

Legislative Assembly of Alberta

Title: **Thursday, May 21, 1992**

2:30 p.m.

Date: 92/05/21

[Mr. Speaker in the Chair]

head: Prayers

MR. SPEAKER: Let us pray.

As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy.

As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving both our province and our country.

Amen.

head: Introduction of Bills

Bill 27 Fisheries (Alberta) Act

MR. FJORDBOTTEN: Mr. Speaker, I request leave to introduce Bill 27, being the Fisheries (Alberta) Act. This being a money Bill, His Honour the Honourable the Lieutenant Governor has been informed of the contents of this Bill and recommends it to the Assembly.

This Bill formalizes the fisheries provisions currently contained in agreements between the federal government and includes the current Fish Marketing Act and its provisions. Bill 27 also provides for a clearer delineation of federal and Alberta jurisdiction on fisheries-related matters.

It's my pleasure to introduce Bill 27, the Fisheries (Alberta) Act, for first reading.

[Leave granted; Bill 27 read a first time]

Bill 274 Ambulance Services Amendment Act

MRS. HEWES: Mr. Speaker, I request leave to introduce Bill 274, the Ambulance Services Amendment Act.

Mr. Speaker, the purpose of this Act is to ensure that when a physician recommends that a nonadmitted patient be transferred to another facility because the originating hospital is unable to provide adequate medical treatment, the minister will bear the cost of such transfer.

[Leave granted; Bill 274 read a first time]

Bill 290 Individual's Rights Protection Amendment Act (No. 2)

MRS. HEWES: Mr. Speaker, I request leave to introduce Bill 290, the Individual's Rights Protection Amendment Act (No. 2).

Mr. Speaker, this Bill would add sexual orientation as a category of prohibited discrimination in respect of employment, accommodation, and access to public facilities.

[Leave granted; Bill 290 read a first time]

Bill 292 Alberta Health Care Insurance Amendment Act

MRS. HEWES: Mr. Speaker, I request leave to introduce Bill 292, the Alberta Health Care Insurance Amendment Act.

Mr. Speaker, this amendment is to allow for private clinics and agencies to bill the health care insurance plan for counseling and treatment services to family violence abusers and victims.

[Leave granted; Bill 292 read a first time]

MR. SPEAKER: Edmonton-Glengarry.

Bill 288 Alberta Health Care Insurance Amendment Act (No. 2)

MR. DECORE: Thank you, Mr. Speaker. I request leave to introduce Bill 288, the Alberta Health Care Insurance Amendment Act (No. 2).

The purpose of this amendment is to extend Alberta health care coverage to include services and supplies needed for the treatment of diabetes.

[Leave granted; Bill 288 read a first time]

head: Tabling Returns and Reports

MR. OLDRING: Mr. Speaker, I'm pleased to table the annual report of the Department of Family and Social Services which covers the fiscal year ended March 31, 1991. I might mention that I do so jointly with my colleague the hon. Mr. Brassard, who was the Associate Minister of Family and Social Services during the period of time covered by this report.

Mr. Speaker, also at this time as the Acting Minister of Technology, Research and Telecommunications I wish to table public documents relating to the sale of NovAtel Communications Ltd.'s primary business units. The hon. minister is at this hour speaking publicly in the city of Calgary to this issue and was most anxious for the Members of the Legislative Assembly to have this current information. As you know, the minister will be here tomorrow morning to present his estimates and looks forward to responding to any questions that the . . .

MR. SPEAKER: Sorry; it's just a tabling.

MR. GETTY: Mr. Speaker, I'd like to table a letter which I have written to the Auditor General. This letter requests the Auditor General to perform a special duty under section 17(2) of the Auditor General Act. I won't go into details, but basically this special duty is to review the history of NovAtel and to report publicly on it.

head: Introduction of Special Guests

MR. ELZINGA: Mr. Speaker, it's my pleasure, sir, to introduce to you and through you the father of one of our hardworking pages in the Legislative Assembly, namely Craig Gromnisky. The guest is seated in your gallery, and I would ask Mr. Barry Gromnisky to rise and receive the warm welcome of this Legislative Assembly.

MR. SPEAKER: The Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. It's my pleasure today to welcome two out-of-province guests, Joyce and Mel Hodgins from Belleville, Ontario. This is Joyce's first visit to beautiful Alberta and of course her first visit to the Legislature. Joyce happens to be the sister of my executive secretary, Shirley Campbell-Pearse. They're in the public gallery. I'd ask them to stand and receive the warm welcome of the Assembly.

REV. ROBERTS: Mr. Speaker, in the public gallery today are 12 visitors from the YMCA's Options for Adults program in Edmonton-Centre. They're here with their leaders Garry Ingram and Lois Kathnelson. I'd ask that they now please rise and receive the welcome of the members here today.

2:40

MR. THURBER: Mr. Speaker, I'd like to introduce to you and through you to the Legislative Assembly 14 bright students from the Tomahawk school in the constituency of Drayton Valley. They're accompanied today by two teachers, Mrs. Jane Zander and Mrs. Mary Sullivan, as well as by the bus driver, Mr. Kevin Goerz. I would ask that they rise and receive the warm traditional welcome of this House. I'm sorry I missed your photograph session.

MS McCOY: Mr. Speaker, it's my pleasure to introduce to you and through you to the members of the Legislature 84 visitors from the A.E. Cross junior high school in Calgary-West. With them are teachers and group leaders Art Hanson, Marie White, Marguerite Boisjolie, Cindy Hubert, Helen Clark, and Jim Schell. I would ask all members of the Legislature to extend a warm welcome in the traditional manner and ask the students to please rise to accept it.

head: Ministerial Statements
Canada's Fitweek

MR. SPARROW: Mr. Speaker, as minister responsible for recreation in Alberta I am pleased to announce that Canada's biggest national celebration of active living begins on May 22. Canada's official Fitweek runs May 22 to 31 and will involve over 900,000 Albertans in 10 programs. We are of a mind that this Fitweek is every week and should include every Albertan. Alberta Tourism, Parks and Recreation is committed to the well-being of Albertans. The Active Living movement and Canada's Fitweek are excellent examples of that commitment.

Leisure as an industry is very important to this province, generating over \$6 billion annually in economic benefits. Aside from the obvious personal benefits of a healthy, active life-style, physically fit people, on average, need less medical care. A decrease in the use of medical services would directly result in a decrease in medical costs for taxpayers.

I know an 80-year-old gent who has only spent one day of his life in hospital. While many factors determine an individual's medical needs, I am certain that his dedication to staying fit and active has contributed significantly to his nearly perfect record of health. This is a story that we would all like to hear more often about more Albertans, and Fitweek is a step in this direction.

If you haven't already, you can get a start on the path to your active life-style by joining your fellow Canadians on Friday, May 22 for Sneaker Day. Lace up your sneakers and take a walk for the health of it. Fitweek is full of activities that will peak your interest, including an Active Living break at noon on Wednesday, May 27 in the north amphitheatre on the Legislature Grounds. I encourage you to visit your constituencies and participate in the numerous Fitweek activities happening throughout the province.

So swap your suits for sweats and slip on your sneakers and join us in celebrating Canada's 10th annual Fitweek.

MR. MARTIN: Mr. Speaker, I take it that we're all for fitness week. It would be hard to be against that. It is an important point as we move towards looking at the Health minister's budget. I think one of the biggest areas where we could save money is in

the whole area of prevention; of course, physical fitness is one of those. That's going to take a massive amount of education in terms of all our parts in the Legislature.

In honour of fitness week, Mr. Speaker, I'm not going challenge the Premier to a game of golf. I may challenge Boomer to a road race, but I think rather than that, I'll play squash with the Member for Edmonton-Kingsway.

Thank you.

head: Oral Question Period
NovAtel Communications Ltd.

MR. MARTIN: Well, Mr. Speaker, I want to talk about NovAtel to one of those shrewd businesspeople, the Treasurer over there. I've had a quick look at this brilliant document. I find that this whole area has been a sort of comedy of errors. This government's brand of privatization: sell off the profit makers to private investors; keep the worst of them for the taxpayers of Alberta so we can lose millions of dollars. You must remember that this government botched the sale of Telus when it released erroneous information about the financial state of NovAtel in the sale's prospectus, and frankly taxpayers are still picking up the bill. I see that we have a possible loss – and we don't know yet because we haven't got all the figures in – that could be roughly up to \$840 million. In a quick glance, though, it looks that they've made a great sale here. They're going to get at least \$76 million back. Now, my question is to the Treasurer, that person who understands business. If my figures are wrong in the quick analysis, I'm sure he'd be glad to straighten this out. Will the Treasurer tell Albertans and us in the Legislature the extent of losses that NovAtel has cost the taxpayers, all of them?

MR. JOHNSTON: Mr. Speaker, you heard my hon. colleague the Acting Minister of Technology, Research and Telecommunications advise the Assembly when he tabled the full documentation on the NovAtel transaction and sale. My colleague the minister will be back tomorrow. He is now in Calgary along with NovAtel making public and fully disclosing all the information surrounding this issue, but to ensure that all members of the Legislature had it, my colleague tabled it here today in the House.

I must, Mr. Speaker, be guided by the rules which I think guide the government. That is to say that with respect to the principles of the transaction and talking about the strengths of the transaction for Alberta's telecommunications industry, I will leave most of that to my colleague the Minister of Technology, Research and Telecommunications, and I will deal today only with the facts which have been disclosed on the financial side.

As the documentation shows, Mr. Speaker, it's our best estimate today – and we're making this full disclosure up front with the people of Alberta – that the total loss to the government of Alberta on the NovAtel transaction will be in the order of \$566 million, and that's the full provision for the losses and for the write-off of any receivables which surround the sale of systems into the United States market.

MR. MARTIN: Very, very interesting. If that's their estimate, Mr. Speaker, knowing this Treasurer, it's probably much higher. That's the way it works. I find it insulting that we've been asking questions about NovAtel since day one and that this announcement is not in the Legislature, where the minister should be. It's fundamentally wrong.

Mr. Speaker, \$566 million that the Treasurer acknowledges. I notice that of this money that they're supposedly getting, \$20 million is a deferred payment, so we may not even get that. We

might not even be getting what it's worth, a fire sale. My question, then, to the Treasurer is simply this: what does this \$566 million do to his budget projections this year? Wrong again?

MR. JOHNSTON: Mr. Speaker, it does nothing to the '92-93 budget forecast.

MR. MARTIN: Mr. Speaker, so we're just going to postpone the debt. The \$566 million: snap, it's not there. Will the Treasurer, then, tell us how we're going to pay for this \$566 million? Will he please tell us that?

MR. JOHNSTON: Well, first of all, Mr. Speaker, the Member for Edmonton-Norwood is confusing the impact on the deficit and the call upon the Treasurer to make a payment: two separate, entirely different and distinct concepts in the business world.

Let me make it very clear, Mr. Speaker, that the \$566 million that we addressed already with respect to the impact on this budget – that is to say, the impact on the '92-93 forecasts that are now before the House in terms of debate – will be very nominal, in fact hardly anything at all. There may be some additional charges for interest, but nothing very significant. The public accounts were tabled. The '91 year-end, for example, will show that we've recognized well over \$350 million worth of losses on the consolidated statements, and that was already disclosed here in the Legislative Assembly. All members, if they want to take the time and effort to look at it, would find that that's already been disclosed, and the members of the opposition parties could use their \$1.5 million of research money to do just that.

Secondly, the additional losses, between the \$300 million or so that have been recognized and the \$566 million which unfortunately we have to recognize today, will be taken in the year ended March 31, '92.

I've already revealed to the House and discussed fully, Mr. Speaker, the fact that, in concert with the Auditor and accepting his recommendations as to how to account for these losses, they will in fact show up in the March 31, '92 financial statements of the province and will not at all impact on the '92-93 budget, which we've presented. This is in accordance with the Auditor's agreement. It satisfies his test.

2:50

Certainly, as the Premier noted when he tabled the letter to Mr. Salmon, the Auditor of the government of Alberta, we have asked him specifically in his outline of general duties that he account fully for the total amount of losses, the impact on the financial position of the province of Alberta, the timing of those losses, and the amount of losses as well. So what we have done is take this question of how to deal with the disclosure to ensure that the people of Alberta have full information about this and put it in the hands of an independent person, the Auditor General, and that public report will be available to all Albertans as soon as it's ready.

MR. SPEAKER: Thank you.

Second main question, please.

MR. MARTIN: This Treasurer has a lot to talk about. The biggest mismanagement in the history of Alberta, Mr. Speaker, coming from this government.

Provincial Credit Rating

MR. MARTIN: Mr. Speaker, just to continue along the same line, the legacy of this government: bungle, bungle, bungle. With a

fiasco like NovAtel on its hands it's no wonder that credit agencies have downgraded the debt rating of Alberta to AA2 from AA1. This is the supreme irony since the Provincial Treasurer likes to boast about Alberta and how much better it is than all the other provinces in Canada. Many is the time that this Treasurer has talked about New Democrat governments in other provinces instead of answering questions about Alberta's finances. He can't do that any longer. My question to the Treasurer is this: how can this Provincial Treasurer justify fiscal policies that have crippled this province's debt rating so that it is now lower than that of British Columbia, well run by the New Democrats I might add?

MR. JOHNSTON: Mr. Speaker, it is true that yesterday Moody's did downgrade the province of Alberta to the second best rating in Canada. Being second best doesn't put you in an enviable position, I agree, but the Member for Edmonton-Norwood should know what it's like being second best. I'm sorry; I shouldn't make light of a serious matter. We in the government obviously consider this to be a very serious matter.

You know, Mr. Speaker, this is as much a message to Albertans as it is to the government to the extent that we have already said in this budget message that Albertans have to do a better job of dealing with the size of government expenditures. What Moody's said in their report is quite interesting, and I would only take one second to review what Moody's did say, and that is that they were actually very complimentary of the way in which we manage the expenditures of the province of Alberta and forecast very clearly that we had expenditures under control. We have said this time and time again in our budget, that in fact the one thing that we are responsible for and do well is manage our expenditures.

This past year, as all Albertans know, the deficit of Alberta was driven by the second price shock in five years in our oil and gas sector, with the price of natural gas falling as rapidly and as deeply as the price of oil did in '86-87, and accordingly our deficit moved at the same rate. Mr. Speaker, that was outside the control of the government. The people of Alberta know that.

Now, this adjustment in our rating essentially, in terms of the capital market, has almost no impact on our ability to borrow, and in fact I would dare to say today that we will borrow as cheaply in the capital markets of the world as any other provincial borrower in Canada and second only in Canada in terms of the rate that we receive in all capital markets. So the impact is essentially nominal.

MR. MARTIN: What an attitude, Mr. Speaker. Essentially nominal. We get knocked down on the world markets and the Treasurer says: what; me worry? I'll tell him that he won't be second best; he's going to be third best after the next election. This is typical. It's typical of this government. It's now Albertans' fault. Everybody else's fault but this government's and this Treasurer's. That's what's fundamentally wrong with this government.

My question to the Treasurer, following from this, is simply: how does the Provincial Treasurer justify to taxpayers wasting millions of dollars in interest payments to bankers through his total mismanagement of the economy?

MR. JOHNSTON: Mr. Speaker, the Member for Edmonton-Norwood has given the government and the Treasurer for that matter much more responsibility than probably is fully here; that is to say, the management of the economy. Well, that simply speaks to his mind-set. The socialist mind-set would be one where they would manage the economy. We're doing it quite differently. In fact, we're not taxing Albertans because we believe that the

money should be in the hands of Albertans, not in the hands of government, and that's why we maintain the lowest possible tax regime of any province in Canada.

Now, let me make it very clear what I said about borrowing in the capital markets. To this date, Mr. Speaker, Alberta has the best record of any province in Canada in terms of our access to capital markets. We borrow at the cheapest rate of any province in Canada, and to some extent some of our bonds trade cheaper, at a better price, than in fact the government of Canada's do in the United States market in particular.

This adjustment is not taken lightly, as I've said. It is in fact what's going to happen to all provinces across Canada if they don't deal with this collective responsibility for dealing with debt. I've said time and time again that the market will eventually discipline those provinces who don't pay heed to the fact that deficits are growing too large in Canada.

If I look at the other provinces across Canada, Mr. Speaker, I see that we're now exactly equal to Ontario, second only to B.C., but where I have concern is about those provinces which are teetering on the A to B-plus. Those provinces are in some difficulty. That is not the case in Alberta. I can assure Albertans that our borrowing in the markets around the world – London, New York, and Toronto – in fact will be at the cheapest rate of any province in Canada. That means that we will borrow money with a premium above government of Canada treasuries, which will be unmatched in Canada.

MR. MARTIN: This is like waving at the *Titanic*, with the Treasurer talking the way he is, Mr. Speaker. We have serious problems, eight consecutive deficits, over \$15 billion in debt, and the Treasurer says: what; me worry? I'd point out to the Treasurer, as he talks about other provinces, that this is one of the few provinces where this year's deficit will be higher than last. Other provinces are doing something about it, unlike this Treasurer.

My final question to the Treasurer is simply this: given the abysmal record of the Treasurer, why should Albertans believe anything this Treasurer says?

MR. JOHNSTON: Well, Mr. Speaker, we backed up our position with real action. We don't just live in the world of words and abstract ideas that in fact the socialist parties across the way do. What we said to Albertans is the following. This year we had two kinds of problems. The first problem we had was one of the economy. Driven by very deep recessions in the United States and in some parts of Canada, the sense of confidence was waning even here in Alberta, and Albertans were concerned about their jobs and the economy of this province. We wanted to ensure that we shared that view with Albertans, and we put in place measures which protected their interests in the longer term. That clear message was in the form of a tax cut when in fact all provinces other than Alberta have had tax increases. What they have done is capped not just the federal tax reduction, which Mr. Mazankowski gave to all Canadians; they have added on to it as well. To instill this sense of confidence, to ensure that Albertans have a future that will in fact generate new jobs and new investment right here in this province, which is the meaningful kind of decision that we need here in this province, we cut the taxes.

Secondly, Mr. Speaker, we identified very clearly in the budget the fact that we did have a large deficit. It was of growing concern to us in Alberta as well, and we are taking major steps by way of a plan, by way of consultation, and by way of remedial action to in fact correct that problem. Within the next few days I will be introducing legislation which will strictly discipline the

government so that its expenditure program will be controlled by spending limits which go from 2 and a half to 2 percent. All in all, Mr. Speaker, that's . . .

MR. SPEAKER: Thank you. [interjection] Thank you, hon. minister.

MR. DECORE: Did you ever hear of the Moody blues?

MR. SPEAKER: Order please. [interjection] Order.
Edmonton-Glengarry, on behalf of the Liberal party.

MR. DECORE: Mr. Speaker, it's like slapping your own hand. We're going to introduce legislation to control our spending. How ridiculous.

Mr. Speaker, Alberta's financial position continues to deteriorate. Moody's has down rated us. They've told Albertans what Albertans have known for some time, and that is that Alberta's debt continues to grow. Because it grows, the ratings will go down and the taxpayers will pay more. My first question to the Treasurer is this. This is now extreme danger time as I see it, Mr. Treasurer. Is the Treasurer going to continue his course, his plan of more deficits and more debt for Albertans?

3:00

MR. JOHNSTON: Mr. Speaker, I dealt fully with this already in the question from the Member for Edmonton-Norwood.

MR. DECORE: Mr. Speaker, that's the kind of cavalier, flippant arrogance that we've seen since 1986 from this Treasurer. No wonder Alberta's in the jam it's in.

Mr. Speaker, a number of suggestions, positive suggestions, have been made by members of the opposition. Our party has suggested expanding the power of the Auditor General, cutting the fat out of the government civil service. We've suggested improving the budget review process. When, Mr. Treasurer, are you going to take up these positive suggestions and get your mess under control?

MR. JOHNSTON: Mr. Speaker, let me begin by saying that we certainly accept all ideas and all suggestions for ways in which we can improve the management of the government of Alberta.

It is clear in reading Moody's comments that they understand fully that we are out front in terms of adjustments to our expenditure control whether it's by way of program review, whether it's value for taxpayers dollars, whether it's all those efficiency studies which come quickly to the minds of those people across the way. We have done all those over the past five years. As I've said before, we have our expenditures under control. This deficit was generated by a sharp drop in the price of energy.

Now, we have a different view than the Member for Edmonton-Glengarry. The Member for Edmonton-Glengarry is clearly on record, Mr. and Mrs. Alberta, as recommending a sales tax for Albertans to solve that problem. Let it never be said, Mr. Speaker, that this government would recommend that folly, that foolish position. Never, never, never.

MR. DECORE: Mr. Speaker, what was the wisdom that was given to us by the Premier some short time ago? When you have no argument, you start to yell and flutter and stutter. That's exactly what we're seeing happening from the Treasurer.

Mr. Speaker, the deficit situation, the debt situation is now so serious and so extreme that I don't think the Treasurer and the Getty government can solve the deep problem. Will the Treasurer

admit failure, like he admitted failure when he brought down his last budget, and say: "I can't do it; we can't do it. Let's call in outside experts. Let's get a plan to control expenditures and a plan to pay down debt." Will he do that?

MR. JOHNSTON: Mr. Speaker, I've said time and time again that we would accept all sorts of advice. As a matter of fact, last night I was in Calgary with the Member for Calgary-Glenmore talking to the good people in Calgary about how we can improve the way in which our budget process moves, suggestions for a way in which we can focus our expenditures and ensure that the best level of services flows to Albertans.

Unlike the Member for Edmonton-Glenarry and his party we do not believe that a sales tax for Albertans is the way to go. Now, I know that the Member for Edmonton-Glenarry goes into a fit of frenzy every time he has to make serious choices like three pizza toppings out of four, but this is not the kind of direction that Alberta would take. Mr. Speaker, I want to make it very clear that this government would not put in place a sales tax to confiscate important dollars from low-income Albertans. We believe in putting dollars back in their pockets, and that's the kind of policy we advocate.

At the same time let's not be among the doom and gloomers across the way who see only the gray clouds, who have no view of the future, no understanding of the strength of this province. I can tell you, Mr. Speaker, that there's one thing that is true about this province. We have control over the natural resources. We have strong exports of natural gas.

MR. SPEAKER: Excuse me, hon. Provincial Treasurer. Thank you. [interjection] Thank you. [interjections] Order.

Calgary-Fish Creek, followed by Edmonton-Jasper Place.

Constitutional Reform

MR. PAYNE: Mr. Speaker, I think it's safe to say that many of our constituents are encouraged by the apparent progress that's being made by the Premiers and the intergovernmental affairs ministers with respect to constitutional reform. I think it's also safe to say, though, that that encouragement is somewhat dampened by the fact of Quebec's absence from those discussions and from those negotiations. I'm wondering if the Premier can advise the Assembly if any initiatives are now under way to reinvolve Quebec in the process so that we might get the much needed benefit of their input and their concurrence. [interjections]

MR. SPEAKER: Order please. We've had enough shouting back and forth for today.

MR. GETTY: Mr. Speaker, it is valuable that over the years there has been a special intergovernmental relationship developed between the government and the province of Quebec and the government and the province of Alberta. We have been able to maintain close communications even though – and we regret this – the government of Quebec is not participating at the table on constitutional discussions. When Premier Bourassa was here just recently, I urged him to once again come to the table to discuss these matters because he brings of course a knowledge and experience that would be very helpful.

Our Deputy Premier and Minister of Federal and Intergovernmental Affairs has struck a special relationship with the Quebec minister of intergovernmental affairs, and I'm pleased to say that over the years I've been able to establish a real friendship with Premier Bourassa, not just a government relationship. I hope that

if we continue talking through these lines of communications, it will be much healthier for the future of Canada, and we will always be able to judge Quebec's position, their thinking as these constitutional matters proceed.

MR. PAYNE: Well, Mr. Speaker, in view of the progress that is being made with respect to constitutional reform discussions and in view of these important interpersonal relationships to which the Premier has just referred, can the Premier assess for the members today to what extent the threat to Canadian unity is now subsiding?

MR. GETTY: Well, Mr. Speaker, that is always a matter for judgment. We have had very intensive discussions at the ministerial level. They're going on right now, as we speak here in Alberta. Having just had a meeting with Premier Bourassa and having just come from a meeting with six leaders from the west, I am starting to be encouraged that the issue of a threat to Canadian unity is lessening and lessening dramatically.

So, Mr. Speaker, I would think all members of the Legislature and people of Alberta would be pleased that on our number one priority, the unity of our country, the threat is lessening. I would counter that to some extent, though, with my concern, deep concern still, that the needs of western Canada, particularly our province and the desires of the people of Alberta, to achieve a triple E Senate still remain a priority we have not yet achieved but must be very firm in seeking.

MR. SPEAKER: Edmonton-Jasper Place, followed by Calgary-North West.

Oldman River Dam

MR. McINNIS: Thank you, Mr. Speaker. When I asked the Environment minister last week about the recommendations of the federal assessment of the Oldman dam, he asked for more time to study them. Today he was observed in a news conference peddling the same tired old Tory line that everything's fine, it's all been taken care of, and there's nothing to worry about. Well, this group found, as any other group would, that it ain't fine, that in fact there's a massive failure on the part of the province to mitigate major environmental impacts, especially those affecting fish, wildlife, and repairing ecosystems. [interjections] Yeah, you've been busted, every last one of you. This report says that you didn't do the job.

MR. SPEAKER: Order please, hon. member, for just half a moment.

Hon. members, let's not all get involved in this back chat while we're in question period. Let's now have the question and be less argumentative, please.

MR. McINNIS: Well, let's cut away the rhetoric and ask the minister if he has now decided to accept recommendation 3, to create an Environmental Management Committee and give it full authority to mitigate and continue mitigating the major environmental impacts, and recommendation 4, to conclude an agreement with the Peigan Nation.

3:10

MR. KLEIN: Mr. Speaker, first of all, it's not my report. We didn't ask for this report. You know why? I'm going to tell you why. The reason we didn't ask for this report is because prior to the construction of this dam, full and intensive environmental

impact studies were carried out, studies that were submitted to the federal government, studies that the federal government said were okay with them, and the federal government signed off on that dam. They signed off. They said: what you have done is proper, is correct. It was as a result of a federal court decision that the EARP panel, the environmental assessment review panel, was struck and made these recommendations to the federal government. They didn't make these recommendations to us. They made the recommendations to the federal government. In answer to the hon. member's question, we will be discussing with the federal government next week how these recommendations are going to be addressed.

MR. McINNIS: Well, Mr. Speaker, they love the comfortable lies, but fortunately we have courts in this country, and the courts have found quite otherwise.

Now, I understood that members of the government had the audacity to refer to this report as technically adolescent, this coming from a group of juvenile delinquents who borrowed my daughter's heritage to build a dam without looking into the environmental impacts, and they're going to borrow more money and have a bogus party to celebrate it. So I'd like to ask how he can stand here and wash his hands of these recommendations when he knows that failure to meet them means that this dam will be decommissioned and the 500 million bucks will be wasted.

MR. KLEIN: First of all, I have to remind the hon. member again that it is not our report; it's the federal government's report. The federal government will have to react to the recommendations. We will discuss with the federal government how they plan to react to the recommendations. We will have those discussions over a period of time. We will continue our negotiations with the Peigan Indians. If there are deficiencies in environmental mitigation, we will look at those deficiencies and we will address those deficiencies, understanding that we've already spent upwards of \$20 million on environmental mitigation with respect to the Oldman River dam.

If this member is so concerned, Mr. Speaker, about the Oldman River dam, I challenge him to go down to southern Alberta, stand on top of that dam and say, "Tear it down." He wouldn't do it.

MR. SPEAKER: Calgary-North West.

NovAtel Communications Ltd.
(continued)

MR. BRUSEKER: Thank you, Mr. Speaker. We understand that the NovAtel deal was signed about two weeks ago, at least signed in principle. It's interesting how the government is quick to announce deals that attempt to make them look good, but they sure drag their feet on some that don't make them look so good. My question is to the Treasurer today. Will the Treasurer admit that the delay in the announcement on this fiasco of NovAtel is nothing more than political manipulation, extending even to the point of altering tomorrow's legislative agenda, preventing opposition members from asking questions in question period on this deal?

MR. SPEAKER: Supplementary question.

MR. BRUSEKER: He refused to reply so I'll try something a little different then. The minister has said that \$566 million has been lost so far. There's a \$525 million loan guarantee. Will the Treasurer advise the House: is it provided for in the agreement that Alberta taxpayers are going to be off the hook on the \$525

million loan guarantee and that no more money than we've already lost is going to be lost under the loan agreement?

MR. JOHNSTON: Mr. Speaker, now that the member recognizes the decorum of the House, I'll certainly try and provide him with the information, but I will not answer questions which are based on those sorts of insulting comments which are derogatory to all members and certainly reflect, I'm sure, on the view that the students hold of the Liberal Party across the way.

Now, Mr. Speaker, let me simply say to the Legislative Assembly that my colleague the Minister of Technology, Research and Telecommunications, in filing the documents that my colleague did today, has made full disclosure, and that full disclosure reflects our best estimate as to what the total losses will be. We've been very small "c" conservative in judging these losses; that is to say, we probably have overestimated the losses for purposes of disclosure here today. I can confirm that our best guess today on a very modest basis, working in association with the management committee, with the management of NovAtel companies, and with those people who have done due diligence inside the company, is that the loss itself would be of the order of \$566.5 million, and that to our best estimate is the total loss to the people of Alberta on this transaction.

MR. DECORE: It just went up \$500,000 in 10 minutes.

MR. SPEAKER: Order please, hon. member. You had your questions earlier.

MR. DECORE: Provide some serious answers over there.

MR. SPEAKER: Order please. [interjections] Order.

MR. DECORE: It immediately went up by \$500,000.

MR. SPEAKER: Edmonton-Glengarry, please.
Pincher Creek-Crowsnest.

Oldman River Dam
(continued)

MR. BRADLEY: Mr. Speaker, the Oldman dam is a needed project to assure a secure and dependable supply of water for southern Alberta similar to the benefits enjoyed by the citizens of Calgary and Edmonton, who have several on-stream storage reservoirs upstream of their cities. As such, southern Albertans welcome the federal government's rejection – I say "rejection" – of the federal panel's recommendation to decommission the Oldman dam. My question is to the Minister of Public Works, Supply and Services. The federal EARP panel suggests that insufficient mitigation work has been done. Would the minister outline to the Assembly the extensive Oldman dam environmental mitigation efforts which have been undertaken to date with the advice of the local advisory committee and what the government's commitment is to ongoing mitigation work, particularly as it relates to the fishery resource?

MR. KOWALSKI: Mr. Speaker, over recent years we have issued our policies with respect to mitigation. Mitigation, of course, means putting in proper order. Our policies with respect to wildlife mitigation, fisheries mitigation, historical resources mitigation, and archaeology are very important. [interjections] The echo in the background, for those who are listening on television, comes from the Member for Edmonton-Jasper Place.

Perhaps the Member for Edmonton-Jasper Place has not read *Alberta Hansard*. Thank heavens we do have in an open government like ours – we were the first government to bring in a printed *Hansard*. I'd refer the Member for Edmonton-Jasper Place and others to *Hansard* dated May 19, 1992, specifically to page 978, where the Minister for Public Works, Supply and Services brought his estimates to this House. The opposition members spent two hours talking about estimates other than those of the minister of public works. I quote:

In the estimates themselves vote 4.8.10 has an allocation of dollars which is for mitigation: wildlife and fisheries habitat monitoring, wildlife and fisheries species monitoring, water quality monitoring, the riparian vegetation monitoring, wetland projects construction, and the monitoring of mercury levels in fish. That's part of the mitigation process that we are currently doing on behalf of other departments within the government. Over the next several years, Mr. Chairman, these responsibilities will be duly transferred to other departments of government, particularly Alberta Environment, but at the moment we're dealing with that.

Our plan, as announced, always was to continue mitigation and improvements through to 1996.

MR. BRADLEY: Mr. Speaker, a supplementary question to the Minister of Culture and Multiculturalism. Although the Oldman dam is not located on the Peigan Indian reserve, extensive archaeological work has been done. I wonder if the minister could outline to the Assembly the extent of that archaeological investigation and whether or not any sacred native sites or burial sites were discovered in this archaeological work.

MR. MAIN: Mr. Speaker, as a result of the government decision to build the Oldman dam, there was an extensive scientific, historic, archaeological, and palaeontological investigation that took place. In fact, this was the largest exercise of its kind ever undertaken in Alberta. It covered something in the order of seven years. In excess of \$3.2 million was spent on the archaeological work alone. In addition to that, some three-quarters of a million dollars was made available to the Peigan Nation to answer the questions that they had with respect to the impacts of the Oldman dam on their culture and their religion and their way of life. There was a lot discovered: for example, a 9,000-year-old campsite, an 8,000-year-old buffalo kill site. But with all those studies, seven years of intensive work, in all that time no medicine wheels, no rock art, no vision quest sites, no prehistoric or historic human remains, no physical, scientific, or archaeological traces of any kind were discovered or any sacred or religious sites anywhere behind the Oldman dam.

MR. SPEAKER: Calgary-Mountain View.

3:20 NovAtel Communications Ltd.
(continued)

MR. HAWKESWORTH: Thank you, Mr. Speaker. The announcement today regarding the sale of some of NovAtel's assets says that the Alberta government has created a holding company to administer systems financing loans held by NovAtel's existing systems customers. We don't know what losses might potentially come from those loans, but we do know that this government has used holding companies in the past to hide losses and to postpone writing down losses. Would the Provincial Treasurer explain whether the hundreds of millions of dollars in financing loans are excluded from the estimated \$566 million losses in the sale of NovAtel?

MR. JOHNSTON: Mr. Speaker, what I have said – and I'll simply confirm it for the fourth time, I think – is that all the losses that we can now contemplate or calculate or confirm have been taken by the government, and that amount of loss includes the losses on all assets of the entity including the so-called systems loans. Specifically with respect to the systems loans, we have provided, if you'll allow me to work from memory here, approximately a 25 percent provision on those loans losses, and that is in fact in line with what we expect to be, after some consideration, the experience on those kinds of investments.

MR. HAWKESWORTH: Mr. Speaker, this is the only government in Canada – in Canada? – in the world that could bungle and lose millions of dollars in the sale of a profitable monopoly. The reason that this government owned NovAtel in the first place was that they had to buy it back from AGT because of badly mismanaged and mishandled information in the preliminary prospectus. Given that this government has made only about \$300 million and some on the sale of AGT without NovAtel and that they've just admitted to losing \$566 million at least on the sale of NovAtel, would the Provincial Treasurer confirm that the Alberta government did not get fair market value for the privatization and sale of AGT?

MR. JOHNSTON: Mr. Speaker, let me remind the members and all Albertans that on the privatization of the Alberta Government Telephone interest in Telus, or the AGT telephone company, in fact the province did make something close to a \$500 million pure profit on the sale of those assets, and that goes a long ways to mitigating the loss that we're now experiencing with NovAtel. Let me also express that there's no doubt that the government has the same sense of regret and disappointment and whatever else you want to say about this with respect to the loss on NovAtel.

But let's remember how this structure was put in place. The structure, Mr. Speaker, was one whereby it was a joint venture up until 1989 by a private-sector company and AGT Commission board, and they were operating on an arm's-length basis from the province, away from the government. I must say that we were not at all involved in the management, the day-to-day operations, or in fact the management control systems of that entity. Accordingly, I do not say that the government is not without some fault here, because of course we are the government and AGT is our responsibility; we fully acknowledge that.

MS BARRETT: Was.

MR. JOHNSTON: The AGT Commission is still in place.

We can say that in fact most of the management decisions, the day-to-day operations, and the long-term strategy of this entity were handled by people other than the government, people appointed in arm's-length positions.

It's for that reason, Mr. Speaker, that all members should direct their attention to the letter that the Premier sent to Mr. Salmon, the Provincial Auditor. In that letter we specifically ask the Auditor General to provide details to us as to "the main reasons for the error contained in the TELUS prospectus." For example, we question "the acquisition of NOVA's interest in NovAtel in 1989." Further, we want to go on to talk about "the nature of the losses incurred" over the course of the period of ownership by the province through AGT. The province itself is asking these questions. The province itself would like to have reasonable explanations. The province itself believes that something went wrong along the line. We want to find out. We think the best explanation can be provided to us by the Provincial Auditor, a

nonbiased servant of this Assembly, and he will draw together all the reports, all the information that he has and provide a consolidated view so we can answer these questions specifically.

MR. SPEAKER: Thank you. [interjection] Thank you, Provincial Treasurer. Thank you.

Edmonton-Highlands, followed by Edmonton-Meadowlark.

Marriott Corporation

MS BARRETT: Well, Mr. Speaker, while the Provincial Treasurer is very successful in giving away the assets of the province, I can tell the people of Alberta that there are some private-sector interests that are getting lots of money out of our public-sector health care system. I'd like to name just one: Marriott Corporation, a huge hotel chain based out of the United States, a multinational corporation now admitting that they've got 23 contracts in public facilities around the province including acute care and long-term care facilities in the province. Now, our Canada Health Act says that health is delivered on a not-for-profit basis. I know the pat answers of the Health minister, but I'd like to ask her directly: will she now tell hospitals and long-term care facilities in Alberta to stop contracting out to private-sector operators who are making a good profit off Alberta taxpayer dollars?

MS BETKOWSKI: The short answer, Mr. Speaker, is no. What we do ask of hospital boards and what they are compelled to do is to ensure that they get the best value out of the dollars we dedicate to health in this province. We don't direct them to contract out or not to contract out but rather to get the best value for the resources that are available to them. It is not in violation of the Canada Health Act, because the workers who are being affected by these decisions are workers in laundry, dietary, and housekeeping areas. So in fact it doesn't violate one of the five principles of the Canada Health Act, this one being public administration.

MS BARRETT: Well, Mr. Speaker, the minister keeps saying how she's got to be responsible for the tax dollars, how she's got to streamline the health system to make a transition to a better way. Giving away tax dollars to American multinationals is not a better way. Why won't the minister establish guidelines for hospitals so that they do not contract out these services to American multinationals for a profit?

MS BETKOWSKI: Mr. Speaker, I expect hospital boards to get the best value for the health dollar, and I respect, unlike the New Democrats, their ability to do just that. I am not about to tell a hospital board how to do their job. We entrust that administration to hospital boards across the province.

Oldman River Dam

(continued)

MR. MITCHELL: Back to the dam, Mr. Speaker. The federal panel concludes that

the environmental, social and economic costs of the project are not balanced by corresponding benefits and finds that . . . the project is unacceptable.

Does the Minister of the Environment have any idea what would be the extra costs of the mitigative measures required by the panel, and does he know what these costs are going to do to the cost versus benefit of that dam project?

MR. KLEIN: No, we don't know the costs. We do know how much we've already spent, and it's upwards of \$20 million on environmental mitigation. We feel that that is a very, very significant amount indeed.

As I indicated to the hon. Member for Edmonton-Jasper Place, our officials will be discussing with federal officials next week the recommendations contained in the EARP panel's report, and we will be deciding in due course how to address those recommendations and if indeed there are further measures that need to be taken to mitigate environmental problems related to the dam.

MR. MITCHELL: Mr. Speaker, the report goes on to say that other wildlife concerns, such as the effects of the dam on many other species or on genetic diversity, were inadequately addressed or not addressed at all by the proponent.

In light of this finding by the panel, struck by none other than this government's federal Tory cousins, how can the minister continue to argue with any credibility or any belief that he has credibility that in fact his government has done the necessary environmental reviews, has done the necessary environmental studies, and has taken the necessary environmental mitigative measures?

MR. KLEIN: Very simply I'll explain to the hon. Member for Edmonton-Meadowlark what I outlined to the hon. Member for Edmonton-Jasper Place, and that is that there was extensive environmental work done prior and during construction of the dam. There will be further work done, and it's planned to be done after construction and operation of the dam. Quite simply, Mr. Speaker, there was an agreement in place between the province of Alberta and the government of Canada. That agreement simply said: if we're satisfied with your environmental mitigation, if we're satisfied with your environmental impact assessment process after submitting it to us, we'll look at it and we'll sign off on it. And they did; they signed off on it. They told us at that time that we'd played by all the rules of the game of the day, and we did. We're satisfied that we did everything humanly possible to mitigate the environmental concerns that were expressed at that particular time.

We did not commission this report. This report was commissioned by the federal government; it's their report. How they react to the recommendations is entirely up to them, but we'll be glad to discuss it with them and co-operate with them.

3:30

MR. TAYLOR: Never trust a Tory, Ralph.

MR. SPEAKER: Order please, hon. member.

MR. MITCHELL: It's true though.

MR. SPEAKER: Order.

MR. TAYLOR: It's the simple truth.

MR. SPEAKER: Order please.

MR. McINNIS: I'd like to amend the motion.

MR. SPEAKER: Order. [interjection] Yourself as well, please, hon. member.

Speaker's Ruling Oral Question Period Practices

MR. SPEAKER: The Chair notes, as hon. members are well aware themselves, that there were a number of important issues

today; therefore, some of the questions as well as some of the answers went on at great length. Nevertheless, 10 members were not able to get into question period today partly because of the length of the preambles, partly because of the answers, but also partly because of an undue number of interruptions. Again the Chair points out that the members are wasting their own time in question period. [interjection] Order please, hon. member. There's no point for you to interrupt either at this time.

Might we revert briefly to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

head: Introduction of Special Guests
(reversion)

MR. SPEAKER: In this order: Drumheller, Ponoka-Rimbey, Stony Plain.

MR. SCHUMACHER: Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly 10 grade 9 students from the Rockyford school. These eager, enthusiastic students are accompanied by their teacher Robert Procter and parent Dorothy Stinn. I'd like to ask them to rise in the public gallery and receive the usual warm welcome of the Assembly.

MR. JONSON: Mr. Speaker, this afternoon it's my pleasure to introduce to you and through you to members of the Assembly 60 students from the elementary school located in the friendly international town of Rimbey. They are accompanied by teachers James Moore and Valerie Warren and parents and helpers Mrs. Giesbrecht, Mrs. Hall, Mrs. Edge, Mrs. Jordan, Mr. and Mrs. Reeves, Ms Aitken, Mrs. Service, and Mrs. Jensen. They are seated in the members' gallery. I hope they are enjoying their field trip, and I would ask them to stand and receive the traditional warm welcome of the Assembly.

MR. SPEAKER: Stony Plain.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very pleased to introduce to you and to the members of the Assembly 28 members of the English as a Second Language program from AVC on behalf of my colleague and seatmate the Member for Edmonton-Kingsway. They're here to enlighten their views on how the Legislature works, at least in question period. They're accompanied by teachers Cathy Black and Marg Armstrong. I'd ask them to rise and receive the welcome of the Assembly.

head: Statement by the Speaker
Procedural Irregularities

MR. SPEAKER: Before we get around to Orders of the Day, there's a procedural matter which needs to be addressed in the House mainly for the information of all members. At the end of yesterday afternoon a series of events out of the ordinary occurred. First, no concluding remarks were made by the minister whose estimates were being discussed. Events were moving at a fast pace within a very short time frame. The vote was begun on an element basis rather than on a vote-by-vote basis, therefore consuming more time than usual. An intervention by the Deputy Government House Leader to stop the clock was attempted. However, a committee of the House does not have such power.

The chairman of that committee attempted to return to the generally approved format of a vote-by-vote basis for votes 3, 4, and 5. The committee agreed. However, a point of order was raised, which cannot be dealt with until the proceeding is completed. A further attempt to stop the clock was made. Procedurally it was still not acceptable. The Deputy Chairman of Committees then continued the vote. The estimates were moved to be reported, and that was carried.

The Speaker then entered the House at approximately 5:37 p.m., well after the normal Wednesday adjournment hour of 5:30. The Deputy Chairman of Committees was recognized to make the committee report, and then the Chair refused to put the motion in order to hear a point of order as raised by the Member for Vegreville. The Chair pointed out *Beauchesne* 822, "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House." The Chair could not put the question since the time was well past the standing order requirement of Wednesday's adjournment. Therefore, the House adjourned at 5:42 p.m.

The Chair admonished the House, the government bench, and the Deputy Government House Leader. The Chair now apologizes to the government bench, the Deputy Government House Leader as the procedural difficulty arose in the Committee of Supply and not in the House.

The Chair also points out that with no doubt this is not likely to occur in the future on either a Wednesday or on a Friday.

head: Orders of the Day

head: Written Questions

MR. GOGO: Mr. Speaker, I move that the written questions appearing on today's Order Paper stand and retain their places except for the following: 338, 354, and 358.

[Motion carried]

Lakeside Farm Industries Ltd.

338. Mr. Mitchell asked the government the following question:
- (1) How much money has the government loaned and granted to Lakeside Farm Industries Ltd., or other names under which the company has operated, for each of the last 25 years, giving a breakdown of each division, if available; and
 - (2) what was the debt outstanding to the government as of January 1, 1992, for each of the companies and divisions involved?

MR. GOGO: Mr. Speaker, the government will accept that written question.

Alberta Terminals Ltd.

354. Mr. Taylor asked the government the following question: What was the current annual salary and what was the severance payment given to each of the top five executive members of Alberta Terminals Ltd. when the company was sold to Cargill Grain Company Limited in 1991?

MR. GOGO: The government rejects 354, Mr. Speaker.

Alcoholic Beverage Sales

358. Mr. Pashak asked the government the following question:

What is the annual amount of revenues forgone by the province due to the permission of sales of alcoholic beverages through nongovernment outlets such as private cold beer stores and wine shops or boutiques?

MR. GOGO: I accept that question, Mr. Speaker.

head: **Motions for Returns**

MR. SPEAKER: The Deputy Government House Leader.

MR. GOGO: Thank you, Mr. Speaker. I move that the motions for returns on today's Order Paper stand and retain their places with the exception of the following: 301, 302, 335, and 336.

[Motion carried]

Day Care Regulations

301. Mrs. Hewes moved that an order of the Assembly do issue for a return showing a listing of all Alberta day cares that have been cited for section 7 infractions of the day care regulations for the period April 1, 1990, to March 20, 1992.

MR. OLDRING: Mr. Speaker, I always appreciate the numbers of questions and motions that the Member for Edmonton-Gold Bar brings forward on the Order Paper, and I'm always most anxious to be able to respond in a positive way. However, I regret that as it relates to Motion 301, I would have to recommend that we reject this particular motion. I say that for a number of reasons. I think the member knows that the policy of the department in the past has always been to not release the names of day cares as it relates to section seven. I would point out that although that is the current policy, a good number of day cares across this province provide that information on a willing basis upon the request of parents.

I would also want to point out, Mr. Speaker, that to go back two full years and try to gather all of that information would be a lengthy and a costly process to go through. It's not something that's readily available on an automated basis. It would have to be done on a manual basis, and I am most anxious to not have day care workers tied up going through files of this nature on a manual basis. I would much rather have them out in the field working with day care operators and working with day care parents.

Finally, Mr. Speaker, I would say as a note I would hope of encouragement to the member opposite that this is an item that is under active consideration by the parent advisory group in reference to whether this information should become required on a compulsory basis to be posted when a section 7 is issued at the day care that is under active review. I look forward to hearing what parents had to say about it and will respond further at that time.

3:40

MR. SPEAKER: Additional?
Summation, Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. The policy, with respect, should be changed, and I would certainly hope that the parent group can advise the minister to do that forthwith. I don't know why we've got to wait for a lengthy report and study. I think this is the kind of thing where a policy that's wrong is in existence, and it ought to be changed. Further, I don't understand why the information isn't readily available. This department I think is automated. This is exactly the kind of information that

should be recorded and should be readily available, and I see no reason why that would cause any difficulty or major expense to the department.

Mr. Speaker, we've got public dollars going into our day care centres in Alberta, and we have to have public trust for the accountability for how those dollars are spent. We have parent trust as well. Parents entrust their children to a day care, and they assume that the licence means that that day care is properly evaluated, it's monitored, and that if there are infractions, they the parents will know about it, that they'll be notified. Now, we know that isn't the way it works. Unfortunately, there have been some incidents that have caused a great deal of consternation among both commercial and private nonprofit and public day cares in this province that I think are reprehensible and have led to very difficult circumstances; in fact, to the removal of a staff person in the minister's day care section. I think this is exactly the kind of policy that should be changed. This is why we have to have openness in this government. Parents certainly should know when there are infractions, when enforcement needs to be beefed up, when their children may or may not be at risk. The public needs to know when their dollars may be at risk.

Mr. Speaker, I would ask the minister to consider changing this policy immediately. I see absolutely no reason whatsoever to wait for his committee's report.

[Motion lost]

Day Care Regulations

302. Mrs. Hewes moved that an order of the Assembly do issue for a return showing a copy of the provincial enforcement system for day care regulations developed by the Department of Family and Social Services corporate office.

MR. OLDRING: Mr. Speaker, not wanting to rain on the member's parade, I have to reject Motion 302. It's somewhat perplexing; I'm trying to speculate on a document that the member might be referring to. I can say that we are currently moving towards the completion of a day care licensing policy manual that the member is certainly aware of and, as the member knows, that it is in the hands of, again, a parents advisory group, reflecting our commitment to working with parents. As that manual is proceeding towards completion, I can certainly advise the member that we are exploring a broad and wide-ranging and lengthy consideration to implementation of a compliance enforcement manual.

At this point, Mr. Speaker, I can say that there have been some draft documents done, but nothing is near completion, if that is what the member was referring to. At this point there isn't such a document in place; there are drafts in place that we are working on. So I regret that I have to reject Motion 302 on that basis.

MR. SPEAKER: Edmonton-Calder.

MS MJOLSNESS: Mr. Speaker, thank you. I appreciate the minister's remarks when it comes to the enforcement manual, but it was my understanding that this manual was developed, that there was some policy in place in that regard, and that the minister, I believe, is hiding behind the fact that he keeps saying that this is just draft copies. I was under the impression that that enforcement system was developed quite a few months ago. We do know that in this province we have a serious concern when it comes to the enforcement of regulations in relation to day cares. I don't accept the minister's explanation that it's currently just a draft and that

we have to wait because it's still being developed or whatever he's doing with it.

Mr. Speaker, he talks about this parents group of his that's working on all of these kinds of issues, and while I think everyone in here welcomes parents' input into the whole operation of the day care system in Alberta, certainly the minister must take some action and show some leadership.

We know that there's a major problem when it comes to enforcing standards in this province. We've got some very good standards on the books, Mr. Speaker, but in reality those standards are not being enforced. I know several people that work within the child care sector. I know of many parents throughout this province that have their children in child care centres, and all of those people are very concerned about the lack of enforcement of the standards. We had a very unpleasant situation in Calgary this last fall where we had a particular employee of this minister aggressively enforcing the regulations. What happened to her? She disappeared from her position and was moved unilaterally into another position and was no longer able to enforce the regulations.

Mr. Speaker, I know that this minister is lobbied all the time by various groups, by various individuals not to enforce regulations in the province, to slack off in that area. Let's face it; in Alberta day care is a very lucrative business, so I know that he is lobbied continuously to not aggressively enforce the regulations. I think that when you take a look at all of the vulnerable children that are in the day care system, we just cannot afford to be laid back in this area.

I do also know that employees of his department stated in some documents when they talked about the need for the development of an enforcement system that children are actually being placed at risk currently in this system. Those were his own employees stating that fact, Mr. Speaker. So this is an urgent area that we have to address. I think that it's unfortunate if the minister continues to say that this enforcement system is still a draft, and I think that he has to start taking some action in this area.

[Mr. Deputy Speaker in the Chair]

We have called for a registry in the province that I think would address a lot of these problems where information should be given out. Certainly I don't appreciate the minister hiding behind the fact that he's finally got this parent group, because the issues are still out there. They're still serious in many people's minds. Like I say, we've got children being placed at risk. Those are words from his own department. We've got inspectors going out that may not necessarily be trained in day care regulation. We just have a lot of serious concerns when it comes to the area of child care, Mr. Speaker, so I would hope that the minister would maybe even release the draft copies of the enforcement system, if that's what he's saying that the current status of this report is.

Thank you.

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

3:50

MS M. LAING: Thank you, Mr. Speaker. I am astonished at the minister's words that we have no enforcement system for child care or day care centres in this province. We did not invent day care yesterday. It has been in place for a very long time, and children at the most vulnerable times in their lives are in child care. How can parents have any assurance that their children will be cared for in ways that facilitate and enhance their emotional, their physical, and their intellectual development if they cannot

see the standards and if there is no system of enforcement in place? I find it very distressing, as a person who once had to rely on a child care setting for my children, who at this time in my life looks for placement for a child, that I cannot be assured that children, the public trust of this province, are not being guaranteed proper and adequate care. If parents, if mothers are to be able to participate in the paid labour force, they have to be sure that their children are receiving good quality care in the child care setting where that child is, and we cannot be assured of that if there is not an enforcement system in place.

In this province where such a high number of child care places are run for profit it is especially important that we have an enforcement system in place that is being enforced. We know that all too often the bottom line for the profit-driven business sector is profit. All of the research indicates a greater propensity to poor quality care in for-profit centres. In a province that supports for-profit child care, to not have an enforcement system in place is incomprehensible. I would suggest also that there have to be trained inspectors to ensure that the regulations are being followed: people that understand children, that understand the need for the regulations, and that can assess what is happening and assess whether the regulations are in fact being followed.

Mr. Speaker, our children are too important, they are too vulnerable to wait for some future day – heaven knows what time – when we will have a system of regulations and enforcement in place. We need to see it now. Parents need to know so they can feel safe and secure about their children, and children need it so that their needs will be met.

MRS. HEWES: Mr. Speaker, I hope what I heard the minister saying was that he was waiting for something from his parents committee about a new set of regulations about enforcement. Of course there is a provincial enforcement system. Of course there is. If there's anything less, then the minister has abdicated his responsibility. But where is it? To suggest that we're waiting for something else to happen is just nonsense. I want to see what's in place now. It may be months before we have anything different, and I want to know what kind of an operation is going on right now, today. People are inspecting day cares; what are they finding out? What are the rules of the game? What we do know is yes, there is a provincial enforcement system, but one can easily do an end run.

There's evidence of that in the Calgary scene of last fall where one particular day care was cited not once, not twice, but several times for infractions. It was shut down. It went to the appeal board. The appeal board heard the most appalling evidence, just appalling, and to everyone's horror the appeal board accepted and said, "Yes, you can continue to operate," I believe putting children at risk. However, Mr. Speaker, the day care kept on going. The day care inspector on the minister's staff quite properly and within her jurisdiction said, "I'm going to take this to court to have that appeal decision overturned." Everybody agreed, the whole system moved forward, and then minutes before the court hearing the minister yanked the case. We don't know why. We have no idea why.

This is the reason that parents and taxpayers need to know what the system is that's in place today, not the one we're waiting for but what's in place today and how it is working. Can operators, managers, owners do end runs? Can they get the process of going to court stopped? Can they fudge the figures? Can they lower the standards? Is this happening? We have no idea unless we can see these documents. Why on earth the minister would not want to have them in the public's hands, one wonders. I can't believe there's something to hide. Why not just give them to us? Let us

see them so we can reassure people. There's no reason whatsoever that they shouldn't be public.

MR. DEPUTY SPEAKER: All those in favour of Motion 302 as proposed by the hon. Member for Edmonton-Gold Bar, please say aye.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: The motion fails.

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

4:00

[Mr. Speaker in the Chair]

[Eight minutes having elapsed, the Assembly divided]

For the motion:

Bruseker	Laing, M.	Sigurdson
Chivers	Martin	Taylor
Ewasiuk	Mjolsness	Wickman
Hawkesworth	Pashak	Woloshyn
Hewes		

Against the motion:

Adair	Hyland	Musgrove
Ady	Isley	Nelson
Betkowski	Johnston	Oldring
Bogle	Jonson	Paszowski
Brassard	Klein	Payne
Cardinal	Kowalski	Schumacher
Clegg	Laing, B.	Severtson
Elliott	McClellan	Shrake
Elzinga	McCoy	Tannas
Evans	McFarland	Thurber
Fischer	Mirosh	Trynchy
Gesell	Moore	Zarusky
Gogo		

Totals:	For - 13	Against - 37
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[Motion lost]

Caseload Studies

335. Mrs. Hewes moved that an order of the Assembly do issue for a return showing a copy of every report or study on the issue of caseloads for all services offered by the Department of Social Services and the Department of Family and Social Services from April 1, 1985, to December 31, 1991.

MR. OLDRING: Mr. Speaker, I will also be rejecting Motion 335. Just prior to doing that, I do want to thank and acknowledge the Member for Edmonton-Gold Bar for pointing out to the Member for Edmonton-Avonmore that yes, indeed we do have a process in place for enforcing current day care policies. It's in place through regulation, it's in place through legislation, and it's

in place through policy. Perhaps it was the wording of Motion 302 that caused the response that was there.

Mr. Speaker, Motion 335 looks awfully familiar in that it's similar to Motion 222 of 1991. I could be quick and refer members to *Hansard* of April 23, 1991, but I think it is important that we perhaps take a few moments to discuss the reason for rejection. Again I would point out to the Member for Edmonton-Gold Bar that in a department of this size the management obviously consult through a number of processes. They do need to have internal and external reports done from time to time, and it wouldn't be in the interests of Albertans nor would it be in the interests of the department to release all of that information.

[Mr. Jonson in the Chair]

I can say, though, that I think that the member's real concern is the issue of caseloads. I know that when she raised this last year, it was of particular concern at the time of the strike and other things that were happening. The member knows that we have made significant changes since that time in co-operation with workers, in co-operation with the union, in co-operation with management. We have made substantive changes as it relates to caseloads in a number of areas within my ministry.

I could begin with child welfare services, Mr. Speaker, where we've in fact exceeded in our department the standards that have been set by the Child Welfare League of America as a result of the additional workers that we've been able to provide there. On a personal note, and it's always encouraging for me, I might note that we recently had our director of child welfare come back from a conference of western directors of child welfare, and the observation that was made to me was that he felt very much that we in Alberta were the envy of the directors that were there. They couldn't believe the low caseload and high workload standards that we have in place as it relates to child welfare here in this province. They couldn't imagine being able to meet the kinds of standards that we have been able to put in place here in Alberta in recent months. So very significant progress has been made there, and it's the result of a number of things that have occurred in the province.

4:10

Mr. Speaker, I can say the same of our social allowance or our income security program or supports for independence program. Very, very substantive efforts have been made there to reduce caseload sizes, even though we've had significant increases as it relates to our caseload. Again I can only point out some of the changes that we've made there to be able to do that. The member knows that we have restructured our department with a focus on frontline workers. It's allowed us to shift some of our management, some of our middle management, some of our corporate people right back out onto the front lines. We've recognized the sensitivity of the financial realities that we're facing as a department and a government today, and so we've readjusted our priorities from within. That's allowed us to shift workers right onto the front lines. In recent years we've added hundreds of additional workers as well as the restructuring. I could look at something like our foster care program. Again very substantive changes where we've added additional foster care workers. We've added additional recruiters. We've put a particular emphasis on the native side in terms of both native workers and native recruitment. All of those have helped us to reduce caseloads.

I always regret not being able to accept motions and questions, Mr. Speaker. I'm very anxious to be able to provide to members of the Assembly all the information they like to receive from time

to time. Regrettably, this is one of those instances where it isn't appropriate, it isn't in the interests of the operations of administering a ministry of this size, and I would regret the precedence that it might set.

So on that note, as I say, I think what is important – and I said it last year – is the results. Are we making progress? Are we reducing caseloads? Yes, Mr. Speaker, we are.

MR. SIGURDSON: Well, Mr. Speaker, so much for open and honest government. Here we have the Minister of Family and Social Services stand up and plead with the Legislative Assembly about how very much he regrets not being able to provide information to members of the Legislature and to all Albertans. What a record: Motion for a Return 301, no; Motion for a Return 302, no; Motion for a Return 335, no. What nonsense. If anything, what's coming out of the mouth of the minister is that you can't have anything. The minister is telling members of the Legislature and Albertans that they can't have the information.

The question that now must be asked is: why? I didn't hear the Minister of Family and Social Services stand up and say, "Oh, the volume is so great that we would spend days photocopying." I didn't hear him say, "Well, it's so small that we'd be embarrassed by trying to table such a small item in the Legislative Assembly." I didn't hear the minister say anything like that. I would suggest that if anything, the minister is embarrassed. He's embarrassed to have to file those figures in the Legislative Assembly. How come? Well, I would speculate, Mr. Speaker, that the reason the minister is embarrassed, even though he has glowing praise for numbers that he says are reduced with respect to caseloads, is that when I've spoken to social workers, they happen to have a different story. It doesn't matter if they're on income security or social allowance or child welfare, they happen to say that if things were bad last year, they're worse in 1992. Even though they went out on strike and one of the conditions of return was to get a better caseload management system going, it hasn't happened according to some of the frontline workers that I've spoken with.

The minister can stand up and say that the Child Welfare League of America is impressed with the numbers, the ratio that we have of caseload to workers in Alberta, but the workers in Alberta aren't very impressed with that number at all. Quite frankly, the members of the Legislature, at least on this side of the Assembly, are not very impressed with the response of the Minister of Family and Social Services to this date. He talks about shifting management systems and programs so that we have frontline delivery services. This isn't a shift, Mr. Speaker. It's a shaft, and that minister is the author of that shaft.

MS MJOLSNESS: Mr. Speaker, I too would just like to make a few quick points. I really am astounded that this minister will stand up and say: we have such a great system in Alberta, but I am not going to give this Assembly or the public any statistics at all. This is happening over and over again, and I find it really offensive.

I'd like to know how a bureaucrat from his department can go off to a conference and have everyone at the conference say how wonderful things are in Alberta. Did that bureaucrat go with all the figures that we're not allowed to have in this Assembly, or did he go and everyone said, "Well, you don't have to give us any numbers, but we think Alberta's doing a wonderful job anyways"? I mean, where is this coming from, Mr. Speaker?

I guess the seriousness of this whole issue is that we had social workers go out on strike not so long ago. They were very concerned about not only their caseloads, Mr. Speaker, but the fact that when their caseloads are so huge they cannot give people

the proper care that those people deserve, whether we're talking about children, whether we're talking about single parents on social assistance or whatever. Those workers cannot service the clients the best way that they could because of the large caseloads. Now, we're not necessarily criticizing the government at this point, but what we would like to see is the numbers.

We know in income security that the numbers of clients have increased dramatically because of the economic situation Alberta finds itself in these days. I do know that many employment client service workers are doing a lot of the financial benefit workers' jobs and so on and so forth. I also know that the whole department is restructuring. They're moving certain people other places, and nobody really knows what's happening. If you talk to frontline workers, they're very confused in terms of who's going where and what's happening. The minister alluded to the fact that he's moving more people onto the front lines, but even people in the front lines don't know what's going on.

Mr. Speaker, I think that this minister has a responsibility to start providing statistics and specific information to not only the MLAs in this Assembly but also to the public. We have a right to know what's going on. When I have a constituent come into my office who cannot get in touch with their social worker or when I have a young foster child that I'm concerned about because the child welfare worker hasn't had time to spend with that particular child, I would like to know what exactly is going on within the department. I think we have a right to know this. MLAs need to do their jobs properly. We need this kind of information, and so does the public. I just find that the minister in not giving this information to us today is not living up to his responsibility as a minister. I would remind this minister that he has been elected by the public and that we have a right to this information.

Thank you.

MR. ACTING DEPUTY SPEAKER: The Member for Stony Plain.

4:20

MR. WOLOSHYN: Thank you, Mr. Speaker. I, too, would like to make some comments on this particular refusal to give information that is extremely relevant and extremely important for all Albertans to know.

In the minister's reply he alluded to great things being done in the area of native child welfare services, and quite frankly that's one of the reports that I would just dearly love to see, because this government's record in that area is at best abysmal. I find it totally incomprehensible where a recent simple case of apprehension of native children from a native home, from a native foster parent went through the courts in Alberta from June until the following February or March and, Mr. Speaker, you know what? That worker was so overloaded that they even lost that particular initiative. What they did in the process was wreck a family, distress a group of native adults, and certainly put into question the whole reliability of the child welfare system on reserves.

I would like to see some very definitive material to show where in fact there is something more than lip service being paid to the whole issue of getting good quality foster homes both on and off the reserves. Mr. Speaker, this is not being done. The recent events involving foster homes certainly raise questions. Now, perhaps if there is a shortage of staff in these areas, then maybe we can look at that. This particular request – the reports for information would certainly show that. Maybe then there could be some constructive suggestions, criticism given from this side

of the House to help the minister make his particular decisions in the department to help improve matters.

In the whole area of income support I'm now of the understanding that for people looking for income support the first line of worker, if you will, that we're looking at, is a secretary. I don't know if this is true or not, and certainly I would like to see what has happened to this great influx of frontline workers. Maybe the backlog now is that we don't have enough supervisors and nothing's being done because nobody is given direction. I don't know. Nonetheless, if we're asking for very specific and simple information, it should be available.

I could understand the minister saying that "every" is too all-encompassing because perhaps some reports may be held back in the best interests . . .

MR. OLDRING: Thanks for supporting me.

MR. WOLOSZYN: Some: maybe one, maybe two, but not the kind of nonsensical cover-up that's going on by refusing the question.

It's a very simple thing to adjust the motion and change "every" to "most" or to the ones that can be, but to hide behind one word in a motion shows the cowardice that's behind this kind of decision.

SOME HON. MEMBERS: Order.

MR. WOLOSZYN: Order? I'm in order. I hope you pay attention. I said cowardice in the decision, nothing imputing any kind of motive.

I would like to continue for a little bit more on some of the other problems we see in the whole area of foster care. One of the most crucial things we can do is intervene on behalf of children regardless of their heritage, and we have, Mr. Speaker, a very, very poor record here. Our record of successes with these children placed in foster care is not very good. I think it's not very good, but I don't know, because of the fact that there aren't sufficient people working in this field, and we will never have the answers if we keep hiding behind stupid little innuendos: well, we can't give it for this reason or for that reason.

This is one of the best motions for returns that have come across this Legislature this session, and we get some frivolous excuses of why it shouldn't be given. One of the comments that it had here I think is probably the one that was most relevant. One of the minister's final concluding remarks was that it's not in the interests of the ministry. Well, if to divulge what the ministry is doing and what resources they're using and in what department they're allocating these resources to the public is not in the best interests of the ministry, then it begs the question: what, pray tell, is in the best interests of that ministry? I would have to go along with the comment that it is simply a cover-up. A cover-up for what, I don't know, but the frontline workers deserve more than this. They deserve that the public knows what their real workloads are.

We get into the other comment: the precedent that might be set, a precedent that you would give information asked for in the House. What better precedent could we set than that? A very straightforward motion for a return would set a very good precedent if we got a few answers on it. That would be a precedent that I would like to see set around here instead of: rejected, rejected, rejected, we don't like it, we don't care, it doesn't fit, it's not the right time of day to give you the answers.

Perhaps we should go back and review this particular refusal and give us if not all the information, then the information that

can be given in the best interests of the department, of the public, of the workers. To say a flat no I think is totally irresponsible, is unacceptable but unfortunately is quite typical of what we get out of that particular department.

Thank you very much, Mr. Speaker.

MR. GOGO: Mr. Speaker, I've listened with a great deal of interest to the arguments put forward by members seeking information. The one that comes closest to making any sense is the Member for Edmonton-Belmont.

Today the hon. minister tabled in this House the annual report of the department. I haven't seen anybody pick up and read the book. One only has to look at one particular page and look at the motion for a return that says, and I quote, and the Member for Edmonton-Belmont was partly on this: "every" - the word "every" - "report . . . for all services" since Mr. Getty was elected to office. That's what it says. Now, who in their right mind would want to incur the cost of producing documents from 1985 to 1991, last Christmas? Why, when the hon. minister stood in this House the other evening defending his estimates? I've been reading *Hansard*, trying to compare the questions asked of the hon. minister at that time, and they could have been asked instead of being put on the Order Paper.

I mean, the Member for Edmonton-Belmont is right. There probably is a good argument for saying, "Hey, let's be reasonable," but I simply mention that the onus is not on the government nor the minister to amend the motion. We've tried that in the past to be accommodating. There's a couple of million dollars for research funds given to the opposition, but surely we shouldn't have to do their homework. If they want to make amendments to the motion, I'm quite sure, Mr. Speaker, you'll see a bit of change in the hon. minister's attitude in terms of being reasonable.

Mr. Speaker, I would encourage - I don't say this very often - hon. members to listen to some of the arguments from the Member for Edmonton-Belmont, who I think makes a lot of sense in part, but in total, of course, we have to reject the motion.

[Mr. Deputy Speaker in the Chair]

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

MRS. HEWES: Thank you. Two minutes, Mr. Speaker. The motion does indeed ask for the reports that were done by the department. We all suffered through the most unfortunate strike. We need to know what in fact the standards for caseloads are that this government has, what it's been advised by its various reports, so that we have something against which to measure. The minister stood in his place a few minutes ago and said that the caseloads are down. If so, I think we need to know, yes, they are down - that shouldn't be rocket science for him to tell us where they're down, in what parts of his department - where they're up, and where there are any problems left; compared to the reports that he had on caseloads, what should they be.

There's no question, Mr. Speaker, that the women's advisory council doesn't believe the new system is working after the reorganization. They made that clear and unequivocal. We've been told that there's a 17 percent increase in people requiring social assistance in the province. I'd like to know from the minister how he's been able to deal with that. Perhaps he has, but that shouldn't be too difficult an answer compared to what the studies said on what caseloads ought to be.

Mr. Speaker, what we're simply asking for is: what are the studies that were done? What did they tell the minister the

caseload average ought to be for different parts in his department, and are those standards even close to what is being met at this point in time?

Mr. Speaker, I see absolutely no reason that that information can't be made public. To keep it under wraps doesn't make any sense at all. It builds no confidence over here and certainly builds no confidence in the public's eye.

[Motion lost]

MR. DEPUTY SPEAKER: According to Standing Order 8(3) the Assembly is required to move to the next order of business.

head: **Public Bills and Orders Other than**
 head: **Government Bills and Orders**
 head: **Second Reading**

4:30

Bill 208
Aboriginal Justice Act

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

MR. TAYLOR: Thank you, Mr. Speaker. In presenting Bill 208 to the Legislature for discussion, and I've had it on the Order Paper for some time, I think it's a timely Bill now with people's preoccupation – you might not call it preoccupation; actually, it's occupation – with the whole justice system and particularly how it is failing us in the aboriginal quarter. It also ties in with the aboriginal thrust for self-government, because it's very difficult to have a system of self-government that does not tie in with the justice system.

The purpose of my Act is to establish a native justice system for officially recognizing Indian and Metis peoples which will operate parallel to the traditional justice system for minor offences – you being a lawyer, Mr. Speaker, I guess I could have put it in more detail – offences that have a tendency for summary convictions or, in general, terms that would be less than a year. We're not talking about a system of justice that would be different for aboriginal and nonaboriginal for anything less than that one year, but the starting point by which many people get into our jail system or get fouled up with our justice system is usually on the minor sentences or on sentences for less than a year. If we can rectify that, we'll go a long way towards making our society a better place to live.

There's no question that although aboriginal people only make up 4 or 5 percent of the population, they make up, overall, about 30 percent of the jail population. If you just go on the female side alone, on the women, it might go as high as 40 to 45 percent. The reason for the jail population is not so much that they commit more crimes – if they do, the statistics are very close – it's mostly a subject of poverty. Our system on summary offences or on offences less than a year gives a choice of jail terms or money. If you're poor, you go to jail. If you're not poor, you pay the fine and don't. Consequently, because many of the aboriginal people that run into trouble around our province and particularly in our inner cities have a very low income, they have very little choice but to end up in jail.

Obviously, the current system isn't functioning in trying to stop recidivism and people coming back into our jails, so the native peoples have suggested – and it came forward in the Cawsey commission – that we look at the serving of the penalties being done within a native atmosphere or with the native elders. Mr. Speaker, in my experience as a geologist and mining engineer around much of the world, I have come across a number of justice

systems, and it's not an unusual system to have the elders or the community do the disciplining or do the talking on smaller offences.

I'm reminded of back in 1970, I think it was. I was working in China. It was very much under Chairman Mao's authorship at the time. I was traveling at that time as a consultant for the government, but I had a lawyer with me, and like all lawyers, he wanted to see the tools of his trade, which were courthouses and jails. Everywhere we went, of course the head of the commune would say: "No, we don't have a jail. There's no such thing." We just knew that with a billion people over there getting along, they couldn't get by without a jail, but it went on and on this way for quite a while. I remember finally heading way up to north-west China. This woman was chairman of the commune, and the same question was asked, where the jail was or how they punished them, and her answer came back, "No jails."

Then I had a flash of light, which doesn't happen very often except maybe when I joined the Liberal Party years ago or something. I changed the direction of the questioning, Mr. Speaker, and asked: "Well, what would happen if one of the men in the commune here slapped his wife around? What would you do about that?" She said, "Well, that's fairly easy. No, we wouldn't send him to jail. We'd talk to him a bit." I thought, well, that's interesting. Then I said: "Well, suppose that after two or three weeks at home, he starts beating her up again. What would you do?" She said, "Maybe this time we might show him a little bit of his own medicine." I thought that was interesting, but that still doesn't accomplish anything. I said: "What if he did it a third time? Wouldn't you send him to jail then?" She said, "No, no, no, not jail; an insane asylum." Well, it suddenly came to me, then, that our whole system of justice, where you have to pay a penalty, and theirs, where you have to be adjusted to society – that was the whole point: if they had to talk to somebody a third time about a crime, obviously the person was insane. Of course, I got to thinking, too, that it was also a great deterrent. How would you like to spend the rest of your life in an insane asylum for the third crime?

Nevertheless, what it did drive home to me – and I ran into other areas later, working with some of the Bedouin tribes in north Africa, where they're bound over to their elders to be talked to – was that there is a method for the whole idea of avoiding incarceration or avoiding jail, because these people either couldn't afford it or they moved around, as the Bedouins did. If all the elders in the community get to talking to the person, there is a good chance that they maybe can rectify and get the thinking back on the straight path. One of the problems now with aboriginal people who come into conflict with our justice system is that it's the white man's justice system, and it's almost a challenge. It's almost a badge of honour. I think the same thing would happen.

Another area I'm fairly familiar with in this world: I remember the old Irish before they got their independence. They thought it was a badge of honour. If some English revenue put them in jail for a few months, it gave them stature in their community. In other words, if you are being jailed or enforced or moved by a group that's outside your own social group, it doesn't carry the stigma that it should. Consequently, punishment I think can only be administered by your own people, your own social era. It can either be done by your peers or it can be done by the elders.

Now, those who would argue that these are two systems of justice, that the aboriginal will be given advantages that the nonaboriginal won't, have not looked at either the Cawsey commission or my Bill in detail. We are suggesting that anybody, aboriginal or nonaboriginal, have that choice. The point is that the aboriginal people do have a social community, do have a council

of elders that the justice of the peace or the lawyer or the judge could bind the miscreant or the convicted one over to if the convicted one wanted. My Bill gives them the option. They can either go under the traditional system of jail or they can get bound over to the elders.

Some people would argue – and I want to make it equitable. If a nonaboriginal had an offence that was less than a year and wanted to be bound over to the natives and the natives would take him on, fine. That would be good too. So let's not say that there's prejudice against one side or the other.

One of the other areas covered in the Act is the recruiting and enrollment of many more aboriginal people in the judiciary. Now, I agree that they might feel that they're going to get shoved to the side, especially politicians, which are dominated by white lawyers in this province, or in Canada for that matter. If there are not enough legally trained aboriginal people to fill judges, we should then go ahead and set up justices of the peace. Justices of the peace have been used throughout the British judiciary for centuries, and they serve a good cause. They've been squeezed out in Alberta in the last 25 years because we have a surfeit of lawyers. As we got richer and richer and got more money, more and more of our children went to law school. Of course, being the good labour union that the Law Society is, we had to make sure that we had some restrictions. We threw out the justices of the peace idea, which was somebody that knew the community, was in with the elders, and said that they had to be lawyers. Well, I'm suggesting that maybe to get a proper number of people with an aboriginal background in our judiciary, we'll have to reinstate the justice of the peace for a while. I think it will only be for a while because it won't be long before native peoples will be filling the law schools too, and they'll be in the lineup and then we'll be able to go back to legally trained lawyers.

4:40

I've split the Bill into a number of areas. One means that we have to amend a number of different Acts. The Provincial Court Act is where I mention that native justices of the peace could be used, allowing the Crown to supply someone that is familiar with the aboriginal background and history, if the accused wants. Here again I make this very clear all the way through: the accused can go before either the aboriginal or the nonaboriginal. There's no way to try to force them one way or the other. Also, section 3 amends the Provincial Court Judges Act, where the aboriginal justice advisory council will be consulted re the appointment or the removal of judges to the native justice division of the Provincial Court.

Amendments to the Corrections Act: these possibly may be the most important, where the convicted individual can be bound over to Metis councils or seek councils of seniors among the aboriginal groups for rehabilitation, their form of rehabilitation. I believe we also, in sections 5 and 6, establish an aboriginal justice advisory council. It could be set up fairly quickly.

As a matter of fact, before I go on too far, Mr. Speaker, I don't know how many members of the House realize that the system we're talking about here is already being used, but is not enshrined, in the Fort Chip and Wabasca areas by enlightened nonaboriginal members of our judiciary who do have the authority and can, as I say, bind over to seniors. They do that in those two areas, and they've had a marvelous record. As a matter of fact, it's outstanding. It's hard to believe when you read what they have done as far as repeat offences. In Wabasca, for instance, they've dropped from – I can't remember the exact number of how many they were handling a month, but around 12 to 16. It

dropped down to about three to four in a year after putting it in for small offences. Obviously, it seems to be working.

The justice advisory council would also be charged with trying to increase the number of trained aboriginal lawyers, judges, and magistrates and be involved in the training of aboriginal police officers, which, to this government's credit, they have stepped up already. I've been on a number of reserves in the last while, and they're very proud of their police forces. As a matter of fact, they're getting to sound more and more like nonaboriginal police forces all the time. You'll notice that the chief of police of the Blood band had a fight with her councillors the other day. That sounds just like home.

I think a number of people will have other items to talk on that I haven't covered maybe in the detail that I could have. I've got more notes here that I could bring to the attention of the House, but in general, I believe that some of the members of the House may want to go on and say more about that.

In summary, then, I would make it very clear, Mr. Speaker, that it is quite possible, as the Cawsey commission said, to have a parallel system of justice. We have to be cautious on the issue of territory, but certainly if a nonaboriginal is arrested on an Indian reserve for an infraction there, he would be expected to go through the courts here. I'm talking more about aboriginal people who are arrested off the reserve who may wish to go under the aboriginal system both in judging and in sentencing.

I would note that the traditional justice system does not necessarily recognize the concept of guilt. They work much heavier in terms of compensation and rectification. That again, Mr. Speaker, goes back – I've told you about my early experiences in China, where they weren't interested in somebody paying a debt or a guilt. They were interested in that person being adapted and being a citizen working within society. Of course, they went to the drastic end that if they couldn't get him to do it after the third time, it was off to the insane asylum. Still, that concept was there: to adjust to society and to be a good citizen and an addition to society.

I guess lastly I think this whole field is moving so fast that we probably have to be ready with the whole issue of aboriginal self-government, territorial rights for law, a parallel system of justice. All these are moving so fast that no one really has the answer to it. Those societies that will do nothing about it are going to be hamstrung in the long run, and it will be to the advantage of all of us if we can move ahead on something like this Aboriginal Justice Act.

Thank you very much, Mr. Speaker.

MR. JONSON: Mr. Speaker, I welcome the opportunity to speak to Bill 208, as proposed by the Member for Westlock-Sturgeon. I would like to commend the hon. member, because the presentation of this Bill for second reading provides the opportunity to discuss a very important topic, the matter of aboriginal justice and the status of the whole process with respect to the Cawsey report, and to discuss this in the Assembly.

I would like to also acknowledge that in the recommendations of the Cawsey report there is a recommendation related to the establishment of a commission. However, Mr. Speaker, I would like to point out that if you read through the report, you'll find that the establishment of a commission is an outcome, with a number of other processes and procedures following it as follow-up to the actual report itself and its specific recommendations.

Mr. Speaker, as the member has pointed out, this particular Bill would, in effect, set up a parallel aboriginal justice system for the province. While I would not take issue with the member on the problems and issues that have to be addressed, I think the question

before the Assembly this afternoon is that of second reading of this particular Bill. Therefore, I think we have to pay some attention to the implications should, by some chance, that particular second reading be granted.

Mr. Speaker, I'd like to point out just a few of the bases on which I would object to or would oppose second reading of this Bill. First of all, I think making a specific proposal of this particular type is rather premature. A great deal more work needs to be done with respect to this whole matter before the specifics of such a Bill can be something we can find security and confidence in. Secondly, I think the Bill makes certain assumptions about what the people should have imposed in terms of this commission, which may very well come into being somewhere down the road. I think the Bill also fails to recognize the complexities involved in this whole matter of addressing the 340 recommendations of the Cawsey report. I think there's also the possibility that the Bill puts into place some potentially needless duplication of other efforts that are going on in the province with respect to addressing the problems related to aboriginal justice in the province. But I would, in terms of my introductory remarks, acknowledge that the topic is very important, and at some point in the future there may very well be merit in having such a commission.

4:50

I'd like to now, Mr. Speaker, go on to elaborate on some of the concerns that I've just listed with respect to granting second reading of this Bill and put these concerns in context. First of all, I think it's worth the Legislature being reminded that Alberta certainly has a credible record with respect to matters of aboriginal affairs, including various developments with respect to the justice system. I'd just like to review two or three of these.

In the area of land settlements, Mr. Speaker, we have fairly recently concluded settlements with the Whitefish Lake band, the Grouard band, the Woodland Cree band, and other examples could be given where we're working and making progress as a government. As I've said before, the Premier is very interested in this particular topic and has shown, I think, very positive leadership with respect to the whole matter of land settlements and the various other issues with respect to our aboriginal peoples.

Mr. Speaker, there has been progress with respect to justice matters. I won't go through listing details here, but I would just remind hon. members of the remarks of the Solicitor General during his introduction of estimates yesterday and the remarks that have been made in question period by both the Solicitor General and the Attorney General in answer to questions with respect to the whole area of improved policing arrangements, training programs for constables and court workers. We had, about a year ago I guess it is now, the appointment of our first judge of aboriginal descent in the province, and I think these are illustrations of the progress that's being made.

Mr. Speaker, certainly in the area of programs, services, and negotiations with the Metis people, the provincial government has made considerable progress. We have the Metis framework agreement which is in place and I think working well. We have the Metis Settlements Accord that was passed by this Legislature – that is, its legislation and related legislation – and that is in place. Although there are challenges and difficulties there, certainly progress is being made, working through the transition commission and the Metis Settlements General Council, towards addressing many of their problems and accepting and looking at many of their ideas and initiatives. Then on a broader basis we have the ongoing work with the Metis Nation of Alberta, the Indian Association of Alberta, the treaty area grand councils, and

various other organizations. Much of this discussion and consultation touches upon the justice system but many other very important matters.

Now, I think, Mr. Speaker, it's important to mention these things, because to make progress on the recommendations of the Cawsey report, it was important to have a positive atmosphere, a good working relationship established with government. I think the aboriginal people of the province, through their organizations and individually, must feel that the government is serious about making improvements and prepared to work with them and look at their ideas with respect to any particular matter, including this one.

When I opened my remarks, Mr. Speaker, I mentioned that I felt that one of the things that was not recognized in the Bill is that there are certain complexities which have to be worked through and addressed in the design of any commission and, for that matter, in addressing any of the Cawsey report recommendations. The aboriginal community is a very diverse and complex one, with differing needs and contributions to make. We have the people on the reserves, we have people in settlements, and this is quite often where we seem to automatically focus. But when you look at the population numbers in the province, there are far more people of aboriginal descent living off-reserve or off-settlement, and when you look at rural versus urban, many more are in urban settings. So I think that is a point to be made, that in terms of whenever we look at ultimately designing a commission, we have to be sure that we have backed up and looked at the total scene, so to speak, with respect to the clientele.

Another point I made in my opening remarks in terms of objecting to second reading of this Bill was one related to the importance of discussion and consultation with the aboriginal community. I realize that the Member for Westlock-Sturgeon, in presenting this Bill, wanted to have a structure around which we could have discussion. I think that is good, but certainly the design of any commission is something that should be worked at and should evolve from consultation and discussion with the aboriginal community. With due respect to the member, I do not think that he could assure us as members of the Assembly at this point in time that that process had been followed with respect to this particular Bill. It's very important, Mr. Speaker, that we from the nonnative or nonaboriginal population of the province not assume and not impose with respect to designing the features of legislation which impacts directly and specifically upon this particular community. Better solutions come forward when the thoughts and recommendations of the aboriginal people are considered and included in deciding on certain courses of action with respect to the justice system and many other matters.

Mr. Speaker, I'd like to go on to make some comments on the Bill with respect to the basis from which I think it arises, and that is the Cawsey report. The government of Alberta, in co-operation with the government of Canada and the aboriginal people of Alberta, established a task force with the detailed name Task Force on the Criminal Justice System and Its Impact on the Indian and Metis People of Alberta. I think we should be reminded that the Attorney General of this government worked with stakeholders, especially aboriginal leaders, to set out terms of reference for the task force. These terms of reference were

to complete a review of the criminal justice system in Alberta as it relates to the Indian and Metis people and to provide a report for the Solicitor General of Canada, the Attorney General of Alberta and the Solicitor General of Alberta, which identifies [aboriginal] problems and proposes solutions to ensure the Indian and Metis people receive fair, just and equitable treatment at all stages of the criminal justice process in Alberta.

That statement is important, Mr. Speaker, because it also supports, I believe, a point that I made earlier, and that is that there's a great deal of consultation and work still to be done in effectively implementing those recommendations, including the one that is the basis for this particular Bill. I've already referred to the diversity and the need for working with the aboriginal community itself, but if you look at the quotation that I have just read, you also see that it's something that involves various levels of government, interlocking and overlapping areas of jurisdiction, and there's a great deal of work to be done in that regard.

Mr. Speaker, the Attorney General also worked with stakeholders to ensure that the best qualified and most knowledgeable individuals were selected to serve on the task force. Task force members had backgrounds in areas of policing, prosecution, superior courts, private law practice, and corrections. As the report also indicated, the appointees from the Indian Association of Alberta and the Metis Association of Alberta were law school graduates. So in implementing the recommendations of this report, there is a great deal of expertise that can be called upon in terms of the actual specifics of putting into practice the recommendations of the report. The legal expertise and enlightened cultural perspectives of these people were no doubt invaluable.

5:00

Once established, the task force involved took steps to sensitize itself to the ways of aboriginal people and the realities of policing in Alberta. The task force held 84 consultation meetings in 14 months, received and considered 56 written submissions, and reviewed 133 relevant written reports. The task force heard from bands, settlements, Indian and Metis associations, social agencies, and government departments. They visited the native brotherhoods in federal and provincial correctional institutions in Alberta. They visited Indian reserves, a Metis settlement, and aboriginal communities such as Peerless Lake and Trout Lake.

The committee then undertook the difficult task of putting the many important findings into words. The comprehensive report and summary opens with this eloquent plea for improvement, and I quote:

The Aboriginal people and all levels of Government have concerns about the level of justice provided by the current criminal justice system to Aboriginal people. Unless more balance can be created, justice will remain elusive and discontent will continue.

Mr. Speaker, I acknowledge that the opposition has called the report a scathing indictment of this government's record. I say it's a credit, though, to the government, that the justice issue is being addressed in an up-front and complete way, and I'd like to emphasize "complete" because this, as I've said, is one of the main objections that I have to giving any definite consideration at this point in time to the passage of such legislation as we have before us. I'd just like to repeat: it's being addressed in an up-front and complete way in full consultation with Alberta's aboriginal people.

Mr. Speaker, an important message in the Cawsey report was that in the past decision-makers did not consult fully with aboriginal people. That, too, is a recommendation. That, too, is a very important section of the report. The report indicated that greater communication is needed among stakeholders and greater cultural sensitivity must be shown.

The government agreed, upon request, not to proceed in a full-scale way on the report until stakeholders had an opportunity to confirm and clarify the findings of the report. This was, and is, an important commitment considering, one, that the accuracy of the findings are critical to the outcome of the review; two, that the task force believed much of their information to be anecdotal in

nature; and three, that the task force did not retain counsel, record proceedings, or commission external research studies.

Mr. Speaker, I believe the government decided to grant an appropriate request and not to proceed immediately with the specific recommendations of the report. The aboriginal leaders have asked to be part of the strategy formation process to plan policy actions to address the 340 recommendations in the Cawsey report. Again, the Alberta government is supporting aboriginal participation and involvement. I'm glad the government was able to support the involvement of the aboriginal leaders in this way. The Cawsey report, I think if you read through it, very much supports this type of approach.

To ensure that this process of clarification and confirmation is proceeding satisfactorily with respect to these recommendations being worked towards implementation, assistant commissioner Gordon Greig, recently retired from the Royal Canadian Mounted Police and a very well respected former officer that commanded K Division in this province, was asked to co-ordinate the follow-up process. He and his team of very capable and qualified staff are working on the response strategy with the aboriginal community on behalf of the government. However, I think it's very important to point out that my understanding of preliminary comments and preliminary feedback from the aboriginal community is that they are not, at this point, ready to proceed on specifics, certainly not all of the specific recommendations and certainly not one as complex as that dealing with legislation setting up a commission. If the aboriginal community chooses to proceed, then that would be a decision reached in close co-operation with government, as I think it should be.

As I indicated at the beginning of my remarks, it's good, I think, to have a discussion of the various aspects of the Cawsey report, and it is sometimes helpful to have a specific piece of legislation to reflect upon. This particular piece of legislation is, in my view, Mr. Speaker, well worth discussing this afternoon, but giving serious consideration to passing it through second reading would be violating many of the other very, very important recommendations of the Cawsey task force. Also, I think it would be jumping ahead of what is a very important follow-up process being undertaken by the government through the appointment of Mr. Greig. It would be in the interests of the government, the people of Alberta, and most importantly the aboriginal community for us to work hard on and be co-operative with this particular implementation review, and ultimately it will be of most benefit to the aboriginal people of Alberta.

Thank you.

MR. DEPUTY SPEAKER: The hon. Member for Stony Plain.

MR. WOLOSHTYN: Thank you, Mr. Speaker. I, too, would like to echo the support that Ponoka-Rimbey has given to Westlock-Sturgeon for Bill 208. I, too, would like to limit the support of the New Democrat caucus and perhaps call it temporary. I certainly would not question the intent of the Bill as presented. However, I think it would be virtually impossible to implement. It would be impossible to see very many real, positive results coming out of it. It's much like putting a band-aid over a large cut: you just get a small portion of it.

Justice and the aboriginal's view of justice and the nonaboriginal's view of the aboriginal community all intertwine into this. What we all agree on – and the Cawsey report certainly underscored it – is that in Alberta, as likely in the rest of Canada, we certainly do have a problem in terms of how our aboriginal community is interacting with the rest of society. It wouldn't be very fitting to say that looking at justice alone would have any

kind of substantive impact on it. We have the problem in education. The aboriginal community feels that our education system has not given them what they need. We have the problems and controversy in health care. Then we have the outright chaos in child welfare and social services and their interactions, if you will, with the aboriginal community. That is not to lay blame or point fingers at any particular segment; it's just simply an observation. One of the best outcomes of the Cawsey report, or the fact that it was held in itself, is that for a change people are openly talking about prejudice; they're openly talking about misunderstandings, mistrusts, and all the other things that go along to make positive interaction difficult.

I think one of the problems that the Bill does not address – and Ponoka-Rimbey alluded to it to some degree – is that the diversity of the aboriginal community is not identified here in itself and the very difficult time that the various communities that we identify as aboriginal have in agreeing on some aspects of what should be done. We do have various reserves, and on reserves we have examples of aboriginal police forces, reserve police forces, working very well, and they're not a new idea. They've had them at Enoch for about 15 years or so, and they've been very, very effective in terms of, I suppose, enforcing the laws and the bylaws, if you will, of that particular community. The Blood reserve is currently going through a bit of a turmoil with their particular chief, and hopefully that will get resolved.

5:10

Basically, what's happened there is you have communities that have got very distinct boundaries, very, very close-knit people who make up a part of that community, and basically they have an identity with the community. It is within communities of this kind, whether they be Metis settlements or Indian reserves, where you have one of the components that the hon. Member for Westlock-Sturgeon refers to as being a part of the implementation of this particular Bill. This is where you find the elders, this is where you find the sense of community, and this is where you'll find the successes that a new approach has in a place like Wabasca or Fort Chip. The successes that were there – and I certainly wouldn't question them for a moment – came about because a community can be defined, the values of that community can be underscored, and the people participating in the activities of the community can then be both supported and corrected if their behaviours don't go along with it.

Just by having an aboriginal justice Bill and just by having the participation in the new system voluntary or preferred on the part of the accused – to think that that will have any profound effect on the overall administration of justice to and with the aboriginal people in this province, I certainly have my doubts. I don't know why we have such a large number of native people occupying the crowbar hotels in this province. I don't think they know either, but certainly now the right thing that's happening is that we're starting to look at and at least starting to identify that the problem is there.

I would suggest very strongly – and I think there has been movement – that the greater participation of aboriginal people within the justice system itself is certainly commendable, but I don't think that it's commendable simply because they happen to be aboriginal. It's commendable because, as in the case of their recent appointment of a justice, they have achieved the education to aspire to that particular level. Personally, if I went before a judge and he was from a visible minority or from a not so visible majority, if you will, I would want the sentencing or the recommendation brought down on the basis of his knowledge and of what he understood of the situation, not on the basis of his

cultural background. I think we perhaps have to be very careful of jumping to the conclusion that just because we have aboriginal participation, as this Act would indicate, it would be automatically something better than what we already have.

The other aspect – and I touched on it slightly and a lot of people are not aware of this – as the Member for Ponoka-Rimbey indicated, we have now a greater number of people of aboriginal descent living in urban areas than we have in the rural areas; namely, the urban areas in the cities, as opposed to basically reserve life or colony life when it's outside the cities. The urban native, if you will, presents a whole new dimension on the interactions and the activities of what's going on with these people. I don't know, but I would suspect that the number of people getting into trouble with the law in the cities is at a higher proportion in the native community than, say, it would be back on the reserves. I would just suspect that.

With this particular Bill or approach to it, if we look at the basis of administering justice by a community on its own – for example, what we are forgetting by lumping people into the broad term “aboriginal” is that within that context the native people are very proud. They have their individual nations. You have the Cree, the Blood, the Peigan, the Blackfoot, and so on, much the same as we have our French, English, Belgian, and what have you. When you end up going to urban settings, you have the people from these very broad national Indian backgrounds being placed together within a community, and this creates all sorts of stresses. It's a totally different set of values and dynamics than what you have by going into a reserve community, where you'll have essentially the same background for the whole reserve, not always but most of the time, totally.

This shows up, for example, in the problems that we have on the education scene in trying to provide native language teachers. “Native language teacher” really means nothing because we're talking about providing a teacher for a very specific linguistic group. You can have an urban school where you'll have six or seven different native languages – aboriginal languages, whatever you want to call them – in one classroom, because the people happened to gravitate to the city from different areas of the province, and these are very distinct and different national Indian groups. I think that we have to keep that in mind. The mixing of it in the city does not enhance it by any means. It creates all sorts of chaos. Just by having the Act and having it as broad as this justice system is – by trying to apply it on reserves, off reserves, in the city, out of the city, all at the same time – although the intention I certainly wouldn't question, the fact is that I don't believe that it could be workable for one minute.

There's also a little bit of a contradiction in this particular aspect too. We have to appreciate that if you look at the value system of a particular culture on a particular reserve, the people there may very well have a very good system of justice that is very applicable to them in their community and very workable and very acceptable all the way around. However, by having the Aboriginal Justice Act the way I would read it being applied, we don't have that common thread that would be applicable to any particular community. We are assuming that a council made up of various people from various backgrounds could come up with the best decisions. We are assuming that under this particular process, by having native judges appointed, whether they be justices of the peace or full-fledged judges or what have you, all of a sudden somehow we would have a more fair, more equitable system of justice delivery. It begs the question: if you don't try it, how do you know? Mr. Speaker, I would suggest to you that knowing what we do know about the problems that native people are facing with respect to being working partners in our society,

this Act, which again I must stress is certainly well intentioned, would be extremely ineffective.

We can't just automatically sit back and say that we'll take out a band-aid and patch up this big wound now and go away from it. The Cawsey report had some 340 recommendations. I don't know if all those 340 recommendations are worth implementing or not. I do know all 340 recommendations are certainly worth addressing, and they come from somewhere. I also know that a report that's put together in a relatively short period of time certainly can't be expected to cover all the needs of all the aboriginal people in the varying communities in this province, from reserves to cities to Metis colonies to co-ops to wherever have you, and address problems that have been festering and growing and created more and more for well over a hundred years.

I would certainly say that Bill 208 is an alternative that one could look at. I have, quite frankly, difficulty in setting up any parallel system of justice within our current structure because that implies, for example, that the justice that is being handed out in the current courtrooms is somehow unfair to aboriginal people. If that is in fact the case, then we should be looking at correcting that particular fault in it. If we are handing out sentences too frequently, incarcerating too frequently as opposed to getting the people back into their community on fine-option programs, whatever programs there happen to be, then we should be looking at that particular aspect of the system. We shouldn't be concluding, for example, that just because there's a higher proportion of a particular people in jail, all of a sudden the whole system is wrong. I would suggest very strongly that if we look at any particular system in this country, in this province, we will find fault and we will find people who don't necessarily adhere to its fairness or to their perception of fairness.

5:20

So, Mr. Speaker, although, I repeat, the intention of Bill 208 is honourable, I don't see anywhere how it could meet the recommendation of the Cawsey report where we would want to have fair, just, and equitable treatment. The mere fact that you have a choice as an accused between one system or another implies, in some fashion, that one system is better than or worse than the other. By that very implication, then, all of a sudden we are not having an equitable treatment of the accused in this particular case.

Mr. Speaker, in closing, what I would like to stress is that in the current climate, if you will, we have to address land claims. We have to sort out who is responsible for what between the federal and provincial bodies. There has to be a very broad and extensive dialogue with a variety of aboriginal communities in terms of how they feel their interactions will fit with what the rest of society perceives they should be. We have to be looking at – and we haven't been looking at it in this Bill; the Bill certainly does not address it – the root causes of having the inordinate number of native people in conflict with our legal system. I feel that before we can really go into band-aid solutions of any kind, we should start looking for the real causes. Certainly there's going to be a long transition period, and certainly there are going to be some errors made, but I think we should be looking at the interactions between us – the rest of society and the native communities in all their variety of structures – and how we can best serve them and they can best contribute to being a meaningful part of the society.

On that note, Mr. Speaker, I would like to close by saying again that I would commend the Member for Westlock-Sturgeon for bringing forward this Bill, but I think it falls far short, is premature, and doesn't address all the issues that it should be addressing.

Thank you very much.

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

MR. ADY: Thank you, Mr. Speaker. I have a few minutes to enter into the debate on Bill 208. I'm pleased to have that opportunity, especially in view of the fact that the largest reservation in Canada lies within my constituency. Consequently, I have had some experience with the policing that takes place on the adjacent reservation.

[Mr. Speaker in the Chair]

I've had the opportunity to spend some time on the reservation, to see the growth and establishment and the formation of the initiative that's taking place there to establish their own police force. I believe that until recently, with a slight glitch in the system, they had 14 police officers that had been duly trained by RCMP officers. Frankly, it was an interesting thing to go there on an occasion when all of those police officers were assembled and to see the pride they had in having a police force of their own and the individual pride of the officers as they stood in their uniforms and marched in a parade or whatever occasion it might be that brought them together. As most of you know, it was established with a female police chief. Although there is some difficulty with their force just presently, they did have a goal to have a police force that could carry forward the policing on the reservation in place by the end of June, I believe, of this year. This would have meant the RCMP would, for all intents and purposes, be removed from their responsibility of policing on the Blood reserve, and it would be wholly undertaken by that police force. I think we have to give credit for the system that has been put into place that has allowed that to come into being, the training that has been afforded with the support of our Solicitor General's department. I know that there were some who entered into the police training program who did not complete it for various reasons. Nevertheless, it took a little time, but in fact 14 members did graduate and become members of that force.

I think it's also interesting to note that in our province today we have in excess of 50 aboriginal people who are members of the RCMP, and those officers were trained through the native special constable program. They're stationed throughout the province in some 16 different areas of the province, and they serve as crime prevention officers as well as police officers. Mr. Speaker, if anything, we could do well with an expansion of that program. The officers function well within the RCMP and are doing an admirable job and making a good contribution there. One of the problems that does exist, though, is that there are only two or three officers in management, and none are currently holding rank within the RCMP. Perhaps progress can be made in that area in the not too distant future.

Mr. Speaker, to speak more specifically to this Bill, I think we have to address the fact that it is in fact much of a piecemeal approach to it, and it doesn't call for enough involvement of the natives in the establishment of the things that are outlined in this Bill. I believe that the natives themselves are calling for us to take a slower approach. I don't think that you would find favour in the native population in this province to adopt this Bill today. It would be something that they would be force-fed with, and I think that probably addresses some of the problem we already have. Too much of that has already taken place, where they've been force-fed things.

For instance, the Bill says that there should be more native lawyers and more native judges and more native court officials. I guess I would have to ask the hon. Member for Westlock-Sturgeon how you force-feed that. How do you insist that there

be more lawyers graduated of native descent or more judges established? Are we going to mandate that 10 percent of them will have to enter into that profession? I don't think that will quite wash well with the native population. That has to evolve. Certainly, there's a provision there for them to enter into that if they wish; there's funding available to natives who wish to take secondary education.

There are other points that I would like to make on this Bill, but I would certainly not support it in its present form, and due to the hour I move that we adjourn debate.

MR. SPEAKER: Having heard the motion, those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.
Deputy Government House Leader.

MR. GOGO: Mr. Speaker, I move that when members reassemble this evening, they do so in Committee of Supply.

MR. SPEAKER: Having heard the motion, those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. The motion carries.

[The Assembly adjourned at 5:29 p.m.]

