly being triggered by the demand from the packers for less blemishes on hides to enhance the values of the hides.

We also propose amendments to permit the issuance of honorary brands for promotion purposes and to increase penalties for altering or defacing brands. Further definitions such as "stock" are upgraded, and all reference to poultry and fur-bearing animals is being removed from the Act. You will note on page 1 that the definition of "stock" is being changed from what it currently is, meaning "horse, cattle, sheep, or poultry or any fur-bearing animal within the meaning of the Wildlife Act" to now mean "horse, cattle, sheep or buffalo or any game-production animal as defined in the Livestock Industry Diversification Act."

#### 4:10

Mr. Speaker, in light of recent infractions under the Dairy Industry Act, we suggest an amendment to authorize charging penalties against individuals who fail to honour notices issued under this Act. We believe such penalties would deter the removal of notices on products placed under detention or seizure. As well as clarifying the terms of office of directors of irrigation

districts, we propose incorporating a provision into the Irrigation Act to provide flexibility for commutation of road-widening acres.

The changes we're recommending to the Marketing of Agricultural Products Act follow extensive revision of the Act in 1987. All boards and commissions are required to update their regulations under the new legislation. Some boards and commissions have yet to submit new planned regulations because of the way in which section 23 was written, which would require a producer plebiscite. The proposed amendment would forgive this requirement providing that the updated planned regulations do not contain any material changes. The intent of the Act in 1987 was to have all existing boards and commissions come under the new Act and have their plans and regulations come under that Act, and this modification will simply reflect what was the intent in 1987.

Finally, we are seeking several changes to the Meat Inspection Act. The first is administrative and would transfer the authority to appoint meat inspectors from the minister to the director of the department. Second, at the request of the industry, specifically the meat processors association, we're proposing to increase fines for violation of the Act. The stiffer penalties are to dissuade the sale of unsafe uninspected products and hence protect the public health. Also in the promotion of food safety, we're looking to obtain authority to license and regulate mobile butchers, who until now have not been subject to the stipulations of the Meat Inspection Act. The regulations which are currently being drafted would require mobile butchers to report all activities and to transport carcasses and meat in a sanitary manner. As well as preventing the introduction of uninspected meat into the retail food chain, these new requirements would deter livestock rustling.

Mr. Speaker, I trust that all members will see the validity of these changes and support them. I propose second reading of Bill 13.

MR. DEPUTY SPEAKER: The hon. Member for Vegreville.

MR. FOX: Thank you, Mr. Speaker. As is the case with most agricultural statutes amending Acts – the minister introduces them on just about an annual basis – fairly routine proposals are made here by the government. There's a need to clean up the various statutes that relate to agriculture, and we see this as pretty much the same sort of thing, although some of the amendments proposed are a little more substantial than ones we have seen in the past. I was hoping that the minister would provide us with a little bit more information in terms of the government's reasons or motives behind some of the proposed amendments.

The proposal to amend the Brand Act I think is positive. The industry has certainly been lobbying for some changes. There are some changes, however, that have been proposed by some of the cattle organizations. They are lobbying the government to allow certain kinds of brands, rib brands or something. There was some lobbying by the Western Stock Growers Association when they met with the minister. He might want to comment on the representations they made to him about that and what his plans are with respect to different types of brands for cattle.

The inclusion of buffalo and game production animals as defined under the Livestock Industry Diversification Act is something, I suppose, that follows. The minister knows full well that we in the Official Opposition oppose game ranching of elk in the province of Alberta. I guess this isn't the place to revisit that debate. If these animals are going to be ranched in Alberta, then branding and identification is something that needs to be dealt with, so we don't oppose the inclusion in this instance.

The minister did not explain – and I'm sure it's a simple explanation – why all references to poultry and the removing of

wing webs from birds, the penalties that were established under the Act for different things like that dealing with poultry, are being removed from this Act. Are they just considered redundant, not necessary in this day and age? Or are there other changes that are coming that we can anticipate with respect to regulations for poultry?

In terms of the Dairy Industry Act and the inspection provisions for premises where imitation dairy products are produced, that all seems fairly routine, bringing those sorts of products into line with the kinds of rules that are in place with respect to dairy products, and I think that's important. However, the minister has an opportunity here to at least address in his comments, if not address in legislation or regulation, the concerns of many Albertans who would like to see some looser regulations with respect to so-called imitation dairy products. There is an increasing lobby – the minister is well aware of it – of people who have allergies to dairy products. They believe they should have open access in the marketplace to products that are made from soybean curd, soybean milk, tofurella, different products that apparently don't try and paint themselves as dairy replacement products or imitation dairy products but legitimate, wholesome food products in their own right. The minister is well aware that there are concerns from Albertans about regulations that prevent these products from reaching the marketplace. I understand the history and the reason and why the dairy industry needs to be protected; I'm not unfamiliar with the reasoning there. But I would like the minister to at least address those questions so that we know what current government thinking on those issues is, because they are important to a number of people in the province of Alberta.

With respect to the principle behind the proposed amendments to the Irrigation Act, the minister did indeed explain that some of the things are going to be amended if this Bill passes, but he didn't tell us why these proposals are before the Legislature. For example, why does the minister feel it necessary to change the definition of the word "minister"? It used to be that the minister under the Irrigation Act meant the Minister of Agriculture, and I think all of us felt comfortable with that. Now it's proposed that the minister would be "the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act," so that could change from time to time. It could be virtually any one of the dozens of members of Executive Council in the province of Alberta. I'm wondering if the minister would tell us in his summation comments what the motive here is, why that change is required, and what the impact of that would be with respect to the administration of irrigation in the province of Alberta.

With respect to the proposed amendments to the Marketing of Agricultural Products Act, the minister knows full well that the Member for Vegreville and indeed the New Democrat Official Opposition have very strong feelings about the deficiencies in this Act. Indeed, I've proposed amendments myself to this Act every year since 1987, when the Act went through substantial revision. We feel very strongly that large numbers of producers in the province of Alberta are being disenfranchised, being ignored. Their democratic rights to have a say in what happens in their lives are being trampled by this government that establishes commissions that collect refundable levies without plebiscites. Now the minister is proposing to eliminate the requirement for plebiscites in cases where continuing plans are being revised by continuing producer organizations. There may well be cases where revised plans should not be subjected to plebiscites. I would hope that the minister would tell us about some of these things. What's he got in mind? What pressure is on the marketing council to request these sorts of changes? What organizations are going to

be first past the post with respect to revised plans that they want to have approved and endorsed by the Conservative cabinet without seeking producer plebiscite? I'm not suggesting that there's anything amiss here, but I would like to know. I think the minister has a responsibility to explain to members of the Assembly and producers in the province of Alberta why he feels these changes are required at this time.

**4:20**

In terms of the proposed amendments to the Meat Inspection Act, if one reads a brief summary of the Act included in the *Alberta Parliamentary Digest*, it sounds quite ominous, allowing mobile butchers to slaughter without inspection. It sounds like there'd be roving bands of mobile butchers traveling all around the province – marauding bands of mobile butchers: that's quite a mouthful – but that's not the case. In fact, this is a good provision in the Act, a good amendment, because there are a number of people who do provide service to their neighbours. They're willing to go out and help a neighbour slaughter a steer or hogs. In the case where the meat's to be consumed by the people who own the animal, where it's not being sold, it's not off-side in any way, I think we need to clean up these regulations and make it a little easier for people to conduct business in their community in a normal sort of way. So we support those changes, as ominous as they might sound.

The minister might describe to us, however, why it's necessary, in his opinion, to change the definition in the Act of "director." It currently means director of veterinary services. Now it's being changed to anyone employed by the government who the minister decides to designate as director under the Meat Inspection Act. He might provide a little background for members of the Assembly on that one. It may again be fairly straightforward, but I think the minister would want to have the opportunity to share with all Albertans the reasons that he has for seeking this amendment at this time.

That being said, Mr. Speaker, I find nothing apparently offensive or objectionable about the proposals in this Act to amend the agricultural statutes in 1992. I think there are a number of good proposals here, and it's my intention to support them at second reading.

MR. DEPUTY SPEAKER: The hon. Member for Bow Valley.

MR. MUSGROVE: Thank you, Mr. Speaker. I'd like to make a few comments about the changes in the Act. In particular, I'd like to talk a little bit about brands.

I certainly can understand where packinghouses are having some problems with animals coming in with multi brands on them. We can certainly recognize that when someone sells calves and they're sold to a backgrounder, they're branded, then they go to the feedlot and they're branded again, and when they wind up at the packinghouse, some of them have quite a few brands on them. There are, though, some reasons for that. As a feedlot operator, if you buy your feeder cattle from a multitude of different producers and then you go to sell them to the slaughterhouse, if they're not branded with a feedlot brand, you have to produce a bill of sale for each animal that you bring to the slaughterhouse. Now, if the feedlot operator has bought feeder cattle from, let's say, 20 different people, they generally are not all finished at the same time, so he has to brand inspect them himself and bring a bill of sale for each animal to the packinghouse when they're brand inspected. So there is some concern in that regard, and we need to work on those types of things.

There's been a concern about rib brands. Certainly I understand what the packinghouses are saying about the loss of leather with cattle with large rib brands, but we haven't brought in a resolution to be able to fix that problem to date. We recognize that there are people who run cattle in multibrand pastures. If I have an animal that gets into my neighbour's and I know that I have an animal there, I need to be able to ride over to the neighbour's, identify my animal immediately, and take it home with as little disturbance of the neighbour's cattle as possible. Electronic devices are not at the point where they would be successful in that type of thing today. Certainly if we can send people to the moon, we should be able to devise a way of identifying cattle positively and easily without having to destroy the hide, but we haven't got to that point yet. Until we do, I think that rib brands are a must and need to be ongoing.

We have a law in Alberta that says that you shall not harbour a stray. In other words, if there's a stray animal in your herd and you know it's there and haven't advertised it, you're liable to prosecution. If you don't have positive identification on those animals, it makes that fairly hard to live with. So I hope we don't pass too many rules as far as branding is concerned until there is a better way of coming up with identification.

One of the questions that I want to ask the minister has to do with the renewal of brands. At one time, when your brand needed to be renewed, the department sent you a notice of renewal. I note that that was discontinued for a few years, and some of my neighbours neglected to renew their brand and were notified that they had lost it. Now, this is a pretty hard hardship on someone who's got several hundred head of cattle identified with a brand, to get a notice saying that you no longer have this brand. I wonder if that is still the rule or whether its been changed so that they now do notify you whether your brand needs to be renewed.

I just wanted to make one comment about commutation of water rights for road-widening purposes. During my municipal days this was always an annoyance, having to work with the irrigation district when we were doing road widening because there were water rights. Now, in most cases in those days if there was some land in that parcel that could be watered, we would just change the water rights from the acre along the road to some other place within the parcel. But that wasn't always possible because there is the odd parcel of land that's all irrigated, so in that way we had a problem and a very serious expense trying to commute water rights. Of course, we had to recognize that the same people who paid for the commutation of the water rights were also the ones who paid the taxes. It did cause us some annoyance, so I think this is a positive move in that direction.

Thank you very much, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Member for Drayton Valley.

**4:30**

MR. THURBER: Thank you, Mr. Speaker. I'd just like to speak briefly in support of the amendments that the minister has proposed.

The first part, section 18 that's being repealed, is to do with the branding of poultry. Now, I guess I don't go back far enough to remember when we branded chickens, but I can certainly see a reason for taking it out. I know that the tradition in branding parts of this country is to rope an animal by the hind leg and drag them out, and you have people there that help you wrestle them down and put the brand on. I suspect that the reason for this being removed from the statutes is because of a very strong lobby attempt by ropers in this country that had trouble determining

which was the hind leg on these chickens. In fact, trying to get wrestlers to handle them was probably a reasonable problem too.

When you go on a little further in the brands, it says that a person is guilty of an offence who "brands or causes, directs or permits to be branded with his own or with any brand or vent, any stock of which he is not the owner." Mr. Speaker, years ago that was called rustling. It's still called rustling. The fine at that time was listed at \$200, while cattle were worth probably \$10 or \$20 at that time, and they used to hang the people. Then it went up to \$200 and now, when cattle or livestock are worth anywhere from \$1,000 up, I think it only makes sense to have at least a \$2,000 penalty in there.

The identification of livestock has always been a problem, Mr. Speaker. In Manitoba there was never a brand inspection service provided, and the hides in Manitoba were always worth a lot more money than those coming from Alberta, where we've branded, as tradition, for a good many years. But one of the problems with not being able to identify these animals in Manitoba and where there was no brand inspection was that it also became a dumping ground for rustled cattle, stolen cattle. I think that ranchers would like to be able to have some other means of identifying their livestock, but branding, until this point in time, seems to be the only reasonable way. Certainly I agree with my colleague who says that electronic technology will become available at some point in time where you can carry something similar to a radar detector on your saddle horse and pick out your own cattle. I think that would be a great advancement, because cattlemen like to treat their livestock in the best possible way. They don't like putting brands on them, but they have to have some method of identifying them.

Mr. Speaker, in regards to the livestock products Act, I know that it was revised in 1987 and there were some problems in bringing all of the commissions under the new Act. I think it's a reasonable assumption to go in this direction, to try and let the council decide if it's going to change the actual intent or the basic concepts of that plan, and that they allow them to go ahead without having a referendum. In some cases it's unreasonable to try and have a referendum, particularly in the case of the Alberta Cattle Commission, where you have somewhere around 40,000 people and it's a little difficult to carry out a referendum every time you want to make some minor change.

The last one I would mention just briefly, Mr. Speaker, is the regulation in the Meat Inspection Act where it will allow some control over the mobile butcher. I believe they perform a really good service in the countryside, where you can have somebody come out and help you with your butchering or come out and do it for you with a mobile truck and take the meat in and have it handled properly. I believe that deserves some consideration, so I think the changes in respect to that are also very forward thinking and something that we should pass in second reading.

Thank you.

MR. DEPUTY SPEAKER: Further? The hon. Member for Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Speaker. A few comments on Bill 13. Firstly, starting with brands, it's interesting that that's part of the Bill. I was talking to one of our federal MPs, whose ranch has one of the earliest brands registered in Alberta. At the time when that brand was registered for the Porter ranch, the brand registry for all of Canada was in Medicine Hat, through the early years. Then as the provinces came in in 1905, each then had their own brand registry system. I think when we heard the previous two members, the Member for Bow Valley and the Member for

Drayton Valley, talk about why we needed to brand in the old way versus any new electronic way, what we're seeing is a couple of old cowboys that still want to hang on to some of the old. They think that all they need on the horse is a rope and they've got her made if they can read the brand, whereas they could easily have some small electronic device that would read those numbers or read those cattle as well for them as the brand. I think, Mr. Speaker, cow/calf operators would figure out other ways of branding if we could get part of the saving that would occur on the hides back to them. As the system exists, it's the easiest way to mark your calves. By the time they're full grown and are slaughtered at the packers, go through many feedlots, et cetera, that is where the hides then take the loss in value. If we could somehow get some of that back to the cow/calf operator, I think then we would soon find other methods of marking, be it electronic or others.

Mr. Speaker, I was interested to read the parts of the Bill relating to imitation dairy products. If these products are so good, like their manufacturers say they are, why can't they call them what they are? Why do they have to say "imitation dairy products?" Why do they have to use the word "dairy" associated with it? Why can't they just name a product? I remember some research that I and a couple of other members did a few years ago. A big part, a lot of dairy people felt, was the words "imitation dairy products" on products that were used as a replacement for dairy products. Why don't they just pick a brand name, advertise that name, and leave the words "imitation dairy products" - as if to say it's related to dairy - out?

Mr. Speaker, a few comments on the Irrigation Act. The Member for Bow Valley made some comments on it. He explained some of the changes, but I would assume the first change in that Act designates the minister as "the member of the Executive Council charged . . . with the administration of this Act." The reason for that is that now, if you read the Act and put the straight meaning into "minister", we now have an associate minister responsible for the Act. I would assume that that gives some flexibility and legitimizes what's been happening for the last three years in having the associate minister responsible for the Irrigation Act.

The other amendments to that Act. The main one is the commuting of water rights on drainage projects and on road-widening projects. This is something the majority of the districts have been doing for quite a number of years, but it was felt after closer review that maybe they weren't living within the parameters of the Act in commuting these water rights when a project involved the general betterment of the people in the area as well as the people in the whole municipality. This, Mr. Speaker, will legitimize what's been going on for quite a number of years.

Lastly, Mr. Speaker, the comments in the Act relating to mobile butchers are good because we now have acknowledgement that this business exists. I remember a number of years ago when the first changes were put in relating to mobile butchers. At one time people in the department were running around trying to catch these guys and charge them because the way the Act was written, they weren't allowed to. Two farmers couldn't get together and do their butchering on one guy's place; it had to be on your own place. That's how restrictive the Act was. This just opens it up and allows somebody to go around and do a service in areas where small slaughterhouses don't exist. They can go out to the farm, butcher the animal, prepare it, and take it to a butcher shop in town. In many cases, a major part of their business is the cutting and wrapping of meat that is slaughtered on the farm. That could be up to 20 or 25 percent of the business of a small butcher shop in a small town.

With those comments, I would urge all members to support the Bill.

4:40

MR. DEPUTY SPEAKER: The hon. Member for Westlock-Sturgeon.

MR. TAYLOR: Yes, Mr. Speaker, just a few short comments. I think there's no real problem here. I can see them looking forward to electronic implants and, as somebody said, going out on horseback and, instead of a six-shooter, pointing some sort of a radar reader reflecting who owns the cattle, how much they weigh, what you should feed them, and if they don't belong to you, where the neighbour is, and so on.

I think what bothered me a bit was the honorary brand proposed by the Department of Agriculture. I guess the department of tourism, besides going out and building paddle wheelers and remodeling lobbies, now wants to go around giving out honorary brands. Apparently he gave some out to the Japanese as gifts. It may be worth a lot, I suppose, in a Japanese rumpus room to have the Lazy L or Lazy PC, or whatever the brand is that they're going to give as an honorary thing to tourists, but I kind of think it's going a little too far. It's a bit of a joke; it's something that we could have a little bit of fun with. Luckily the press gallery's empty, but I think any cartoonist up there would have a lot of fun in eastern Canada with our Premier and minister of tourism whipping up and down the alleys of the world trying to plant honorary brands on different backsides in order to get them to come to Alberta or, on the other hand, auctioning them off. I'm not sure that the honorary brand concept is something that goes over that big with me.

I notice – I'm just going to actually question it. It isn't all facetious. He said to end branding poultry. I believe the Department of Agriculture is allowing ostrich ranching to go ahead. Where do you classify an ostrich? Not the one that puts their head in the sand.

The next one I wanted to touch on just for a minute is the activities of the mobile butcher. That bothers me a bit also, Mr. Speaker, because I've had a few complaints over the last couple of years about mobile butchers after butchering stock. I thought they were already – if not in vogue, at least there are a number of them. I know in central Alberta they are. The problem came where farmers, after having a mobile butcher out there to look after their butchering, wanted to transport the carcass to a cold-storage plant to be cut up and stored, and they ran into trouble. My experience was that there were mobile butchers there already, and I don't understand, really, what this Act is going to do for mobile butchers that they already do not have. I'm more interested in knowing from the farmer's point of view or the owner's point of view: after the mobile butcher is whistled in and whistled out and you have a carcass on your hands, can that owner or the mobile butcher legally take it down to a cold-storage plant or to a butcher shop to then be cut up, or does it have to stay on the farm from that moment on? That was one of the worries.

I think one of the reasons they were getting tough on mobile butchers in central Alberta – a little overenthusiastic, I thought – was that they were using the excuse of rustling. But I don't think that most of our beef – and maybe the minister can correct me on this – is being eaten here. I would suspect that they get in the old truck, they start moving pretty fast, and they go a long ways from here before they're cut up. On the other hand, maybe the minister has some knowledge that I don't. I talked with the police, and it wasn't there; they thought it was being butchered nearby.

That brings up another point then. We go to all this sanctimonious business, Mr. Speaker, of making sure that rustling's going to be cut down with electronic brands and that. Yet this government two years ago, I think, or the federal government – I'm not just sure; I think it was the provincial in conjunction with the federal government – cut the funding to the RCMP for brand inspection. The Mounties used to be in charge of brand inspection up to a couple of years ago, and they're not. If indeed we're having problems with rustling, why don't we fund the RCMP, either directly or indirectly through the federal government, so they can at least beef up, if you'll pardon the pun, their department to look after stolen beef.

Thank you very much.

MR. DEPUTY SPEAKER: Further?

The hon. minister wishes to wind up the debate?

MR. ISLEY: Thank you, Mr. Speaker. I'd like to respond to a number of the questions and concerns that were brought up by members of the House. There was a question under the Brand Act as to the current status of the rib brand and some of the lobbying that has recently been going on. In an attempt to make producers aware of the increased value of a hide with less brands on it, we let the industry know that we were considering disallowing any new rib brands and that we would assist as much as possible anyone that wished to relocate their rib brand. That caused quite a strong stir to retain the rib brands and even issue new rib brands. What we're doing now is sending a notification out with anyone that applies for a rib brand, a paper explaining the enhanced value of the hide, but if they insist on a rib brand, they're still getting rib brands.

The hon. Member for Vegreville asked why poultry and furbearing animals were removed from the Act. I think he probably got his answer from the Member for Drayton Valley, who suggests that they were too tough to rope. That's being a bit facetious, but the Act really never applied to poultry and furbearing animals because no one has developed the practice of using brands for identification, so they're simply being removed.

Imitation dairy products received some discussion, and I think the Member for Cyprus-Redcliff probably gave one of the better responses. If you've got a product that you can put on the market out there, don't put it on the market as if it were something it is not. Imitation dairy products across the nation are causing some concern. They're being handled in different ways in different provinces. We're attempting to come up with a more standard way of dealing with them, and there could well be some legislation in the not too distant future.

Irrigation Act. I think the answer to the Member for Vegreville's question was given by the Member for Cyprus-Redcliff. In the strict letter of the Act, it hasn't been the minister that has been administering it for some time now; it's been the associate minister. This change in the wording allows that type of flexibility to occur.

The Marketing of Agricultural Products Act. I see the Member for Vegreville got into his old position of there should be no commissions without plebiscite, as opposed to commissions that have refundable checkoffs. I would just say to him that the leaders in the industry have done a fairly good job of developing commissions in order to promote their products and do research on their products. If they retain the confidence of the producers who are paying the checkoff, they will survive. If not, they will have to face plebiscite.

The Meat Inspection Act. I believe the question was: why did we change the definition of "director" where currently it talks

about the director of veterinary services being in charge? The answer is very simple. We no longer, as a result of reorganization, have a director of veterinary services, and this again makes the Act more flexible so that whoever meat inspection is reporting to, that director has the authority.

The hon. Member for Bow Valley expressed some concern on multiple branding, and I could share with him that one of the things we are working on is trying to streamline the brand inspection at the feedlots so that if they're inspected in, they don't have to be inspected out. We've still got some work to do on that, and it's got some budgetary implications.

**4:50**

I'll check into his concern with respect to renewal of brands when they run out. I believe we're currently doing that again, but I'll check on it, and if we're not, I will correct that statement.

That's probably about all the points that were raised, with the exception of Westlock-Sturgeon's concern on the honorary brands. I think, as he so often does, he has really misunderstood the intent of the legislation. The intent is to allow an honorary brand for the promotion of the industry or in recognition of people that have made significant contributions to the industry. It would also allow a brand that has been in a family for generations to be held by the offspring of those original ranchers even if they weren't actively involved in ranching.

I should point out to the hon. Member for Westlock-Sturgeon that the RCMP never have been in charge of brand inspection in

the province of Alberta. What he is probably remembering is that the RCMP used to have what they called a livestock investigation unit, which was suspended in one of their reorganizations about three, four years ago. That has caused some concern in the industry, and we're currently holding discussions with the Solicitor General and the RCMP to see if there's some way of replacing that former service that was provided by that unit.

With those comments, Mr. Speaker, I would move second reading of Bill 13.

[Motion carried; Bill 13 read a second time]

MR. ANDERSON: Mr. Speaker, I might say that due to the brevity of speeches this afternoon, not always a characteristic of this Assembly, I will soon be able to move that we call it 5:30. I should indicate before doing that that it's not intended we sit this evening or likely tomorrow evening. However, tomorrow afternoon we will do the usual private members' business.

MR. DEPUTY SPEAKER: Excuse me, hon. member.

The hon. Member for Edmonton-Whitemud.

MR. WICKMAN: Oh, I thought he was getting up to speak on Bill 4. I was all ready to go after him.

[At 4:54 p.m. the Assembly adjourned to Tuesday at 2:30 p.m.]