

Legislative Assembly of Alberta

Title: Wednesday, May 13, 1992

2:30 p.m.

Date: 92/05/13

[Mr. Deputy Speaker in the Chair]

head: **Prayers**

MR. DEPUTY SPEAKER: Let us pray.

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

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

Amen.

head: **Introduction of Visitors**

MR. DEPUTY SPEAKER: The hon. Member for Redwater-Andrew.

MR. ZARUSKY: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to the rest of the Assembly two people from the new independent state of Ukraine, Mr. and Mrs. Drach. Mr. Drach is a Member of Parliament for the Ukrainian Parliament and was very active in the Rukh movement, which was for independence and democracy and wiping out socialism and communism in Ukraine. They're visiting here with us today in follow-up to the plane that will be taking the relief funds to help the Ukrainian people in their time of need. Albertans responded very well. I ask that they rise and receive the warm welcome of the Assembly. [remarks in Ukrainian]

head: **Tabling Returns and Reports**

MR. ORMAN: Mr. Speaker, I'm pleased to file with the Assembly the 1990-91 annual report for Alberta Oil Sands Equity.

head: **Introduction of Special Guests**

MR. ISLEY: Mr. Speaker, it's my pleasure today to introduce to you and through you to the members of the Assembly the president of the Feeders Association of Alberta. Mr. Bob O'Brien from Barrhead is seated in the members' gallery. He chairs a very successful feeder financing program in the province. I ask that he stand and receive the welcome of the Assembly.

MR. TANNAS: Mr. Speaker, I'm delighted today to introduce to you and through you to members of the Assembly 27 students from Cayley school. They are accompanied today by their teachers Mr. Allan Brazier and Mr. Dave Holowaychuk and by parents Mr. Dan Telfer, Mrs. Maureen Hurlburt, Mrs. Gail Rogers, Mrs. Lindi Barron, and Mrs. Faye Hurst. I'd ask them to rise in the gallery and receive the traditional warm welcome of this House.

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

MR. CHERRY: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly 69 students from Holy Rosary high school in Lloydminster. Accompanying them are three teachers: Mr. Tim Brochu, Mr. Ray Politeski, and Ms Jeannine Bobrowsky. They are seated in the members' and public galleries, and I would ask them now to stand and receive the warm welcome of the Assembly.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and members of the Assembly 14 students from the Alberta Vocational Centre in my riding, the Winnifred Stewart campus. They're in the public gallery, and they are accompanied by their teacher Maureen Day. I request that they stand and receive the warm welcome of the Assembly.

MR. DEPUTY SPEAKER: The hon. Member for West Yellowhead.

MR. DOYLE: Thank you, Mr. Speaker. It gives me pleasure today to introduce two distinguished residents of the town of Edson: Mr. Ray Ireland and Mr. Peter Serdiak. Mr. Serdiak was town manager of Edson for some 30 years and a strong promoter of the twinning of the Yellowhead Highway. I ask them to stand and receive a warm welcome. We'll be leaving shortly on that tour.

MR. DEPUTY SPEAKER: Oh, sorry. The hon. Member for Edmonton-Meadowlark.

MR. MITCHELL: Thank you, Mr. Speaker. I'm going to move that we get you a new pair of glasses so that you can see this far back.

It's my pleasure to introduce to the Legislative Assembly today, Mr. Speaker, three gentlemen: Bill Housman, who's the reeve of the county of Grande Prairie; Dwight Logan, who's the mayor of Grande Prairie; and Wayne Jacques, who's a forestry consultant in Grande Prairie. I'd ask that they rise in the gallery and receive the welcome of the members of the Legislature.

head: **Ministerial Statements**

National Tourism Awareness Week

MR. SPARROW: Mr. Speaker and members of the Alberta Legislature, as Minister of Tourism, Parks and Recreation it is my pleasure to inform you that May 11 to 16 is National Tourism Awareness Week in Canada.

Tourism is the largest industry in the world, and it is the fastest growing economic industry in Alberta. A strong tourism industry benefits all Albertans. Over 100,000 Albertans are employed in the tourism/hospitality industry in either a full- or part-time capacity. It is forecast that Alberta's tourism industry will generate close to \$3 billion in receipts in the province in 1992. Tourism is big business in this province, and Albertans expect that the provincial government will support and profile this dynamic industry.

The government of Alberta is doing just that through a variety of carefully planned initiatives and successful programs. Just this week the government of Alberta and the federal government announced the creation of a \$10 million cost-shared agreement which will assist in making Alberta's tourism industry more competitive. This new initiative has two objectives: to encourage the tourism industry in Alberta to work together to expand tourism revenues through increased marketing activities in both international and domestic markets, and the second objective is to increase the productivity and competitiveness of the industry through increased market research and dissemination of information among the provinces.

The community tourism action and Team Tourism programs are made-in-Alberta success stories which have been applauded and copied throughout the world. The Alberta Best program is a growing force throughout the province, and the Alberta Tourism Education Council is working with the other western provinces in

the certification of professions in the tourism industry, and of course 1992 is the 60th anniversary celebration of Alberta's parks system.

The outlook for this industry is even brighter with the amalgamation of the Department of Tourism with Recreation and Parks. The blending of the departments has allowed the province to add our provincial parks system and wilderness experience to our distinctive Alberta product, among other benefits. The unique partnership which is in place in Alberta provides the industry with an environment to grow and prosper into the new century.

I ask all of you to pay tribute to the women and men who are continuing to make tourism Alberta's industry of the future.

2:40

MS BARRETT: Mr. Speaker, interesting that the minister should make this announcement today. It was just yesterday that I benefited from a workshop on an industry called ecotourism. I was exposed to the fact that pictures that are used for advertising super natural environments in other provinces now have to get the photographer to wait while animals come into a certain field and shoot only in one direction so that they're not showing the clear-cut forest that happened just outside the perimeter of the camera.

There's a lesson in this for Albertans and particularly for the Ministry of Forestry, Lands and Wildlife. I would hope the Minister of Tourism, Parks and Recreation would exercise some clout in his cabinet, because the fact of the matter is that as people around the world become more aware of our wonderful environment, they want to come here. They want to see birds. They want to see wild animals. They want to see clean rivers. What they're getting . . . [interjections] Oh, the Environment minister doesn't like this; does he?

Mr. Speaker, the rotten fact of the matter is that this government gives out tracts of land the size of the entire province of Nova Scotia to one company under forestry management agreements. This government hasn't spoken out against clear-cut logging. This government doesn't care about the state of the rivers, which can attract tourism to Alberta. This government feels comfortable talking a good line about recreation and tourism and won't promote the very policies that would encourage people to come and enjoy natural Alberta. That's the way we work for co-operation in this province.

head:

Oral Question Period

Health Care Premiums

MS BARRETT: Mr. Speaker, Canadians found out yesterday what they really knew all along. Statistics Canada reported that real incomes have declined throughout the country. I'd like to point out that the consumer price index in Alberta increased from 91.5 in 1983 to 124.6 in 1991, a change of 36 percent, but there has been no change in the complete subsidy of health care premiums in Alberta since 1983-84, when a full subsidy for a single applied to those with a taxable income of less than \$3,500 and to families with a taxable income of under \$6,000. In the meantime, premiums for single people have increased from \$14 to \$27 and for families from \$19 to \$54. That really means that premiums have in effect doubled for low-income Albertans. My question to the Minister of Health is: what more information would it take to get her department to review and update the levels of income for people to qualify for premium waiving?

MS BETKOWSKI: Mr. Speaker, for the year last year to this we believe that the adjustment of \$1 for singles per month and \$2 for a family was bearable. I will admit to the hon. member that in

the face of very difficult fiscal times, I opted for the choice to put dollars into health rather than to adjust the premiums this year. In light of the relatively small adjustments that we made, I still believe that the decision was an appropriate one.

MR. DEPUTY SPEAKER: A supplemental question?

MS BARRETT: Yes, Mr. Speaker. The fact is that more and more poor people are having to pay premiums because the government hasn't adjusted the income floor for those subject to the premiums, and in fact from 1987-88 to 1990-91 - that's just a three-year period - there was a 6 percent increase in registrants, yet a 23 percent decrease in the number of those who qualified for a complete subsidy. Will the minister now agree that a total review and update of the subsidy program is required for low-income people of Alberta?

MS BETKOWSKI: Mr. Speaker, we're waiting in anticipation for the federal government's review of low-income people across the country and the subsidies they're on, and we'll certainly look at the impact provincially.

MR. DEPUTY SPEAKER: A succinct supplementary.

MS BARRETT: Yes, Mr. Speaker. To add insult to injury, I also discovered that if you are subject to the premium and you don't have enough money to pay it, you're subject to a 14 percent interest rate on every year that you accrue arrears with the department. Surely the minister realizes this is onerous. Will she remove the 14 percent interest rate that accrues on low-income people when they can't pay their premiums?

MS BETKOWSKI: That is in fact already in place, Mr. Speaker. It is possible for an individual, if they can prove low income, to have the accumulated charges on their account forgiven. That exists now and it has in the past.

MR. DEPUTY SPEAKER: Second main question.

MS BARRETT: Mr. Speaker, I'd like to designate the second question to the Member for West Yellowhead, please.

MR. DEPUTY SPEAKER: The Member for West Yellowhead.

Timber Quota in Peers Area

MR. DOYLE: Thank you, Mr. Speaker. Earlier this week I tabled a petition in this Assembly containing the names of hundreds of residents from the community of Peers demanding that the timber quota held by the receivers of a bankrupt sawmill be assigned to those bidders who are willing to create manufacturing jobs in Peers. In face of this overwhelming expression of opinion in favour of keeping the manufacturing jobs in the Peers area, how can the minister continue to insist that the community is divided on this issue?

MR. FJORDBOTTEN: Mr. Speaker, I'm certainly very sensitive to the needs of the people at Peers and what their suggestions and comments are. It's been very difficult to this point to be sure exactly because of the number of petitions that were circulated.

I might say, Mr. Speaker, that first of all it's not the government's decision on the quota. It is up to the receiver. A & V Logging went into receivership, and the receiver has been searching for someone to take over the proposal, and the receiver

would then make that decision. It would be up to the government with respect to whether the quota would be assigned or not to the one the receiver selected.

One of the criteria we looked at – and it was in part in the quota before – was condition 12, which made it a 35 kilometre limit from Peers for the utilization of the wood. Mr. Speaker, I had my deputy remove that so the auction could go ahead with a caveat on it that there would have to be an adequate number of jobs for Peers. It would also have to try to attain full value for the people that were the creditors and also make sure that there's a best return with the jobs for Peers.

Mr. Speaker, I've made no final decision. I believe there are some deadlines attached, and I'll work with the MLA for the area to try and come to what is a proper answer.

MR. DOYLE: Mr. Speaker, the minister has flip-flopped so often with removing special condition 12 in the Peers timber quota that I'm starting to believe he must be a Liberal.

Mr. Speaker, given the minister's incredible track record of flip-flopping on this issue – in February he favoured condition 12, in March he opposed it, in early April he favoured it again, and in late April he reversed himself again and opposed it – and given the overwhelming desire of community residents to keep jobs in the community, why won't the minister flip-flop a third time and require the successful bidder to maintain manufacturing jobs in Peers?

MR. FJORDBOTTEN: Well, Mr. Speaker, in the bird world the parrot is the best talker and the worst flyer. Now, the Member for West Yellowhead is on all sides of the issue. I must say that my thinking is not Liberal; it's definitely Conservative and very sensitive.

What we're attempting to do here is meet the needs of the community. Yes, we changed our minds. I think that's a proper thing to be sensitive and look at it. In this case the petitions that came forward said that it should be on, so we left it on. Then the next petitions came in and said that it should be taken off, so we took it off. Then the next petition came in and some had signed the same petition. Now there is a new petition, Mr. Speaker. I want to be sensitive, and I will take whatever time I need to make sure that we make the right decision.

2:50

MR. DOYLE: Mr. Speaker, there's no question as to who signed the petition that I tabled here.

If the minister really believes that there are a lot of people in the Peers area who favour exporting the jobs to Drayton Valley and Whitecourt, why doesn't the minister, before making a final recommendation to the receiver on the assignment of the timber quota, at least agree to a public meeting or survey for himself to find out where people in the Peers area really stand on the removal of local manufacturing jobs?

MR. FJORDBOTTEN: Well, Mr. Speaker, I'll take that under consideration.

Let's not have any illusions though. Even if the wood is not actually processed in the area, what we want to do is make sure we get the best value for the wood and the best utilization of that wood. We also want to maintain the most jobs that we can in the Peers area. With respect, Mr. Speaker, the receiver makes that decision. He has now had an auction. There has been one company that has been successful in that, and what we need to do now is review whether or not the jobs that that company is proposing are proper. I will do that, and I will try to do it as quickly as I possibly can.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry, on behalf of the Liberal Party.

MR. DECORE: I'd like to designate to Edmonton-Gold Bar, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

Cancer Treatment

MRS. HEWES: Thank you, Mr. Speaker. Last week the Minister of Health responded to questions regarding patients awaiting cancer treatment. Families and patients are literally begging the government to find the resources for life-saving radiation. Now, the minister has acknowledged the increasing incidence, the waiting lists, and that radiation units are old and breaking down. Contrary to the minister's comments, this is an emergency. My question to the Minister of Health is: is there anything the minister can do to speed up access to treatment?

MS BETKOWSKI: Mr. Speaker, first of all we must indicate that the incidence in the prevalence of cancer is increasing at about 13 percent year over year. We also project that there will be a 50 percent increase in the number of new cases of cancer in the next 10 years. That is a pressure which our health system is having to bear and one which I believe we are addressing in a very comprehensive way here in Alberta.

First with respect to the short term in terms of both our Cross Cancer Institute and the Tom Baker centre in Calgary. We have a major capital project under way at the Cross, and new and expanded treatment capability will be in place by late this year. In the Tom Baker in Calgary a new unit will be operational within six months. I'm well aware that the Baker would like to have another unit, a linear accelerator, in place in this fiscal year, and it may well be that the lottery funds that we have set aside in the Health budget could be used for that purpose.

So in answer to the hon. member's question, yes, we will be expanding treatment capability this year. I think we obviously need to look at the longer term which is certainly a major push on prevention so that individuals can make choices with respect to their life to hopefully reduce the incidence of cancer, which we see growing.

MRS. HEWES: Mr. Speaker, the minister knows that anybody that is diagnosed to need radiation treatment needs it right now. We're talking here, I gather, the end of the year. That's not good enough.

Mr. Speaker, last week the minister stated that it's a matter of managing the waiting lists appropriately. Would the minister please explain to Mrs. Butterfield – and I'll table her letter – and the hundreds of other families who are desperate with worry how waiting six weeks for necessary, immediate radiation is a managed waiting list?

MS BETKOWSKI: Mr. Speaker, first of all, I will not under any circumstances discuss an individual's access to health care in this province. I've made that oath as a Minister of Health, and I have no intention of breaking it.

Secondly, the hon. member makes the assumption that a person who needs treatment needs treatment right this minute. In fact, that is a decision that is made daily in our health institutions by physicians who are far more qualified to make that decision than the Member for Edmonton-Gold Bar. I trust our physicians and

the professional capability in this province to make that decision. I don't deny that the waiting lists are creeping up, but I do believe that the physicians in this province are doing yeoman's service to ensure that our access to service is appropriate and that the waiting lists are in fact managed based on medical need.

MRS. HEWES: Mr. Speaker, it seems to me the minister is acknowledging that there's nothing that is being done or that is intended to be done to speed up access to treatment. The stress on patients and doctors and staff is immense. Is the minister telling families, patients, and care givers that she expects them to cope with this crisis until the end of the year? Is that the message?

MS BETKOWSKI: Well, Mr. Speaker, I'm not going to repeat my first answer again in terms of broadening access to service. The hon. member likes to talk about managing health care costs. In fact, last night during my estimates she indicated that we weren't reforming the system; we were simply tightening down on it. Well, that is the issue in Health, and perhaps the hon. member would like to suggest places where we might reduce our cost in Health and readjust those dollars within Health.

I fully acknowledge that there is pressure on our health system. I also believe that in Canada and in Alberta we spend appropriate amounts of resources and cost of our economy on health services. Managing those dollars better, ensuring that we are reallocating resources to make sure that we are putting our resources where they will have the greatest effect is what our whole system is committed to. I don't deny that families are having difficult times. Any family facing cancer has a very difficult time. I do believe that the steps we are taking are part of a systematic step taken to ensure that Albertans continue to have access to excellent health services.

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

Advanced Education Tuition Fees

MR. TANNAS: Thank you, Mr. Speaker. My questions today are to the Minister of Advanced Education. A few weeks ago the University of Calgary president, Dr. Murray Fraser, in a speech to the Calgary Chamber of Commerce called for deregulation to permit the university to raise its tuition fees to 20 percent of its operating costs. Will the minister commit to letting the 27 institutions of postsecondary education in this province set their own tuition fees without government interference?

MR. GOGO: Mr. Speaker, we spent a year reviewing the whole question of tuition fees. To allow certain institutions to set their own is in some ways similar to letting a youngster loose in a candy store, I suppose.

We established a process whereby as a matter of public policy the taxpayer, who pays over 80 percent of the cost, should have probably some say, if not all, in regards to a tuition fee policy. I've committed the government, after a year-long review, to attaining a 20 percent contribution by students by way of tuition fees to the net operating cost of our institutions. That program is well under way. A strong principle of that, Mr. Speaker, was that students who enter our system should know at the outset with a fair degree of predictability what the tuition fees will be for the term of their course. I believe someone entering the University of Calgary today, for example, on a four-year program should know what those fees will be. We're well on the way, I think, toward the 20 percent level. I think at Calgary it's about 14 percent. I would encourage the president of the U of C, as well

as other presidents, to bear with us in this the first year of the new tuition fee policy.

MR. DEPUTY SPEAKER: A supplemental question?

MR. TANNAS: Yes. Thank you, Mr. Speaker. Well, how does the Minister of Advanced Education defend his position in the light of how other provinces deal with this important issue?

MR. GOGO: Well, in fairness, Mr. Speaker, if one looks across the nation, you find that many institutions set their own tuition fees. You also will notice that many governments, with regard to the public institutions, who allocate funds to the universities by grants simply adjust their grants as a net result of what those tuition fees are. We in Alberta have the lowest tuition fee in the country, next to Quebec. I do believe, looking at the costs of our postsecondary system, that we probably will have to make some adjustments in the near future to put them on a more equitable footing in terms of funding. At this time I believe, judging by the participation rate, which is the highest in the nation, judging by our quality, judging by the number of students, that frankly Alberta probably has a system as good or better than any place in the country.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Avonmore.

3:00

Women in Poverty

MS M. LAING: Thank you, Mr. Speaker. My question is to the minister responsible for women's issues. Today we have yet another report on the tragedy facing families headed by single mothers. It indicates that they are the worst hit by the government's fiscal policies and shortsighted and uncaring attempts to patch up the situation. StatsCan says that there has been a steep decline of 6.5 percent in income. This report comes on the heels of a report from the Advisory Council on Women's Issues, an assessment of supports for independence, which concluded that inadequate and inappropriate education and training options for women condemn women and children to lives of poverty. To the minister: will she petition the Minister of Family and Social Services to rescind policies that limit to two years the training recipients can access thereby eliminating the possibility of professional training at the universities?

MS McCOY: Mr. Speaker, I've been doing that for two years. The hon. member is on an issue that I've been quite passionately advocating for some time. However, nothing in this world is as simple as it seems. We have an interdepartmental committee that has been for some time investigating the texture and the interconnectedness and the depth of these issues.

The member is right about the effect that our economy is having on single parents, most of whom are women. There are a number of initiatives that have been undertaken. I was pleased to see today that at the federal level the Minister of Justice has undertaken a study on maintenance and custody awards because there is not consistency across the country and so forth and so on. A large number of these issues need to be pulled together.

As with so many things, we're living in a new world. The conditions of life are considerably different. The experiences our people have are quite different from what a lot of programs were initially designed for. What we all need to do is get together and essentially reinvent government, and I think that there are quite a few initiatives under way to do just that.

MS M. LAING: Mr. Speaker, I welcome the minister's advocacy on behalf of women. There are other issues, and until that advocacy has some effects, women and children live in poverty and suffer the consequences of that poverty.

To the minister. She has long advocated that women move into nontraditional employment opportunities through such programs as the Stepping Stones program. The advisory council notes, however, that privatization of training, an initiative of this government, means that women are slotted into short-term, noncertified, narrowly based training that continues their segregation in pink-collar ghettos. Will the minister now advocate on behalf of women to have a wide range of training and apprenticeship opportunities available to them in the immediate future, not at some future time down the road?

MS McCOY: Again a very good point. My department has indicated that by the year 2000 we will need approximately 16 percent of our work force holding university degrees and approximately 50 percent holding other forms of postsecondary education, which could include trade union type affiliation, carpentry and such skilled trades, or technical training of some other sort. I might add that our statistics show today that we have 13 percent of our work force, the highest in Canada, with university degrees, so we're doing quite well there. We only have 25 percent with other postsecondary training, so we need to double the number with that sort of training. Therefore, all of us need to be encouraging young people to take the technical options that are available to them. Again, we need to be examining ways that we can help particularly women get into that kind of career path.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

Pine Lake Landfill Site

MR. MITCHELL: Thank you, Mr. Speaker. The Public Health Advisory and Appeal Board has approved a landfill at Pine Lake but has put very onerous conditions on that approval, thereby suggesting that there are serious environmental concerns with that particular site. To the Minister of the Environment: in light of this, will the minister indicate why he has failed to insist that an NRCB hearing into this project be called?

MR. KLEIN: As the hon. member should know, Mr. Speaker, there is a process in place that has been in place for some years to adjudicate the environmental worthiness of landfill sites. I can go through the protocol. Very simply, Environment is called in to do the hydrogeology on a site and make recommendations to the local board of health, which in turn conducts a hearing. If people are not satisfied with the results of that hearing, it can be appealed to the Public Health Advisory and Appeal Board. Then there is even a further step that has taken place just recently relative to the Pine Lake landfill site, and that step is an application for a development permit and a further appeal to the development appeal board. How many more public processes do you want?

MR. MITCHELL: Just the right one, Mr. Speaker: a Natural Resources Conservation Board public process.

The federal government has seen fit to initiate an EARP review of this project. At the very least will the Minister of the Environment insist that this project not proceed before that review panel has reported?

MR. KLEIN: If they have initiated an EARP review of the project, Mr. Speaker, this is the first I've heard of it. I have been

informed that they might do a screening of the environmental evaluation, which is a lot different than a full-scale EARP review.

Strathcona Science Park

MR. GESELL: To the Minister of the Environment. Strathcona Science park is located on a reclaimed landfill. Mr. Speaker, there have recently been some reports about seepage, toxic materials that need to be collected from this area. Has the minister or his department determined where this toxic substance is originating?

MR. KLEIN: Mr. Speaker, there's been quite a bit reported about this particular situation in the past few days. It's suspected that the seepage comes from an old sanitary landfill which operated at the south end of the park from 1971 to 1975. We're still working to confirm that that indeed is the source.

MR. GESELL: Mr. Speaker, the minister suspects it comes from a landfill, but landfills generate problems in the initial location for their sites, and they create problems in the active operation stage of landfills. We have some excellent examples where even after the sites are reclaimed, there are ongoing problems. Will the minister and his department change their emphasis away from the landfill option and encourage integrated waste management techniques?

MR. KLEIN: Mr. Speaker, this actually relates to the question that was asked by the hon. Member for Edmonton-Meadowlark. The ways of treating waste today are certainly vastly different from the ways of treating waste in 1975. First of all, landfills today have to have clay liners, and in the case of Pine Lake it's now been recommended that there be a double clay liner. We're looking at regional sites not in terms of just another dump; we're looking at comprehensive waste management programs where we can have recycling facilities in conjunction with the landfill. Of course, we're looking at source separation of garbage with the overall objective being a reduction in municipal waste of 50 percent by the year 2000. So, indeed, to the hon. member, we are taking steps as I speak to refine and bring up to date our waste management practices in this province.

MR. DEPUTY SPEAKER: Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Speaker. It's sounds as if some of his answers are being recycled as well.

3:10 Hazardous Waste Disposal

MR. McINNIS: A coalition of environmental groups has brought forward a concern that the expansion of the Swan Hills special waste treatment facility makes Alberta increasingly vulnerable to the pressure that exists to import toxic and hazardous wastes into Alberta. The way they put it was:

We're concerned that the expansion will create a compelling pressure to import hazardous waste. Once we have excess capacity the argument for bringing in waste from other jurisdictions will become overwhelming.

Now, they went on to say that they support taking material from Yukon and Northwest Territories, which I support also. The government finessed this position through the NRCB by crafting the terms of reference in such a way that the environmental consequences of imports could not be considered. So now that the minister's got what he wanted, will he reveal what his plan is? When are we going to import toxic wastes into the province of Alberta?

MR. KLEIN: First of all, the hon. Member for Edmonton-Jasper Place knows full well what the position of this government is on the importation of toxic waste. The position is that it's Alberta only. If there is to be a change to this policy – it is a policy; it's not legislated – it will come about through full consultation with Albertans.

Now, the hon. member is very selective in what he considers as acceptable wastes from other jurisdictions. He's saying that you can take wastes from the Yukon and you can take wastes from the Northwest Territories, as if PCBs were different in those jurisdictions than they might be in Saskatchewan or British Columbia. It's all right to take wastes from those jurisdictions. Maybe he has some sympathetic brothers and sisters up there. Maybe they've been putting a bit of pressure on him. I don't know. But for some reason, it's all right from those jurisdictions but not other jurisdictions.

Mr. Speaker, if it happens, I reiterate, it will only happen as a result of the government making a decision that we should look at the policy, and if that is the decision, we will have full, open public hearings throughout this province.

MR. McINNIS: Mr. Speaker, the difference is transportation. From the north it has to go all the way through the province to get to the United States. So drop it off in Swan Hills. But from elsewhere, it goes through the populated parts of the province to get to Swan Hills.

The minister is still saying "if": you know, if we change the policy, then we'll have hearings. I'd like to file information about a study which was done in 1989 during the Vander Zalm era regarding the destruction efficiency of the Swan Hills incinerator, a study funded by Environment Canada, Alberta Environment, and the B.C. ministry of environment and parks. I would like to know from the minister: if he doesn't have any decision on this, why is the government of Alberta involved in joint venture research with the province of British Columbia on the Swan Hills site? Because they just happen to have tonnes of PCBs on the border waiting for us?

MR. KLEIN: Indeed, your friend and colleague the New Democrat minister of the environment, Mr. Cashore, is very, very interested in having us take those PCBs. And you know what? For the safety of this province it might not be such a bad idea, because that has the danger of going into the Peace River, which flows through this province. If you're talking about transportation and the contamination of water, then you'd better look at the potential of transportation of contaminants through a river system.

The same thing occurs in the NDP province of Saskatchewan, where they probably have the worst polluted site in this country on the north shore of Lake Athabasca. They hide their heads in the sand, and they won't deal with the problem. The problem is those abandoned uranium mines that were abandoned in the early '60s with all kinds of chemical and crap left around. The way they reclaimed . . . [interjections] Sorry; all kinds of chemicals and trash laying around, Mr. Speaker. The way they reclaimed those mines was to dig a ditch from the lake to the mine and let all that water go in. It seems to me that it would be an environmentally responsible . . .

MR. DEPUTY SPEAKER: Thank you.

The hon. Member for Calgary-North West.

Smoky River Coal Limited

MR. BRUSEKER: Thank you, Mr. Speaker. My question today is to the hon. Minister of Energy. In June of 1989 the provincial government along with Western Economic Diversification

provided 2 and a half million dollars to Smoky River Coal for a flexible conveyer belt system. I understand now that the conveyer belt has been proven unsuccessful. My question to the minister is this: will the minister assure the House and Albertans that we've got enough assets, possibly even personal assets, from the proponents of Smoky River Coal that we're not going to take a bath on our investment on this one?

MR. ORMAN: Yes, Mr. Speaker.

MR. BRUSEKER: Terrific.

Maybe we'll get a little more information here. Despite contrary claims from the company that there is no money being sent forward, the Budget Address on page 40 says that \$8.1 million of a loan guarantee has already been accessed. My question to the minister is this: will he, first of all, explain the discrepancy and then tell us, secondly, the nature of the financial assistance given to Smoky River Coal?

MR. ORMAN: Mr. Speaker, if the member would put it on the Order Paper, I'd be pleased to respond.

MR. DEPUTY SPEAKER: The hon. Member for Smoky River.

Farm Income

MR. PASZKOWSKI: Thank you, Mr. Speaker. Recently in the press there have been reports indicating that farm income in Alberta is projected to rise to approximately 111 percent over last year's income to total some \$606 million. Could the minister please explain to the House how the projected increase in farmers' income is coming about this coming year?

MR. ISLEY: Mr. Speaker, the news that the hon. member shares with the House is certainly positive for our farmers. What is also positive is that the \$606 million realized net income is above the five-year running average. I suppose the only negative in it is that a lot of that increase is generated as a result of our new safety net programs, which is evidence on the one hand that those programs are working and working well.

MR. DEPUTY SPEAKER: Supplemental question.

MR. PASZKOWSKI: Thank you, Mr. Speaker. My supplementary is to the Minister of Agriculture as well. I have to commend the government for the actions they have taken and their commitment to the agricultural industry in Alberta in the past. However, we all realize that they are not going to be able to continue this commitment on an ongoing basis. Could the minister please explain how the current GATT negotiations and the recent interprovincial discussions on transportation will impact the overall support programs to agriculture within the province of Alberta?

MR. ISLEY: Mr. Speaker, a change in the method of payment under the Western Grain Transportation Act would not necessarily in itself have an impact on any of the safety net programs. What it would do would be to generate a significant amount of cash into the farming economy. It would also allow farmers the opportunity to diversify and respond more closely to the marketplace rather than to programs or government policies. It would be fulfilling the wishes of the majority of Alberta farmers as evidenced by the recent Peat Marwick report.

On the other hand, if we get a GATT agreement and if that agreement reflects the text of the Dunkel report of December 20,

that will have a definite impact on the way we do business in agriculture in Canada. It would put programs like the Western Grain Transportation Act into the export enhancement subsidy box and subject it to significant reduction if we didn't make any changes to make it green. It would put any of our commodity specific, price supportive safety net programs into the amber, or domestic, box and again subject them to reduction. So I suppose that in summary a GATT agreement would mean that we would have to rethink and redo many of the programs we currently have to provide the same degree of support to our industry.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

Bench Insurance Agencies Ltd.

MR. CHIVERS: Thank you, Mr. Speaker. My questions are for the Minister of Consumer and Corporate Affairs. One of the victims of the Bench Insurance fraud asked the superintendent of insurance how he might protect himself against such frauds in the future, and he was advised by the superintendent of insurance that he should make his premium payment cheque payable to the underwriter or insurer rather than the agency. He did so, and his canceled cheque was returned with the insurance agency stamp on it, having been altered by the insurance agency. My question to the Minister of Consumer and Corporate Affairs is: will the minister undertake to bring forward to this Assembly amendments to the Insurance Act or regulations that require insurance payment premiums to be paid directly to the insurer or underwriter as a measure to protect consumers of insurance products?

3:20

MR. ANDERSON: Mr. Speaker, I can't speak to the specific incident the hon. member speaks of. If he wants to give me details of it, I'd be glad to take a look at what particularly transpired in that case. I have answered that question before in the House, and I think it's an item worthy of consideration, as are several others. Once we have completed the review and the investigator has completed his work with regards to these particular circumstances, we'll be taking a look at how we operate overall with regards to insurance and seeing if there aren't some ways in which we can increase safeguards.

MR. CHIVERS: I'd be happy to provide the minister with that information, Mr. Speaker. We seem to have had a number of suggestions that he rates as good, but we've had no action.

At least a week of delay ensued between the time the minister's department first learned of the bogus policies and the freezing of the Bench Insurance accounts. The records show a \$77,000 transfer from the company account to a personal account; \$33,000 of that is unaccounted for. Will the minister confirm that this delay, while the department tried to handle the matter quietly and behind the scenes, has cost the policyholders the sum of \$33,000 that would have been frozen had the minister's department acted immediately?

MR. ANDERSON: Mr. Speaker, I won't confirm that a delay of any sort was responsible for further costs. Again, any specific incident that the member is aware of I'd like to know about. However, in thoroughly going through the actions taken by the department between the date of March 20, when they received information, and the date of March 27, when action was taken, indications are that they proceeded with all speed through the legal requirements and the safeguard requirements that the law requires.

I do have to say, Mr. Speaker, that I'm becoming concerned about information that the hon. member and members of his team

are putting forth, and I just request them to be careful, in the name of those who have been hurt by this particular instance or other Albertans. I refer, for example, to the May 4 news release by the New Democratic Party entitled: court documents indicate Bench may not be only company selling fake policies. That really did concern me, and I reviewed the circumstances to ensure that we had fully looked at all matters. In fact I find that there's a very specious evaluation of a court document and some speculation based on rumours which would have Albertans fear for their policies. Telling Albertans to safeguard them and to check is a good thing to do. Scaring Albertans with false information is another thing. So I hope that the member and his caucus will be careful with that for the good of all of the consumers in the province.

MR. DEPUTY SPEAKER: Vegreville.

Agricultural Policy

MR. FOX: Thank you, Mr. Speaker. In spite of rosy statistics the government likes to quote for some time in the future, times are tough for Albertans who try to make a living farming, times made more difficult, I might say, by Conservative agricultural policy. Now, it's come to my attention that the rules were changed this year for small farmers who require pasture insurance, so they now need a minimum of 50 acres to qualify instead of the 25 acres that was the minimum in place before this year. I'd like to ask the associate minister: why does she approve of policies like this to make it even harder for small farmers to make ends meet?

MRS. McCLELLAN: Well, Mr. Speaker, I don't think it's our intent to make it difficult for small farmers. We have supported the small farms as well as farms in general in this province. The member is asking about a specific area in the forage and pasture insurance, and I would be happy to look at that and speak with him about it.

Thank you.

MR. FOX: I appreciate that, Mr. Speaker. In general the policy of establishing program minimums instead of program maximums favours larger producers at the expense of small farmers.

I'd just like to point out to the minister that many of the farmers affected, who have been cut off, in fact are farmers in the northeastern part of the province, who are still suffering the ravages of drought that's been prevalent in the region for the last several years. I'd like the minister to make a commitment not only to review this aspect of the forage insurance policy to make sure that small producers can continue to qualify but review a whole range of government policies to make sure that the minimums in place don't discriminate against small farmers trying to make a living.

MRS. McCLELLAN: Well, I've already made a commitment to look at the policy and discuss it with the member, and I'll keep that commitment.

MR. DEPUTY SPEAKER: The hon. Member for Calgary-McKnight.

Advanced Education Funding

MRS. GAGNON: Thank you, Mr. Speaker. The Minister of Advanced Education goes around this province bragging that Alberta is first in funding of the advanced education system. A recent report from the tripartite committee on university funding

– and there is a representative from the Department of Advanced Education on that committee – states that Alberta is in fourth place in university funding both per student and per capita. We haven't been in first place since 1986-87. Also, we are in eighth place if you look at overall government spending. So I'd like to ask the Minister of Advanced Education: what does he intend to do to stop this slide in spending on the future of our young people?

MR. GOGO: Mr. Speaker, I hope the hon. member is aware that we have four universities in Alberta but we have 27 postsecondary institutions. There are different indicators, but I think perhaps the fairest and most equitable indicator with regard to commitment by the taxpayer to the postsecondary system is the per capita contribution, which is now about \$428, and the closest another province comes is \$350 or \$360. So in terms of commitment certainly Alberta leads the path per capita. Now, I will not argue that the U of A, for example, may be fourth in terms of funding in Canada. I won't argue that at all. I simply point out that in terms of commitment by the Alberta taxpayer to postsecondary education we don't take a backseat to anybody.

MRS. GAGNON: Mr. Speaker, this government is dreaming up new lottery funding schemes, money for laundromats, bungee jumps, riverboats. I'm talking about university education. I repeat: when is this minister going to insist that his colleagues invest in the future of our university-bound young people, not in vote getting?

MR. GOGO: Mr. Speaker, I think the hon. member should be cognizant of the budget speech on April 13. It was very clear that times ahead are not very rosy. The government is now attempting in a very meaningful way to see that it gets best value for its dollar. My commitment and my job is to see that the postsecondary system gets its fair share of the pie. However, I've got to be cognizant of the fact that the institutions that report to me have to also do their share. They must learn to live within their means, and we will continue to deal with whatever resources we have to see that we maintain the quality of the system in Alberta.

MR. DEPUTY SPEAKER: Before calling Orders of the Day, might we revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: The hon. minister responsible for Seniors.

head: **Introduction of Special Guests**
(*reversion*)

MR. BRASSARD: Yes, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you 45 students from the Olds high school, in the town of Olds. They are accompanied today by three teachers, Cody Johnson, Kris Overwater, and Garth Dagg, as well as two adults, Doreen Curniski and Kit Hogue. I wonder if they would stand and receive the very warm welcome of this Assembly.

MR. TANNAS: Mr. Speaker, I am delighted today to introduce to you and through you to members of the Assembly special guests from Three Hills. There are 35 students from the Beiseker community school. They are accompanied today by teachers Helen Hoey and Ian Rawlinson and by parents Val Tudor and Gail

Thatcher. I'd ask them to stand in the public gallery and receive the warm traditional welcome of this Assembly.

head: **Orders of the Day**

3:30

head: **Government Motions**

Adjournment for Victoria Day Weekend

17. Moved by Mr. Stewart:

Be it resolved that when the Assembly adjourns on Friday, May 15, 1992, at the regular hour of 1 p.m., it shall stand adjourned to Tuesday, May 19, 1992, at 2:30 p.m.

[Motion carried]

head: **Government Bills and Orders**

head: **Committee of the Whole**

[Mr. Jonson in the Chair]

MR. DEPUTY CHAIRMAN: Order please. I would ask the committee to come to order, please.

Bill 20

Alberta Local Employment Transfer Act

MR. DEPUTY CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to this Bill?

MR. ORMAN: Mr. Chairman, I thought I got rid of this portfolio but obviously not. For the afternoon I will be acting for my hon. colleague the Minister of Municipal Affairs in committee examination of Bill 20, Alberta Local Employment Transfer Act. I should say that the Minister of Municipal Affairs is meeting in Vancouver with the council of ministers on constitutional issues with our Deputy Premier with regard to aboriginal issues. He may or may not be back in the Legislature this afternoon, but in any case I am pleased to listen to the debate, to respond where appropriate, and recommend to my colleagues that we pass this through committee this afternoon.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Whitemud.

MR. WICKMAN: Thank you, Mr. Chairman. I'm not going to say a great deal on this particular Bill during Committee of the Whole, and I'm going to tell you the reason why. The reason why is that during second reading I had a pretty fair shot at it, and I think we pointed out the injustices very, very clearly. The minister, of course, isn't here to respond to additional questions we may have. When we deal with third reading, it's possible I may have some questions there.

I simply say for the record again that what occurred is wrong. It was very, very disappointing. It has caused a great deal of bitterness at the level of the municipalities but even more so from school boards that were participating shareholders. We're talking in terms of \$200 million that was transferred back to the municipalities, dollars that were earmarked for them in any case, or for some of them that were participating members.

By my calculations the school boards were in to the tune of about \$75 million. That's about \$75 million of revenue that they anticipated that they may have in their budgets that they can't possibly make up now. They were looking for support. They were expecting, for example, the Minister of Education to go to

bat for them and get up in the House and say: "Come on; we've got to protect the school boards. We can't rob from those school boards." But no, there was no rising by the Minister of Education; he was quiet on the subject. The member chose not to speak on it. The school boards are not going to forget this. The school boards were very, very hurt. The municipalities were very, very hurt. It was simply a process, I feel, to try and apply a band-aid to a budget that again is kind of slapped together, that really I don't feel is built on a solid foundation. It's unfortunate that one level of government has to attempt to put together a budget on the back of another level of government. I really, really want to voice my shock and disappointment at what's happened.

The reason why I don't want to make an amendment: because to make an amendment and suggest that they get back \$300 million of their own money is simply adding injury to insult. It's their money that was promised to them, and \$75 million of that should have been allocated for the school boards. So it wouldn't be fair to take money that was earmarked for school boards and give that particular portion to municipalities. The Bill is drafted in such a way that it's actually very, very clever. The Provincial Treasurer used some other piece of legislation to give him the power to do what a lot of people thought may not have been legal to do, but he did find that loophole. Even though it may be challenged in the courts, the Provincial Treasurer is convinced that he's right from a legal point of view. So to make that amendment doesn't make any sense.

I'm optimistic that the New Democrat caucus will see things the right way and will not support this Bill either. This caucus, of course, will not support it. The only right thing to do would be for members on the other side to reject what the Provincial Treasurer has said, reject what the Minister of Municipal Affairs has said, and do the right thing: vote against this Bill, refuse it, reject that type of hokery when it comes to budgets. I would hope that the acting minister passes my concern on to the minister again, although the Minister of Municipal Affairs knows how I feel about this particular manoeuvre.

MR. DEPUTY CHAIRMAN: Order please. Might we have unanimous consent to briefly revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. DEPUTY CHAIRMAN: Opposed?

head: **Introduction of Special Guests**
(*reversion*)

MR. DEPUTY CHAIRMAN: The Member for Cypress-Redcliff.

MR. HYLAND: Mr. Chairman, I'd like to introduce to the committee two people from Medicine Hat: Alderman Kathy Mandeville, who is chairman of the Cypress View Foundation, and Lee Quaife, who is the administrator of that foundation. If they'd rise and receive the warm welcome of the Assembly.

head: **Government Bills and Orders**
head: **Committee of the Whole**

Bill 20
Alberta Local Employment Transfer Act
(*continued*)

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Chairman. I certainly agree with the comments of the Member for Edmonton-Whitemud. I think we spoke at length on this particular issue during second reading and certainly expressed our disapproval of this particular Bill. However, I do want to continue to perhaps bring some more information forward in the hope that we can convince the minister that this legislation is certainly a means of legitimizing something that is wrong. It's not being put before the municipalities, and it's certainly taking money out of the pockets of the municipalities that properly belongs to them.

I know the government has spoken of this as being a windfall for municipalities. Well, Mr. Chairman, the president of the Alberta Urban Municipalities Association has in fact termed this a shortfall, not a windfall at all. The fact is that the provincial budget itself, in dealing with municipalities, has provided a \$44 million shortfall also. It would appear to me that the provincial government is slowly but surely downloading on our municipalities, creating more and more difficulties for them to function and, of course, alternatively demanding that they continue to increase taxes at the local government levels. The government is asking these municipalities to continue with programs, they are imposing new programs on municipalities, asking them to continue to fund these programs without providing support when they introduce a new program. Therefore, I think they're making it more and more difficult for local governments to operate.

3:40

Now, the Alberta Municipal Financing Corporation Act, we believe, in fact might well be contravened by what the Treasurer has done in this particular case. The Act is very clear, Mr. Chairman, in how this corporation would distribute funds in the event of a surplus. It says the funds would be distributed to the shareholders "that have borrowed . . . from the corporation . . . proportionately" on the basis of borrowing "over the period in which those profits were derived." I think it's quite clear here that the \$300 million that was declared as surplus by the Alberta Municipal Financing Corporation in fact belongs to the shareholders, the shareholders being the municipalities that participated in the program of the corporation. By taking the AMFC surplus into their own budget, the province is deliberately contravening its own Act. The municipalities feel very strongly that indeed what the Provincial Treasurer has done is contravene an Act that the province has in place, thereby deliberately taking funds away from municipalities which rightly belong to them.

At the same time, while advancing the already committed AMPLE grants which will provide funds for 1992 but less funding for the next three years, '93 to '96, the municipalities will simply be using up the funds that they receive now that were promised them for the 1993 period. Their major concern is what will happen. They have these funds; they're going to utilize them in this year. What happens in the succeeding years when, in fact, there isn't an AMPLE program? They're concerned that the employment that is created as a result of the funding they receive now is well and good, but what is going to happen to the employees who are hired to be involved in the projects that are being developed as a result of this funding that have to be laid off at the end of 1992? In effect, it's a short-term gain that's not going to help the municipalities at all.

So, Mr. Chairman, to compound the whole issue, the province also has cut its transportation and recreation grants to municipalities. For example, the city of Calgary has a shortfall of \$80 million as a result of this financial manipulation by the Minister of Municipal Affairs and the Provincial Treasurer. Other

municipalities are feeling the same impact of the shortfalls that have resulted as a result of his manipulation.

Therefore, Mr. Chairman, there is no way that we can support this Bill. Of course, it does mean that there'll be some money available to municipalities immediately to do certain things. But I think the municipalities feel shortchanged, and the impact, while it might be a good one initially for a brief one-year period – the overall commitment that AMPLE had made to municipalities will not be there, and the municipalities are going to become perhaps even worse off on a long-term basis than they would have been under the AMPLE program. Therefore, we will not be supporting this Bill either.

MR. DEPUTY CHAIRMAN: The Member for Clover Bar, followed by Edmonton-Jasper Place.

MR. GESELL: Thank you, Mr. Chairman. I rise in the debate today to support the hon. Minister of Municipal Affairs and speak in support of Bill 20.

Mr. Chairman, I have consulted with the municipalities in my constituency, and I would like to say to the hon. members in opposition that I do not get the reaction that they have voiced here in the House today. As a matter of fact, my municipalities feel that what we are doing by Bill 20 is fair and is generous to those municipalities and gives them the autonomy to deal in a fiscally responsible fashion with job creation, with some of the opportunities that exist and that they now can take advantage of.

Mr. Chairman, I need to emphasize that these moneys are going to be unconditional, that the use will be determined for those funds by that municipality.

MR. WICKMAN: Well, it's their money. It should be. Come on, eh?

MR. GESELL: Mr. Chairman, I'm getting some squawking over here from the member across, and he makes the point that it's their money. Well, I think the Municipal Financing Corporation aspect of this Bill has been dealt with by the Treasurer, but let me just deal briefly with the AMPLE portion. The comment has been made by the member opposite that that is unfair as well. Well, let me give him a specific example here. If I were to commit to the member opposite – not that I'm prepared to do this; I'm just using the example here – to pay him \$3,000 over the next three years, I believe he might be happy with that type of situation. If I then subsequently say, "Perhaps I should pay you that amount tomorrow and not spread it over the three years," the member is telling me that he would be definitely unhappy with that. I have difficulty believing that, because that to me doesn't make sense.

Now, the argument that he makes is: what happens in the ensuing years; what if the municipality has spent those moneys? Well, Mr. Chairman, I contend that those municipalities are fiscally responsible. They will make the right and proper decisions. They will make those decisions on the basis of the long term so that they will not go out there and foolishly spend the money this year and have nothing left for the next two years. The hon. member in opposition might do that, but I doubt whether municipalities do that. They are, I believe, much more responsible than that. We in government have had submissions from municipalities that they would want us to give them more responsibility, more autonomy to deal with some of these matters, and that is exactly what we're doing.

Mr. Chairman, I want to deal with some of the application of some of these funds that might accrue to the municipality. I stress that it is unconditional, that the municipalities will decide how

they will use these funds, but they are intended for job creation, job opportunities, jobs for Albertans. I'd like to make a suggestion to some of the municipalities of perhaps an area that they might look at in order to generate those jobs and also solve a problem that exists in particularly the Edmonton metropolitan area – sort of an application of the results of Bill 20, once it may be passed, and I do hope that it is passed.

I've talked in this House about waste management on occasion. I even raised a question in the House today, and I want to bring these two issues together to some degree. I believe that there is an opportunity here, because the 19 municipalities that are actively trying to solve the waste management problem in the Edmonton metropolitan area are not getting to a final solution, and maybe this infusion of funds to those 19 municipalities, who have some 830,000 people and would receive under this funding some \$66 million, may have a head start here in trying to find not a landfill but maybe an industrial waste management solution for this area – a job creator, Mr. Chairman. That is what this program intends to do. A job creator that will create jobs on a continuous basis, on a long-term basis, because our garbage isn't going to disappear: just a suggestion of how that funding may be effectively used for the purposes that it is intended for.

Mr. Chairman, I also want to make another point here. This has been given to me by my municipalities. That is that this money is being spent fairly and provided fairly across the province. It is a sharing of funds on a fair basis. The members from Edmonton generally seem to argue that that should not be the case, that Edmonton should perhaps derive a larger portion than the other municipalities. Well, they can't have it both ways. If there is a fair sharing with respect to power generation in this province and Edmonton derives a benefit for that – Genesee, for example – then that also applies to other sharing initiatives that are being proposed by this government. I believe the municipalities that I have talked to are not upset and angry, as the members opposite have stated. I think they appreciate what this government is intending to do, and they appreciate not only the funds they will receive but also the autonomy and the opportunity that they will receive through this particular Bill. I urge all members in this Assembly to support it.

3:50

MR. DEPUTY CHAIRMAN: Continuing with the clause-by-clause study of the Bill, Edmonton-Jasper Place.

MR. McINNIS: Yes, Mr. Chairman, I would like to make some comments in committee study of Bill 20, the Alberta Local Employment Transfer Act.

The Member for Clover Bar refers to the autonomy that this gives to municipalities and the opportunity that it gives to them to do some things on behalf of their people. If that were the proposition before us, I think members of this Assembly would have very little difficulty supporting it. If indeed what we were talking about was a new opportunity for municipalities to accomplish something on behalf of their people, that would be a needed initiative. That would be something that would be supportable I suppose at any time but in particular at a time of high unemployment and at a time when people are hurting out there, especially in the construction industry and the trades.

There is an awful lot more to this proposition as it is now structured than that simple gesture, even though I know as sure as I'm standing here that this government will be out in the month of June handing out cheques and the propaganda organs will be geared up and that's the story they'll be telling Alberta. In fact, the real story here is something quite different, and I think we

should just go over it so that even the Member for Clover Bar understands.

This provincial government has done a lot of things and is in the process of doing a lot of things simultaneously which, taken together, add up to a picture which is not very pretty, Mr. Chairman, and I think Albertans should understand that. Traditionally we've had, for example, under the Alberta cities transportation partnership funding a per capita funding of some \$70 annually, which is what the transportation planning is done with at least in the major cities, and I happen to represent one of the major cities. In 1991 the grant level was reduced to \$50 per capita with the proviso that in April of 1992 there would be a further sum of \$20 available on capital funding. So the municipalities thought, well, that's not too bad; I guess we can live with that. They still had the \$70, they thought. Then in 1992 the announcement comes that: whoops, it's actually going to be only \$40 per capita, and by the way that includes the other \$20 that was deferred in the previous announcement. So we went from \$70 to \$50 to \$40 is what in reality happened even though the explanation was a lot more convoluted than that. That makes some very, very substantial losses, some big holes in the transportation budget.

In the case of the city of Edmonton they found that the money that was now available was more than eaten up by some projects that were already under way. That is to say, the Whitemud interchange project on Highway 2, the 114th Street project, the completion of the LRT to the university, and the Capilano extension up to the Yellowhead: all much needed and carefully planned projects. Suddenly that Bill was more than the total amount of money available, so there was a problem. Well, the problem was solved at the expense of the AMPLE program, Alberta municipal partnership in local employment. Funds had to be transferred, or raided if you like, from the AMPLE fund to make up for these cuts in transportation. I think the correct way to describe that is that the projects were deferred, because these are also very important local employment projects, infrastructure projects, projects for the future, projects which are well timed now during an economic downturn, because they've got to be done sooner or later.

Then along comes the provincial government in the budget and says: "Well, we've got a deal for you municipalities. We're going to give you \$200 million." We all know, of course, that the \$200 million comes from surplus funds from the Alberta Municipal Financing Corporation, funds which the municipalities thought, and still understand, were their funds anyway. The provincial government announces that now that we've got these \$200 million, we probably don't need the AMPLE program anymore. They've said that they will be considering terminating that, so the municipalities lose at another end as well. In fact, the way this thing works out if you consider all of that is that the municipalities are the losers not the beneficiaries. Rather than gaining opportunity and autonomy, they're being robbed blind in broad daylight.

I would like to move an amendment to the Bill in this particular spirit, and that is the spirit of making the Bill a better proposition, one that's more acceptable to the House, one that is really in accord with the understanding that the Member for Clover Bar states that he has of this Bill, to give it that meaning. What it is, Mr. Chairman: I would like to add a section to the Bill, and it would be labeled 3.1. The copies that I've just handed to the Chair don't say 3.1 on them, but I would like members once they get the amendment to write 3.1 beside it so they know exactly where it fits in the Bill. It is a section that says as follows:

1.) Notwithstanding anything in this Act, the Alberta Municipal Partnership in Local Employment (A.M.P.L.E.) Program is hereby continued.

Then there's a subsection 2 since I'm a member of the opposition in this Legislature and I can't bring in a money Bill and this would in fact be a money Bill if it went through in that form. That says:

2.) Expenditures for this program shall be paid from such funds as may be separately appropriated by the Legislative Assembly for this purpose.

With the addition of this section to the Bill it would not result thereby in any charge upon the General Revenue Fund and upon the resources of the Crown. For that reason all this simply does is clarify that what is being done in this Alberta Local Employment Transfer Act is indeed the gifting of funds in the amount of \$200 million, and it's not being done at the expense of this very important program which we call the AMPLE, which has had wide support and wide success in Alberta. I would say that there are many, many dozens of local communities which have rejuvenated themselves, in which the pride of ownership, pride in community has been strengthened through the expenditure of AMPLE funds, and in which the useful life of the housing in those neighbourhoods has been expended dramatically.

If I had to pick something even more beneficial than all of that in the AMPLE program, it is this, Mr. Chairman. In the AMPLE program, at least the way it's understood in the neighbourhoods that I represent and the way it's practised by the city of Edmonton in partnership with the province, the community gets together early on. They have engineering consultants, landscape architects, and others who come and talk with people about what's important to you. What would you like to see in your neighbourhood? What are your priorities? The community goes through a process. It's hard work. It takes a lot of time, but they figure what's important to them and their neighbourhood. What kinds of streets do they want? What kind of amenities do they want? It's a participatory process. It strengthens communities. It helps neighbours to get to know one another, their values, and I think you get a better plan for the expenditure of money when you do that.

4:00

So what I'm saying, and I'm appealing to the members of the committee to support this amendment, is that we shouldn't treat the local employment transfer at the expense of AMPLE, but we should think of it as being in addition to. I'm not prepared to put a dollar figure on it and say that we have to go to the taxpayers for X amount, just that we keep that program around and see what kind of money we can come up with for it in next year's budget and the year after. I daresay a New Democrat government would find money for AMPLE. We might find some other things in the budget, actually quite a few things, that we could take out and produce funding. I don't think there's any reason at all that we would need to increase taxes or even bring in a sales tax as the Liberals might do in order to support AMPLE. I think we can find the money, because I just know deep down that when people tell me on the doorstep, "You politicians have got to do a better job with the money we send you now," we can do that, and we can find money for AMPLE.

So I would ask that the members number this section as 3.1, and I move that it be incorporated in the Bill.

MR. DEPUTY CHAIRMAN: Are there speakers on the amendment? Before recognizing Edmonton-Highlands, I would remind hon. members that you should confine your remarks, please, to the amendment. Thank you.

Edmonton-Highlands.

MS BARRETT: Mr. Chairman, I support this amendment. If we lose the AMPLE program, the inner city of Edmonton, which is a riding that I represent, is going to lose projects that are really important to our community. We've got a crumbling inner city that seriously needs attention to capital works of all descriptions. That does mean roads. It also means sewers. It also means alleys, light improvements, all sorts of things. If we lose AMPLE, what's going to happen is the city of Edmonton is going to be forced into finishing the large projects to which it is committed. As I said before, there's no point in having a road that goes nowhere 75 percent complete. You might as well, logic dictates, finish the road. That is where city council in Edmonton is headed. You can't blame them.

Now, if we get Bill 20 passed without this amendment, what we're talking about is probably either a pre-election or an election goody. It's possible that the election could be called on June 1. A month's worth of handing out cheques to municipalities by the provincial government and then next year, postelection, no AMPLE program, no partnership program for local employment, and no serious infrastructural or capital works program.

Our city is not a new city. If it was, this might not be such an issue, because there are other employment creation programs that can be had. The cities in Edmonton are old. The Federation of Canadian Municipalities has argued now since 1983 for a tripartite partnership program for infrastructural redevelopment. That is what AMPLE has been, except it has only been two parties: the provincial government and the municipalities. I would like the third party to be involved as well, but we haven't been able to convince the Mulroney - hey, you know what? We weren't able to convince the Liberals either. I forgot about that. That's right; it was 1983 that they started asking the federal Liberal government for this and couldn't get any commitment. Anyway, we haven't been able to get the federal government, Liberal or Conservative, to go along with a package that would ensure infrastructural redevelopment across the country. That's too bad. We're going to change that level of government.

In the meantime we have to speak up for our constituents. I recognize the importance of transferring funds to municipalities around the province whether or not they participate in the AMPLE program. I do recognize that, but let's do that under a Bill that is entitled honestly and not do it at the expense of dropping AMPLE. My hon. colleague's amendment says let's keep AMPLE there and let's provide expenditures for it.

MR. DEPUTY CHAIRMAN: Order please. Order.

MS BARRETT: Well, sometimes you don't know, Mr. Chairman, if you're just telling the people to cool it.

MR. DEPUTY CHAIRMAN: I'm sorry, but I wish to be able to see Edmonton-Meadowlark and ask him to please come to order. There is a limit to being casual in Committee of the Whole.

Please proceed, hon. member.

MS BARRETT: Well, Mr. Chairman, I'm not surprised if he got into a heavy conversation. He probably didn't want to hear me talk about how the Liberal government in Canada wasn't willing to go along with this tripartite program. But anyway, it's okay.

MR. DEPUTY CHAIRMAN: Please proceed with the debate.

MS BARRETT: I'm almost concluded my remarks.

I think what I was getting at most recently is that if we keep this program we don't know how much money is going to be

available for it next year or the year after. That's not in our control because we're opposition. I think my friend and colleague said that a New Democrat government would ensure funding because we need the jobs and we need the infrastructural redevelopment. So if the government wants this Bill passed - and I know it does, because it says right in the Bill that all the money has got to be spent by the end of June. What's that, six weeks away? It's going to get passed; there's no question about this. I wish they would have taken a much more direct and honest approach: create a new fund, for example, that goes to the municipalities that didn't participate in the AMPLE program and then spend money out of the AMPLE program on the prorated basis that had been predetermined. That's not going to happen in this Bill. I don't think we can amend the Bill to make it happen that way, and even if we could propose an amendment to that effect, I don't think it would win.

However, this is a user-friendly amendment. The government can have this amendment and still have the Bill and still have the money to hand out throughout the month of June in the event that there's an election call or even in the event that there isn't. This is a perfectly swallowable pill for the government, and I urge all members of the government to support this amendment. We'll talk next year about funding for AMPLE, but keep AMPLE intact and they'll enjoy the support of all the municipalities: contributing and noncontributing municipalities, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Further speakers on the amendment?

Edmonton-Whitemud.

MR. WICKMAN: Very briefly, Mr. Chairman. I'm going to support the amendment. My preference would have been to have not seen that particular Bill come forward. This is a step in the right direction. Nevertheless, the proper thing to do would have been to get those dollars back to the partners that were involved, the shareholders that were involved in the Alberta Municipal Financing Corporation, because this still does not address the concerns of the school boards.

The Member for Edmonton-Highlands addresses an interesting point when she talks in terms of the possibility of an election and government MLAs running around handing out cheques. I anticipated yesterday the possibility of government members running around handing out cheques in the replacement of the CRC program. Possibly the minister of lotteries may have to issue each government MLA two briefcases to handle all those cheques they could be running around distributing to the municipalities.

In any case, Mr. Chairman, even though my preference would be that the Bill be voted down, I know that's not going to happen. The Member for Clover Bar has made that quite clear. So on that basis I'll support the amendment in anticipation some members of the Tory caucus may see this as being a partial solution.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Beverly.

MR. EWASIUK: Mr. Chairman, I too want to rise in support of the amendment. The commitment to the AMPLE program that was made to municipalities was that it would be continued up till 1996. Based on that commitment, knowing that they are going to receive this amount of money over a period of time, municipalities have made plans accordingly how they're going to utilize and spend this money. The need for development of infrastructure or repairing infrastructures is primarily the concern, compounded with the fact that this kind of money was prepared to create

employment and generally help the well-being of municipalities. What the government is doing with this particular Bill is simply taking new money, money that municipalities were anticipating receiving as new money on an annual basis. What they've done now, basically, is taken some old money that was sitting on the side that really belonged to the municipalities in the first instance and said simply: "Well, okay; we'll just hold our money in our pocket. We'll give you the money that you already have accumulated here under the Municipal Financing Corporation."

That type of action, Mr. Chairman, is certainly wrong. The Member for Clover Bar seemed to suggest that somehow he could rationalize what the government has done. Well, I think what he's really saying is: if I gave the member \$3,000 to hold for me and then eventually he owed me \$3,000 and he chose to say, "Well, here's the \$3,000 I'm holding for you," that makes us square. That's exactly what this government has done. They've taken moneys that belong to municipalities and given it to them in place of the AMPLE program.

4:10

What this amendment says, then, is that we will continue with the AMPLE as committed by the government but over and above that provide to municipalities the moneys from the Municipal Financing Corporation which was theirs in the first instance. That would make sense. I think what they could do then, of course, is complete the projects that have been stalled because of cuts to the transportation grants. They can complete those but still continue to work on the projects that they have in mind in their five-year plan. That is really the intent of this particular amendment. I think it would then make sense and make Bill 20 acceptable to us to support.

MR. GOGO: Mr. Chairman, I oppose the amendment. It seems to me that Bill 20 as presented by the Minister of Municipal Affairs is very fair and equitable. To my knowledge, the Metis settlements did not receive AMPLE funds previously, and I see that in Bill 20 for the first time they do. They receive a minimum of \$17,500, and if their population is greater, based on the formula they'd receive more. All I'm sensing by the amendment is that hon. members don't want to follow through with the intent of the government with Bill 20, of wanting to provide funds to organizations such as Metis settlements.

I certainly oppose the amendment.

MR. McINNIS: Mr. Chairman, I think that's a misinterpretation of the amendment altogether. The amendment in no way affects the fact that were Bill 20 to pass, Metis settlements would continue to receive the funding. In no way, shape, or form does it interfere with that transfer of funds. All it does is eliminate the hidden agenda, which is the destruction of a perfectly good functioning program called the Alberta municipal partnership in local employment.

I think it would be a wonderful thing if the AMPLE program in future would be expanded to include Metis settlements. I believe the reason that it didn't was because the legislation incorporating the settlements had not passed the Assembly at the time that the AMPLE program was created. We're certainly not saying that funding should not go to Metis settlements. We're saying that it should and that that should be expanded under AMPLE. We just don't want the government going around saying, "We have a wonderful program here called the Alberta Local Employment Transfer Act, and it's coming for you, free money," when in fact the cost, if this amendment fails, will be that the AMPLE program will die. That's a very substantial cost. It's a cost that we don't

think Albertans should bear for the sake of this pre-election transfer Act – oh, I'm sorry; the Alberta Local Employment Transfer Act. You know, let's not kid the troops here what this is about. This is not about altering the government's plan to write cheques in the month of June in the amount of \$200. Go ahead and do that, but just don't do it at the expense of the AMPLE program down the road.

HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Having heard the call for the question, all those in favour of the amendment proposed by the Member for Edmonton-Jasper Place, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung]

4:20

[Eight minutes having elapsed, the Assembly divided]

For the motion:

Barrett	Gibeault	Pashak
Chivers	Laing, M.	Sigurdson
Ewasiuk	McInnis	Wickman
Fox	Mjolsness	Woloshyn

Against the motion:

Anderson	Elzinga	Musgrove
Betkowski	Fischer	Nelson
Black	Fjordbotten	Orman
Bogle	Gesell	Paszkowski
Bradley	Gogo	Rostad
Brassard	Hyland	Severtson
Calahasen	Isley	Sparrow
Cardinal	Kowalski	Tannas
Cherry	Laing, B.	Thurber
Clegg	Lund	Trynchy
Day	McClellan	Weiss
Drobot	McFarland	West
Elliott	Moore	Zarusky

Totals: For – 12 Against – 39

[Motion on amendment lost]

MR. DEPUTY CHAIRMAN: Further discussion?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 20 agreed to]

MR. ORMAN: Mr. Chairman, I'd like to stand and report Bill 20, Alberta Local Employment Transfer Act.

[Motion carried]

Bill 15**Universities Foundations Amendment Act, 1992**

MR. DEPUTY CHAIRMAN: Are there any comments, questions, or amendments to be offered?

MR. GOGO: Mr. Chairman, at second reading stage I believe there were two questions from the Member for Edmonton-Strathcona, one with regard to the selection of those who would be members of the board. As members may recall, under the foundations Act there's a requirement that there be five members of the foundation: three nominated by government, two by the institution concerned. I think the Member for Edmonton-Strathcona raised the question: why were they not specifically with regard to specific groups? The answer is fairly simple. Number one, in order to be an agent of the Crown it obviously has to be the Crown that appoints the majority of that board, certainly the decision process which requires a majority. That would account for the three. I don't think it's fair to tie the government's hands to say you must have one from a railway or one from this, one from that. Surely cabinet in its wisdom should select a cross section of people.

The second point was again by the Member for Edmonton-Strathcona: why would we by regulation then include the institutions as opposed to statute? I think the reason, Mr. Chairman, is one of convenience. If you wish to add – who knows, we may have in northeast Calgary another institution sometime in the next millennium, and it may be that by regulation we would want to include that institution with this foundation. Instead of waiting for a legislative body to come together and pass an Act, it's far easier to do it by regulation.

I think those are essentially the two questions raised by Edmonton-Strathcona.

MR. DEPUTY CHAIRMAN: The hon. Member for Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Chairman. I just would like to say that we support this Bill. I remember a very spirited debate when the Bill that this Bill amends was first introduced into the Assembly. A very compelling argument was presented by my colleague from Edmonton-Highlands with regard to extending to colleges the same privilege that was contained in the original Bill for the universities to raise funds in this way. I remember the minister's quite eloquent defence of the Bill at that time, and perhaps he might indicate why he's changed his view.

Secondly, I wonder to what extent this measure has been effective in terms of raising funds and if the minister has any information from the universities with respect to whether they've been able to use the provisions of this Bill to their advantage or successfully in any way, what the long-term kind of prognosis is for raising money this way, and maybe just make the comment with respect to the necessity for this Bill. As I understand it, at one time we had very ample matching grants that were made available to the universities, but we're moving away from that. So in a sense, is this a replacement for the matching grant program that was once in place?

4:30

MR. GOGO: Mr. Chairman, very clearly, when you look at the history of the postsecondary system in Alberta even from the turn of the century, as the Member for Edmonton-Strathcona I'm sure is well aware, unlike some places the university at that time by statute was to be the only public university in Alberta. It's interesting what's happened since those days. Unlike some other

provinces, it was decreed that it would not be in the capital city, and Strathcona was, of course, its own municipality. Over the years, if you look at the funding mechanism, very clearly we've come a long way. Our sister province to the east at that time – the funding for the university was only from succession duties. One-third of all succession duties went to the university; that was the source of funding. It's interesting to read some of this history.

We've come today with 27 publicly funded institutions, and clearly it's difficult, I think, for the public to fully . . .

MR. PASHAK: There's one less every year.

MR. GOGO: Twenty-seven, with over a billion dollar budget, yes.

I said to the institutions, "Is there any way that I as minister, on behalf of the government, can help?" Of course, the response came back, "Oh, yes, minister; a foundations Act where we could be treated the same as an agency of the Crown; i.e., 100 percent write-off of a contribution." The hon. Member for Calgary-Forest Lawn I think is aware that this minister's desire, as a result of consulting institutions, was to include everybody. The wisdom of government last year was that it should only go to research institutions; i.e., universities. However, in fairness, the government has listened, and the colleges and technical institutes have said, "Hey, why not us?" That's of course the provision of the Bill, and I'm grateful the Member for Calgary-Forest Lawn supports it.

The other thing that should be noted, as the member mentioned, is the endowment and incentive fund. Remember, that started in 1980 with an \$80 million kick-start by government. It was to get people in the habit of contributing. That total now is \$415 million: very, very significant. We've now done away with that for the universities because universities no longer qualify, because this vehicle is ideal. The U of A has had \$2,150,000; the University of Lethbridge is approaching \$200,000. We're all wondering what's going on in Calgary because, you know, Calgary is so generous, yet to my knowledge their foundation Act hasn't received any yet.

To put this into the college system, Mr. Chairman, Fairview College, Medicine Hat College, and Lethbridge College don't have the access to the corporate people that the universities do. One only has to look at boards of directors and find out where they are alumni from, and it's not really the college system as much as universities. We think this is particularly important for the colleges. When I say colleges, I obviously talk about Banff Centre, the College of Art, and NAIT and SAIT, because they're very important elements.

Mr. Chairman, a year from now when we look back – and we have a sunset clause, as you know, in five years – I believe we'll recognize the fact that we've given these institutions ample opportunity to convince their supporters to contribute to the goals and objectives of that institution. I can't predict what's in the future, but I'm confident that we've gone a long way toward assisting these institutions.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 15 agreed to]

MR. GOGO: Mr. Chairman, I move that Bill 15, Universities

Foundations Amendment Act, 1992, be reported.

[Motion carried]

Bill 4

Public Contributions Amendment Act, 1992

MR. DEPUTY CHAIRMAN: Are there any questions, comments, or amendments? Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 4 agreed to]

MR. ANDERSON: Mr. Chairman, I move that Bill 4, the Public Contributions Amendment Act, 1992, be reported.

[Motion carried]

Bill 5

Landlord and Tenant Amendment Act, 1992

HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

[Title and preamble agreed to]

[The sections of Bill 5 agreed to]

MR. ANDERSON: Mr. Chairman, I move that the Landlord and Tenant Amendment Act, Bill 5, be reported.

[Motion carried]

Bill 17

Irrigation District Rehabilitation Endowment Fund Act

HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: I hear a call for the question.

[Title and preamble agreed to]

[The sections of Bill 17 agreed to]

MRS. McCLELLAN: Mr. Chairman, I move that Bill 17, the Irrigation District Rehabilitation Endowment Fund Act, be reported.

[Motion carried]

MR. GOGO: Mr. Chairman, I move the committee rise and report progress.

[Motion carried]

[Mr. Jonson in the Chair]

MR. MOORE: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports the following Bills: 20, 15, 4, 5, and 17. I wish to table copies of

all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

MR. ACTING DEPUTY SPEAKER: All those in favour of the report, please say aye.

HON. MEMBERS: Aye.

MR. ACTING DEPUTY SPEAKER: Those opposed, please say no. Carried.

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

Bill 19

Mobile Home Sites Tenancies Amendment Act, 1992

MRS. B. LAING: Thank you, Mr. Speaker. I'm very pleased to move second reading of Bill 19, the Mobile Home Sites Tenancies Amendment Act, 1992, and to make some comments about it.

This Bill further reflects the commitment of the government to react positively to the needs of Albertans. It will bring uniformity to residential tenancy legislation and provide protection to operators of mobile-home parks and their tenants similar to that provided in the amendment to the Landlord and Tenant Act, which received third reading and Royal Assent in the House in June '91. The amendments will encourage fair and equitable contracts in renting mobile-home sites and will achieve a balance between the rights and responsibilities of owners and operators of mobile-home parks and their tenants.

Mobile-home sites tenancy legislation is unique to Alberta in that we're the only province in Canada with a comprehensive statute dealing exclusively with the relationship between tenants and operators of mobile-home parks. Other provinces in Canada either make no references to mobile-home sites or include its regulation in other residential tenancy legislation. In British Columbia there is a Mobile Home Act. It deals with the purchase, disposition, repossession, transfer, and transportation of mobile homes but affects the tenancy relationship for a site only in a minimal way.

Separate legislation was enacted in Alberta because of the significant number of people affected, the special nature of the relationship, and a recommendation from the Institute of Law Research and Reform that there should be two separate statutes. The interests of mobile-home site tenants are not the same as other tenants' in several important aspects, and separate statutes would be more readily comprehensive.

4:40

Mr. Speaker, currently there are 185 mobile-home parks in the province, with a combined total of 22,000 sites. There are an additional 10,000 sites located outside of mobile-home parks, making a total of 32,000 sites. There are about 90,000 Albertans living in their own mobile homes located on these sites. The tenancy relationship created by the renting of a mobile-home site has considerable significance for both the tenant and the property owners. A tenant has a substantial investment in a mobile home, and the selection of the site and the arrangements for its use affect social, family, and personal well-being.

The report of the Institute of Law Research and Reform published in April of 1978 states that although the landlord and tenant of a mobile-home site are, in general, free to regulate their relationship by contract, the practice is that freedom of contract usually works to the benefit of the landlord, who is in a better position to dictate the terms of the agreement. When mobile-

home sites are in short supply, the landlord can replace the tenant more easily and with much less financial and emotional strain than the tenant can replace the rented site. The imbalance of bargaining power prevents the tenant from using his freedom of contract to improve his position vis-à-vis the landlord. The latter is free to use his generally superior position, his economic strength and greater access to legal advice, which will generally protect him against tenants by neutralizing common-law rules which are adverse to his interests. With mobile-home sites in short supply at the present time, these comments are equally appropriate today.

Mr. Speaker, Bill 19 will eliminate interference and restriction on the tenant's ability to sell, lease, or otherwise dispose of the mobile home; will improve security of tenure by eliminating termination of tenancy without reason; will improve the privacy of tenants by limiting landlord's entry on the site to specific times and under specific conditions; will expand the provisions regarding rent increases in mobile-home parks to sites outside mobile-home parks; will provide a more efficient and less expensive method for landlords to deal with abandoned goods; will provide the landlord with ability to deal with tenants who cause willful damage or assault or intimidate the landlord or other tenants; will require the landlords to place the security deposits in trust; will eliminate the deduction of damage from a security deposit unless pre- and postinspections are conducted; will broaden the offence sections and increase the fines.

Mr. Speaker, in closing, I would like to say that these amendments are the result of an extensive consultation with all affected parties. They will make the landlord/tenant law in Alberta uniform and available to virtually all tenants in the province. They will, in my view, achieve an equitable balance between the rights and responsibilities of landlords and tenants. I ask for the support of members in the House in the second reading of Bill 19, the Mobile Home Sites Tenancies Amendment Act, and look forward to their comments.

Thank you.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Speaker. I would like to address some remarks on second reading of Bill 19. I recently met with some of the mobile-home tenants in my constituency. We took out the Bill and the Act and tried to put it together over an evening, and my thoughts are as a result of the consultation I've had with the tenants in Westview Village. I held a town hall meeting specifically for the tenants of that mobile-home park; I guess it was about a year and a half ago. Normally when an MLA holds a town hall meeting, you expect 20 or 30 people to show up, on a good day. Well, to my surprise, in excess of 200 persons showed up at this town hall meeting, and it turned out they were all residents of the one mobile-home park. They had a lot of problems that had been festering over a long period of time, with no avenue to deal with them. A lot of them, I think, had to do with the way the Mobile Home Sites Tenancies Act was then structured.

I see Bill 19 as being the parallel legislation to the landlord/tenant amendments from a year ago, and I see them as being primarily a step in the right direction for many of the reasons that were outlined by the member in her opening remarks. It is quite true that mobile-home sites are in short supply at the present time. One doesn't know how long that will continue. The difficulty is that mobile-home owners have, in a sense, two kinds of housing charges. They have to buy their mobile-home premises; then they also pay rent on a mobile-home pad. Now, the cost of these

things is such that most people have to have a type of mortgage or loan. So there are monthly payments there, and then there are monthly payments for the rental of the mobile-home pad. I guess there's an upward limit on what you can afford to pay, putting those two things together. Some of the people who develop those parks find that with the difficulties in siting them – there are some zoning difficulties and political difficulties – the costs of preparing and servicing pads are more than a lot of mobile-home residents can pay. I think that's part of the reason why they're in such short supply.

I think a lot of the problems, a lot of the fear, and a lot of the anger that the mobile-home tenants felt was because of this so-called no-fault eviction which does exist today in the Mobile Home Sites Tenancies Act. I'm pleased to see that the government is in effect eliminating that provision. I have to say, you know, that to my face at a meeting, the manager of the particular park I have in mind told me that he routinely uses that device, that no-fault eviction, as a "terror tactic" to intimidate the tenants. Any problem he has, he finds it convenient to just slap on a no-fault eviction. They would come around and say sorry three times and beg to stay, and he would lift it. Well, that's a completely unfair way to deal with landlord/tenant issues, and I think that this legislation to some degree recognizes that.

I'm concerned and my tenants were equally concerned that while you have to give reasons, the reasons are going to be spelled out in regulation rather than in the Act itself, which again parallels the way the Landlord and Tenant Act is structured. I mean, it is not the same thing to be evicted from a mobile-home park as it is to be evicted from an apartment. If you're in an apartment or a house you're renting, you simply load up your possessions and go to another premise. To physically remove a mobile home from a site is a very, very expensive and difficult operation, and then of course you have to find a site to do it. The other option in this that a tenant can avail himself or herself of if an eviction takes place is to attempt to sell the mobile home on the pad and recoup the investment, thereby not having to relocate the mobile home. There are problems there as well.

I think that particularly when it's a mobile-home site that is difficult to move or to sell, the reasons for eviction had better be good ones. They'd better not be frivolous ones, and they'd better not be related to the so-called terror tactic. So I'm going to move in committee that we put some reasons in there, reasons that I think are good, defensible reasons, rather than leaving it up to the regulations.

It was mentioned that the provisions of Bill 19 make it easier for persons with mobile homes to sell their property. I think that is an issue, because you can't sell a mobile home today without the site to go with it. It's very, very difficult, because you've got to have a place to put it. The information I have is that whether it's on a pad or not on a pad can make a difference of many thousands of dollars in the selling price. If you're forced to sell off the pad, you could lose your equity overnight. I think in fairness, so long as there is no valid reason for eviction, the tenant should be able to sell the mobile home on the pad, but there's a problem here. A lot of landlords, owners, and managers restrict the ability of people to advertise their homes for sale. You're not allowed to put a for sale sign up, for example. Well, if you can't put up a for sale sign, how are you supposed to sell your property? They'll let you go to A and B Realty, which may be their friends or cousins or what have you. If you list with them, then it can be sold.

I think we should have a provision in this Bill which protects the ability of a tenant to put up a modest for sale sign, even one that's in the window, something that's not going to interfere with

the neighbours particularly. Just as we have a right, for example, to put up election signs during elections – that's covered by law – I think the law should protect the right of somebody who owns a mobile home to put up a modest and reasonable for sale sign. I think the ideal way to do that, from my perspective, would be to put the terms of a model lease in the Act – that's done in other provinces – to say that, generally speaking, these are the terms that are allowed within a lease, thereby eliminating some of the rules that are unfair, such as the rule against for sale signs.

4:50

I personally think that the rule against television antennas and satellite dishes is an unreasonable rule. What it does is force people to subscribe to cable if they want to have good television reception. Most of us who own our homes have the option of putting up an antenna or a satellite dish, provided that it meets with local zoning bylaw requirements. I think that's an example of an unreasonable rule which occurs in some of the mobile-home site lease agreements.

I think also that people should be protected from harassment or eviction by reason of being involved in a tenants' association of some kind. Particularly when you have arbitrary eviction, that is a concern. I think that could be built into the terms of a model lease or built into the valid reasons for eviction in a way such that you could not be evicted or in any other way harassed by reason of being active in a tenants' association.

Those, I think, were the primary concerns. In most cases the damage deposit is not a big factor because there isn't a whole lot of damage you can do to a mobile-home site, really. Damage deposits tend to be relatively low because the rents are relatively low. I think there is some improvement here, and I think that's appreciated, generally speaking, by the tenants. The fact they are entitled to interest on deposits is a good thing, although it's not a big factor. I think these are generally in the right direction. They perhaps don't go quite far enough in terms of meeting the need. As I said, I think there will be some amendments coming from this side to try to make certain this Bill is the very best kind of Bill it could be.

One other I'd like to mention is the question of rent increases. I'm not certain why, but it appears to me that the notice period for rental increases has been reduced from 180 days to 90 days, from six months down to three months. Now, three months is the standard for rented homes and apartments, but again, if you're in a situation where the rental increase makes it impossible for you to remain on the premises, and that happens from time to time, it is extremely difficult if not impossible to make a transition arrangement within a three-month period because, I repeat, moving a mobile home is not the same as moving from apartment to apartment or to a home. You have to either sell it or move it, and to move it can be a very difficult proposition. I became aware of some people who were evicted from a mobile-home park because their mobile homes were too old. The manager felt that he wanted to have a park where there's newer premises. Well, I think that really boiled down to a scam to sell these people new mobile homes. In some cases they got away with it. In other cases they didn't, because we stepped in.

To impose a rent increase in a 90-day period does not give the mobile-home resident sufficient time to exercise their options. Now, it goes on to say that you can only increase it twice a year, and I guess that's a provision that's there from the Landlord and Tenant Act. I'm not so certain that these landlords need to increase the rent twice a year.

On the question of rental increases, this is something that comes up often in landlord/tenant law: the obligation of the landlord to

maintain the premises in a fit and reasonable state. Well, if tenants have concerns over maintenance – and in the case of mobile-home parks, that has to do with repairs on roads, whether there's snow cleared, whether the landlord fulfills his obligations. There is a general lack of remedy that's available to all tenants if the landlord falls down on that score, and I would like to suggest one that I think might be included in the Mobile Home Sites Tenancies Act. If a landlord is not maintaining the premises, not meeting his obligations in that respect, why not say that he can't increase the rent? I think it's quite reasonable to say that there should be no rent increase until the maintenance is looked after. So I'm thinking perhaps there should be an amendment to this Bill which would make it impossible for a landlord to increase the rent if he's not maintaining the premises in a fit and a suitable fashion, according to the agreement.

As I say, I think these amendments are, generally speaking, positive. They don't go far enough, and when we get into committee, we'll try and make some improvements.

MR. ACTING DEPUTY SPEAKER: Edmonton-Whitemud.

MR. WICKMAN: Thank you, Mr. Speaker. During the debate at committee level, Committee of the Whole, I will be bringing forward some amendments that will deal specifically with Bill 19, the Mobile Home Sites Tenancies Amendment Act. Now, I had the opportunity to talk with the minister of consumer affairs on this particular Bill for a short period of time, and I have to say I always do appreciate the responsiveness from the minister of consumer affairs whenever I do have a discussion with him. I appreciate it when he takes my remarks seriously, and on most occasions he does, and he does take them into consideration.

Now, my overall general concerns – and that's all I'll address today, general concerns. I believe very, very firmly that mobile homes are a viable option of affordable housing. It should be recognized by the point of view of a right of tenure. It should be encouraged in that any form of affordable housing is, I believe, necessary in the housing market as an option. There are many, many people that choose the life-style of a mobile home not because they're mobile, but simply because it's an inexpensive form of housing, and it's very, very nice housing.

Some of the mobile-home parks are really nice little communities unto themselves that have services, where the neighbours are close together. It's almost like condominium living, yet people have their own single-family units. They are single-family units in the sense that they're much more permanent than the trailer court situation we had years ago, where people parked in a trailer court for six months and then moved on to another trailer court because they worked in the oil patch or whatever the case may be. So we have to recognize, first of all, that mobile homes are an affordable option of living accommodation.

Secondly, there must be a stronger degree of tenure than there is at the present time. I believe the classic example that illustrates what I'm talking about occurred approximately a year, year and a half ago in Maple Ridge, and the minister would be aware of that particular situation. That was a situation with 10 speculators, fronted by an individual with an option on that parcel of land, and their intention was to develop it into some type of development that would reap them profits, probably a great deal of profit, over and above what they may have gotten under the present circumstances. The way it was done – and there's nothing wrong with a land developer going in there and trying to make some dollars, but let's do it in a fair manner that recognizes that you can't cause unnecessary hardships to people.

In that particular case the people that lived in those mobile homes were given options. One of the options was to buy their piece of land, their plot, but at a cost that was estimated to be \$5,000 to \$7,500 more than the normal market going rate. Secondly, they could continue to rent, but the rent was going to go up about \$200 a month, or they could relocate, but to relocate a mobile home incurs a cost of roughly \$5,000 to \$7,000.

5:00

No matter which way, these owners of the mobile homes were going to move. They were going to face some extreme economic consequences plus the inconvenience of being disrupted from a neighbourhood, from a community, and it was their community. That was a situation where those mobile-home owners said: "We're not going to accept it. We're going to fight it." They fought it, and they invited myself and the Member for Edmonton-Avonmore, because it was part of her constituency. They invited the aldermen, and they fought it. They had several meetings, and we were not optimistic to begin with that they could actually win this battle. I know the minister's office somehow became involved in it, and I'm not sure of the communication that went on. Nevertheless, whatever the communication that went on was, it was very, very successful in that the person fronting for the speculators let the option run out; in other words, they were not going to pursue it. I still to this day believe that the minister's office took some appropriate steps that had to be taken, so it resolved that particular situation.

However, it resolved that situation; that's not to say it's going to resolve a similar situation five or 10 years down the road. That's why at times we have to have consumer legislation to protect consumers from the abuse of a small number of individuals that will exploit people, and this was such a situation that could reoccur.

When I was out in British Columbia visiting a brother I have that lives in Surrey – he lives in a mobile park – he indicated that the government out there had implemented legislation that compensated them if there was going to be a forced move due to redevelopment, that was going to compensate them twice the value of their mobile home. I was kind of optimistic that this may be the way to go, that you have some compensation factor if a person wants to come along and redevelop that particular site. Lo and behold, he was incorrect. The legislation in B.C. is weaker than the legislation we have here at the present time.

That doesn't mean to say we accept the legislation that we have now, because our present legislation has to be strengthened considerably. So when it comes to Committee of the Whole, I want to deal with amendments that ensure some tenure, that ensure some type of compensation for persons that have to relocate because of redevelopment of a site, and also some type of notice to evict that recognizes that this is not just a normal rental situation or not comparable to a rental situation.

The last point I would make, Mr. Speaker, that I spoke to the minister about was the question of participation. As part of our research that I'll be bringing forward during Committee of the Whole, we have contacted a number of the associations – there aren't that many; it's a small number – of mobile-home parks, and I would hope that there has been enough public participation. I would hope that if there isn't, there is opportunity for further response. I would hope that this particular Act proceeds in such a way that it's given second reading, Committee of the Whole, third reading, but before it's proclaimed, there is that cooling off period to allow for any last-minute changes such as we're seeing in the tenancy Act, except that one has dragged on longer than I think is necessary.

On that note, Mr. Speaker, I'll conclude my remarks, and I look forward to a more detailed debate during Committee of the Whole.

MR. ACTING DEPUTY SPEAKER: The Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I welcome this piece of legislation that's before our Assembly today. I commend the Member for Calgary-Bow for sponsoring the Bill and thank the Minister of Consumer and Corporate Affairs for bringing the matter forward.

Mr. Speaker, as you know, living in a mobile home is not the same as renting an apartment, nor is it the same as owning a house on a residential lot. This legislation reflects the mobile-home owner's vulnerable position and attempts to give mobile-home owners some security in their special tenancy. Therefore, I rise to speak on this, and I support this Bill.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Strathcona.

MR. CHIVERS: Thank you, Mr. Speaker. I want to say at the outset that I recognize, as the hon. member who is sponsoring the Bill has mentioned in her remarks, that there are some useful improvements and initiatives in this Bill. I do, however, have some concern. In general terms I'm not sure that the Bill does accomplish the purpose enunciated by the hon. member sponsoring the Bill with respect to establishing that balance she spoke of between the owners of the sites and the tenants at the sites. However, as I said, I commend the effort to attempt to make some initiatives or movements in that direction.

One of the matters that I have noted – and perhaps this requires that it be addressed not only in this legislation but also in the landlord and tenant legislation – is the fact that the tenants and landlords of mobile-home sites experience many of the same sorts of disputes that other tenants of the landlord and tenant system experience. For example, there are complaints with respect to damage deposits and matters of this sort and rent increases, a whole host of issues that come before landlord and tenant advisory boards. It seems to me, if my recollection is correct, that the Landlord and Tenant Act does not extend the application of the provisions establishing landlord and tenant advisory boards to the landlords and tenants with respect to mobile-home sites. I will be sponsoring some amendments in that connection, at least making a suggestion that perhaps what we need here is the jurisdiction of those bodies to be expanded to cover disputes with respect to these relationships. I see the minister of consumer affairs is nodding, so he at least has understood what I'm suggesting here. It seems to me that that kind of a body or tribunal can serve a useful function in dealing with the disputes that are of common nature between these two types of tenancy arrangements.

The Bill does make some movement towards providing a measure of security of tenure for the tenants of mobile-home sites, and for that I want to commend the sponsor of the Bill. It seems to me that many of the amendments that were dealt with in the Landlord and Tenant Act, which we discussed in the session last spring, have been adapted and modified and brought forward to be made applicable to this tenancy relationship, and again I want to commend the hon. member sponsoring the Bill for that initiative. I think those are very worthwhile features of the legislation and do indeed represent some meaningful improvements with respect to the situation of both tenants and landlords in this difficult situation.

However, I would like to draw attention to what I consider to be a major difficulty with the legislation. The legislation has

carried forward on the principle that there should be some prescribed reasons for the landlord giving a notice of termination of a tenancy. Those are spelled out in certain provisions of the legislation. I think that is a good initiative, but what concerns me is that there's no effective remedy in the situation where the prescribed reasons are given, the tenancy is terminated, the tenant moves out and occasions considerable and significant expenses in doing so, may indeed have difficulty in finding a suitable location, and then the reasons that are specified, according to section 10, by the landlord are not acted upon. In other words, the reason given for the termination is really a sham because there was never any intention of acting on it.

5:10

In those circumstances, as I read the legislation – and I stand to be corrected, but from my review of the legislation I think the remedy, then, is simply that there has been a breach of section 10, and then there can be a prosecution. It seems to me that that is a totally inadequate response to that kind of a situation. It seems to me that it would be very easy to bring forward amendments to the Bill that would deal with the concept on the basis of a make-whole type of jurisdiction, that indeed the tenant who has been victimized in that fashion should be entitled to be made whole in terms of the losses and expenditures and expenses that have been occasioned by him in that way. That may even extend for a period of time to compensating the tenant for the full amount not only of the costs that have been incurred in the move but also in terms of if he has been forced as a result of that wrongful termination to move to a tenancy where he is paying a higher rent. Perhaps there should be some compensation for that loss occasioned as well, the principle being that if there's been a wrongful termination, there should be an effective jurisdiction to put the tenant in the position that he would otherwise have been in had it not been for the wrongful termination of the tenancy.

It seems to me that as a matter of principle, that is a better way of dealing with it than simply making a provision in the legislation that a violation of section 4.1, which is the section I'm referring to, is remedied only by prosecution. So I would urge the government to look at those provisions and consider the possibility of making some adjustments in that area as well.

Also, I'm not certain at this point in time that the provisions of section 10 could not also be re-examined and perhaps tightened up and expanded upon to make sure that all of the possibilities of proper reasons being given for the termination of a tenancy have been included therein.

I see also that there's a provision in this Bill for inspection reports. Now, I appreciate that there are indeed different circumstances here than pertain in the ordinary landlord and tenant relationship. I haven't had an opportunity to compare these procedures with the provisions of the Bill that we dealt with last year, but I assume they've been modified to take into account the fact that there is a different relationship here with respect to inspections. It seems to me that it is not in the interests of either of the parties to have an unnecessarily bureaucratic approach to inspections, because of course, as the Member for Jasper-Place has pointed out, with respect to the site itself it's a fairly simple matter to make an inspection. I'm not suggesting that an inspection report might not be a useful tool, but I think that we should make sure it's an appropriate type of an inspection report and an appropriate type of procedure which is adapted to the specific requirements of this type of very specialized landlord and tenant relationship.

With respect to the other provisions of the Bill that are dealing with some of the principles – with respect to the setting of fees,

for example, with respect to the trust account provisions – once again I want to commend the member. It seems to me that these are very worthwhile initiatives. However, I have the same concerns that I expressed with respect to those provisions of the Landlord and Tenant Act in the debate last spring. I guess I have the same concern with respect to the interest on the deposit. I see there are provisions there dealing with that, which is once again a very common problem not only for these types of tenancies but for the tenancies that we dealt with last spring.

I'm very pleased to see that under the penalty section there are specific and very substantial penalties imposed for breaches of the Act, but again, as I said with respect to the section for provisions, it seems to me that a make-whole remedial order is a more appropriate sort of way of dealing with it.

I have some concerns, and perhaps the member sponsoring the Bill can enlighten me on this. I see that one of the things that happens in the Bill is that there is a limitation with respect to proceedings under the Bill which seems to be shorter than normal, and I'm wondering what the rationale for that is.

In general, Mr. Speaker, I appreciate the fact that there are some substantial and significant improvements with respect to the law regulating relations between the tenants of mobile-home sites and the landlords in respect of mobile-home sites. I think there are some improvements that can be made in the legislation, and as the Bill progresses through the stages in the House, we intend to provide some suggestions and some amendments with respect to how improvements can be made to ensure that in fact the Bill does accomplish the expressed purpose of balancing properly the rights of the owners of the mobile-home sites and the rights of the tenants of the mobile-home sites. Those are my comments at this point in time.

Thank you.

MR. DAY: Just a quick comment, Mr. Speaker. I appreciate the minister responding to concerns that I and others had when the Bill came to first reading that certain people on the association side be kept astride of developments, and that has been done. I understand that the legislation, as it is so far, has been sent out to the various associations and various individuals involved, and I also understand they've not fully responded yet. At the point at which they do, I'll be happy to make further comments in committee.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Speaker. I, too, would like to rise and make a few comments on Bill 19. As other members have stated, I think it was important that a Bill of this nature be brought before us. Also, as other people have said, I think it's a good Bill, but it will require some amending to make it the type of Bill I think will have the kind of legislative teeth that will make both the landlords and tenants quite content and happy with the operations.

One of the major problems that mobile home park residents, and landlords for that matter, have is in fact something that has already been stated: the shortage of a proper supply of mobile-home sites. Quite often the tenants really don't have an option if they should have a disagreement with the landlord or vice versa. The tenant particularly really hasn't got an option to relocate, because first of all there may not be sites in the area – which there aren't – or of course the cost of relocating the mobile home is rather expensive. Most residents who reside in mobile parks choose that form of residence as perhaps their first home, an opportunity to get started

in owning a home, and generally are not well financed to the point where they can have excess money whenever required to relocate. That makes it really difficult for tenants in mobile homes. As a result, the landlord does have a tendency to be able to have them under his thumb to some degree.

An example that I want to bring to the attention of the Legislature is the case in point at a trailer park that happens to be in my constituency. It had a real unfortunate event occur several years ago. As a result of that particular situation, half of the park is in fine shape. It has new mobile homes, it has new fencing, new landscaping, new roadways: the whole situation is up to standard. On the other hand, the other half of the park is basically an example of an absentee landlord, where the management there is restricted in the kind of money it has to spend to maintain the roadways and the other facilities that are required for the mobile-home park. Therefore, you can see what happens in parks around the city. But it's not a blanket statement. Some are fine operations and do a great job of maintaining and running their parks; others don't do quite as good a job. It's only through the efforts of the tenants that the parks have some playground facilities for the children, skating rinks, and so on, to be able to have a social program within those systems. So I think there's a great deal to be done to improve the quality of life in mobile homes, and I would think that perhaps this Bill does in fact make some moves in that direction.

5:20

Another area that the Bill does not address – and I'm not sure that it would come under this Bill. I have a concern about the sale of mobile homes and the follow-up service that mobile-home operators provide after they sell a unit to someone. I've had a great deal of problems with after-service of trailers, particularly those that were reconditioned after the tornado. Many of those were repaired by a particular operator in the city of Edmonton who bought the salvage, patched it back together, and sold it back to tenants of mobile homes, generally a very sloppy job with no CSA approval on it, yet they were able to get away with that type of action. I don't see the Bill talking about those sorts of things.

Also, the matter of rate increases. Almost on a monthly basis I get a call from someone in a mobile-home park who is experiencing an increase really requiring some justification from the landlord. Those justifications, as under the other legislation for landlord and tenants, are not there. I think that landlords have an opportunity to increase rents. Whether it's justifiable or not, they go ahead and do it, and then the tenants, as I said earlier, in this case really don't have any alternative. They either pay the rent or move, and if they can't move, they're going to have to pay the rent whether they can afford it or not.

Also, the matter was raised earlier about the sale of mobile homes, the restrictions that some landlords place on tenants that they really cannot sell except to a very exclusive person who might be located right at the park, and only that company can list sales of mobile homes in that particular park. I think it's certainly an invasion of the freedom of those people in the park, that they are under the thumb of an operator who combines the sales, the running of the park, and so on. It's sort of a monopoly operation within the park system, and really the tenants there don't have the kind of freedom and opportunities that most tenants would have if they were living outside of a park.

I think also that the code for the construction of mobile homes needs to be addressed. I'm not sure what kind of an inspection process is in place at the present time, but it appears to me that there are a variety of operators, although I guess because of the recessionary situation many have gone out of business. Nevertheless, in this Bill there's no reference to that, and again I'm not sure that it should come under this Bill.

Those are the concerns from a consumer's point of view that need to be addressed when you're looking at mobile-home sites and mobile homes generally.

The Member for Edmonton-Whitemud raised the issue that surfaced recently on the south side, where again an operator was going to dispose of the property, obviously for some condominium development, and the organizing efforts of the tenants prevented him from doing that, so they could still maintain their homes. There really is very little protection for tenants in mobile homes, as there is very little protection for tenants in other facilities.

I think this Bill is certainly a start in the right direction, but the amendments that are being proposed by other members should be considered. Indeed, if the legislation has been circulated to owners of mobile homes and to tenants, I'm sure that perhaps some information coming back from them would be helpful as well. I plan to circulate this as well to my group in anticipation of receiving additional information for Committee of the Whole debate.

MR. ACTING DEPUTY SPEAKER: The Member for Calgary-Bow to close debate?

HON. MEMBERS: Agreed.

MR. ACTING DEPUTY SPEAKER: Please proceed.

MRS. B. LAING: Mr. Speaker, I'd like to thank all hon. members for their comments and for their general support of this Bill. I, too, believe it is a step in the right direction, and I think it will address many of the concerns that certainly the tenants of the two mobile-home parks that I have in my area will appreciate. This Bill has been in circulation for about a month and has been sent to mobile-home owners, mobile-home park owners, and tenants and individuals, so it has had a good circulation.

A couple of things I'd just like to mention today. One was the reasons for eviction being put in the regulations rather than the Act. This, of course, is to provide flexibility, because otherwise we would have to bring the Act back each time we wanted to add a new reason.

In view of the hour I would like to move second reading of Bill 19, Mobile Home Sites Tenancies Amendment Act, 1992.

[Motion carried; Bill 19 read a second time]

MR. GOGO: Mr. Speaker, as a courtesy to the opposition parties, the government would advise that tomorrow evening we would deal with third reading of Bill 20 and then Committee of Supply, dealing with the Department of Municipal Affairs.

[At 5:27 p.m. the Assembly adjourned to Thursday at 2:30 p.m.]