

Legislative Assembly of Alberta

Title: **Tuesday, June 9, 1992**

2:30 p.m.

Date: 92/06/09

[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: **Presenting Petitions**

MRS. B. LAING: Mr. Speaker, I am pleased to present a petition of 404 names of residents of Greenwood Village mobile home park and from Calgary. This petition supports amendments to the Mobile Home Sites Tenancies Act, and it asks that the interests of tenants and landlords are equitably balanced.

Thank you.

head: **Introduction of Bills**

MR. SPEAKER: The Member for Edmonton-Meadowlark.

Bill 326 Fuel Consumption Licensing Act

MR. MITCHELL: Thank you, Mr. Speaker. I request leave to introduce a Bill being Bill 326, entitled the Fuel Consumption Licensing Act.

This Bill will impose a graduated levy on the purchase of new automobiles and sport utility vehicles based on fuel consumption. The intention is to encourage energy efficiency and to use the funds raised to promote public transportation and other fuel efficiency measures.

[Leave granted; Bill 326 read a first time]

head: **Introduction of Special Guests**

MR. DAY: Mr. Speaker, Red Deer College operates an English as a Second Language program, and we have 11 students from that program with us today along with their instructor Leni Deisman. I would ask them to stand and receive the warm welcome of the Assembly.

head: **Oral Question Period
Day Care System**

MR. MARTIN: Mr. Speaker, it is understandable of course why parents and the community are apprehensive about day care standards. We've had some very disturbing events in the last week. Given this environment, it is important to remind Albertans of the performance of the minister responsible for day care in this province. The Premier says that he judges his minister on performance. Well, we've seen some performance from the Treasurer and the minister of technology, but today we'd like to talk about the minister of social services. My question to the Premier is simply this: does the Premier agree with the minister when he lowered day care standards and politically interfered in the enforcement process in a well-documented case in Calgary?

MR. GETTY: Mr. Speaker, the minister has not done that.

MR. MARTIN: Well, Mr. Speaker, that's clearly not the case. He withdrew a case from the courts. He's lowered standards consistently in this province, and if the Premier doesn't know this, he's not doing his job as Premier. It's a serious matter, and we want some leadership from this Premier on this issue.

My question: given the dismal performance of the minister of social services, how can the Premier assure parents that their children are safe under the care of this minister?

MR. GETTY: Well, Mr. Speaker, again the hon. Leader of the Opposition starts off his question with allegations that aren't correct, and therefore I don't accept them, and I don't think the people of Alberta do. I only draw to the attention of the hon. Leader of the Opposition the *Hansard* from yesterday, when the minister dealt with this very matter in the House.

MR. MARTIN: Mr. Speaker, that's precisely the point. He didn't deal with it, and we're checking with the Premier about the performance of a minister who's frankly not doing the job. His answer yesterday was that parents should monitor day care standards. He has consistently stood on behalf of the owners instead of parents in every major dispute. When a person tried to do her job in Calgary, then he removed her from that position. Now, if you call that performance, you have a little different idea than I do.

Mr. Speaker, my question to the Premier is simply this: how can the Premier justify taking no action on enforcement when parents are concerned about the welfare of their children? There's a manual that hasn't even been produced.

MR. GETTY: Well, Mr. Speaker, again I must tell the Leader of the Opposition that he starts his question off with false allegations. I don't accept them. He's wrong. The minister dealt with this matter in the House yesterday. He acknowledged the role of parents, and so do I. I think it's only this large state government socialist who feels that parents have no role in the care of their own children. There's no question in my mind that there's a partnership required between the government in its responsibilities and parents. It is a partnership, and the minister explained this matter to the Leader of the Opposition yesterday.

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

MR. MARTIN: Mr. Speaker, an answer like that. I'm sure the parents of Alberta would really like to see the Premier's performance on that. That's shameful.

NovAtel Communications Ltd.

MR. MARTIN: Mr. Speaker, my question has to do – well, it's not day care. No wonder we can't afford it; we have NovAtel. As part of its systems financing operation good old generous NovAtel provided a number of letters vouching for the credit worthiness of applicants for cell systems licences. This, of course, is in the United States. Now, many of these applicants were small partnerships with limited capital, limited experience, and they did not qualify under the traditional sources for loans. Now it appears that NovAtel expressed willingness to finance up to 300 local partnerships, loans to U.S. companies planning to install cell phone systems at a minimum cost of \$1.5 million each. A great risk of taxpayers' money. My question to the minister of technology is

simply this: as the minister in charge how could you allow this very risky speculation with Alberta taxpayers' money to go on?

MR. STEWART: Well, Mr. Speaker, I dealt with this matter in the House yesterday in explaining the nature of the types of financing that are granted to all of the participants in the cellular systems marketplace in the United States. The licences are granted on an application basis. They are reviewed by the appropriate authorities in the United States. When the licences are granted and they come through and they purchase equipment, that equipment is then pledged, the licences are pledged, and they have a value because they in fact trade on a marketplace, in effect, in the United States. It is an invaluable commodity to have an exclusive licence for cellular systems in the United States in those rural areas. As well, of course, the shares of the company itself are pledged by way of security in order to fulfill the security requirements for financing, not granting loans but financing purchases.

MR. MARTIN: Mr. Speaker, I would have thought that the minister thinks he is in the private sector in charge of General Motors, the way he answered it. This was taxpayers' money, taxpayers' money that the government's acknowledged that we've lost, at least \$566 million, and because of these risky ventures I believe it's probably going to be much higher than that. Don't hand me that about it. You shouldn't have been in it to begin with. The Alberta taxpayers want to know that.

2:40

Mr. Speaker, of 300 letters I understand that at least 191 financing contracts were signed with U.S. partnerships. Some of these systems have not even been completed yet. What is frightening for Alberta taxpayers is that as a result even more millions are at risk. My question to the minister is simply this: will the minister tell the House what Alberta's legal liability is to fulfill these agreements to finance U.S. companies well into the future?

MR. STEWART: Mr. Speaker, the amounts owing are strictly in relation to the contracts that were entered into at the time that the equipment was purchased. They are the normal type of transaction that takes place in situations like that, and the moneys are secured. As to go along with the hon. leader's suggestion, I think it would be like a bank saying that they would write off all loans outstanding to corporations. The moneys are secured in the best possible fashion, and we anticipate that those obligations will be fulfilled.

MR. MARTIN: They say this every time: our money is secured. MagCan, Myrias, GSR: billions of dollars. It comes back every time. That's nonsense. This is a high-risk venture. If it were so good, the private sector would have taken it over, and the minister's well aware of it.

Let me use one example out of this, Mr. Speaker, to get specific. One company, Mercury Communications of Jackson, Mississippi, has already installed 17 cellular sites with NovAtel financing and plans to install another 30 by the end of this year. So we can get a handle on this, I would ask the minister if we are responsible for 30 new cellular sites at this particular plant, because this could put the taxpayers at risk for another \$45 million.

MR. STEWART: Well, Mr. Speaker, as I've indicated, and I will indicate once again, any of these financing systems that are available to purchasers are much the same, for example, as

General Motors Acceptance Corporation. They are secured, and as an abundance of caution the amounts have been shown very conservatively at \$216 million for purposes of our calculation, whereas about \$300 million is actually owing. Those will be payable over time. In the meantime they are secure.

MR. SPEAKER: Edmonton-Glengarry, on behalf of the Liberal Party.

MR. DECORE: Mr. Speaker, yesterday the minister responsible for telecommunications told this Assembly that NovAtel was engaged in the business of systems financing in the United States, and he makes that same statement again today. In other words, NovAtel provided financing to American corporations that sold its product. Well, in bankruptcy documents filed on May 18, 1992, an American corporation known as General Cellular Corporation received almost \$20 million in working capital from NovAtel in addition to systems financing. The working capital as it's set out in these documents was used to finance their general operations. My first question to the minister is this: at a time when NovAtel was completely owned by the government of the province of Alberta, why, Mr. Minister, were you using taxpayers' moneys to give an American corporation working capital so that it could fund its day-to-day operations?

MR. STEWART: Mr. Speaker, no capital was given; no loans were made. Security was given with respect to purchase prices that were owing back to NovAtel for the purchase of cellular equipment. I just explained that to the Leader of the Opposition, and that's what I would refer the hon. leader to.

MR. DECORE: Mr. Speaker, the bankruptcy documents are clear that through a series of agreements NovAtel provided working capital to keep this now bankrupt corporation going on a day-to-day basis. Mr. Minister, you didn't know what was going on.

My second question is this: now that we know that 70 or 75 other American corporations received some sort of financing deals from NovAtel, I'd like the minister to tell us how many more working capital arrangements were made by NovAtel and these other 70 or 75 corporations.

MR. SPEAKER: It's very close to a motion for a return. [interjections] I don't need your groans, hon. member.

The minister, please.

MR. STEWART: Mr. Speaker, by virtue of the system that we've set up with the Auditor General, I'm sure that all these matters will have the opportunity of full review by the Auditor General. He will be able to assess the situation totally and draw some conclusions from that. That's one of the reasons why the Premier set forth that sort of a process: so there could be a full and open review of all aspects with respect to NovAtel's operations, including the systems financing.

MR. DECORE: Mr. Speaker, the minister is waffling, and the minister is nervous, and he should be nervous. This corporation got \$81 million of taxpayers' moneys via NovAtel, \$20 million in working capital arrangements and \$60 million in systems financing. Mr. Minister, I want to know, in this one company, in this bankrupt American company, how much we're going to kiss goodbye and how much the taxpayers of Alberta are going to have to pick up on this \$81 million. How much?

MR. STEWART: Mr. Speaker, a complete assessment was made of all matters that pertained to the systems financing to try to determine exactly what were appropriate risks and what were appropriate write-offs in order to fully disclose and take a very conservative basis relative to the matter of systems financing. That has been done. That will be there for the Auditor General to review, and all aspects of that can receive full observation by the Auditor General in that regard.

Young Offenders Legislation

MR. PAYNE: Mr. Speaker, many of our communities have seen in recent months a startling escalation in juvenile crime ranging from theft, burglary, and vandalism to assault and even to murder, and not surprisingly a growing number of our constituents argue that the Young Offenders Act is the primary cause of rising juvenile crime. I wonder if the Attorney General can provide us with an update as to what he and his provincial counterparts are doing with respect to these very deep concerns about this federal legislation.

MR. ROSTAD: Mr. Speaker, there's no doubt that there's a growing concern in our society about crime by youth. We have had under way a number of discussions at our interprovincial ministerial meetings with solicitors general and attorneys general, and there have been many representations. As the hon. member set out, this is federal legislation, and we must convince our federal colleagues to put this on their agenda for amendment.

There has been success in a recent amendment allowing young offenders to be more easily moved from young offenders jurisdiction to adult court in cases of murder and also the increase in the penalty from three years to five years where a young offender has been found guilty of murder. There are a number of other issues that are on the table for further discussion. Unfortunately, that's all I can say that we've been fortunate in getting so far.

MR. PAYNE: Mr. Speaker, I think it's fair to say that even some of our local police, who often feel their hands are tied by the Young Offenders Act and the way it's being implemented and interpreted, are looking to their provincial and federal legislators for some additional realism in our young offenders legislation and its enforcement. Assuming that the Solicitor General is aware of the frustrations of our local police, can he advise the Assembly what actions he and other solicitors general are planning?

DR. WEST: Well, Mr. Speaker, we are indeed aware of the frustration of the police and the citizenry as it relates to some of the youth crimes and the Young Offenders Act. I don't care whether you're a youth or whether you're an adult, the rule of law must prevail.

I'll be talking to the Solicitor General, Doug Lewis, and I'm also going to see Kim Campbell, the Justice minister, at a future date. I'll be discussing the Young Offenders Act and changes that are being given to me from meetings I've had with chiefs of police, with citizenry, and with associations throughout the province.

There is another responsibility, too, for all the citizens of this province and of this country to write to their Members of Parliament, to write to us as MLAs and representatives to make the strongest expression that we have probably had a nice dance with the Young Offenders Act but it needs changes. I personally believe that we need to send a strong message that our criminal justice system will not tolerate the jeopardy of the safety of our public, that we need some strong changes.

I appreciate this question, and I will take it forth, along with the other solicitors general of Canada and the police forces and the public, in the strongest way I can to the federal government.

2:50 Cold Lake Area Water Levels

MR. McINNIS: Mr. Speaker, my question's for the Minister of Agriculture. The minister and I both attended a meeting in Bonnyville on May 25 addressed by Mr. Ben Lefebvre, who the minister, I'm sure, knows and acknowledged at the meeting as the renowned expert on local water conditions. Mr. Lefebvre referred to a 1987 study which says that the Cold Lake basin cannot support the heavy oil development in that area. He also made the point based on his own research and others that the surface and subterranean waters are connected. In other words, if you have a deficit in your bank account, you can't write a cheque on the same account to cover an NSF cheque. I'd like to ask the Minister of Agriculture why the cabinet used its power under section 13 of the Water Resources Act to chase the oil companies off the lake only to turn around and license them to pump groundwater to supply the same operations, which will, of course, affect the other groundwater users, i.e. farmers.

MR. ISLEY: Mr. Speaker, while I would love to debate this issue, I would be speaking strictly as the MLA for Bonnyville. I request your permission.

MR. SPEAKER: As the Agriculture minister to the question as it relates to the water use for agriculture.

MR. ISLEY: If I'm going to speak to water use for agriculture, the bulk of the water that our agricultural industry depends upon for producing grains and forages is what the Lord chooses to share with us in that part of the area on an ongoing basis. So far this year He has been delivering reasonably well. The other water usage required is the well waters, which there is concern could be interfered with by underground withdrawal, and hence the Department of the Environment has extensive monitoring mechanisms in place to ensure that well water supply remains safe. At this point in time I am confident that the Department of the Environment knows what it is doing in the region.

MR. McINNIS: Well, Mr. Speaker, the issue is not what the Lord God shares with the Earth; the issue here is what the government shares with the oil companies.

I would like to ask the minister, given that his colleague who he referred to told the same meeting that the trust and enthusiasm of 1985 have broken down, especially in the last four years, if he can say why, if the government is so concerned about the breakdown in trust, it has consistently reneged on the commitment in 1985 to have a pipeline in place by last year, 1991, to supply heavy oil at the industry's expense with North Saskatchewan River water?

MR. ISLEY: Mr. Speaker, I think it's fair to say that the Department of the Environment conducted an extensive water review of the Beaver River-Cold Lake management area prior to 1985. At that time, they set certain surface and underground withdrawal limits that they felt were safe to serve the energy industry as – shall we say? – the third or fourth major user in the region and anticipated that the long-term solution to the water needs of the heavy oil industry would be the pipeline bringing water from the North Saskatchewan River. If we ever do it, to make you more comfortable, we may try to create some irrigation reservoirs and get some agricultural use.

The facts of the matter have been . . .

MR. SPEAKER: Hon. minister, I think that's enough. It's a very difficult area in terms of ministerial responsibility and the MLA.

Edmonton-Gold Bar, followed by Redwater-Andrew.

Family Support Strategy

MRS. HEWES: Thank you, Mr. Speaker. Last week the chairman of the Premier's Council in Support of Alberta Families was promoting his vision of keeping families together through mandatory mediation. This came after his comments about troubled teens coming from families who are divorced or separated. My questions are to the chairman of the council. I'd like to ask if this is what the council is working on – that is, mandatory mediation – or are these just his ideas?

MR. DAY: Mr. Speaker, first, I'm disappointed that the member opposite, who usually shows a high degree of concern about sensitive issues, continues to represent the alleged facts as presented in the *Edmonton Journal*, which in fact strayed somewhat from what actually happened. I would hope that she would get back on track with what she knows to be right and correct. Any discussions on mediation services, as I've made very clear to anybody who has asked, be it media or otherwise, are discussions involved with myself and research that has been done in that particular area. The Premier's Council in Support of Alberta Families has not taken that on as a particular issue because we're dealing with what we've heard from our public consultation process.

MR. SPEAKER: Supplementary.

MRS. HEWES: Thank you, Mr. Speaker. The research the council did was indeed interesting and useful, but the chair's conclusions about that didn't relate to the research document.

My question is to the chairman. Albertans are asked to spend \$600,000 on the council, so I think they've got a right to know how the money's spent. Will the chairman, then, table the council's current and future agenda in detail?

MR. DAY: Not only has that been done on a number of occasions, Mr. Speaker, but in terms of our mandate, our agenda, what we've accomplished, and what we have hoped to accomplish has been done on a number of occasions, and I'd be happy to forward that material to the member.

MR. SPEAKER: Redwater-Andrew, followed by Calgary-Mountain View.

Gainers Inc.

MR. ZARUSKY: Well, thank you, Mr. Speaker. My question today is to the Minister of Agriculture. This week the Alberta Pork Congress is taking place at Red Deer, and we all know how important the pork industry is to this province, not only the production but also the processing of meat. There's been an indication that Fletcher's could be moving to a producer/shareholder structure probably by early 1993. My question to the minister is: since at one time all the processing plants were owned by the private sector, what stage of privatization is Gainers at at this point?

MR. ISLEY: Mr. Speaker, I was pleased that the hon. member mentioned the Pork Congress, which opened in Red Deer this morning. I had the honour of participating in that opening. It's

their 18th annual, and it looks like it's going to be the best and biggest one ever.

With respect to the privatization, let me say that we're very pleased at the moves the pork producers are making at transferring the shares of Fletcher's from the Pork Producers' Development Corporation to those producers that actually paid for it in the first place. There's an acknowledgement in the industry that that will alleviate the concern of a possible conflict between he who sells all the hogs and one of the buyers for the hogs. I would suggest that it is certainly making it more palatable for other private-sector companies to take serious looks at Gainers and I think I could say has alleviated the concern of some of the companies that we're talking to.

MR. SPEAKER: Supplementary.

MR. ZARUSKY: Thank you, Mr. Speaker. If a private-sector person or corporation was interested in purchasing Gainers, could the minister indicate what date that could happen by?

MR. ISLEY: I would hesitate to put a fixed time line on it, Mr. Speaker. We indicated when we acquired Gainers that it was our intention to privatize as soon as possible but that it was also our commitment to retain that operation as a buyer and processor of pork in this province. I think that commitment has been wholeheartedly supported by the vast majority of pork producers in the province. I think it would be the desire of any of us on the government side that the sooner it happens the better, but we're not setting a definitive time line at this point in time.

MR. SPEAKER: Calgary-Mountain View, followed by Edmonton-Whitemud.

Kerby Centre

MR. HAWKESWORTH: Thank you, Mr. Speaker. The Minister of Health has not yet provided funding for the Kerby Centre's health centre despite discussions with the minister responsible for Seniors and despite repeated requests from the Kerby Centre itself. In 1989 the minister gave \$250,000 to projects in Fort Macleod, Grande Prairie, and Edmonton that provided services similar to those provided by the Kerby Centre, yet Kerby Centre is asking only \$40,000. Failure to receive this money will put the operations of their health centre at risk. Will the minister indicate her support for the health and independence of Calgary's seniors by granting Kerby Centre the \$40,000 they need to keep their health centre in operation?

3:00

MS BETKOWSKI: Mr. Speaker, it is true that as part of a pilot demonstration project in Alberta we are looking at three seniors' wellness models. We're in the process of evaluating those models to see whether in fact they are an area of programming towards which the reallocation of health dollars is warranted, because I don't believe it is possible to continue to build on the system we've had in the past, which is always allocating new dollars for health programs. That model will destroy our health system if it goes on unlimited, so we are certainly looking at ways to reallocate them.

With respect to the Kerby Centre the province – my colleague the minister of public works may wish to supplement my remarks – in fact supports the Kerby Centre through the Department of Health to an extensive degree. Certainly if the Kerby Centre wish to look at reallocating some of those dollars for different program-

ming priorities in 1992, I would be pleased to review some of those considerations with them.

MR. KOWALSKI: Mr. Speaker, perhaps it would be helpful as well for the hon. member to realize that in this year, 1992, an additional nearly \$300,000 will be provided by the taxpayers of Alberta to the Kerby Centre for capital developments, as requested by the Kerby Centre board, rather significant dollars.

MR. HAWKESWORTH: Well, Mr. Speaker, that doesn't keep the operation going. They have to depend on casinos to generate the income for this effective program.

It's also an efficient program. If clients of the Kerby Centre were forced to go to doctors to receive the care that they're now receiving from the Kerby Centre staff, it would cost the health care system an estimated \$200,000 through Alberta health care payments. So I'd simply like to ask the minister: given that the Kerby Centre can provide these health services at one-fifth of the cost of the regular system, why doesn't she act now to provide them the money to save the efficient and essential services provided through the Kerby Centre?

MS BETKOWSKI: Because, Mr. Speaker, if we take the hon. member's argument to its full extent, that's exactly what we are doing. In our health reform what we're saying is: here's the envelope of dollars that are going to health. In fact it is more efficient to use those dollars in community support programs, which I tend to agree it is, then we need to take the dollars out of the acute care system and move them into the community system, which is exactly the way we are trying to proceed in Health as we work through this reform.

Quite frankly, if the only suggestions that the opposition can come up with are suggestions to add yet more, we can't afford the reform. So what we're saying is: let's work within the resources we have, let's look at the allocation of those resources, and yes, let's consider moving some of them, I would hope, from the acute sector into the community sector.

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

Gambling

MR. WICKMAN: Thank you, Mr. Speaker. There is a growing concern with the rapid escalation of gambling in this province. We now hear of the introduction of slot machines that pay in actual coins, the real McCoy, Nevada style. To the minister responsible for lotteries: why does this minister insist on turning this province into a Las Vegas north?

MR. KOWALSKI: Mr. Speaker, I'm not aware that the province is turning into a Las Vegas north. In the summer of 1991 at both the Edmonton exhibition and the Calgary Stampede a test occurred with respect to the utilization of video lottery terminals in the province of Alberta. Those machines were put in place, and they are being tested throughout the province now.

On March 12 we announced as well that there would be an expansion of the video lottery terminal system of the province. Consistently, week in and week out, I get inundated with requests from people who say: "Well, you've got a video lottery terminal where you put a coin in the machine but if you win a prize, what you have to do is press a button, and then there's an electronic computer in the machine that punches out a piece of paper that says that you've won \$1 or \$1.50. Why don't you see what the response of individuals would be if they put the coin in and if they

win \$1.50, then \$1.50, six quarters, pops out?" That's called the coin in, coin out machine, Mr. Speaker, and at both the Calgary Stampede and the Edmonton exhibition this summer the Stampede board and the exhibition board will test 150 of these machines at both locations.

MR. WICKMAN: Bells and lights are next.

Mr. Speaker, to the Member for Red Deer-North, responsible for the Premier's Council in Support of Alberta Families: how does this escalation of gambling fit in with the objectives of the Premier's council?

MR. DAY: Mr. Speaker, these types of questions are addressed to the council. As a matter of fact, this type of issue was raised at some of our community consultation hearings, and that report, which will be released within days – it's just a matter of printing right now – will have some comments and advice to the government on areas like that.

MR. SPEAKER: Innisfail, followed by Edmonton-Highlands.

Bench Insurance Agencies Ltd.

MR. SEVERTSON: Thank you, Mr. Speaker. My question is to the Minister of Consumer and Corporate Affairs. I understand that the court heard hearings yesterday concerning the issue of Bench Insurance. Can the minister inform the House of what action claimants can take in order to be compensated?

MR. ANDERSON: Mr. Speaker, as indicated last week, those individuals who have actual insurance losses as a result of the Bench Insurance failure and the uninsured policies that they held can get in touch with the Alberta Insurance Council, and they will be providing redress through the usual system of assessment there.

The court yesterday also indicated that an investigator, Mr. Dave Buzzeo, will be taking into account all other outstanding claims; in other words, those claims that deal with premium losses that may have resulted as a result of the Bench failure or other dollars that may be owing to individuals as a result of that. So I would encourage the member's constituents and all others to contact Mr. Dave Buzzeo through our department to ensure that any claim they have is made apparent to the court before it itself decides on the process that will distribute dollars in this particular case.

MR. SPEAKER: Supplementary, Innisfail.

MR. SEVERTSON: Thank you, Mr. Speaker. This is all very well, but my supplementary question to the minister is: what is the Department of Consumer and Corporate Affairs doing to help policyholders who have Bench policies?

MR. ANDERSON: Mr. Speaker, the department has taken action on an almost daily basis since the noninsured policy issue was raised with us in March of this year. We have proceeded with the request to the courts to freeze all of the assets of Mr. Bennett pending the outcome of the RCMP investigation and of the court judgments in this particular case. We have also been instructed by the court as of yesterday to inform all policyholders who had uninsured or improperly insured policies of the need to contact Mr. Buzzeo immediately if they have a claim or to go to the Alberta Insurance Council if they have an actual disaster which has resulted in a loss.

Health Statutes Amendment Act, 1992

MS BARRETT: Mr. Speaker, I'd like to quote a very small section of a health Bill that will have a very bad impact if passed. It says:

If a beneficiary receives health services for personal injuries suffered as a result of a wrongful act or omission of a wrongdoer, the Crown has the right to recover from [that person] the Crown's cost of health services

if that person got an award; that is, an insurance settlement. This is a dangerous concept in Bill 22. What it will do is promote Albertans to seeking private insurance to cover their liability in case they're deemed to be a wrongdoer by the Crown. Given the seriousness of this problem, will the minister now commit to not proceeding with Bill 22 so that we don't end up with two-tiered medical insurance in Alberta? [interjections]

MR. KOWALSKI: Who to?

MS BARRETT: The Minister of Health.

MR. KOWALSKI: Why didn't you say so?

MS BETKOWSKI: Mr. Speaker, I'm hesitating because I'm assuming it's a Bill that's before the House. It's going to be discussed, but I will answer the question.

I have to throw in the observation that it's amazing to see the New Democrats opting for the side of the insurance companies as opposed to the side of the Alberta taxpayer, where we have placed ourselves as a government. Right now what is occurring is that where an accident occurs, the province is paying for the costs of that accident which are covered under an insurance policy. What we're saying is that that isn't the role of the taxpayer. It is, in fact, the role of the insurance company that brings it forward, and that is the purpose of the Bill.

3:10

MR. SPEAKER: The question was allowed to proceed because the question was: does the government intend to proceed with the matter?

Supplementary.

MS BARRETT: Mr. Speaker, let me make it clear: the taxpayers are already paying for the health system, they're paying medicare premiums on top, and the effect of this Bill, without doubt, is going to force every Albertan who can afford to pay to go out and buy additional insurance to protect themselves against being deemed a wrongdoer. The Consumers' Association of Canada says that too. In light of that, why won't the minister commit to not proceeding with Bill 22?

MS BETKOWSKI: Well, Mr. Speaker, this is wonderful. There are two sides to this issue, and I welcome the debate. The province, the taxpayer, is now spending between \$7 million and \$9 million for health care costs that are deemed to be the responsibility of a third party. I don't believe that's fair to the Alberta taxpayer, hence the Bill.

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

Biodiversity Convention

MR. MITCHELL: Thank you, Mr. Speaker. The Canadian government is signing the Earth Summit biodiversity convention soon, and each province will be required to protect biodiversity

within its region. To the Minister of Forestry, Lands and Wildlife: has the minister considered the implications of this biodiversity convention for setting aside adequate areas of our northern boreal forest to protect, for example, woodland caribou prior to allocating timber rights to Grande Alberta Paper or any other such applicant?

MR. FJORBOTTEN: Mr. Speaker, everyone in the world is watching the developments that are taking place at the Earth Summit. One of the concerns that is being raised of course is: who would pay some of the costs with respect to some of the suggestions that are being made? I might say that in Alberta we recognize biodiversity as extremely important in the forested area, and in fact we're one of the few places that has under one umbrella a minister responsible for forestry and wildlife as well as public lands. We recognize fully the need and support biodiversity and will watch very carefully the developments that are taking place at the Earth Summit.

MR. MITCHELL: A recent survey, Mr. Speaker, by Dr. Jim Butler of the University of Alberta has shown a great wealth of rare birds and plants in an area of boreal forests being sought by Sunpine Ltd. Will the minister ensure the protection of some of this area prior to signing an FMA with Sunpine?

MR. FJORBOTTEN: Well, Mr. Speaker, the Liberal Party always wants to know the facts and have all of the facts. There's only one person that he's just suggested has done a study. There are a wide variety of studies. The area in fact covered by Sunpine has been part of the integrated resource management process that had a significant amount of public involvement and continues to have public involvement and input with respect to it. We recognize that all across the province there are areas that need to be protected. There are areas that need to be protected not only for wildlife but for old growth forest, and all of that is and will be taken into consideration in any developments that take place there.

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

Sir Winston Churchill Provincial Park

MR. CARDINAL: Thank you, Mr. Speaker. My question is to the hon. Minister of Health. Churchill park on Lac La Biche is the only island provincial park in Alberta. In order to develop a park, a causeway had to be developed from the mainland. In fact, I think it was promoted by the Liberals at the time. The mayor of the town of Lac La Biche has openly indicated that the causeway has created a health hazard to the water quality in Lac La Biche. In fact, the mayor has called the national Coast Guard to intervene, it indicates here in the *Post*. I would hope that the leader of the Liberal Party would call for the national Coast Guard the next time the city of Edmonton dumps 1.6 million litres of raw sewage in the North Saskatchewan River. My question to the hon. Minister of Health is: could the hon. minister give some assurance to my constituents that there is no immediate health threat to the residents of the town of Lac La Biche and surrounding area?

MS BETKOWSKI: Mr. Speaker, protection of the public health is a responsibility of the Athabasca health unit, in this case, under the Public Health Act. If and when the health unit feels that there is a risk to public health, they may intervene by whatever means they feel appropriate. To date they have no cause for such concern and do not feel a health risk is at stake.

MR. CARDINAL: Mr. Speaker, my supplementary is to the Minister of Tourism, Parks and Recreation, who has a mandate over provincial parks of course. I know there is a committee that just completed a report on the review of the project. My question is: could the minister advise my constituents as to what action may be taken to resolve this problem on a long-term basis, if there is a problem?

MR. SPARROW: Mr. Speaker, the member is quite accurate. Our department has been working with the Department of the Environment and the Department of Health and the department of transportation in looking at a solution for the problem of the causeway. Several recommendations are being considered presently, and we would hope that during the next year we can come to a resolution and find a way to improve the water under the causeway by enlarging, either by way of culverts or by a bridge, which would allow additional water to flow.

Employment Equity

MR. GIBEAULT: Mr. Speaker, my questions today are to the chairman of the Alberta Multiculturalism Commission. Recently Canadians discovered that the employment equity law that was passed by the federal Conservatives has been largely ineffective for two reasons: one, it does not include the public service and, secondly, does not have any meaningful penalties for noncompliance by employers. So I'd like to ask the chairman of the Multiculturalism Commission, who is someone who is supposed to be an advocate for the minority community members in our province: would he be prepared to now show some leadership and indicate his support and that of the Multiculturalism Commission for a model employment equity law that is both comprehensive and has teeth?

MR. ZARUSKY: Mr. Speaker, there is no indication of any employment equity legislation on the horizon, but I can outline to the member some of the work we've been doing at the commission to help people fit into the work force. We've had many seminars on helping people fit in. We have English as a Second Language classes which are done by volunteers from different ethnic groups, and I think that in these ways, with our awareness and access programs - our access program especially is very effective, working with institutions and the private sector and many other areas.

MR. GIBEAULT: Mr. Speaker, my question is about employment equity policy. Given that the Alberta Human Rights Commission supports an employment equity policy, as well as the Alberta Advisory Council on Women's Issues and a whole slew of organizations in the nongovernment sector, can the chairman of the commission tell us: what does he see wrong with that policy, and why is he as chairman of the Multiculturalism Commission not prepared to support such an important public policy?

MR. ZARUSKY: Well, Mr. Speaker, I think I outlined fairly well to the member the work we're doing at the commission. I think the worst thing you can do is legislate or force things upon people, and it's very important that through the commission, through our report Focus for the 90's, Albertans have spoken and indicated in what way they want to see multiculturalism evolve. I think that's where employment equity and awareness comes in. I hope the member would pick up some of our information, which we could send to him. I'm sure he'd read it.

Orders of the Day

MR. SPEAKER: Might we revert briefly to the introduction of guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.
Taber-Warner.

Introduction of Special Guests (reversion)

MR. BOGLE: Thank you, Mr. Speaker. I'm pleased today to introduce to you and through you to members of the Assembly three guests from the Taber-Warner constituency: Mrs. Jean Schmitt from Milk River is the chairman of the Border Counties general hospital in Milk River, Mr. Bob Jones from Warner is a board member of that hospital and the chairman of the building committee, and Mrs. Shirley Hanson from the Masinasin district near Writing-on-Stone park is the administrator. The board members and Shirley are in the city today to meet to discuss plans for the long-term care wing for the hospital, a long-term care wing which is much needed in our area. I'd like members to join with me in welcoming them to our Assembly.

Written Questions 3:20

MR. GOGO: Mr. Speaker, I move that the written questions on today's Order Paper stand and retain their places with the exception of the following: written questions 206, 208, 209, 210, 214, 215, 216, 280, 285, 288, 314, 334, and 337.

[Motion carried]

Group Homes

206. Mrs. Hewes asked the government the following question:
What are the current standards for licensed group homes?

MR. GOGO: Mr. Speaker, the government will accept 206.

Thomlison Report

208. Mrs. Hewes asked the government the following question:
Of the 27 recommendations in Dr. Thomlison's Case Management Review report, what is the status in terms of implementation of each of these recommendations?

MR. GOGO: We accept, Mr. Speaker.

Supports for Independence Program

209. Mrs. Hewes asked the government the following question:
Who are the companies who have been contracted with Family and Social Services to provide training under the supports for independence program, and how much money have each of the companies received?

MR. GOGO: The government will also accept 209, Mr. Speaker.

After School Care

210. Mrs. Hewes asked the government the following question:
How many appeals have there been for the period April 1, 1990, to February 29, 1992, for after school care for special

needs children under the handicapped children's services, and how many of these appeals have been won and how many lost?

MR. GOGO: We accept.

Supports for Independence Program

214. Mrs. Hewes asked the government the following question: Of the \$148 million issued under special warrants for the supports for independence program, how much was spent on recipients and on administration costs up until March 19, 1992?

MR. GOGO: The government will accept 214, Mr. Speaker.

Social Assistance for Students

215. Mrs. Hewes asked the government the following question: How many people have had to appeal their request for high school maintenance under Family and Social Services for the period April 1, 1990, to February 29, 1992, how many appeals for high school maintenance have been overturned during the same period, and what is the total cost incurred by the government for hearing each of the above appeals?

MR. GOGO: The government rejects 215, Mr. Speaker.

Foster Care Placements

216. Mrs. Hewes asked the government the following question: Of the approximately 2,300 children who are currently placed in foster care, what is the number of prior placements that each of these children have experienced while under the guardianship of the government?

MR. GOGO: Accept, Mr. Speaker.

Supports for Independence Program

280. Mrs. Hewes asked the government the following question: How many participants in the supports for independence program have completed the required training program but have been unable to find employment and have subsequently had their file closed?

MR. GOGO: The government will accept 280, Mr. Speaker.

Kananaskis Country Golf Course

285. Mr. Bruseker asked the government the following question:

- (1) What was the revenue received by the government for the leasing of Kananaskis Country Golf Course for each fiscal year from the original leasing date to March 20, 1992, and how was it calculated,
- (2) what was the cost of development of the Kananaskis Country Golf Course to the province, and
- (3) what expense, if any, was incurred by the government with respect to the Kananaskis Country Golf Course for the years ended March 31, 1983, to March 31, 1991, inclusive?

MR. GOGO: The government will reject that, Mr. Speaker.

Ski Kananaskis Inc.

288. Mr. Bruseker asked the government the following question:

- (1) What was the revenue received by the government for the leasing of the Nakiska resort to Ski Kananaskis Inc. for each fiscal year from the original leasing date to March 31, 1991, and how was it calculated,
- (2) what is the development cost of the Nakiska resort to the government, and
- (3) what expenses, if any, were incurred by the government with respect to the Nakiska resort from the date the original leasing arrangement was signed with Ski Kananaskis Inc. to March 31, 1991?

MR. GOGO: Reject, Mr. Speaker.

Recentralization

314. Mrs. Hewes asked the government the following question:
- (1) What was the cost in terms of manpower to the Department of Family and Social Services to plan the recentralization of regional offices to Edmonton, and
 - (2) how many positions will be relocated as a result of this recentralization?

MR. GOGO: The government will accept 314, Mr. Speaker.

Women's Shelters

334. Mrs. Hewes asked the government the following question: How many women and children have been turned away from the Alberta women's shelters for the fiscal years 1986-87 to 1990-91 inclusive?

MR. GOGO: Reject, Mr. Speaker.

Child Welfare Workers

337. Mrs. Hewes asked the government the following question: How many child welfare workers are employed as of March 26, 1992, by the Department of Family and Social Services, and of these how many are registered social workers?

MR. GOGO: The government rejects 337, Mr. Speaker.

head:

Motions for Returns

MR. GOGO: Mr. Speaker, I move that the motions for returns on today's Order Paper stand and retain their places with the exception of Motion for a Return 299.

[Motion carried]

Goods and Services Tax

299. Mrs. Gagnon moved that an order of the Assembly do issue for a return showing all studies or papers completed by or submitted to the government examining the impact of the federal goods and services tax on the operating and capital costs incurred by school boards in Alberta.

MR. DINNING: Mr. Speaker, I welcome the motion by the hon. member. I think it's an important item that we would debate in this Assembly, because all members of this Assembly and indeed all Albertans know very well how hard this provincial government has fought to eliminate the goods and services tax through a battle that was led by our Provincial Treasurer. The matter was taken before the courts, and a number of arguments were made to protect our health, our education, our universities, our colleges: those

sectors where precious provincial taxpayers' dollars are invested. Through the supposed wisdom of the federal government to impose this goods and services tax, somehow in my view we have basically taken away from those important services, those important sectors a large amount of money that could properly have been used in the capital program, in the operating programs of our health care institutions, our universities, our colleges, our schools, and many other public sectors like that.

[Mr. Jonson in the Chair]

The courts have seen fit not to accept our arguments at this point, Mr. Speaker, but this government continues on behalf of all Albertans to fight the goods and services tax. Regrettably it may seem that it's here to stay, but that is not going to deter this provincial government from fighting on behalf of taxpayers across the province to eliminate this tax.

I think it's important, Mr. Speaker, that we would think of it in terms of how it's affected just one small area of responsibility that we have in the Department of Education, and that is in what I'd call a bountiful capital plan of some \$700 million that has been provided to school boards across the province for the years 1991 to 1995. On a per capita basis I'm not sure that there is another jurisdiction in the country that would have as bountiful, as comprehensive a capital plan as the government of Alberta has for its 140 operating school boards within the province.

We are perhaps burdened by the luxury of a growing population. It's an incredible challenge for our school boards, for our teachers, and for our government to continue to provide educational services to our students, and to do so, we must continue to upgrade our existing school facilities, to provide additions to a number of those facilities in growing communities, not just in Calgary or in Edmonton but in your own hometown, Mr. Speaker, in Ponoka, and in the constituencies of virtually every single member in this Legislature. I can't think of a single constituency in the province that has not been touched by this government's \$700 million, five-year capital program.

The problem with the goods and services tax as it relates to that program is that – let's just say for the sake of simple calculation that 7 percent of that \$700 million give or take must be paid by way of goods and services tax. Well, that means that there's in the order of \$45 million to \$50 million that is not able to be put into our educational facilities. I think that that's a travesty of the highest order when I look around the province and see the number of families moving to this province and the growth that our school boards are experiencing, especially in communities like Calgary, Edmonton, Airdrie, Stony Plain, the Canmore area, and down in Lethbridge as well. The growth is phenomenal, and the problem with the goods and services tax as it relates to our program is that school boards are denied that extra \$45 million to \$50 million that could frankly, Mr. Speaker, be put to much better use in building schools rather than paying taxes.

I think it's right that this gives me an opportunity to account to the Legislature on the progress that we have made in our capital program. It was announced in June 1990. Really, as I said earlier, it represents a significant investment in our students, and it certainly reaffirms Premier Getty's government's commitment to the education of our children in this province. Under the plan we have capital projects, both new construction, including new buildings and additions, as well as modernizations, that are approved for a three-consecutive-year basis to allow school boards to plan their projects more effectively and efficiently. It's good that we have that, Mr. Speaker, because it means that the other nearly \$650 million that aren't paid by way of provincial dollars,

that are not paid by way of goods and services tax can be put to better use. It gives school boards the opportunity to look ahead three or more years and make their plans and know that when we make announcements in the fall, that this coming fall when they have approval in full for projects in 1993 and approval in principle for projects in 1994 and '95, they will be able to go into the planning stage and know for sure come the following year that they want to actually proceed with the project.

3:30

Mr. Speaker, funding has also been provided to the building quality restoration program and the projects provided under that program, and those are allocated on an annual basis. We've been able to move to a five-year block funding program, again to enable school boards to put those provincial tax dollars to the best possible use, which goes some distance in mitigating the damaging effects of the goods and services tax.

The five-year plan has been aimed at three main areas. One is a need for new space to accommodate the enrollment increases I spoke of earlier. When the plan was developed in early 1990, the enrollment increases were projected at about 8,500 new students per year for that '91 to '95 period, and there were also anticipated needs for new space for programs and for Francophone schools and for replacement of obsolete buildings. Secondly, we were looking to restore and modernize some of the 500 older and perhaps somewhat more deteriorated school buildings in the province. Thirdly, we recognized the need to upgrade the building components for health and safety requirements and to extend the useful life of some 1,500 existing schools.

Mr. Speaker, for 1991 to 1994, \$1.1 billion of capital requests for new construction and modernization projects were received from Alberta school boards. We have been able to allocate a little over \$450 million for the highest priority new construction and modernization projects, which we announced in September '90 and September '91. We received about \$350 million worth of requests for new construction and modernization for 1995. These projects will be processed, and we'll have an opportunity to make some announcements on these projects in September of 1992.

In total we will invest about \$550 million, taxpayers' dollars, for the most pressing new construction and modernization projects over the five-year period, and we'll invest about \$150 million in building quality restoration programs for that same time period. So that's a total of \$700 million in provincial funding, which will be allocated for all types of projects.

Mr. Speaker, the plan, as I said earlier, enables us to fund the most pressing needs identified by local school boards. The demands, the requests far outnumber those that we are able to actually accommodate, but the three-year approval process provides boards with that lead time to plan and construct their projects effectively. It also provides them with the flexibility to change local needs and priorities. A number of boards have come to us recently and said: "We know that you gave us approval in principle for 1993 back in September of '90 or '91, but in fact we want to do some shifting. We don't want to build school X in community Y. Instead, the need has suddenly grown in another community." That's certainly the case in the likes of Calgary and Edmonton and Okotoks and Stony Plain and Airdrie, and we acknowledge that. We're able, through this program, to shift and meet those demands all within the \$700 million five-year plan, about \$140 million per year. We certainly have received a number of letters from school boards and the Alberta School Boards Association expressing their appreciation and strong support for the three-year approval process. I'm pleased with that kind of response, but still the puzzling, perhaps the frustrating part of this

is that the goods and services tax is chewing away at and biting into the full impact of that plan.

Just to remind all members, it isn't just provincial taxpayers' dollars that go into this capital plan; therefore, it isn't just provincial taxpayers' dollars that go to pay the unnecessary goods and services tax on this plan. There is an injection of about an additional \$400 million in supplementary requisitions by local ratepayers, so that means a total five-year investment in our schools in the order of \$1.1 billion. Mr. Speaker, in this day and age that's a significant contribution to the construction industry in this province, and it's estimated that it creates in excess of 18,000 man-years of direct employment in well over 200 communities across the province. When you consider the multiplier effect of those numbers, you're looking at well in excess of 30,000 man-years of employment that will be created by provincial taxpayers investing \$700 million. Again, the frustrating part of this is that you have a goods and services tax that is chewing away, is chipping away at the benefits of that plan. Perhaps with the number of dollars that would be spent, those 18,000 man-years of direct employment would expand. Perhaps even the number of communities that would benefit from the plan would expand in excess of 200. Certainly the number of total man-years both direct and indirect would expand well in excess of 30,000.

Mr. Speaker, that's a brief accounting of where the province is at with its \$700 million plan to upgrade, to modernize, and make several new schools in this province so that kids continue to get a first-rate education no matter where they live. The beauty of the plan is that it's not focused just in high-growth communities. It recognizes communities like an Andrew or a Rimbey or up in the constituency like Dunvegan or out in St. Paul or up in Sexsmith, in the constituency not of Smoky Lake but of Smoky River where the waters run fast. Again, the GST is chewing away and chipping away at the full impact of how those dollars, of how more dollars could be spent in communities like Sexsmith or down in Pincher Creek.

Well, Mr. Speaker, the other comment that I want to make about this member's motion: you know, it's puzzling to me, and I would never get into the business of questioning agendas or questioning whether there might even be a hidden agenda on behalf of the Liberal Party.

MR. TAYLOR: Perish the thought.

MR. DINNING: As the hon. member says, "Perish the thought." I know that my hon. colleagues across the way would never get involved in that kind of business, but you still have to wonder once in a while, Mr. Speaker. I had the opportunity of reading a piece on the Alberta Liberal caucus education policy. It does make for a fascinating albeit not entirely consistent kind of policy. Especially I have this great picture of the Liberal leader standing waving his pocket and quietly, certainly not explicitly, saying that if he really had his druthers, he'd take everybody else's wallets and put them into his back pocket.

3:40

You know, they talk about funding and the need to fund our schools, in their words "better," and on the other hand they decry the government for having to go the lengths that it has to protect our educational institutions – to protect our schools, our universities, and colleges – from the serious downturn in our revenues. They say they want a balanced budget, but no, Mr. Speaker; they're not quite willing to speak honestly with Albertans about the consequences. I'm not going to question their honesty; I'm going to talk about their directness in speaking to Albertans about

how they would cut back in funding and certainly cut back in education funding. The Liberal Party tends to leave the impression that on the one hand they want to solve the fiscal problems of the government. They make a promise that they're going to spend more money. It's important that we have an opportunity in this Legislature to show Albertans just exactly what they do stand for, and in fact they can't have it both ways.

This document suggests that there is inadequate funding, and it calls for us to move back to 80 percent provincial funding instead of the current nearly 60 percent of the total education budget coming from provincial taxpayers, but I have to ask the hon. members on the other side again: is it the responsibility of the government and provincial taxpayers to constantly feed the insatiable appetite of some school boards for more and more and more and more money? Or is it the responsibility of all of us as duly elected people, including school boards, to live within the taxpayers' means? I have to underscore that, Mr. Speaker: the taxpayers' means. Governments on their own do not have their own means; they only can rely on taxpayers' ability to fund their programs. I look at the call by the Liberal Party for funding when it comes to equity. They won't propose a solution, but they would propose that we fund more of the fiscal equity problem from the general revenues of the province, again calling on more taxation by Albertans on Albertans. I know from speaking with my colleagues, and we all speak to several Albertans each and every day, that they don't want to see that.

The same with the goods and services tax. They don't want to see that kind of taxation by governments. In the integration of special needs children they are talking about more spending and that the appropriate government department should be billed. What they're saying is they simply want to spend more and more money.

The same in English as a Second Language. They say it's grossly underfunded. Well, Mr. Speaker, when I see the amount of language education grants that are being paid by provincial taxpayers, by federal taxpayers to fund English as a Second Language programs and other language education programs in this province, I have to ask school boards: "What kind of results are you achieving with the dollars that are being invested? What kind of results are your ESL students achieving? How well are they learning English? How well are they learning to speak, to read, to write, and to communicate?" Rather than say, "Give us more and more money to do more and more of the same," the question has got to be asked, "What can you do better with the money that you've got right now?"

Point of Order Relevance

MR. TAYLOR: Point of order, Mr. Speaker.

MR. ACTING DEPUTY SPEAKER: A point of order, Westlock-Sturgeon.

MR. TAYLOR: He left the atmosphere and went into the stratosphere. It's Motion 299.

AN HON. MEMBER: Citation.

MR. TAYLOR: It's just sticking to the subject. Citation 415(1).

AN HON. MEMBER: Wrong. Good guess.

MR. ACTING DEPUTY SPEAKER: First of all, I would request the hon. Member for Westlock-Sturgeon to have his citations correct and relevant before he quotes them.

However, on the question of relevance, I think the Member for Westlock-Sturgeon may have a possible point, and I would request that the hon. minister perhaps move back to the matter of the GST and the motion.

MR. DINNING: Well, Mr. Speaker, just to accept your direction, I simply am amazed when I go through Liberal policies and watch the Liberal leader across the way day after day talk about fiscal responsibility, and then I read otherwise in Liberal policy documents. The contradictions have got to be brought to light – I think it's only fair – so that all Albertans would fully understand the concerns. There are some glaring inconsistencies between what they say they want done and what they say they will actually do.

Debate Continued

MR. DINNING: Mr. Speaker, as it relates to the goods and services tax, I can advise the hon. member that we provided information to school boards back in December of 1990 advising school boards, superintendents, and secretary treasurers that the federal government was going to put in place the goods and services tax and that it certainly would have an impact on school jurisdictions. We advised then that the impact of the GST will have to be assessed for each individual school jurisdiction on a jurisdiction-by-jurisdiction basis. There was not going to be a case of one size fits all. We advised them that there would be a number of sources from which they could get information including Revenue Canada's toll-free number, including the Revenue Canada experts in the municipalities, universities, schools, and hospitals sectors. We encouraged them to talk to their auditors and certainly encouraged them to talk to the Alberta school building officials association.

We made it clear, Mr. Speaker, that Alberta Education's interest in the goods and services tax was primarily in the expenditure reporting requirements for the audited financial statements and that the jurisdiction would pay the GST at 7 percent on the taxable items that they purchased. Although the jurisdiction would still be eligible for a rebate in the order of about 68 percent, there was still quite a significant front-end cost; school boards would have to put out these dollars. So we shared with them those concerns and advised them of what they ought to be on the lookout for.

As for whether the government did any studies, I can advise the hon. member that the government did not and that in fact school boards may have. None to this minister's knowledge. I would certainly suggest to the hon. member that knowing how she feels about local autonomy, she would not, of course, want the minister to dictate to school boards as to what they ought to provide to the minister by way of the reports that they may or may not have done. I would encourage her to contact the individual school boards across this province to ask them directly as to what information they have on the impact of the GST on their individual operations.

Mr. Speaker, I know the hon. member has been waiting in suspense for the last few minutes, but I have to advise the hon. member that the government will not accept this motion for a return. As I said, the department has not prepared reports on the effects of the GST on our public and separate schools. She should encourage the hon. member to write to the individual school boards across the province and ask them how their discussions or negotiations with the federal government might have gone. I know this is a similar kind of request that she asked of my colleague the Minister of Advanced Education and similar to other requests that she's asked in the past about goods and services tax and how it relates to local school boards. I know that she feels

strongly about local autonomy. Her particular Liberal policy document here does not always respect that local autonomy, and again it's not consistent in that regard. I would encourage her to make contact with individual school boards across the province.

3:50

MR. TAYLOR: Mr. Speaker, I thought that someone else was going to speak, but through the 25-minute-long droning answer I think he fell asleep, so I will take that on.

Obviously, the minister was feeling the paucity of questions directed towards him the last two or three days and felt that he had to use up so many pages of *Hansard*. I've heard about an elephant labouring long and hard and coming forward with a mouse, but this even beats that: 25 minutes and it's not even a mouse.

Mr. Speaker, the motion very clearly was:

an order of the Assembly . . . return showing all studies or papers completed by or submitted to the government examining the impact of the federal goods and services tax on the operating and capital costs incurred by school boards in Alberta.

That's all we wanted to know: just how much they were fighting. I mean, the minister said that he has taken on the federal government, in some sort of – it must have been a very silent fight. Certainly the public would like to know what kind of a fight the minister did put up to try to get the school boards excepted from paying the GST. After all, this minister and other ministers on the front bench cruised back and forth across this province in the last federal election, when the federal Conservative Party clearly announced that they were going to put in a GST, and they supported them. They supported them, I was going to say, hook, line, and sinker. I mean, never have so many owed so much to so little, I would say upstairs, as is across on the other side there. Surely the federal government, after having had these people, the members opposite, campaign on their behalf to the extent that nearly every MP representing Alberta in Ottawa is a Conservative, except for one, surely there must have been some sort of debt of gratitude that they owed. All we want to see is just what kind of representations have been made. What files, what letters have been written on which they have put their X mark asking the federal government to do away with the federal goods and services tax?

MR. DINNING: That's not what you asked for, Nicky.

MR. TAYLOR: Mr. Speaker, I'm proud of the fact that my speech is at least keeping him awake. His put me to sleep. At least I'm doing that.

The fact is he said that the provincial government is spending \$700 million, which is a laudable amount, on education. But 7 percent GST on \$700 million is \$49 million: 49 million smacker-ooos that his cousins in Ottawa are causing him to put up. Forty-nine million dollars would build all the schools I need in Westlock-Sturgeon plus a few others. They would fill every opposition; maybe even the hospital. But \$49 million is what is being siphoned off from this government. All we want to see, Mr. Speaker, is some evidence of fighting.

You can't help but think of that old story of the giraffe that was put in charge of making sure that the animals in Noah's ark didn't do anything that they shouldn't do, because we didn't want the population increasing. It reminds me of the member here. When Mr. and Mrs. Alley Cat came down the gangplank with 13 little ones, the old tom looked up at the giraffe and said, "Ha, you thought we were fighting, didn't you?" Well, this is what's going on there. Ha, I thought they were fighting, but they're not.

Obviously they're not. All we want to see filed is what form of fighting they've been doing, not eight little alley cats. That's all we want to know.

MR. DINNING: You didn't ask for it.

MR. TAYLOR: Yes, that's what we're asking for: evidence that you have been putting up some sort of a fight. What it is, Mr. Speaker, is a love-in between this party and the party in Ottawa that is costing the taxpayers of Alberta \$49 million. They're depriving their children's education by \$49 million. Forty-nine million smackeroos, 49 million bucks: it doesn't matter which way you put it. If that were put into the education system instead of Ottawa's pocket, it would do something.

No, Mr. Speaker, I don't know if the public can let that bunch over there have another term of office. Mind you, they do put out some good speakers, but the front bench is a colossal flop.

Thank you.

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

MR. WOLOSHYN: Thank you, Mr. Speaker. I have to commend the Minister of Education for giving us the speech that he missed in estimates. I really appreciate it. I would hope that next go-around he perhaps gives it at the opportune time.

He did raise some interesting observations, however, and that was, as the Member for Westlock-Sturgeon rightly pointed out, he and his cohorts aided and abetted the implementation of the goods and services tax, and now he's claiming that it is some sort of an imposition. I agree with him.

He alluded to the cost and the largess out of the \$700 million that is allocated to school construction. We automatically have a \$45 million or \$47 million loss, and that represents quite a few schools. I think that particular problem has to be addressed. We are in a time of very short resources. We're in a time when we have to be making the most prudent use of the resources that we possibly can, and here we are giving away \$45 million via the local school boards back to the federal government. So it begs the question, Mr. Speaker, of what can be done.

Well, I remember that a few years ago, probably before the minister was in the political arena, we had an arm of the government that was involved rather heavily in construction. It was called public works. My understanding of how the goods and services tax currently operates is that if this particular government chose to do some public works activities, whether they be roads or buildings, if they were in the general contracting role, which could mean supervision, if you will, they could recover all or at least a large portion of that 7 percent GST paid out in building construction. The minister's obvious reaction to that would be: well, it's going to impinge on local autonomy. I would say that no, it certainly should not, simply because if you implement the program properly, it would enhance co-operation. It would go a long way, I would suggest, to actually getting a larger return on the dollar. We'd have an efficiency of scale. We'd have an efficiency of programming through in terms of scheduling of buildings. With respect to the smaller school boards, Mr. Speaker, they certainly could use the assistance of a large arm of the provincial government. I'm saying: use the assistance of them, in fact, in planning and completing the project so we could have a significant saving on that particular aspect.

I think we could even go a little bit further. We've got large numbers of dollars, I believe it was alluded to in the hundreds of millions, that are directed at the building and quality restoration

program, or BQRP. Now, obviously you couldn't touch all the projects on this, but the modernization ones, which have a tendency to be quite substantial, could certainly come under the arm of the Public Works, Supply and Services area also. So at a time when perhaps the provincial government should be looking at getting more involved in order to save 7 percent right off the top, unfortunately they're backing away. In so doing, they're using in this case local school boards, in other areas local municipalities, as a vehicle to flip 7 percent of the money back onto the federal government. So I would suggest that the request to have the material that has already been submitted with respect to the capital costs incurred by the boards – if they don't have it, the government certainly should have it. If he doesn't have that information, then he's being remiss. If he does have the information, he should make it public in order to use it, if you will, as a method to try and bring some undoing to this very unfair goods and services tax.

4:00

The other portion of the request for information was on the business of operating costs. I would probably suggest that the minister's comment, although he made it somewhat facetiously to the Member for Calgary-McKnight, did have some merit, because there's a whole raft of operating costs that don't even come through into Alberta Education. Those would be the ones going along with the fund-raising activities that are happening in the schools, and the hidden costs of implementing the GST in some of these fund-raising activities – or not necessarily fund-raising but just to give you for the sake of argument the ones that are actually a service to students. According to the regulations surrounding the goods and services tax, if you have a vending machine in the school and it dispenses a can of pop, 7 percent goes to Ottawa. If it dispenses a can of bona fide orange juice, 7 percent does not go to Ottawa. If it dispenses a sack of salted peanuts, 7 percent goes to Ottawa; the same peanuts unsalted, 7 percent stays. Just by those very small examples you can see how much bookkeeping and how much effort has to be taken, and that has to be construed as a cost, simply to sort out where the GST applies. We can go on to any other food products. You all know that if you buy five doughnuts or less, you pay the tax; six, you don't pay, and so on: that in addition to the actual operating costs of what the boards incur on their own level.

For the sake of valid information that could be passed on to the people of the province at large, I would like to see the minister really reconsider his position and at no cost to the taxpayer – and I stress at no cost to the taxpayer – file with the Legislature the information that he has on hand with respect to this request on how the goods and services tax impacts on the operating and capital costs of the school boards of this province.

Thank you, Mr. Speaker.

MR. McEACHERN: I just want to add a couple of points to those of my colleagues, and I think perhaps a point that hasn't been made yet.

The goods and services tax is the second half of the free trade deal, and I think we shouldn't forget that in this Assembly. I'd just like to point out again the hypocrisy of this government in supporting the free trade deal and then turning around and saying that they're against the goods and services tax: absolutely incredible hypocrisy. This whole battle with Ottawa about the goods and services tax makes one feel like they weren't sincere right from the start, and yet they still drag the fight on supposedly to try to get brownie points and get in good with the people of Alberta again.

Now, this motion has an interesting aspect to it. It says, "all studies or papers completed by or submitted to the government." I would venture to say that the Member for Calgary-McKnight didn't really expect that this government had done any studies at all. At least I'll bet my bottom dollar that they didn't. I would be pretty well convinced that some of the school boards and some of the groups interested in education around this province have done some studies and passed them on to the government, but if this government treated this question about the GST with the same astuteness that they turned toward the free trade deal with, then it means they didn't do one study, Mr. Speaker, not one. This government did not do one study of any shape or form, nor did they ask anybody to do one to tell them whether the free trade deal would be a good thing for Alberta or not. They just took us into it, jumped through the open window of opportunity with Ronald Reagan as president. They assumed that he wouldn't win the next time around or something and that they'd best do this quickly. They've got caught in the same net. They've jumped through this window of opportunity and landed in a free trade deal that's cost us nearly 500,000 jobs in the last three and a half years. Along with it came the GST, and they've made a big show of fighting against the GST, but they haven't done one study - not one - that would tell what the effect would be on education or anything else in this province.

So, Mr. Speaker, it's not unusual or not surprising that the minister stands up and waffles on and talks about how complicated it is and this, that, and the other thing and gives this long speech and doesn't get down to the essence. Why didn't he admit he doesn't have one study that the government did? Now, if he has some studies that other people have done and wants to make them available to the public, I think that would be a good idea.

MR. DINNING: We don't. They belong to somebody else.

MR. McEACHERN: What studies belong to somebody else?

MR. DINNING: Find out. Do your research.

MR. McEACHERN: Well, you see, there are two parts to this question.

MR. ACTING DEPUTY SPEAKER: Order.

MR. McEACHERN: No, I've got the floor.

MR. DINNING: Do your research.

MR. McEACHERN: "All studies or papers completed by . . . the government." Those are the ones I'm talking about. You don't have any; that's just what I said. So how can you . . .

MR. ACTING DEPUTY SPEAKER: Order please. Order. Would hon. members on both sides of the House co-operate, and would the hon. member please address the Chair.

MR. McEACHERN: The government doesn't have any studies that it completed, so it can't possibly release them. That part of the question is easy to answer, and actually he should have just stood up and said, "No, the ones that were submitted by other people are theirs, and we don't want to release them," and sat down, because that's all he has to say. He should have admitted that the government doesn't have any studies. It never did any on the free trade deal; it didn't do any on the GST as to what its effect would be on education.

I just find that appalling, Mr. Speaker. It's government by groping around in the dark and by reaction to whatever's happening; no leadership, no sense of direction or purpose. No wonder education's in so much trouble in this province.

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

MRS. GAGNON: Mr. Speaker, I'm certainly not here to make political hay out of this. I will not have my motives imputed. I am simply asking a question which would help me, which would help the minister, which would help the Official Opposition in making decisions and setting policies on education. How can we possibly know if funding levels are adequate when we don't know the impact of the GST?

I think the minister very rightly has said that his government will continue to fight the GST. He used this opportunity to slam the GST. That's great, no problem there at all. He also gave us some information on the impact of the GST on the capital program. Again, wonderful, but I think that in much of what the minister said otherwise he was simply trying to divert attention from the basic issue. Is the impact of the GST on operating grants in school systems in this province harming education in this province? That's what I want to know.

The minister may fight the GST; the government may fight the GST. In the meantime, school boards are paying the GST. So to say, "In the future, you know, it may not exist any more; we're going to continue to fight it," is great, but today they are paying that GST on operating as well as on capital. I agree that if the minister does not have information about that, he certainly should have. If it has not been given to him freely, he should go about the business of collecting it, because I can't possibly see how the minister or his department can make decisions, especially about operating grant levels, if they don't know whether this GST is sapping the very benefit of those operating grants. We look at the double count, for instance. In some cases, the double count will negate and even totally decrease the amount of moneys that boards will have next year for operating. The double count is really a very, very negative, vindictive, penalizing kind of system of granting, and now with the GST impact, which the minister says he hasn't studied and doesn't know what the effect is, I can see some boards in greater trouble. We'll have even more have-not boards than we do right now.

4:10

So my motives were very clear. I simply wanted to know whether operating moneys available were less because of the GST, were the cause of such things as decreased spending on busing, decreased spending on optional programs by school boards, programs such as environmental studies, whether they were the cause of a huge increase in user fees, which, as the minister knows, the courts have said are illegal. [interjection] I hope he will fight them or at least make a change in the School Act so that he can correct that. That's all I wanted to know: what is the effect of the GST on operating grants? The minister says, "You go and find out." I think that if the minister were the least bit generous, he would share that information. Surely it's public information. The fact that he won't share it makes me believe that he doesn't have it, in actual fact.

That's all I wanted to say, Mr. Speaker. I didn't have any insidious motives whatsoever. I simply wanted information. Thank you.

[Motion lost]

head: **Motions Other than Government Motions**

Aboriginal Self-government

217. Moved by Mr. Woloshyn:

Be it resolved that the Legislative Assembly urge the government to support the immediate constitutional entrenchment of the inherent right to self-government of the aboriginal nations of Alberta and urge the federal government to immediately take steps to resolve all outstanding disputes with the aboriginal people of Alberta.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very pleased to propose this very important motion, and I'm sure that all the members from all three parties will support this particular motion which urges the Assembly to encourage or push the government to support the constitutional entrenchment of the inherent right to self-government for aboriginal peoples specifically of Alberta.

Mr. Speaker, unfortunately, Canadian society's track record on how it has related with the aboriginal people leaves a lot to be desired. There have been many, many documented instances where there has been irreparable harm done, where people have been deprived. I'm speaking specifically of native people. Until quite recently they've basically been treated as second-class citizens. I'm not speaking of a short term. I'm speaking of a time period that basically spans almost the whole period of time that we've had interaction with the original inhabitants of this particular continent, especially since the time when Europeans chose to settle and to homestead or whatever you want to call it.

I would submit that the aboriginal peoples of this country have never really been permitted to take their rightful place in this society, and I think that's tragic. We have legislated them. We've classified them. At one time I knew the different number of labels that we hung on aboriginal people: you have treaty, you have nonstatus treaty, you have Metis, you have Bill C-31, and the list goes on and on. These classifications, I must stress, were not brought about by the aboriginal peoples themselves. These classifications were, I would suspect, for the most part dreamt up by government bureaucrats trying to sort out how to deal with – and I find that an interesting phrase – the native people, but in so doing, we also established a whole proliferation of organizations which suddenly started to represent each classification of native peoples. In addition to that, rather unfortunately, for whatever reasons we found that a lot of the various, newly classified native people found themselves competing with one another for recognition, for dollars, for whatever.

[Mr. Moore in the Chair]

Mr. Speaker, I think it's a sad commentary on the relationship that we've had, and I think the time has now come when we can treat our aboriginal brothers as equals. But in order to do so, there has to be, I think, a very significant sign of faith on behalf of Canadian society. I think this sign of faith would come in our recognizing the inherent right to self-government for aboriginal peoples.

I can appreciate that there's a lot of discussion to come on what this really means, Mr. Speaker, but I will say that what I think it does not mean, however, is that it will be a delegated self-government in that some other forms of government, the provincial and federal, will delegate the areas within which the aboriginal people can make their decisions. I'm not talking about that at all. I'm talking about a negotiated form of self-government that will fall within our Constitution in some manner. I think this is

certainly attainable, certainly going to be difficult, but it's there. That is one form of self-government.

We do have an example in the Yukon of a different type which has given these people, the Vuntut Gwich'in First Nation, I believe they call themselves, a broad range of self-government. They are one of the pioneers in this area because they have shown that it can be successful. Basically what happened: they had their own Act – they don't operate under the Indian Act any more – but I believe now the push is on, and rightly so, to go beyond this legislation, which in this case is directed only at one particular band, and to encompass that right to self-determination in a broader scope.

I was very pleased, Mr. Speaker, to find that this spring when the report of the Alberta Select Special Committee on Constitutional Reform came out, there were some very, very positive references to our native community. I think this is very significant, and in view of the fact that this portion of the report was supported I believe by all three political parties and is a reflection of what was found in the travels across Alberta, I think it's quite significant. I just want to make a couple of references to the report and quote out of it, because I think it's quite significant.

The very first one says:

A reference to the Aboriginal people as the original inhabitants of this land [must] be included in the proposed national identity clause.

I think that's very significant and very important, and I hope it comes about.

Representatives of the Aboriginal peoples of Canada [must] be full participants in any process leading to constitutional amendments that directly affect them.

I think this particular clause is of paramount importance, and that's one particular aspect that Canadian society has looked away from since day one.

The other one that I think is quite important too:

The Province of Alberta and the Government of Canada should cooperate to initiate a constitutional resolution to achieve the entrenchment of these land transfers in the Constitution of Canada.

I'll get on to the business of land claims in a few minutes, but that's also an important step forward. We are finally, at least in the discussion processes, starting to acknowledge that problems do exist. We're starting to acknowledge that these problems must be faced openly and honestly. They cannot be set on the back burner any more, and I think it's really essential that the members of this Legislature do take a stand in support of some of these positions, because they are very, very honourable and defensible positions.

The Constitution should recognize the inherent right of the Aboriginal peoples of Canada to self-government. This recognition should be defined in the Constitution within the framework of Canadian federalism.

Another good position coming out of this paper, another one which may have a lot of difficulty in becoming implemented, but it is a good position.

The last one which I'll read out for the record says:

The Aboriginal people should define self-government. Where Aboriginal self-government impacts upon areas of federal and provincial constitutional responsibilities, representatives of the Aboriginal peoples, and the federal and provincial governments, should work together to define, by agreement, the implementation of Aboriginal self-government. Aboriginal self-government should not be justiciable in the courts until it is defined by agreement.

Now, Mr. Speaker, we get to that particular aspect, and this is where we're running into problems. It is extremely unfortunate that since we can remember, one of the biggest cop-outs to do with having basic human services available to aboriginal peoples has been the positions taken by the federal and provincial govern-

ments, and the position usually is: it's your responsibility, not mine.

4:20

I don't intend in the short time that we have here to try and resolve the positions. The bottom line is that if we look at what can be achieved, then all this nonsense bickering – and I do mean nonsense bickering – that has been going on for so long perhaps could be eliminated.

We have, for example, day cares. The provincial government does give limited day care support. If you look – and I'm speaking of day care support on reserves – however, there is a limit. What happens in the areas close to here is: if a native person chooses to use a day care on the reserve, they don't get the per diem support that is paid to day cares off reserves. So that person is faced with the problem of instead of leaving the child in their home community, say for example at Enoch where there's a very fine day care, they can take the child and place it in Spruce Grove where there is sufficient financial support. What it amounts to is that it's unfair and discriminatory against the fact that the day care of choice is on the reserve, and I would submit to you that in this particular instance there isn't any saving because that same child is being supported only it's being supported away from the community. This does two things. One, it's an unfair imposition on the parent who is hauling the child around. It also goes contrary to what we continually spout off: economic development, helping reserves, and on and on we go. Here's a particular example of where we could very easily, Mr. Speaker, be quite supportive of a good program that helps children and also put a few dollars to circulate within the reserve. Instead we inconvenience the parent and we have those dollars – and I stress again, dollars that would have been paid in any event – circulating off the reserve.

[Mr. Jonson in the Chair]

Then we get into the whole area of education and aboriginal people, and I would say that probably it's just a horrific entanglement of bureaucracies that have perhaps messed up, something that should be scrapped and started all over again. We've got a few federal schools left in Alberta. Nobody seems to want them, but they are still floating around. We've got the federal government downloading – I was going to say onto the provincial government, but that's not quite so – onto the local taxpayer more so in the sense that now they are not assuming responsibility for treaty Indians who choose to live in the city. The costs of those are being borne by the local authorities more and more. We have the locally controlled band operated schools which unfortunately are usually not tied in with any system, so they start to operate in isolation. Support services which they are too small to provide become nonexistent or too expensive. Again I would submit that the federal government generally reneges in the sense that in order to get a local school started on an Indian reserve, there are all sorts of financial incentives; however, once a school is running, you'll find that these incentives are cut back and cut back, and pretty soon they're having problems.

Then we have the provincial government involved in sort of a periphery fashion with native education, not knowing what to do there either. We have quite a few native children in provincial schools. For a lot of them their home bases are the reserves, and they go off the reserve for whatever reasons to attend provincial schools. Then we have the whole large number of now urban native people who are into the city schools. So education is an area that we have to have a good look at.

Social services: always controversial, one more area which the federal government sort of danced their way out of and the province has danced their way into looking after. Nobody has taken a proper approach as to how it's best implemented to each community, and all we're doing is basically running around trying to develop whatever I suppose politically expedient idea is around the corner. There again, the last persons normally to be asked as to what's going on are the people receiving the services, who are the people we're intending to help. I think “intending to help” is quite an important thing. I do believe that a lot of the errors that are made are well intentioned. I certainly wouldn't go and be very critical of the bureaucrats who along the way, other than trying to perhaps in some cases do their own self job creation, were in a way, in their own minds, thinking they might be helping.

This whole business of employment on reserves. Some of the hon. members here have mentioned that in the House quite frequently: the high rates of unemployment on Indian reserves. I think that is a problem that has been given a lot of lip service to but has not been properly addressed. The solution obviously is some forms of economic activity that can and will be maintained so that on reserves, and where it's off reserves, native people can feel comfortable in getting involved and working as productive citizens, because I think that the people who most want to get off the unemployment rolls are the people who are there themselves, and in this case I'm referring to Indian people.

We've alluded to day cares, education, social services. I think Alberta Transportation could play a significant role in how the highways are planned through the reserves and what can be done when they're going through the reserves to encourage economic development on the reserves. That's an area that perhaps has not been looked into very much because of an oversight more than anything else.

So what we have I think, Mr. Speaker, if we acknowledge the inherent right to self-government, would be at least a fresh start at resolving the business of the federal government fighting with the provincial government and the bands not knowing where they fit in. When I speak of the inherent right to self-government I am not for one moment suggesting that anything should be lost in the existing treaties. These are varied across the land. Alberta does have probably one of the better setups for treaties. The majority of Indian people who are supposed to be signed up I suspect have been signed up, but in the rest of Canada it is varied, depending upon which province you go to. But at least if we had a basis, a framework to approach it, and did recognize that the Indian people, the native people do have the right to determine their destiny within of course our constitutional framework, I would be very glad to see it happen.

I also feel that this is one area of the constitutional talks that should not – and I stress should not – be politicized. I was distressed to see the Hon. Jim Horsman refer – he was quoted, and I hope he was quoted in error. It says:

A furious Horsman hints he'll block some native demands.

And he hinted that Alberta will look at blocking other elements in the package, including some of the native demands, that may also require unanimous consent

He was referring to his position on a triple E Senate. I would sincerely hope that the issue to do with natives and self-government and their betterment and their involvement in the relationship with Canadians in our society should not be jeopardized and should not become a political football. I would hope, and I would give him the benefit of the doubt, Mr. Speaker, that that in fact is taken out of context in some way.

4:30

My motion goes on to further “urge the federal government to . . . take steps to resolve all outstanding disputes with the

aboriginal people of Alberta." I would suggest, Mr. Speaker, that the numbers of these disputes are far, far greater than the public realize, and unfortunately a great number of these disputes have, for whatever reasons, been left to simmer, to boil for too long a time. I'll just touch on two or three land claim disputes that I happen to be aware of.

Two of the disputes, or I guess all three, are so easily resolvable that, you know, one has to wonder why they're not. One has to do with the Paul band out at Duffield. Now, some time ago they were duly conned into giving up a chunk of their reserve for the hamlet of Duffield, and if you look on a map, you'll see there's a chunk of the Duffield reserve that is not really theirs. As was the practice in days gone by, when you told Indian bands what would happen, you usually tried to give them as little as possible for as much as possible.

In the case of Duffield, Indian Affairs bought the land, and it was ceded except that they forgot to get title to the streets of the hamlet of Duffield, and now the Paul band owns the streets. The county of Parkland, I guess, or the people living there own the private property, and they can't put in water and sewer because they don't own the land. Now, the Indians are being very co-operative, and I think Chief Walter Rain was just using this particular issue to underscore some of the nonsense that's going on, because I'm sure that the way he has co-operated with the people, he has no intention of being the least bit vindictive towards them. But there are other issues of a bigger nature surrounding the Paul band that I think have to be addressed, and maybe this will be the focus that Chief Rain chooses to bring attention to.

Another area of dispute – and I'm not taking sides of who's right or wrong; I'm saying it's disputed – is the Enoch Indian band and Highway 60, which goes through the middle of the reserve. Alberta Transportation claims they own the whole right-of-way, and they may well have title to it. I suspect that they do. The Enoch Indian band seems to claim that one of the original acquisitions was not quite legal, so although they own a good portion of the right-of-way, the centre of the highway claim still has not been resolved. I know Enoch would like to get that one resolved.

Another claim to do with Enoch is the E.L. Smith power plant, again, as I alluded to earlier, where you had the department of Indian affairs taking land as quickly as they could without due compensation. What they said was that if it's used for a road allowance, they don't have to pay for it. Well, what happened was that these deals were made, somebody forgot to update them, and somebody else made a mistake and put the E.L. Smith power plant on a road allowance. So I suppose the Enoch Indian band has got a good claim to say that they own the land underneath the plant, if not the plant itself. Again I would say that the Enoch people are very reasonable. All they want would be to have recognition of some of the other things along with that and perhaps proper compensation arrived at.

Mr. Speaker, I'm going to close with a brief reference to the Lubicon Lake band's land claim. I think most hon. members would be aware that in 1899, Treaty 8 was signed, a treaty to which the Lubicon band should have been a party, but they weren't on the main waterway and they got missed. In 1973 an order in council recognized them as being a band. Now you had a recognized band in 1973 with no land. In 1978 Bernard Ominayak became the chief, and we all know who that gentleman is. He's been working very, very hard since that time to get what he feels the Lubicon Lake band are duly entitled to. Interestingly enough, right after that, in '78 and '79, you had oil companies begin to operate in that area, and interesting things started to

happen. The method of how the people gained their living changed. For example, they relied heavily on moose, and I believe the number of moose killed before '83-84 was something in the neighbourhood of 200 per year but was down to 19 or 20 in 1983 and '84. You can just imagine the impact that has on the groceries, especially if that was the traditional way you used to feed yourself. During that same period, and I think not by accident, the number of employable people on welfare rose from 10 percent to 90 percent.

Here the provincial government has touted itself as wanting to resolve this, but I think it's only fair to point out that in 1991, as part of the land tenure program, Little Buffalo was declared a provincial hamlet, so then all of a sudden it was excluded out of any federal land claims. In '82 and '83 the Lubicon band asked for injunctions preventing further development on their lands. These were overturned, and the Supreme Court of Canada refused to hear their appeal on it. Then in '84, as most members would be aware, you had the fact-finding mission of the World Council of Churches, which charged genocidal consequences at Little Buffalo. That created a bit of controversy, and as you know, at that time the Official Opposition requested that the Ombudsman look into it. He chose not to. He felt he didn't have the area to investigate it, and he let it slide. At the same time, in '84, band members were told by the province to remove unauthorized fences, corrals, and houses. They were told to apply for provincial leases or purchase some land in order to keep their property there, a direct, vindictive act to run them out.

In 1988 the Daishowa pulp mill was announced, and I think it's significant to note that the forest management agreement gave 11,000 square miles of timber lease to Daishowa, including the 4,000 square miles of land that the Lubicon seemed to claim for themselves as disputed timber. I think very strongly that that was a serious error on the part of this government and a direct insult to any kind of sincerity they might have had with respect to the Lubicons and wanting to help them out. As you know, in '88 there were blockades and whatnot going on around there.

Now, in July of '89 the federal government, in order to split the Lubicons, created the Woodland Cree band. I'm quite distressed to see that this provincial government supported that kind of move, because it did have a direct, negative impact on any kind of land settlement for the Lubicons.

Mr. Speaker, in closing, what I would ask is that all hon. members support this motion, because it would indicate to not only the native people but the people of Alberta and of Canada that this Legislature is sincere in accommodating a very significant portion of our society on an equal basis.

Thank you very much, Mr. Speaker.

MR. ACTING DEPUTY SPEAKER: The Member for Cardston.

4:40

MR. ADY: Thank you, Mr. Speaker. I welcome the opportunity to rise in the Assembly and debate the matter that the hon. Member for Stony Plain has brought before us with his motion. I want to commend him for bringing it. It gives us a really good opportunity to reaffirm Alberta's position with respect to the fair treatment of aboriginal peoples. I think that Alberta's position is quite well outlined in the report that was brought forward by our Select Special Committee on Constitutional Reform. The member has quoted from it extensively. I think it's interesting, and we should keep in mind that it was a unanimous report. I think, though, that we need to remember that the motion tries very hard to address some issues in a simplistic manner. There are two main thrusts to the motion. In essence it says to entrench self-govern-

ment for natives in Canada and settle all the land claims. Well, there's more to it than that. I think we have to step back and look at it and understand that it's not that simple to do. It's a very complex and multidimensional issue, and he's trying to address it in a simplistic manner.

The hon. member speaks of several of the problems that are inherent on reservations in our country, and I grant you they do exist, but let's not be led to believe that all of those problems would be overcome overnight if the aboriginal people of this country were given the opportunity for self-government. It just isn't going to happen that quickly. There's a multitude of things that have to happen to solve those problems, be they with education, unemployment, or the social ills that they may have to cope with in their society.

I would like to mention that he speaks of our province not acting perhaps as it should with aboriginal issues. I have to take issue with that. I don't suppose we've been perfect, but in recent years some great strides have been made by the Alberta government in dealing with some of the concerns and the issues that the aboriginal people have laboured under. I think that we have to remember that the Metis seem to be very pleased with what the Alberta government has done for them. It's not that long ago that the Metis people bestowed on our Premier the Order of the Sash because of the leadership that he has shown in aboriginal issues and in dealing with the Metis settlements in this province and the issues they have brought before the government and for the initiative that this government has taken to resolve them. I believe that that ceremony they bestowed upon our Premier is indicative of their feelings towards our Premier and this government.

Back to the motion, the overtone of urgency within this motion is typical of the caucus on the opposite side of the House. It's the "hurry up and jump on the bandwagon" approach. Everyone today is talking about aboriginal self-government and the issue of the needs of aboriginal people. My colleague's caucus will always be the first to accept idealistic principles, failing to look beyond the moment and the surface. This is what this very simple motion does, and it just doesn't deal in depth with the problem. In Alberta we don't seek the status quo, nor do we want to remain stagnant or react in some haphazard fashion. Alberta doesn't jump on the bandwagon without a moment's hesitation. There has to be careful and thoughtful consideration given to the issue of aboriginal self-government and a resolution of all outstanding land disputes.

Now, I know that people in Alberta and across Canada are anxious that the land disputes be settled, but to settle land disputes is not just to wake up one morning and say, "Okay, we will now give everything that is under land claim." It goes further than that. For the sake of Alberta's aboriginals and in the interests of all Albertans there must be meaningful resolution to the issues of aboriginal self-government, not empty vessels. The constitutional entrenchment of aboriginal self-government as a quick-fix solution will do little to either resolve the constitutional crisis facing us today or to repair the injustice encountered by many of Alberta's aboriginals.

Although the issue of inherent right to self-government for aboriginal nations is neither new nor resolved, it has never encountered such discussion and convention as it has in the past 18 months. Perhaps it will never again have the chance to be in the forefront of constitutional negotiations with the potential to affect the lives of every Canadian in such a direct fashion and with such impact as it presently has. Alberta is not in any way defensive, negative, or wary of this issue of self-government, but there will be no symbolic agreement to aboriginal self-government

until there is a clear definition of the political, economic, and administrative implications of such a step.

Alberta has made real progress in a practical way to accommodate the aspirations of our aboriginal people through legislation, programs, and policies. As a government, through our actions, policies, and programs we have displayed our commitment to the aboriginal nations in Alberta, and we'll continue in our efforts to provide aboriginal people with the opportunity to have the major role in controlling their own affairs and to have control over their own destiny. Albertans have a desire to improve the opportunities available to aboriginals so they are not disadvantaged in our Canadian society, and they believe that aboriginal issues deserve to be addressed as a national priority. As we know, that's going on at the present time at our constitutional discussions.

Our government has increased the control aboriginal people in Alberta have over their day-to-day lives on matters important at the grass-roots level: their education, their child welfare, their policing, their economic development, and on a firm land basis. We've been committed to made-in-Alberta solutions, and we'll continue to work with our aboriginals in the province and with all Albertans to find those solutions. Everyone is a stakeholder in this process, in Alberta and in Canada.

Mr. Speaker, this motion is politely naive to the current round of constitutional talks and to the conclusions made by the Alberta Select Special Committee on Constitutional Reform, conclusions that were made as a result of representation from over 1,800 Albertans. Many of them spoke on the aboriginal issues within Canada and within our province. Albertans support the principle of aboriginal self-government but are asking for a clearer definition of what that entails before such a practice is enshrined in the Constitution. This is neither unrealistic nor an irresponsible position. Rather, it bodes of responsibility and accountability. Since it is critical that aboriginal self-government not be justiciable in the courts until it's defined by agreement, leave us not entrench it and then leave the Supreme Court of Canada to decide what it means and have to live with what they may hand down to us, which we would find ourselves involved with for years to come. Aboriginal self-government has not been defined in these rounds of constitutional negotiations, leaving many questions unanswered. Alberta is not willing to compromise on a solution that is weak and so broad that it places future negotiations and generations in jeopardy.

How, then, can Alberta endorse the immediate constitutional entrenchment of the inherent right to self-government of aboriginal people in Alberta if we have not been given a clear definition of its scope, authority, and powers, much as is outlined in our select committee report? Canada's four aboriginal national organizations have demanded the right to establish their own governments, as they maintain that prior to European settlement they occupied most if not all of Canada and had firmly established orders of government. The aboriginal nations claim that as a result of the European settlement, all or at least most of their land and their inherent right to self-government were taken from them. Albertans do not oppose these claims or desires. Most Canadians would agree that aboriginals find themselves at a disadvantage in Canadian society. However, even though there have been injustices and disadvantages placed on aboriginals, should that require that all provinces commit to an undefined right to aboriginal self-government out of hand, to just make the declaration? Perhaps for the satisfaction of a resolution now, it would be acceptable, but is that necessarily a fair, equitable, and meaningful solution for the aboriginal nations themselves? Albertans and all Canadians have a part to play.

4:50

As a member of the Select Special Committee on Constitutional Reform I had the opportunity to participate in discussions and debates concerning Albertans' views on this issue. We heard from a variety of people who held different perspectives, pursuing an endless array of objectives, yet I was struck by the importance Albertans placed on the resolution of aboriginal issues because there did seem to be an overwhelming initiative to have them resolved. Many Albertans placed aboriginal affairs as a national priority and thought that we should use this round of constitutional discussions to improve and expand upon the relationship between aboriginal and nonaboriginal Canadians. But among other things, most important to me was the conclusion that Albertans supported the inherent right of aboriginal self-government.

I must remind the hon. Member for Stony Plain that the committee's final report, which was unanimously supported by members of all three party caucuses, recommended entrenchment of the right of aboriginal self-government in Canada's Constitution, with two provisions. First, new sovereign nations were not to be created, and secondly, the self-government desired must be defined. It goes on to say that the natives, the aboriginals themselves, should come forth with that definition, and where it impacted on other governments, that should be done jointly with either the federal government or the provincial government.

Mr. Speaker, I continue to refer to the necessity of definition of self-government, as it will remain the centre of attention and an essential piece of the constitutional puzzle. Together with the triple E Senate, the definition of self-government remains a contentious and unresolved matter for Alberta at the constitutional table. Yet Canada, with sufficient provincial support to effect constitutional change, appears to be on the verge of granting self-government status without definition. They also seem prepared to create a third order of government in response to the aboriginal request to be one of the three orders of government in this country.

Mr. Speaker, it is critical that Albertans are made aware of and come to realize the implications and the magnitude of these tentative agreements. This is not a form of municipal government being agreed to; many Canadians and Albertans feel that's the case. Rather, Canada and sufficient provinces without Alberta are agreeing to a much more powerful form of government, a form of government equal at least to the provinces and Canada, and certainly with more authority than either the government of the Northwest Territories or of Yukon Territory. Because the powers of both Canada and its provinces are defined and respectively limited, the self-governing powers being offered to aboriginals may in fact be greater than both. The aboriginal representatives refuse to define the powers of government desired except in the broadest terms. In the end, this will only result in overlap of the already defined limits of the legislative powers of both Canada and all its provinces.

Former Supreme Court of Canada Chief Justice Dickson stated in a recent address in Ottawa that chaos would ensue if Canada's aboriginals obtained self-government without definition. Alberta, led at these latest rounds of negotiations by our Federal and Intergovernmental Affairs minister, Jim Horsman, and by our native affairs minister, Dick Fowler, shares those concerns, along with the province of Newfoundland. But of those provinces at the constitutional table, we are the only two provinces who oppose self-government without definition or limitation.

According to the most recent negotiations, a third order of government is being placed in the Constitution. Aboriginals will become one of those three orders of government, together with the federal government and the provincial government. But one of the

great and the many left unanswered questions is: how many more governments will there be? This most frequent and critical question remains to be resolved. If this was the case, however, in Alberta alone we would have 45 more governments, as there are 45 Indian bands in Alberta. With each band deeming its own nationhood, we can easily see how chaos Justice Dickson referred to will result quite easily and quite quickly.

Self-government is, in itself, not a difficult concept to understand or to accept. However, we most often associate aboriginal self-government with those with the right to have a land base, as is the case with all Indian bands on reserves, or in the case of Metis, on settlements, but the vast majority of aboriginals in Canada are off reserve. In fact, according to a federal study into the impact of Bill C-31, the percentage of reinstated status Indians in Alberta returning to live on their reserves is only 1.4 percent, which is the smallest proportion of any province. We must ask ourselves: how can we have self-government without a land base? As I understand it, Mr. Speaker, it is the intent of Canada and seven supporting provinces to recognize the aboriginal inherent right to self-government on or off a land base. How would one be able to control such an unreasonable number of governments? Alberta must receive a tighter definition of self-government before such a right can be entrenched in the Constitution.

An unlimited number of governments with equal status to Canada and any of its provinces that are empowered to develop new laws in every area for aboriginal people is not the limit that Albertans are seeking. In such a condition, we must stop and ask ourselves: who is going to pay for this? Canadian taxpayers footed a \$4.8 billion bill last year for the federal department of Indian affairs under the present law, and it will not get any cheaper with all four aboriginal groups attaining self-government. I certainly would not contend that the Select Special Committee on Constitutional Reform would accept this form of aboriginal self-government, and I'm confident that Albertans, on the whole, would prefer to see a more focused definition of what is proposed.

Mr. Speaker, I believe the inherent objective of this motion is well intentioned, though simplistic in its presentation and perspective. One cannot simply agree to accept the inherent right to aboriginal self-government without realizing the need for a clearer and more precise definition. On the surface, this issue cannot be anything but supported, but if real, meaningful, and positive long-term effects are to result, there must be closer examination of the implications and consequences of the proposals now on the table in Ottawa.

I also want to note, Mr. Speaker, that the inherent right of self-government is not a key issue with many of Alberta's Indian nations nor of the Indian Association of Alberta. Numerous Alberta chiefs believe that treaties entered into between their people and the Crown are sacred and form the foundation of their relationship with the Canadian government.

With respect to Alberta Indians' relationship with the province, it is many chiefs' belief that agreements can continue to be negotiated where necessary, as has already been done many times between the individual Indian bands and the province. Alberta has taken a leadership role in these areas of aboriginal affairs and has strongly supported at the constitutional conferences those amendments which would serve to interpret the treaties in a broader, fairer manner. There can be no doubt that our natives have suffered in many ways as a result of narrow interpretation of treaties coupled with a paternalistic Indian Act.

5:00

AN HON. MEMBER: Who's paternalistic?

MR. ADY: It's a big word.

But to press the federal government for the immediate adoption of an inherent right to self-government that is not defined in the Constitution within the framework of Canadian federalism by aboriginal people would be irresponsible on the part of the Alberta government. Definition and resolution should not be left up to the decision of the courts. We – the province of Alberta, the federal government, and the aboriginal nations – must pursue the objective to resolve the definition of self-government in a spirit of co-operation and in the interests of a better Canada.

The possible proliferation of hundreds of additional governments in a new form of Canada may not in fact be in the best interests of all Canadians, including our aboriginal peoples. Alberta has continually reminded the federal government of their responsibility to the Indians of Alberta and has picked up the task when the federal government has off-loaded their responsibility to provide services to Albertans in many instances. Alberta wants to ensure that the federal government meets its responsibilities, where we've always been willing to spend the needed money to provide an equal level of service to all Albertans, including aboriginals.

In the case of supporting aboriginal self-government, Alberta is again not opposed to the prospect of increased autonomy for our aboriginal nations. In fact, we've taken a lead role in providing autonomy for the Metis settlements in Alberta and have entered into all rounds of constitutional negotiations, Premiers' conferences, and first ministers' conferences with an open mind to the definition of aboriginal self-government. What we are opposed to is a lack of definition and the bandwagon approach which is being adopted by a number of provinces when dealing with this very serious and complex issue. Whether it be for reasons of provincial pressure or constitutional fatigue, it would seem that some other provinces are simply resolving the issue for the sake of it. In other words, agree to it in principle, and we'll work on the specifics and mechanics of it later. We cannot afford to adopt such a nearsightedness. We cannot approach these constitutional negotiations with a view that we will have an opportunity to visit these issues again next year. We must approach these discussions with some thought as to the consequences of development and implementation of these ideas.

The establishment of new aboriginal governments is a topical, almost trendy phenomenon. People speak of their beliefs in this inherent right of aboriginal self-government, yet in the next breath they will ponder over the question, "What is self-government?" No one can answer in simple black and white terms, not even the aboriginals themselves at this point in time.

The entrenchment of the aboriginal right to self-government is intertwined with the issue of land claims and the jurisdiction of legislative authority. We cannot accept the inherent right to self-government without also dealing with the resolution of land claims and legislative authority. Is it possible to reach an agreement absolutely? Will Alberta compromise its position in order to attain a resolution? That remains to be seen by what is asked and what can be given. However, Alberta will not adopt and support a resolution simply in principle. There is too much at stake in simply accepting a settlement that is devoid of limitations and definitions, without any parameters, and with the wide, sweeping powers as now proposed. Attainment of self-government would be the easy part, without question. Implementation would surely cause chaos and upheaval in our society as we know it today.

An article entitled *Native Self-Government, 1: Closing the Circle*, by Roland Pangowish, summarized the constitutional query in this way:

What needs to be addressed is how First Nations can join with the rest of Canada as full and equal participants, while maintaining

respect and acceptance for First Nation governmental authority over their peoples and territories. This will require true partnership and a spirit of cooperation and mutual respect.

Alberta has maintained a strong and vibrant relationship with the Indian and Metis nations in Alberta. Through mutual co-operation and respect, numerous land claims have been resolved, framework agreements established, and program and service delivery agreements renewed. The Alberta government has always pursued and achieved in the best interests of all Albertans, including aboriginals. We have a proven record of success when dealing with aboriginal issues, due largely to the initiative and leadership of our Premier.

[Mr. Speaker in the Chair]

However, the constitutional negotiations and agreements reached thus far are far from over. As I speak, provincial, aboriginal, and federal representatives are meeting to discuss this very issue. Alberta will continue to push for the recognition and definition of the inherent right of our aboriginal people of Canada to self-government in the Constitution. However, we will not be urging the unconditional and immediate entrenchment of the right to self-government, as this motion suggests.

In closing, Mr. Speaker, I cannot support the passing of this motion. Though it is timely, the motion's simplicity, urgency, and lack of consideration to the views of Albertans does not deem it a motion that would be assented to by the majority of Albertans. Further, Alberta is already sitting at the constitutional table taking every opportunity to reach a compromise for the benefit of all stakeholders. This side of the House understands the complexities of the issue and will continue to work hard to settle it.

Thank you.

MR. SPEAKER: Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. It gives me great pleasure to speak on the motion put forward by my friend, our MLA for Stony Plain. When he finished speaking, I actually thought I'd just get up and give him a pat on the back and sit down, but after hearing the hon. Member for Cardston, if there is a member in this House that's still sitting down, I'd be surprised, because that had to be one of the finest 19th century speeches I've ever heard. You could almost expect the early Christian missionaries, as they approached the shores of North America, coming out with the same sort of material.

Even in his point, Mr. Speaker, where he talked about the trendiness of the aboriginals wanting a self-government without defining it, I can hear Pitt and maybe go back to George III. Can you imagine somebody coming in and talking about those trendy colonialists out there that not only dumped all their bloody tea in the ocean, but they want their own self-government?

MR. SPEAKER: Order.

MR. TAYLOR: Obviously, Mr. Speaker, I don't know why the government Whip picked the member to answer. Actually, maybe the best thing they could do is just print his speech and circulate it.

For instance, inherent self-government. Well, surely, Mr. Speaker, we're all born with the inherent right to self-government, no matter who we are. White, brown, black, whatever colour, whatever religion, we're born with the right to govern ourselves, and we don't have to define what self-government means at the age of six, eight, 18, or 60. This Legislature meets day after day

defining what self-government means and what Canadians want in the social, educational, and economic sphere. We have the same thing going on in Ottawa in the social, economic, and educational sphere continually. Self-government is continual. It's a living organism. It's defined and redefined and defined again. To come out and say, "Well, we approve of it, except that you have to define it": is this a fine, educated white man's way of saying, "No, you're not going to get it"? Because nobody can define self-government. I would defy the member to define what he thinks self-government will be in the next 10 or 20 years for the white, superior Anglo-Saxons in southern Alberta. I bet he has no idea. Consequently, to ask the native peoples or anyone else to define what self-government is is ridiculous.

5:10

To quote Justice Dickson, for instance – he said that if you can't define self-government, therefore you can't give it – is to ignore the fact that Justice Berger, another member of that Supreme Court, felt so strongly about it that he quit the judgeship in order to be able to go out and move around Canada and campaign for the inherent right of self-government. Just because one fellow with a long set of legal degrees thinks it's hard to define certainly doesn't mean that it shouldn't be granted.

All we are asking for in inherent right is the right that anybody asks that's born into this world: the right to try to govern themselves. I think anyone who questions that just completely fails to understand the old-fashioned Christian doctrine, Mr. Speaker, of free will. Basically, free will and inherent right to self-government are the same things, I would argue. I don't think it takes Saint Augustine or Thomas Aquinas or anyone else to put that through, but I would get that across to the member, that that is a very, very ancient and accepted right. If you have the doctrine of free will, you have the doctrine of inherent right to self-government. I think it ties together.

The member went on about what a great and wonderful job this government has done. Well, I have as much white hair . . . [some applause] The seals are doing their flippers again. Somebody has brought fish out, Mr. Speaker, again. They always start barking and flapping their flippers, but the fish I'm going to throw them is not too good.

What I want to point out is that this government, for instance, was a government that changed laws retroactively, after they got in in the early '70s, to take rights away from the aboriginal people. I don't think any province did that in Canada. When the oil and gas resources were claimed by the European settlers from Edmonton south to the border, roughly about 65 to 70 percent of the freehold rights by people that came in from 1910 on to 1927, depending if they were from the railroad – they got the mineral title under the ground. But the Metis of northern Alberta, who had every reason to believe and be suspicious and be afraid of the white man's government after what had happened to their land rights in the Red River valley and in northern Saskatchewan because they didn't register the title – but everybody knew they were there – laid claim to the oil and gas rights as the oil and gas moved to the north country. Only here and there, not the whole works, not in the massive way that the southern Albertan European settlers had laid claim to the mineral rights. What did we have? Now, I don't know if you remember that government or not. The Premier of that time passed a law retroactively so that the court case that the Metis had filed against the provincial government – passed a law retroactively that they would not have their mineral rights. So how can this Member for Cardston now come out and brag about what a lovely government this is as far as native rights are concerned? They've got many things wrong with them, from

NovAtel all the way to native rights, but certainly they cannot pose as champions of native rights.

To the credit of the present Premier, he did try to reverse the trend. He has put through the Metis Settlements Act, and these people with a land base are back to where Social Credit had them back in the 1930s and '40s, and they were retrograded, of course, in the '70s when this government came in. This Premier has tried to rectify some of the faults that this government did just before this Premier was in power. You might say, Mr. Speaker, that he is unable to assuage or ease the sense of original sin that must be theirs when they think about their dealings with the aboriginal people.

To go on a bit, they say, for instance, how much they've done on native land claims. Well, Saskatchewan has appointed a commissioner to look at native land claims and has actually solved about three-quarters of their land claims. We in the opposition have repeatedly asked for a native land commissioner in Alberta and have been turned down. Every time the Bill has been proposed, it's been talked out. In other words, there's no real effort by the province to try to solve native land claims, and for a very a good reason: because when we transferred our mineral title, Mr. Speaker, in the late '20s by a government that preceded the Tories by a long way, there was a little clause, a little codicil, a little caveat, whatever you want to say, saying that if anytime in the future lands were granted to the aboriginal peoples, then that mineral title that had been granted to the province by the federal had to come back out and be given to the native people. Hence, we have a government that's very reluctant indeed to make native land claims, because it means quite often that their oil rights will have to go back, too, oil rights that they may have been producing for years, may have sold time and time again and put in their pockets. Now, they're going to be the last to want to give up land claims. [interjection] Yeah, we could have done that too. Yeah, we could have.

MR. SPEAKER: Order please. Through the Chair.

MR. TAYLOR: Then we have the case of hunting rights, Mr. Speaker. It just came up here yesterday in the Legislature. I read the answer from when I asked why the Solicitor General wasn't trying to get together the officers in native affairs and wildlife to work out some system with our natives so they wouldn't be arrested and hassled every time they shot an animal out of season. He comes back and says well, it's really not that we have officers set out.

The Department of the Solicitor General does not enforce the Wildlife Act and the hunting regulations. We have officers set out to do that who are empowered under the Police Act, but if there are incidents involving the Criminal Code, it certainly comes before the police under my jurisdiction.

Well, what do you think is happening? Do you think that natives, when they shoot a deer or an elk, suddenly load it into the pickup and come wandering down to the police station and say, "Arrest me"? No, they don't. It's the Solicitor General's own minions that are out there and that are only obeying the law that this province has put in.

No, I think we have a government, Mr. Speaker, that has lost sight of the fact that our natives were the original people, were a group that we made a treaty with when we settled western Canada. When we made a treaty in western Canada, you've got to remember, there were shades of Custer, there were shades of revolts across the border, and we could smell the gunpowder literally drifting northward across the border. So we made a treaty with these people, and first of all in that treaty, what many people don't

understand, we didn't confine them to reservations. The reservation was their homeland, where they were their own boss and where they owned land in common. They had rights to roam the province, to hunt anywhere they wanted on Crown land, and to live on Crown land. The reservation was just where they were pocketed, where they could put their homes. They could live outside the reserve, they could live on the reserve, and their rights for hunting and fishing and trapping were for the whole province.

That is something we have to get clear. A lot of people have the idea that, oh no, we drew a little pen over in the corner and put a fence around it, opened the gate and shoved them in like a pet pooch, and that's where they stay. It's not. We made the deal that they have this as a homeland that could never be touched, never be sold or anything else, but they are co-citizens with us out and around the rest of the province. Yet we have a Solicitor General that sits there and has his police arresting and bringing before judges people that are exercising their ancient right to make a living, either in trapping or fishing or hunting.

We go on to other areas. The Member for Cardston was quite correct when he said there are now more aboriginal people off the reserves than on the reserves, which is quite right. But that is the challenge of self-government. A lot of people think self-government is a municipal government with a fence out there, a reserve that you go around with a little sign saying, "You're now entering the country of Blackfoot" or the country of Siksika or whatever it is. It's not that, because that is a form of apartheid. If we are going to go for the form of self-government where natives are put in pens or corners of areas and that's where they are supreme, we are no different from South Africa. All we'd have is communes.

What we're talking about is self-government where the natives downtown, the natives in the small towns, the natives on the reserves, or the aboriginal peoples, as they define themselves – and there's certainly quite a great mixture of bloods and mixtures in amongst them. There's a great deal of white blood, if you can call it white. I don't know what is white anymore or what's red or black anymore, but whatever they want to define themselves as. They'll do the defining, but it will be self-government cutting right across the whole base. They'll have the right to education and economic and social rights worked out with us.

It's going to be a difficult job. Don't forget, the hon. members opposite have taken somewhere like – what? – a thousand years? No, it wouldn't be that. If you were Icelandic, you would have a thousand years, but if you're west European, you've really had 500 to 700 years developing government. So now you expect aboriginals to develop overnight a system of self-government that will work in tandem with ours? The different levels we have here, Mr. Speaker, are going to make it very difficult indeed. I go back again. I won't repeat it as often as the hon. Member for Cardston, Mr. Speaker; I see that you are fidgeting. I will say this, though: the inherent right is something every one of us is born with, even you, Mr. Speaker. We all have an inherent right.

I think we've covered this issue enough, so I therefore move that we put the question.

5:20

MR. SPEAKER: Speaking to the motion to put the question?

MR. TAYLOR: Don't you want to vote on it?

MR. SPEAKER: Speaking to the motion.

MR. CARDINAL: Mr. Speaker, I'll speak to the motion.

MR. SPEAKER: You can speak to the motion about putting the question, hon. member.

MR. CARDINAL: Mr. Speaker, along with my colleague from Cardston I'm proud also to be able to stand and debate this motion from this side of the Assembly.

MR. TAYLOR: The motion to put the question: are you in favour of the vote or not?

MR. SPEAKER: Hon. Member for Westlock-Sturgeon, I really don't think it's up to you to give advice to the member, thank you.

MR. TAYLOR: Mr. Speaker, why don't you put the question?

MR. SPEAKER: Because I have someone who believes he's going to speak to the question you just raised.

MR. CARDINAL: Mr. Speaker, I would like to carry on with the debate on this motion.

MR. SPEAKER: That is not the motion before us. The motion before us is to put the question, so it becomes a matter of whether or not you wish to make arguments that the question should now be put or not.

The Minister of Culture and Multiculturalism, on the new motion.

MR. MAIN: Mr. Speaker, I'll speak to the motion raised by the Member for Westlock-Sturgeon, and I'll speak in opposition to that motion because I believe that the matter raised by the Member for Stony Plain is sufficiently important to allow more than just three people to speak to it. By having the question called at this particular hour, we'll preclude the opportunity for members of all three caucuses to continue to participate. I would therefore suggest that perhaps more in order would be for the Member for Westlock-Sturgeon to withdraw his motion, and we could carry on with the Stony Plain motion. If that is not available under the rules, then we could just go ahead and put the question on the Westlock-Sturgeon motion, defeat it, and get on with the Stony Plain motion.

MR. SPEAKER: Okay. There's a call for the question.

SOME HON. MEMBERS: Question.

MR. SPEAKER: All those in favour of the motion to put the question by the Member for Westlock-Sturgeon, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The matter fails.

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

5:30

[Eight minutes having elapsed, the Assembly divided]

For the motion:

Barrett	McEachern	Taylor
Gagnon	Mjolsness	Woloshyn
Gibeault	Roberts	

Betkowski

Black
Bogle
Bradley
Brassard
Cardinal
Clegg
Day
Dinning

Elliott

Fischer
Gesell
Hyland
Isley
Laing, B.
Main
McFarland
Mirosh

Nelson

Paszkowski
Severtson
Shrake
Sparrow
Stewart
Tannas
Thurber
Zarusky

**Speaker's Ruling
Decorum**

MR. SPEAKER: Order. Excuse me, hon. members. When it comes to division, silence is to be kept in the House. According to Standing Order 13 you can only interrupt to make a point of order. This, in this case, belongs to both parts of the House in terms of making comments.

Totals

For - 8

Against - 30

[Motion lost]

Against the motion:

Ady	Drobot	Moore
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[The Assembly adjourned at 5:34 p.m.]