

Legislative Assembly of Alberta

Title: **Wednesday, April 21, 1993**

2:30 p.m.

Date: 93/04/21

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Our prayer is that as used by the Mother of Parliaments since 1659.

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

Amen.

Could I ask you, please, to remain standing for one more moment.

Since the House last sat, one of our former members died. Mr. Ambrose Holowach passed away on February 27, 1993. He represented the constituency of Edmonton-Centre for the Social Credit Party and was first elected in the 1959 general election. He was re-elected in the 1963 and 1967 general elections and served until 1971. In October of 1962 he was appointed Provincial Secretary, and in that office, being a talented concert pianist himself, one of his cabinet duties was to guide cultural development in Alberta. Mr. Holowach also served as a Member of Parliament for Edmonton East, being first elected to the House of Commons in the 1953 general election and re-elected in the 1957 general election.

In a moment of silent prayer let us remember this former member of this House.

Rest eternal grant unto him, O Lord, and let light perpetual shine upon him.

Amen.

head: **Presenting Petitions**

MR. SPEAKER: The Member for Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to be able to table in the Assembly a petition that was circulated amongst the branches of the Royal Canadian Legion, signed by approximately 6,300 Albertans who are members or supporters of the Royal Canadian Legion, calling on the Alberta government to retain senior citizens rental grants and seniors homeowner tax grants.

head: **Notices of Motions**

MR. SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. I wish to give oral notice of the following government motion:

Be it resolved that the Legislative Assembly approve in principle the government's program of fiscal restraint, governmental and administrative reform.

Mr. Speaker, I also wish to give oral notice that I intend to introduce the following Bill: Bill 61, being the Access to Information and Protection of Privacy Act.

MR. JONSON: Mr. Speaker, I wish to give oral notice that I intend to introduce Bill 60, the Alberta School Boards Association Amendment Act, 1993.

MR. ELZINGA: Mr. Speaker, I wish to give oral notice that I intend to introduce the following Bill: Bill 65, being the Government Organization Act.

MR. KOWALSKI: Mr. Speaker, I wish to give oral notice that I intend to introduce the following Bill: Bill 62, being the Members of the Legislative Assembly Pension Plan Amendment Act, 1993.

MR. DINNING: Mr. Speaker, I wish to give oral notice that I intend to introduce the following Bill being Bill 63, the Financial Administration Amendment Act, 1993.

MR. SPEAKER: The hon. Minister of Justice.

MR. FOWLER: Thank you, Mr. Speaker. I wish to give oral notice that I intend to introduce the following Bill: Bill 57, being the Electoral Divisions Amendment Act, 1993.

MR. SPEAKER: The hon. Minister of Advanced Education and Career Development.

MR. ADY: Thank you, Mr. Speaker. I wish to give oral notice that I intend to introduce the following Bill: Bill 58, being the Students Loan Guarantee Amendment Act, 1993.

MR. DAY: Mr. Speaker, I wish to give oral notice that I intend to introduce the following Bill which is Bill 64, being the Safety Codes Amendment Act, 1993.

MRS. B. LAING: Mr. Speaker, I wish to give oral notice that I intend to introduce the following Bill: Bill 59, being the Pacific Western Airlines Amendment Act, 1993.

MR. SPEAKER: The hon. Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. I request leave under Standing Order 30 to move to adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance that being the unusually generous and costly members' pension plan and measures this Assembly can take immediately to affect all members of the 22nd Legislature to bring that plan into line with other public service pension plans.

MR. SPEAKER: Thank you.

An additional Standing Order 30, Edmonton-Meadowlark, followed by Rocky Mountain House.

MR. MITCHELL: Thank you, Mr. Speaker. I wish to advise you that pursuant to Standing Order 30 following question period today, I will move to adjourn the ordinary business of the Assembly to discuss the urgent matter of the need to provide Albertans with sufficient notice in future sales of provincial assets when a portion of those assets is set aside for Albertans, as was the case in the recent sale of the Alberta Energy Company shares.

MR. LUND: Mr. Speaker, at the end of question period under Standing Order 40 it is my intention to seek unanimous consent of the Assembly to approve the following motion:

Be it resolved that the Legislative Assembly of Alberta congratulate Mr. Kurt Browning, of Caroline, Alberta, upon winning his fourth men's world figure skating championship, and be it further resolved that the Speaker of the Legislative Assembly convey this congratulatory message in the usual manner.

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, I wish to file with the Assembly: responses to Motion for a Return 201 and as well to Motion for a Return 238 – I had originally provided the response to 238 in a previous filing, but so as to round the circle, I'm doing it again – further to that, filings pursuant to sections 31(6) and 43(4) of the Legislative Assembly Act for the year ended March 31, 1991; and as well, a report to Albertans authored by the Financial Review Commission, which the Treasurer authorized and commissioned in early January 1993.

head: **Introduction of Special Guests**
2:40

MR. SEVERTSON: Mr. Speaker, it's a pleasure to introduce to you and through you to members of the Assembly Ginny Robblee, librarian for the Innisfail public library. Miss Robblee received the creative librarianship award from the Hon. Dianne Mirosh, Minister of Community Development. She won the award for the rodeo radicals program, which was a five-day activity program for young children during the Innisfail rodeo. Also, Doug Janssen, board chairman, and Shari Walker, now of Two Hills, worked on the award winning project. I'd ask them to rise and receive the warm welcome of the Assembly.

MR. CARDINAL: Mr. Speaker, I'd like to introduce to you and through you eight special guests I met with earlier today. These people are from a northern native community, and they're here to meet with me to initiate major welfare reform packages. The members include John Jacobs, Connie Johnson, Victor Gladue, Barry Schmidt, Basil Manoosa, Roy Cardinal, Simon Cardinal, and Danny Cardinal. They're sitting in the members' gallery. I'd like to ask them to stand up and be recognized by this House.

MRS. MIROSH: Mr. Speaker, I'd like to introduce to you and through you to Members of the Legislative Assembly Mr. and Mrs. Batiuk, of Mundare, Alberta. Mr. John Batiuk served as a Progressive Conservative MLA for the constituency of Vegreville from 1971 until 1986. He is currently the volunteer chairman of the Mundare hospital. I've had the opportunity to tour that hospital as well as the museum in Mundare and commend the people of Mundare for their great work. Mr. Batiuk, I believe, is in the Speaker's gallery. Would you please rise, Mr. and Mrs. Batiuk, to receive the warm greeting from the Members of the Legislative Assembly.

MR. SPEAKER: The Member for Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. I'd like to introduce three special guests who are seated in the public gallery this afternoon: from Calgary is Mrs. Jo Repp, who is a vice-president of the Alberta/Northwest Territories command of the Royal Canadian Legion; from Edmonton, Mr. Wally Franks, who's also a vice-president of the Alberta command; and accompanying them is Lillian Oliver, who's a member of the Royal Canadian Legion branch 264 in Calgary. I'd ask them to rise and receive the warm welcome of all members of the Assembly.

MR. ROSTAD: Mr. Speaker, it's my pleasure to introduce to you and to the Assembly on behalf of the Member for Lethbridge-East 27 French immersion students in grade 8 from the Gilbert Patterson community school in Lethbridge together with their teachers and parents. They're seated in the members' gallery, and I'd ask that they rise and receive the cordial welcome of the Assembly.

MR. MITCHELL: Mr. Speaker, I have the pleasure today to introduce to you and through you to members of the Legislature two classes of schoolchildren from two separate schools, and I would like to assure them that I am introducing them in alphabetical order. I would first like to introduce to the Legislature 31 students from Elmwood school. They are accompanied by their teacher Mrs. Borys and by parent helper Ms Benz. I would ask that they rise in the gallery and receive the welcome of the Members of the Legislative Assembly.

I would also like to introduce to the Legislative Assembly 32 students from St. Martha school. They are accompanied by their teacher Mrs. Jonzon and by parent helpers Mrs. Conroy and Mrs. Schauerte. I would ask that they rise in the gallery and receive the welcome of the Legislative Assembly.

MR. SPEAKER: Hon. members, seated in the Speaker's gallery are two familiar faces to all members, and bodies are attached to the faces. First I'd like to introduce to hon. members Blake McDougall, who has served as our Chief Librarian for 18 years and more recently has served as the assistant deputy minister in the Legislative Assembly. Blake has decided to take his wry sense of humour and go into retirement at the end of the month of June. So, hon. members, I thought on this occasion you might like to join me in giving due recognition to Blake McDougall, who has served us so well. Please rise.

Also in the Speaker's gallery is someone who has resigned recently to do some other creative things. Michael Ritter has served as a Table officer of the Assembly, has served as Chief Parliamentary Counsel, and has been with us for the past six years. His expertise will be sorely missed. He is one of those who was instrumental in helping to win a court case at the Supreme Court of Canada in defence of parliament. I would ask Michael to rise and be recognized by the House.

head: **Ministerial Statements**
Volunteer Week

MR. KOWALSKI: Mr. Speaker, this week we celebrate Alberta's volunteer sector as a most significant part of our societal structure. May I ask this Assembly for their unanimous support in recognizing this week as Volunteer Week in Alberta.

Volunteer Week 1993, celebrated across Canada, is intended to heighten the awareness and the importance of giving to others through volunteer service and commitment. As Albertans we are all proud of our government's commitment to Alberta's volunteers serving in almost every segment of our lives, from the care of the handicapped, community sport coaches, theatre groups, hospital auxiliaries, home and school associations, and provincial level societies to just plain helping your neighbour.

Alberta lottery funded Wild Rose Foundation enhancement funding assisted with celebrating Volunteer Week '93 in 32 Alberta municipalities. Some 1.8 million Albertans have participated and will be participating. This commitment of lottery moneys is helping to make Alberta volunteers the winners they really are.

I encourage this Assembly to continue their support of volunteerism, not only during this very important week but as an important element of community activities year-round.

MR. MARTIN: Mr. Speaker, this is one of the few times that I can agree with the Deputy Premier. Obviously in the Official Opposition we, too, want to celebrate Volunteer Week in 1993. I would say that in our society if we didn't have the work of many, many volunteers, I'm not sure what kind of society we

would have at this particular time. Of course, in complimenting the volunteers, as I said to my constituency association a couple of weeks ago, volunteers get a lot out of participating too, so there's a quid pro quo. Certainly it's a very important part of our society.

I want to stress, though, Mr. Speaker, that there are volunteers that don't want to be volunteers in the areas that they are in, even though they're doing good work. Surely one of the things in this Assembly that we should be working towards is the elimination of food banks and some of the other things that volunteers are involved in, because they don't want to be. They want to work themselves out of that business.

Now, I notice that there are some other things going on, but I will conclude by saying, Mr. Speaker, that these people in the volunteer sector might be a little bit communistic, though, because they work for approximately the same wage. I think we should check into that.

head:

Oral Question Period

MLA Remuneration

MR. MARTIN: Mr. Speaker, recently we've had a lot of bad news. People are reeling all over this province from layoffs. We notice the job losses announced by school boards; 1,200 at AGT, which wasn't supposed to happen when we privatized it, we were promised; 600 at Woodward's; another 40 today at the University of Alberta. Obviously these people and many other Albertans are very concerned about their future. I contrast that with what's going to happen here in this Legislature when we have a number of people retiring either voluntarily or after the next election. There will be generous severance packages and a generous pension package. That will not happen to other ordinary Albertans. As I say, the contrast couldn't be greater. People want some leadership, and they want some fairness coming from this Legislature. My question to the Premier, because it is a very important symbol, is simply this: will the Premier act to reduce the pension benefits payable to MLAs and cabinet ministers who leave this Legislature before or at the next election?

2:50

MR. KLEIN: Mr. Speaker, there was oral notice given relative to pension reform legislation, and I would think that we can deal with all these issues at that particular time.

MR. MARTIN: Mr. Speaker, by the time we debate this Bill, it's going to be too late. I asked this Premier a simple question: is he prepared to say no to the people that are going to get a generous handshake, the people that brought us NovAtel and all the rest of the mismanagement? Is he going to say no to double-dipping now? Is he going to say no to lucrative pensions? Is he going to say no to the severance package right now?

MR. KLEIN: Mr. Speaker, if the hon. member is talking about the severance package that was offered to members of the public service, I'm astounded that he would be raising this issue, because it is the intention and really the tone of the ND opposition to do what we have done so well and that is to treat our public service employees with compassion and to show them dignity and respect. Rather than going in and using the brutal way, as suggested by the leader of the Liberal Party, we said that we were going to do it in the orderly way. Believe me, I'm pleased with the take-up of this package: voluntary severance, early retirement, job sharing, and so on. These are the good ways and the responsible ways of dealing with reducing the size of government.

MR. MARTIN: Well, I can understand why the Premier doesn't want to answer the question, Mr. Speaker, because this is a big political embarrassment. We've made changes to the public service pensions. That's okay; they can do that in this Legislature. What I'm talking about – and I'll make it simple. Is he prepared to cut the MLA's pensions? Is he prepared to cut the severance package? Is he prepared to do this right now in this Legislature before the next election so these people that brought us NovAtel don't get a golden handshake? Is he prepared to do that?

MR. KLEIN: Well, Mr. Speaker, the Legislature will make that decision, and the hon. leader of the ND opposition will be part of that process. [interjections]

MR. SPEAKER: Order. [interjections] Order.

MR. KLEIN: Thank you.

I can mention again that we have given oral notice today that we will bring in legislation that conforms with the recommendations of the Peat Marwick report. When all is said and done and providing it's not held up through needless opposition debate, those reforms will bring MLA pensions in line with public-sector pensions and will end the situation of double-dipping.

MR. SPEAKER: Second main question.

MR. MARTIN: Sometimes the new management makes the old management look good.

MR. SPEAKER: It's the second main question.

MR. MARTIN: Mr. Speaker, he will not answer the question. Clearly those people are going to get a golden handshake as they walk away.

MR. SPEAKER: Order please. Second main question. Thank you.

MR. MARTIN: Mr. Speaker, if we'd get some answers around here, then maybe we could do it.

Provincial Fiscal Policies

MR. MARTIN: Let's go into the second area, Mr. Speaker. We have a province, led by this government, that is frankly in financial disarray. The government's own Financial Review Commission reported that this government was hiding the true size of the deficit, something we on this side have been saying for a long period of time. It also pointed out that the government has no central administrative control or management. In a recent report the International Monetary Fund said that the deficits of a number of provinces, including Alberta, have reached unsustainable levels. The mismanagement continues. We see that by the first set of questions. Now we see that under new management they do the same old irresponsible things. We have a \$4.5 billion special warrant that passes with no accountability for spending in this Legislature. My question is simply this: how can the Premier justify this totally irresponsible method of dealing with the finances of the province?

MR. KLEIN: Well, Mr. Speaker, I don't think it was irresponsible to obtain the voluntary services of a highly respected individual like Marsh Williams, the former CEO and president of what was then Calgary Power, to bring together a team of nine of the

best financial minds in this province to pour through our books and to bring forward an honest accounting of this province's financial picture and then to lay that out.

Moreover, Mr. Speaker, it's not the report itself. It's what we do with the report. I have a document I would gladly table. It's a public document, and this is the government's response to those recommendations. It would be a sin to simply receive that report and put it on the shelf. The financial plan that will be coming before this Legislature will include the government's response and our willingness to accept most, if not all, of those recommendations.

MR. MARTIN: Mr. Speaker, the sin is the way this government handles public business. This government spent \$250,000 to find out what we've been telling them all along. Imagine: a new government that had been around the table had to get some independent people to tell us that we had a problem.

Now, the Premier says: well, this is new management. I would remind this Premier that he's been in office since December, and since he's been in office, the deficit has increased by roughly \$1.1 billion, while he glad-hands and sits and does nothing about it. My question to the Premier is simply this: why hasn't he done the responsible thing, explain to this Assembly why there has not been any budget or at least an interim supply Bill to deal with the finances of this province?

MR. KLEIN: There was an appropriation Bill, Mr. Speaker, in the February sitting of the Legislature. If the hon. Leader of the Opposition will just stay tuned, be patient, you will see a budget and a good budget.

MR. MARTIN: Mr. Speaker, we haven't had a budget for over a year and a half. We're not even on interim supply Bills; we're on special warrants. As he sits there and glad-hands and fiddles, the deficit is getting worse. Then we won't have a budget. We'll go into an election. That's the reality. My question to the Treasurer is: how can he allow this government to spin out of control while bankrupting future generations? That's what's happening.

MR. DINNING: Mr. Speaker, I believe the hon. member was in the Assembly in early February when I stood before this Assembly and informed the Assembly that the House would not be sitting before March 31 and that what was required in order to pay for schools and hospitals and running our universities and colleges would require a special warrant and that we would be introducing that special warrant before March 31. There wasn't one single peep out of the opposition members the day that I made it clear that this is what we would do.

Mr. Speaker, the Premier has made it clear that the House will receive a budget on May 6, and you will see a full financial plan when we present that budget.

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

MLA Pensions

MR. DECORE: Thank you, Mr. Speaker. The Association of Alberta Taxpayers has noted what all Albertans are noting, and that is the unhappiness with the MLA pension plan. That association notes one individual in this Assembly who's 44 years of age who was first elected in 1975, and if that individual lives until that individual is 75, that person will access \$3.2 million in pension benefits. No wonder Albertans are mad. My question is

this: will the Premier agree that \$3.2 million in pension benefits for this individual, this example, is grossly extravagant and needs to be scaled back along with others?

MR. KLEIN: Well, I guess, Mr. Speaker, my answer to the hon. leader of the Liberal opposition is the same as the answer I provided to the ND opposition leader, and that is that oral notice has been given to bring forth legislation that will bring MLA pensions more in line with public-sector pensions and certainly in accordance with the independent report that was so widely supported, that report by Peat Marwick.

3:00

MR. DECORE: Mr. Speaker, this issue is going to separate the good guys from the bad guys. This same association of taxpayers says that some 20 individuals will, if they live until age 75, access \$28 million from the public Treasury in pension benefits. Mr. Premier, my question is very simple. Are you defending this? Are you saying that those people are entitled to get \$28 million from the taxpayers of Alberta?

MR. KLEIN: Basically, I'm saying much the same thing as the hon. leader of the Liberal Party. I'd like to quote: but Decore said he wouldn't compel his caucus to stop participating in the pension plan. It's just as rich for you as it is for anyone else, hon. member. I quote: and he said it's unlikely a new pension plan with reduced benefits – which we're going to introduce – could be applied retroactively to longtime MLAs because of legal problems in making the changes. I'm telling you, what we're seeing here for the sake of political expedience is a great big flip, and there's the flop.

MR. DECORE: Mr. Speaker, this is not a funny issue. This is not an issue of humour. This can be turned back legally. My question is this: will the Premier commit today to saying that there will be retroactivity, that everybody in this House that was elected in 1989 will be affected by retroactive legislation and that those benefits will be cut back? Yes or no.

MR. KLEIN: Mr. Speaker, I'm really trying to get this member's position on pensions clear. He says very clearly: it is unlikely a new pension plan with reduced benefits could be applied retroactively. That is your comment. I reiterate again: we have here the biggest flip I've ever seen in political history, and there's the biggest flop.

Senior Citizens Housing

MR. MUSGROVE: Mr. Speaker, my question is to the Minister of Municipal Affairs, and it has to do with housing. The Senior Citizens Advisory Council has been getting an overabundant number of telephone calls daily about the senior citizens renter assistance grant. Now, the last information I had was that this had not been changed, but certainly some people seem to feel that it has. So I would just ask the minister if he could share with the House today whether there's been any recent changes in the renters assistance grant.

DR. WEST: Mr. Speaker, last year in the budget some \$134 million was delivered under the renter assistance and the property tax reduction credit. There will not be a change in this program, and the seniors of this province will continue to benefit from these programs. We can't get into the details of the budget, but I will assure the seniors of this province as well as all Albertans that the

Department of Municipal Affairs will be the leanest machine in this government when we get through the cuts in administrative costs within it. Then at that time we will ask all Albertans and seniors what programs they deem as a priority and to help us in looking to the reduction of budgets in the future.

MR. MUSGROVE: Mr. Speaker, there seems to be a rumour that income testing will be taking place on the benefits to seniors on renters assistance and property tax rebates. At the present time is there any change to bring in income testing?

DR. WEST: Mr. Speaker, the answer to that question is no. There is no change to this program at the present time. I accentuate that again: there is no change to this program at the present time. I appreciate the petition that was brought in and the sensitivity that this has throughout the province. May I reiterate it one more time: the senior citizens will continue to benefit from this program, and there is no direction at the present time to income testing.

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

Environmental Protection and Enhancement Act

MR. McINNIS: Thank you, Mr. Speaker. It's now been almost a year since the Environmental Protection and Enhancement Act was passed by the Legislature and more than three years since the public consultation process began. Today the Minister of Environmental Protection announced that the government is going to take a dive. They're going to wait four more months before they proclaim the legislation, during which time Daishowa gets a new licence, Al-Pac gets an operating licence, Sunpine gets an FMA, the tire burners get permits. I would like to ask the Minister of Environmental Protection why he's decided to break faith with the Albertans who wrote this Act by allowing these projects to sneak through before the proclamation.

MR. EVANS: Thank you very much. Mr. Speaker, I'm delighted to advise this House officially, as I did earlier this afternoon, that the Environmental Protection and Enhancement Act is now proclaimed. It is now proclaimed and will be in force on September 1, 1993. This is an historic day for Albertans. It is a day that we have been working on with Albertans for the past four years to ensure that they have the best environmental legislation in all of Canada and perhaps in North America. We of course have standards under our existing legislation. Those standards are going to be brought into our new legislative package. They are there in the new regulations that will come into effect on September 1. I daresay that if the hon. member will take the time to review both the Act and the regulations, he will have every confidence, as I do and as Albertans do, that this legislation, this regulatory package will rank at the top of the heap in all of Canada and in North America.

MR. McINNIS: Daishowa, Al-Pac, and the others appreciate the delay; let me tell you.

I've got a question for the Premier, because he rode this achievement into the Premier's office. He bragged about procedural fairness, access to information, public participation, all the values in this legislation. Yet the Premier heads a government that continues to delay, delay, delay. Does the Premier not realize that in this case justice delayed is justice denied?

MR. KLEIN: Did I not hear the hon. minister correctly? I thought he just said that this thing has now been proclaimed, this

comprehensive Act. Yes. The hon. Member for Edmonton-Jasper Place is holding up four fingers. I assume that he's indicating four years.

SOME HON. MEMBERS: Four months.

MR. KLEIN: That was four years in the making – that's what the minister said – of meaningful public consultation and tremendous input into developing one of the most comprehensive pieces of environmental legislation anywhere in the country.

MR. SPEAKER: Calgary-Buffalo, followed by Rocky Mountain House.

3:10 Administration of Justice

MR. DICKSON: Thank you, Mr. Speaker. Sir, just three months ago the Member for Camrose was the Attorney General for this province, the man responsible for the administration of justice, the man responsible for the appointment of members of the provincial court. On March 23, 1993, the Member for Camrose wrote to a judge. He was writing on behalf of a man convicted under the Criminal Code of sexual exploitation of a minor. The member recommended a suspended sentence and probation. My question: does the Premier find this action by the former Attorney General of Alberta acceptable?

MR. KLEIN: Mr. Speaker, I'm not aware of the letter, and I would like to see the letter before making comment. I like to deal with these matters in an honest fashion.

MR. DECORE: Answer the question; answer the question.

MR. KLEIN: At least have the decency to provide me with the information prior to making these kinds of things, especially when it's in written form. I think that's shabby.

Speaker's Ruling Decorum

MR. SPEAKER: First off, the Chair would like to remind members that in question period it's not a matter of asking a question, then either yourself or other members of your caucus continuing to harass across the floor by just saying, "Answer the question; answer the question."

Speaker's Ruling Privilege

MR. SPEAKER: The other problem with this matter as raised here: it seems to me that it has certain overtones of possible privilege. The Chair also must muse inwardly as to whether or not this has been brought to the attention of the Ethics Commissioner. The Chair will allow the matter to proceed but cautions the member to use due diligence. [interjections]

Speaker's Ruling Insisting on Answers

MR. SPEAKER: Order please. Hon. Member for Edmonton-Glengarry, that's the fourth time you have yelled across to "answer the question." [interjections] Order. Order on both sides of the House.

In the meantime, your member is standing there with his mouth agape getting ready to ask a question. Perhaps he's waiting for you to stop calling. I don't know.

MR. DECORE: Let's get some answers here.

MR. SPEAKER: Thank you, hon. member. That's five times. Calgary-Buffalo, on your supplementary question.

Administration of Justice
(continued)

MR. DICKSON: Mr. Speaker, my supplementary question is: what steps has the Premier taken to ensure that members of the current Executive Council are not involved in either influencing or attempting to influence members of the courts in this jurisdiction?

MR. KLEIN: Mr. Speaker, members of Executive Council are honourable members – honourable members – and they know what is right and what is wrong. They don't need me to instruct them in this regard. I will have this particular matter investigated now that it has been brought to my attention.

MR. DECORE: It's not right, Ralph; it's not right.

**Speaker's Ruling
Decorum**

MR. SPEAKER: Thank you, hon. member. We don't need your legal judgment on this matter at this time and especially since it's not your order in question period.

The Member for Rocky Mountain House, followed by Edmonton-Calder.

Energy Industry

MR. LUND: Thank you, Mr. Speaker. Many people in the Rocky Mountain House constituency are very dependent on the oil and gas industry. We know that there is a much more optimistic view in the industry within the province now. As a matter of fact, meeting with the oilwell drilling association, we find that they are talking about even a shortage of trained people and a shortage of rigs. However, in the Rocky Mountain House constituency we don't see much of an increase in activity. To the Minister of Energy: could you please outline what it is that the government has done to renew this optimism within this cornerstone industry?

MRS. BLACK: Mr. Speaker, in the last four months I've spent a great deal of time working with the industry to identify some of the issues and concerns. As my top priority on taking on the portfolio, I set out an objective to try and get our industry working back to its full potential as quickly as possible. We have revamped the royalty structure for oil and gas, and we are working very hard presently to come forward with a new simplification in our gas royalty program. This program will be operational at the start of 1994.

We've also worked very hard with the industry to be able to take full advantage of the drilling season. To that extent, our Premier a couple of weeks ago announced an extension of the crude oil holiday, that was to expire March 31 of this year. We are also working with a group of industry players along with our department people to review some of the cumbersome regulations that have been put in place that have been a burden to the industry over the last while.

All this in mind, we feel that with the streamlining within the structure, our industry will realize a benefit of approximately \$25 million on an annual basis.

MR. SPEAKER: Rocky Mountain House, followed by Edmonton-Calder.

MR. LUND: Well, thank you, Mr. Speaker. The Rocky Mountain House constituency has a large reserve of gas, and I'm told that there's room for a lot of expansion there. To the Minister of Energy: what do you see in the future that may spur on some activity in this field?

MRS. BLACK: Again, Mr. Speaker, we're working very closely with the industry, and coupled with the simplification process that we're going through, in particular in the gas area – we feel that there is a tremendous amount of interest in gas.

Also, we're looking at the development this year of new market potentials for gas, in particular into the California region and last year's expansion into Iroquois and to the northeast. The development has been phenomenal. In fact, with the programs that we have put in place, we've been able to see our rig activity very, very high this year. In fact, last week I attended the drilling contractors and drilling engineers association. They are upping their forecast for this year, and it's expected that we will probably drill approximately 6,000 wells in Alberta this year. This is the highest we've had in a number of years.

In addition to that, working with the industry, I've introduced a low-productivity gas pilot project, and that will be coming on stream at the end of three months.

Social Assistance Policy

MS MJOLSNESS: Mr. Speaker, today there was an antipoverty rally on the steps of the Legislature where several very legitimate concerns were raised. These people today are concerned about the unemployment situation in this province, they're concerned about their children going hungry, and they are very concerned about their futures. Recently the Minister of Family and Social Services brought in some welfare reforms. We waited a long time for these reforms, and what did we get? One policy change that he has made is that no longer will people receive any notice that their benefits will be cut off. At one time they were given 30 days' notice. Now they will be given no notice at all. I'd like to ask: can the minister explain to this Assembly how he can claim to understand how difficult it is for families without jobs and on social assistance when he brings in this kind of a punitive policy?

MR. CARDINAL: Thank you very much. Mr. Speaker, I'm a little confused about the ND policies because, number one, the leader of the party wanted a balanced budget, and the second speaker spoke about the forestry industry that employs thousands of people out there, a lot of his constituents, with real jobs, and now the third member wants to make sure we have more welfare and more jobs. If that's their economic policy, it will not work.

In addition, Mr. Speaker, I have a press release here that says that the member herself agrees with many of the intentions of the strategy. I just want to tell you that no one who is needy will suffer from these strategies. It's a matter of utilizing dollars in the proper places. The three-year welfare reforms are approved in principle, which means we can be innovative in the next three years. I would challenge the member and the Liberals also to file their welfare reforms, which we can use so we can have a good system in Alberta.

MS MJOLSNESS: Well, Mr. Speaker, I don't see how you can call cutting people off without any notice an innovative idea. To me it's a punitive idea.

Mr. Speaker, another change that this minister has made is that people in their 50s and early 60s will now have to apply for their CPP benefits early. Many of them are on social assistance

because of job loss and health reasons. I'd like to ask this minister: given that these people deserve these pensions when they reach 65, how can he justify forcing them to access their CPP benefits early when we take a look at all the MLAs that are accessing their pensions? Why does he feel that he has to pick on people that are living in poverty?

MR. CARDINAL: I'd like to advise the hon. member that the plan is, again, a redirection of dollars and making sure that the dollars that are out there are utilized properly. In this particular case, Mr. Speaker, those members – and there are about 2,300 of those members – will be able to get those dollars from the federal government. Now, what we will ensure is that no one – no one – will have less dollars than they have now as when they are 65 years old. They will be supplemented by the Alberta assured income or social assistance, if necessary, to make sure that they continue the high standard of living we have for seniors in Alberta.

3:20

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

Comments by Minister of Community Development

MS M. LAING: Thank you, Mr. Speaker. My questions are to the Premier. The minister responsible for multiculturalism has shocked many Albertans with her ill-informed, irresponsible statements about immigrants to Canada.

Speaker's Ruling Parliamentary Language

MR. SPEAKER: Order. Order, hon. member. The word "irresponsible" is not thrown around in this place, thank you.

MR. McINNIS: Well, that's not unparliamentary.

MR. SPEAKER: Directed at a member it is.
Carry on.

MR. McINNIS: Raising the race issue is irresponsible. [interjections]

MR. SPEAKER: Thank you, hon. members. I think at the moment the Chair recognizes Edmonton-Avonmore, and it's been just brought to her attention. Fussy, fussy.

Comments by Minister of Community Development

(continued)

MS M. LAING: Her comments were inappropriate and dangerous, especially in hard economic times when newcomers to Alberta are being scapegoated for the difficulties people face. Instead of doing her job in multiculturalism, which is to promote equality and fairness for all, she has done just the opposite. Given that this minister does not understand the issues, how does the Premier justify not having her removed from her position as multiculturalism minister?

MR. KLEIN: Mr. Speaker, the hon. minister made certain statements, and she issued an apology, that I thought was very forthright and open. These people over here make mistakes too. They do certainly in the Liberal Party, some very, very basic mistakes, major mistakes as a matter of fact. The minister has apologized, and I have accepted that apology. I would hope that

the good-thinking people of this province would accept that apology.

MS M. LAING: Well, Mr. Speaker, many Albertans in fact supported the Premier's demand for her apology, but apologizing hasn't changed this minister at all. She even admitted that the only reason she did it was because she was forced to by the reaction she received. The point is that this minister on her own didn't know that her comments were grossly inaccurate and unfair, and obviously she doesn't understand. Given that this minister's ill-founded statements have served to wrongfully harden the public mind against people different from themselves, will the Premier now fire her?

MR. KLEIN: Well, no.

Provincial Fiscal Policies

(continued)

MR. MITCHELL: Mr. Speaker, the Financial Review Commission reported that since 1986 this government has run up debts of \$19.8 billion and has left Albertans \$11 billion in the hole. The Premier was in the Tory cabinet for the last four of the seven years that it took to implement this financial collapse. My question is to the Premier. How can the Premier expect Albertans to think that anything has changed since December 7, 1992, when we see him throwing another \$9.3 million at Gainers despite the fact that his Tories have already lost \$2.1 billion on giveaways to business?

MR. KLEIN: Well, I think that we have an interesting challenge for the hon. member. I would offer this challenge to him. Why doesn't he just take his little body out to Gainers, call all the employees together and say, "I want to shut this operation down?" He doesn't have it in him. [interjections] You go with him, Tom.

MR. SIGURDSON: Not bloody likely.

MR. SPEAKER: Appropriate language for the slaughter floor, I assume.
Could we have the supplementary, please?

MR. MITCHELL: The Premier said earlier today, as he's said on a number of occasions: wait for his fiscal plan; we're going to see it. What assurances can the Premier give Albertans that he won't employ the same kind of fiscal planning that saw Calgary's debt increase by two and a half times, from \$400 million to \$1 billion, while he was the mayor of that city?

MR. KLEIN: Well, you know, while I was the mayor of Calgary, I also watched the debt of the city of Edmonton almost triple as well under the capable leadership of the person who's now the leader of the Liberal Party. Nothing has happened. They still have a tremendous problem with their wastewater sewerage. You have to dump raw sewerage into the North Saskatchewan River. They have huge, critical landfill problems in this city that we've had to step into as a government to sort out. All of this under the great and capable leadership of Laurence Decore.

Education Funding

MR. PAYNE: Mr. Speaker, could I suggest, especially for the benefit of our friends in the galleries, that maybe it's time we got back to the business of government? Consistent with that interest I'd like to draw to your attention a very serious inequity problem that we have in Alberta. If I could pick two school jurisdictions,

in one school jurisdiction raising property taxes by one mill can raise \$2,500 per child; in another part of our province that same kind of property taxation generates \$54 per child. That's fiscal inequity.

SOME HON. MEMBERS: Shame, shame.

Speaker's Ruling Cries of "Shame"

MR. SPEAKER: Order please. Other members of the House have been called to order for crying out the word "shame." The Chair does not appreciate hearing it from the government front bench.

Education Funding (continued)

MR. PAYNE: Now, Mr. Speaker, in fairness to the Minister of Education six days ago he did address in part this issue. Members will recall from his announcement that he indicated \$30 million of lottery funds would be directed to some of our less wealthy school boards, sort of a 6/49 band-aid to a very serious problem. In fairness, also, he did describe it as an interim solution. My question today: when is the Minister of Education going to develop a medium- or even a long-term solution to this long-standing problem? [interjections]

MR. SPEAKER: Order please. [interjections] Order. Let's at least have the minister start to get an answer out.

MR. JONSON: Mr. Speaker, the hon. Member for Calgary-Fish Creek has correctly identified a significant move recently made by the government for a one-year lottery dividend to help with this very important issue and problem of fiscal equity, or the inequity among school boards in their ability to raise per pupil moneys from local taxation. It is a firm commitment of the government that we will move towards a long-term solution regarding equity funding in the province. We want to be able to provide 100 percent payment out of the equity formula for the benefit of students and the overall school system of the province. That will be done. There has been definite commitment to look toward a long-term solution for the 1993-94 fiscal year.

MR. PAYNE: Mr. Speaker, as the minister deals with the elements of that equity grant solution, could he clarify for the Assembly just from the point of principle the ratio of urban versus rural school districts involved in this equity grant proposal that he's now cooking?

MR. JONSON: Mr. Speaker, a very important aspect of the equity payment is that it goes to those school boards that are in need. If you want to use the term, it would be the poorest school boards in the province. That is the whole principle on which equity funding is based, and that is the way the money is directed. However, I would like to note for the hon. member that significant urban centres in this province have benefited from the previous equity grant and the additional moneys this year, such as the city of St. Albert, the city of Red Deer, the increasingly urban area of the Foothills school division. Yes, Mr. Speaker, there are a number of rural school boards that have benefited significantly as well, such as the Lac La Biche school division.

MR. SPEAKER: Calgary-Mountain View, followed by Westlock-Sturgeon.

3:30

Senior Citizens Programs

MR. HAWKESWORTH: Thank you, Mr. Speaker. Seniors are very concerned about cuts to programs, user fees, income testing for the programs they receive. They were especially alarmed last February when the Minister of Municipal Affairs made it clear that he was definitely considering income testing and cuts in benefits. Now, in answer to a previous question earlier today, the minister said that there would be no changes to seniors programs "at the present time . . . at the present time . . . at the present time." He said it three times. How many days, months, or years are covered by the loophole qualification in the minister's phrase "at the present time?"

DR. WEST: Mr. Speaker, I believe I answered a question similar to this just a minute ago. As I say, you have that answer if you look at the Blues.

MR. HAWKESWORTH: Yes, well, we have the answer, but it's highly qualified, Mr. Speaker, and gives seniors no assurance.

Seniors built our country and fought for it. Large numbers of them now live in poverty. Many of them didn't qualify for the Canada pension plan or private pension plans, and most of them in this province make under \$15,000 a year. Yet we see today in Calgary that the board of health is being forced to consider user fees for home care. Edmonton has made reductions. That's going to hit seniors hard. So we're getting mixed messages from this government. To the Premier: what assurance can he give to seniors of Alberta that his administration will not allow cuts, user fees, or income testing for crucial seniors programs in Alberta?

MR. KLEIN: Mr. Speaker, we do have through the seniors' council a mechanism for consultation, and we have undertaken to certainly discuss with the seniors and their organizations any changes to their programs prior to the implementation of those programs.

Perhaps the member who is responsible for that council may wish to elaborate.

MR. MUSGROVE: Mr. Speaker, we hold meetings with seniors groups all over Alberta and certainly invite seniors to meet with us to discuss issues with the senior citizens. We deal with those year-round, and certainly on any issues that'll be changed we will be consulting with them.

MR. SPEAKER: Westlock-Sturgeon.

Alberta Grain Commission

MR. TAYLOR: Thank you, Mr. Speaker. My question is to the minister of agriculture and food production. The Alberta Wheat Pool, one of the largest farm organizations in the province, called for the disbandment of the Alberta Grain Commission, which costs about a quarter million a year. They say it's a vestigial appendage, that it's of no use whatsoever to agriculture. Would the minister be able to inform the House when he will be dissolving the Alberta Grain Commission?

MR. ISLEY: Mr. Speaker, I would be correct I think in saying that in going through our new budgetary process, everything is under review. Let me also add that the Alberta Grain Commission has and continues to play a very important role on behalf of the producers in this province. The continental barley proposal that was just recently studied by the federal government, showing the

potential of an additional \$65 million in income to prairie farmers, was an original proposal of the Alberta Grain Commission.

MR. TAYLOR: Mr. Speaker, the minister has a very strong imagination; I've never seen that in the past. Since the commission has only been kept open to give a job to the former Member for Stettler and the recent Member for Stettler has just resigned, why not close the commission and send the chairman back there and let him fight for his own way?

MR. ISLEY: Mr. Speaker, the hon. Member for Westlock-Sturgeon, again, does not do his research. The commission was not reopened when Brian Downey became the chairman of it. I might point out that Mr. Downey is a part-time chairman of the commission; the commission has no full-time chairman. The commission has been around serving Alberta grain producers and the western grain industry for quite a number of years under a variety of chairpersons.

MR. SPEAKER: Thank you.

Before we go on to deal with standing orders 30 and 40, hon. Member for Edmonton-Whitemud, are your guests still in the House?

Might we have unanimous consent to revert to the introduction of guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

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

MR. WICKMAN: Mr. Speaker, I'd like to introduce to you and through you to the Members of the Legislative Assembly a visitor from Ontario. Myra Thompson, who is in the public gallery, is from the city of Thunder Bay, the resident city of the much respected Leader of the Official Opposition of the Ontario government. I would ask Mrs. Thompson to please stand and receive the warm welcome of this House.

MR. SPEAKER: The Leader of the Opposition, Standing Order 30 request.

head: **Request for Emergency Debate**
MLA Pensions

MR. MARTIN: Yes. Thank you, Mr. Speaker. As mentioned before, I've requested leave to move to adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance, that being the unusually generous and costly members' pension plan and measures this Assembly can take immediately to affect all members of the 22nd Legislature to bring that plan into line with other public service pensions.

Mr. Speaker, in speaking to the urgency of this, I want to suggest to you that the credibility of the whole system here in Alberta is under attack by people. Any of us that have been going door to door talking to Albertans would recognize that this is the major issue. It's tied in, of course, to a lot of insecurity that people are facing in their own lives. They look at 10 years ago: they were better off then than they are now. I mentioned all the layoffs that have occurred recently, and people aren't walking away with severance packages. Now, we've tried to get something that's fair. It doesn't have to just come from the Premier. This

Legislature has to recognize that it is unacceptable the amount of dollars that some people are going to walk away with at this particular time.

Now, the Premier answers that we'll debate this in the Bill, but we can't deal with the retroactivity of dealing with the 22nd Legislature. We clearly have the legal right to do it. I think we have the moral right to listen to what the people of Alberta are saying. They're looking for leadership coming from this Legislature on this very important issue. Now, obviously we can't tell the government what sort of Bills to bring in, but certainly we can bring to the people right here that we think this is important. As I say, the credibility of the whole democratic process in Alberta is under attack because of this, Mr. Speaker. At least, I think we can have an emergency debate. If we wait, this Bill will go through. We will bring amendments in, and it will be passed. Then there'll be an election because it's very difficult to deal with it.

Mr. Speaker, the urgency is – I think it's been made clear by the Premier and, if I may say so, by the Lieutenant Governor, that we're very soon going into an election – that this could end up costing the taxpayers millions of dollars over a period of time. I say to the people in the Legislature that we must listen on this issue if there's going to be any credibility for the democratic process at all. If we want to get rid of some of the cynicism, if we want other people to tighten their belts, if we want to say that we have a fiscal problem, the leadership has to come from here or we have no credibility. How else are you going to get Albertans to get behind some tougher measures that any government may want to bring in if we don't listen to people on this very important issue?

So I say, Mr. Speaker, the issue is that this is a symbol; it's a lightning rod. If we don't at least debate it in this Legislature right away in terms of the retroactivity and not the Bill that may be coming later on, then I don't think we're doing our job as legislators.

So I think there is urgency. I think the credibility of the system itself is under attack. That is the urgency here.

3:40

MR. DECORE: Mr. Speaker, I rise to support the motion. The issue of pensions dogs every MLA at every meeting that every MLA attends. At least, that's my experience, and that's the experience of the caucus members of the Liberal Party. This is an issue that must be dealt with. This is an issue that was dealt with by the Legislature, benefits given by the Legislature. Clearly, the legal opinions show that the matter can be dealt with by the Legislature and scaled back. A mistake has happened. What we need to do is admit the fact that there has been a mistake and take action.

Mr. Speaker, there is immense public interest in this issue, immense desire to have this Assembly deal with it. It's clear from the answers that were given in this Assembly today by the Premier that a key issue, the issue of retroactivity, is not intended to be dealt with, that this matter will not see the scaling back of the major issue that Albertans want dealt with. It's timely and proper, and I think that we have to hear those pleas from Albertans and deal with them accordingly.

Thank you.

MR. KOWALSKI: Mr. Speaker, under Standing Order 30 in the Standing Orders of the Legislative Assembly of Alberta the purpose for waiving the ordinary business of the Assembly is a question of urgency. It's very, very clear under Standing Order 30(2) that Mr. Speaker will rule on the question of urgency of debate. Under Standing Order 30, should Mr. Speaker rule in

favour of an emergency debate, no matter would "entail any decision of the Assembly." In essence, members would be able to participate in the debate, and at 5:30 presumably they would have made their arguments, and nothing further would happen.

This matter is of significant importance not only to the men and women who serve the people of Alberta and who happen to be housed in either the ND caucus or the Liberal caucus but is a matter of considerable importance to those men and women who serve in the government caucus. That is why earlier today the Government House Leader rose and gave oral notice of Bill 62, MLA Pension Plan Amendment Act, 1993. In recent weeks the Government House Leader indicated that it would be the intent of the government to bring forth pension amendments, and it would be the intent, and all hon. members have heard the Premier indicate that it's certainly the hope, that the Legislative Assembly would deal with this matter at this spring session. Now, Mr. Speaker, it is only speculation as to whether or not the Lieutenant Governor is right or wrong. As I already informed the House leader of the ND caucus approximately an hour and fifteen minutes ago, my agenda has us sitting here through to July 7, 1993.

We not only want to introduce a Bill dealing with this matter; the Government House Leader has already given oral notice of the introduction of such a Bill. It'll be our intent to table such a Bill. Once a Bill is tabled, we will have first reading of the Bill. We will have second reading of the Bill, in which all hon. members who will choose to participate can participate for up to 30 minutes. Following that the Bill will move into committee, and all hon. members may participate as often as they want with as many amendments as they want. Then we will move to the third stage.

What I'm trying to point out is that this matter is on the government agenda. It is a matter of considerable concern to all men and women of the Legislative Assembly, but it is not a matter of urgent importance today. Should Mr. Speaker rule in favour of hearing this under 30(2), there would be no decision made today. It is the intent of the government to have a decision made with respect to this particular Bill. We've already given oral notice of it. So, sir, I would ask that the decision be that this is not a matter of urgent debate today on the matter of urgency. We've already planned to deal with it in this session, Mr. Speaker.

MR. SPEAKER: The hon. Member for Edmonton-Norwood, the Leader of the Official Opposition, has indeed given notice pursuant to Standing Order 30, and the requirements of notice were met earlier today, very early in the morning.

The Chair and indeed the entire House are aware that earlier in today's proceedings the hon. Deputy Premier, the Member for Barrhead, gave oral notice of the introduction of Bill 62, Members of the Legislative Assembly Pension Plan Amendment Act. It would seem, therefore, that ample opportunity will be given to all members as the Bill passes through its various stages in the House, especially with second reading being devoted to the debate of the principles of the Bill, and hopefully lots of time made available during committee stage of the Bill. The hon. Member for Edmonton-Norwood had ample opportunity during question period to raise the matter with the Premier and the government and, in fact, made that the substance of his first question of question period. Later, the hon. Member for Edmonton-Glen-garry, the leader of the Liberal Party, also raised the same issue in terms of his questions to the Premier and the government today.

As pointed out by the Government House Leader, under Standing Order 30 one does need to read further down to subsection (6), which reads, "An emergency debate does not entail any decision of the Assembly," and while indeed it may be

very useful for members to be able to vet their opinions, that is the concern here.

Really, what we have here – because the issue was addressed in question period and the fact that the oral notice of the Bill was given and it's the Chair's assumption that the Bill indeed will be introduced tomorrow perhaps or very soon, indeed the motion as brought forward at this time fails to meet the test of urgency under Standing Order 30.

A request under Standing Order 30, Edmonton-Meadowlark.

Sales of Provincial Assets

MR. MITCHELL: Thank you, Mr. Speaker. My Standing Order 30 requests that we adjourn debate to discuss the urgent matter arising out of the manner in which Alberta Energy Company shares were sold over the weekend and the implications of this exercise for fairness to Albertans and for security in the manner in which this government is selling assets of the heritage savings trust fund. As we all know, late last week the Provincial Treasurer announced that the Alberta government would sell off its 36 percent stake in the Alberta Energy Company through a public share offering in order to use the anticipated \$274 million to pay down the provincial debt.

There are two problems with the manner in which this was done, Mr. Speaker. One, only 40 percent of the available shares were set aside specifically for Albertans, and this exception was in effect only from the time of the announcement on Friday, April 16, until 7 a.m. on Monday, April 19. This, we believe, was inadequate notice for those Albertans who did not have access to a stockbroker over the weekend. This includes a significant number of Albertans who would have been interested in purchasing only a small number of shares and who may not be active traders otherwise in the stock market. In essence, we would argue that this shortsighted action excluded average Albertans from having a fair chance to purchase Alberta Energy Company shares.

The second problem, Mr. Speaker, is that the province's stake in Alberta Energy Company was sold without any evidence of a coherent plan for getting the province's spending under control. In the absence of such a plan properly conceived and properly implemented, there exists a profound danger that this initiative is just a quick fix by a desperate government two weeks before an election to grab some money, to pump cash flow into the general revenue fund to make the books look better before they call their election.

The urgency, Mr. Speaker, in our motion comes because of this desperation. We have no way of knowing, but we can certainly anticipate that this government may well bring more assets from the heritage savings trust fund to the table as early perhaps as this Friday afternoon to be sold in some haphazard way that may exclude any number of Albertans from a fair chance to buy the shares and that may simply represent a further quick fix to this government's financial woes.

Why we want to adjourn debate this afternoon to address this issue is to consider two questions: one, ground rules that will ensure fairness for all Albertans in future sales of assets of this nature; two, the need for a very important precondition to be placed on selling the assets of the heritage savings trust fund to pay down the debt. We believe they must be sold to pay down the debt, but Albertans must be given a demonstrated, properly conceived fiscal plan to get spending under control, and they must see that that plan has been effectively implemented.

3:50

All they have seen to this point, Mr. Speaker, is that nothing has changed. If there were change in this government, we wouldn't have seen \$9.3 million into Gainers, we wouldn't have seen \$50

million into Canadian – they had their chance – we wouldn't have seen \$4.5 billion in special warrant spending without legislative approval, we wouldn't have seen five quasi-cabinet positions created with \$24,000 a year and a car for friends of the Premier and supporters of the Premier during his leadership.

Mr. Speaker, these are the reasons why we believe that this issue is of urgent and pressing necessity and deserves the immediate attention of this Legislative Assembly.

MR. DINNING: Well, Mr. Speaker, speaking to Standing Order 30, which is “a matter of urgent public importance,” I'm not convinced that the hon. member has made a case for urgency, given the earlier notice that we have given this afternoon to the Assembly of a number of things: one, that we would be introducing amendments to the Financial Administration Act, and I gave oral notice of our introducing that Bill in the very near future; secondly, as I've done outside of this Assembly, I have confirmed again inside the Assembly today that the government will be bringing forward a full budget on Thursday, May 6. We will in that budget be laying out the government's fiscal plan as well as a four-year plan to eliminate the provincial government's annual deficits. I think that all hon. members will see that in that plan there is a process and an intention to do exactly what the hon. member has called for: get our spending under control; take the advice of the Financial Review Commission, indeed take the advice of all Albertans, that we get our spending in line with our revenues.

Immediately thereafter, Mr. Speaker, there will be opportunities for all members to debate this important motion and, in fact, to be able to make a decision on the kind of motion that the hon. member is bringing forward. There will be 39 days of Committee of Supply debate. I'd just take the advice of the hon. member to the left here. Perish the thought that this Assembly might be sitting through the time that the chuck wagons are rolling in Calgary, but if that's the business that must be done, then the business will be done.

As to urgency, Mr. Speaker, I think we'll have an abundance of opportunity in the very near future to not only discuss this important issue but to make a decision as a Legislative Assembly.

MR. SPEAKER: Once again, as was the case with the Leader of the Official Opposition, the Member for Edmonton-Meadowlark has given appropriate notice under Standing Order 30, and the requirements of notice have been met. This must indeed always be read into the record.

The Chair has sympathy for the difficulties of opposition parties, with the reconvening of the Legislature, of not knowing what specifically would be introduced via oral notice for the Order Paper. That is a bit of a challenge to say the least. One can certainly make educated guesses, and I know that indeed all members of this House are very good at doing that kind of an exercise. Nevertheless in this kind of a situation it would be very difficult for members in opposition caucuses to fully anticipate what would be now in effect for tomorrow's Order Paper.

Having said that, however, the Chair also has had some difficulty with respect to the wording of the request for Standing Order 30 in this case. The Chair has had difficulty in construing the member's request as a matter of urgent public importance when the specific issue of the sale of Alberta Energy shares is an event that has now passed. The Chair also has sympathy for the comments made by the Member for Edmonton-Meadowlark with regard to the degree of notice that was available over a weekend.

However, with the notice given to the Chair by the member, again the Chair can find no specific definition of what is, quote, sufficient notice, close of quote, and is not aware that the govern-

ment has an immediate intention to offer other assets. Therefore, to allow this debate to proceed would be highly speculative with respect to the government's intentions.

Again, as with respect to the matter raised by Edmonton-Norwood, there are indeed opportunities during question period both today and on future occasions for the matter to be raised. The Provincial Treasurer has also pointed out that Bill 63, Financial Administration Amendment Act, was given oral notice today, which, I take it, then gives opportunity for this issue to be raised at the various stages of that Bill.

So accordingly the Chair finds that this motion has not met the test of urgency and therefore will not allow debate to proceed under Standing Order 30.

head: **Motions under Standing Order 40**

MR. SPEAKER: A request under Standing Order 40. The Member for Rocky Mountain House.

World Figure Skating Championship

MR. LUND: Thank you, Mr. Speaker. In speaking to the urgency of the matter, Mr. Kurt Browning won for the fourth time the mens' world figure skating championship on March 11, 1993, in Prague, Czechoslovakia. This is the first opportunity that we've had to bring this before the House, so on the point of timing I would urge that we proceed with this.

MR. SPEAKER: The request is for urgency. Those in favour of allowing the matter to proceed, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried unanimously. Thank you.

Rocky Mountain House.

Moved by Mr. Lund:

Pursuant to Standing Order 40 be it resolved that the Legislative Assembly of Alberta congratulate Mr. Kurt Browning, of Caroline, Alberta, upon winning his fourth men's world figure skating championship, and be it resolved that the Speaker of the Legislative Assembly convey this congratulatory message in his usual manner.

MR. LUND: Thank you, Mr. Speaker. I would like to recognize once again the remarkable accomplishments of this very fine young gentleman. Last month in Prague Kurt Browning skated one of the greatest performances of his career. He held the crowd spellbound and finally emerged as the 1993 world figure skating champion. For most of us to win one world championship would be a tremendous accomplishment, and we would cherish it I'm sure for the rest of our lives.

I encourage you to ponder for a moment and reflect upon the enormity of Kurt's accomplishments. This 26-year-old gentleman from Caroline has won the Canadian championship four times and now the world championship four times. This is an absolutely outstanding accomplishment. Because Kurt is such a consistent performer, I guess we kind of take it for granted that this is what he is going to do. Kurt's accomplishments have come with a great personal discipline and sacrifice, sacrifice on the part of his parents as well, particularly in his younger years as he was training. He's always been very cognizant of the responsibility of someone that is such a celebrity. He has been a role model to tens of thousands of people and continues to take that very positive role even in this current position.

I'm very proud to have such an outstanding individual from the Rocky Mountain House constituency. He's been a tremendous ambassador for the constituency and for Alberta and, for that matter, for our whole nation. Kurt is definitely a winner. He exemplifies many of the common traits that we see in Albertans – strength, courage, discipline, the hard work ethic – and is a perseverer.

It's with tremendous pride that I acknowledge his accomplishments once again today and urge the Assembly to give unanimous consent to this resolution.

Thank you.

4:00

MR. MAIN: I would endorse the Member for Rocky Mountain House's motion today, Mr. Speaker. I appreciate him bringing it forward as the member of the Legislature representing the constituency in which Kurt's birthplace is. I, however, represent an Edmonton constituency, and as a member of the Royal Glenora Club at which Kurt has trained for many, many years and as a friend of Kurt's, I would like to add my words of congratulation as well. Although Kurt has moved to Toronto to continue his training and is training under a different coach and feels perhaps as a Torontonian, I know that those of us who live and reside in Edmonton and those who know Kurt personally will always view him as an Edmontonian, despite the fact that I'm sure my learned colleague from Rocky Mountain House views Kurt as a resident of Caroline.

My most vivid picture of Kurt Browning, an image which makes this fourth world title all the more impressive, is having seen him in the locker room following his back injury prior to the Winter Olympics, when he was bent over looking like an individual who might not walk again, never mind skate, never mind win a world championship. Through diligence, hard work, and with his athletic trainers and his own personal intestinal fortitude, Kurt came back from that debilitating injury, and although his performance at the Olympics was not one that he would want or cherish, it demonstrated an inner courage and an ability on the physical level that I'm sure many of us find incomprehensible. To move from there and go on to recapture his world crown and now to be poised for I am sure a gold medal performance in Lillehammer in the upcoming Winter Olympics is testament to the great contribution this young man has made not only to his own sport but to athletics in general, to our community of Edmonton, to Caroline, to the province of Alberta, and to the nation of Canada.

I urge members to heartily endorse this motion brought forward by the Member for Rocky Mountain House.

MR. SPEAKER: A call for the question?

HON. MEMBERS: Question.

MR. SPEAKER: All those in favour of the motion as proposed by the hon. Member for Rocky Mountain House, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Let the record show the motion carried unanimously.

head: **Orders of the Day**

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

[Mr. Schumacher in the Chair]

MR. CHAIRMAN: Order please. The Committee of the Whole will come to order.

Bill 41
School Amendment Act, 1992

MR. CHAIRMAN: Bill 41 received second reading on June 29, 1992. The Chair would invite the Minister of Education to introduce it to the committee.

MR. JONSON: Mr. Chairman, it's good to be back in the Legislature and to be dealing with this very important piece of legislation. I would like to start off by just mentioning that seated in the members' gallery this afternoon are a number of individuals from my department and a number of individuals representing the interests of Francophone parents and students in the province. They, among many, many other people, have been very instrumental in reviewing this piece of legislation over the past number of months.

Mr. Chairman, you have before you the government amendments to Bill 41. They have been distributed, and I hope all hon. members have a copy. I would like to take a few minutes to provide an overview of the amendments that are being proposed with some reference to the original Bill 41. I hope, Mr. Chairman, that you will allow some latitude in this regard because it is a certain period of time since this was last before the House.

Point of Order
Opportunity for Debate

MR. PASHAK: Mr. Chairman, a point of order.

MR. CHAIRMAN: Order please. The hon. Member for Calgary-Forest Lawn is rising on a point of order.

MR. PASHAK: I hope it's a point of order. It's just that we just received copies of these rather extensive amendments today, and it's very difficult, I think, for us to assess them. Could they not have been provided to us at an earlier date, or is there some way that the minister is prepared to take into consideration the fact that we just received these maybe by giving . . .

MRS. GAGNON: Mr. Chairman.

MR. CHAIRMAN: The hon. Member for Calgary-McKnight on the point of order.

MRS. GAGNON: Yes, thank you, Mr. Chairman. I have the same concern. I doubt that there'll be any problem with the amendments, but they were just given to us about 10 minutes ago. They seem to be quite extensive. I wonder if at the very least the minister could not split the amendments to Bill 41 so that we could deal with them section by section. We have not had time to consult with anyone nor to prepare a response to these suggested amendments.

MR. CHAIRMAN: Order please.

On the point of order. As far as splitting is concerned, I believe it's within the committee's purview how they wish to deal with these amendments, whether they want to deal with them singly or as a package as far as debating and voting on it. So the Chair is certainly in the hands of the committee. There's been a suggestion made that these amendments be dealt with individually. Is there any other point of view on that suggestion?

The hon. minister.

MR. JONSON: Mr. Chairman, on the point of order, the concern raised by the Member for Calgary-Forest Lawn. I can understand his point of view to a degree, but I think that we have to keep in mind that this is the first day of the renewed sitting of this Legislature. There's a certain matter of confidentiality and privilege of this House, and as I understand the rules, amendments to legislation have to be first placed before the House.

I would conclude my remarks just for the moment and refer it back to you, Mr. Chairman, but I would like to be able to give an overview of these amendments. When it comes to more specific debate and the voting on the specific amendments, that is certainly, of course, the will of the committee.

MR. CHAIRMAN: The Chair will wait for further advice from the committee as to how they wish to deal with the amendments. Maybe the committee will have a better idea as to how it wishes to deal with them after hearing the overview and the explanation of what the government has in mind by these amendments by the minister.

The Minister of Education.

MR. JONSON: Thank you, Mr. Chairman, and thank you to the members opposite.

4:10

Debate Continued

MR. JONSON: Mr. Chairman, on June 19, 1992, Bill 41, the School Amendment Act, 1992, was introduced in the Legislature, and it received second reading on June 29. During the second reading debate, many hon. members and certainly members of the opposition expressed the point of view that there had been insufficient time to consider these particular amendments and, perhaps on a more important note, presented the point of view that there had been insufficient consultation on some aspects of the amendments proposed in Bill 41 to the School Act.

Mr. Chairman, to allay these concerns, the then Minister of Education, the Hon. Jim Dinning, agreed to hold over passage of the Bill until the next sitting and, in the interim, to engage in a consultation process to this end. Invitations were sent out to all trustees throughout the province through each of the six Alberta school board associations zones, to private educators in northern and southern Alberta. Meetings were held with representatives of the Alberta Teachers' Association, the Conference of Alberta School Superintendents, and the association of School Business Officials. Invitations to meet were also sent to the Edmonton and Calgary chambers of commerce, the Alberta Urban Municipalities Association, Alberta Association of Municipal Districts and Counties, and the Rural & Improvement Districts Association. There were also two important representative forums: on Bill 41 and on home education.

In addition, we received some 60 or more written submissions from educational stakeholders and over a hundred letters from parents. It became apparent from the written submissions that there was a need to provide additional background information on the reasons for the amendments together with their projected or anticipated outcomes. This, Mr. Chairman, was particularly the case with respect to the formation of regional school divisions under Bill 41. To provide background information, this document, the School Amendment Act, 1992, Bill 41 information package, was developed by the Department of Education and circulated to all school boards, superintendents, and other interested parties. It was also distributed to all trustees, superintendents, and secretary treasurers attending the information sessions.

Mr. Chairman, I take a few minutes to give that overview because the House amendments, the government feels, reflect the

outcome of the consultation process together with some minor redrafting for clarification. The most significant amendment is to the provisions dealing with regional school divisions. Some school boards were concerned that the legislation should be more detailed as to how and under what conditions a regional division would work. There are also additional provisions which accommodate the counties, which allow for electoral subdivisions whereby county councils may appoint from amongst their membership the trustees representing the rural area of the county.

[Mr. Main in the Chair]

Mr. Chairman, you will also note that the proposal that exists in Bill 41 to file the attendance board orders on a confidential basis if the attendance board thought it was in the public interest to do so has been removed. While it was never the intention that confidential filing of orders would be the norm, the provision caused alarm that it may be misused. The attendance board, therefore, asked that it be removed and the government agreed.

Mr. Chairman, before proceeding with reviewing the specific provisions of Bill 41, I would like to address a specific issue which was consistently raised by school trustees throughout the province. Section 6 of Bill 41 permits accredited private schools to supervise home education. However, the extension of supervision to private schools was received by many school boards as a continued erosion of the resident board's relationship with the student. Some school boards are particularly concerned that some willing nonresident boards are engaged in raiding students. Perhaps that is not a clear term, but that is one that is frequently used. Four nonresident boards in the province currently supervise one-third of home education students. The major concern, however, is that when supervision of home education is performed at a distance, the monitoring may be inadequate and the students may not have access to school facilities and services because of the distance. Greater accountability must be imposed when supervision is at a distance. Regulations and policies are being developed to address this.

Therefore, subject to the will of the House, I intend to do the following: delay the proclamation of section 6 of Bill 41; secondly, do a complete review of the regulations, policies, and grants conditions relating to home education; and thirdly, impose specific requirements when supervision is to be carried out by a willing nonresident board or private school. The focus of these amendments will be to ensure that quality education and services are being provided to home educated students together with the appropriate assurance of student progress and evaluation.

Mr. Chairman, a very important aspect, a very important feature of Bill 41 is that relating to Francophone education. Section 23 of the Canadian Charter of Rights and Freedoms guarantees to Francophone parents in Alberta, where numbers warrant, the right to have their children educated in French and, where there are sufficient students, to have that education provided in a French language school. Section 5 of the School Act reflects that guarantee. The School Act, however, does not guarantee to Francophones a distinct right of management and control of French language schools. The matter of whether section 23 includes such a guarantee was the subject of the Mahé case decided by the Supreme Court of Canada on March 15, 1990. If I may, I would like to briefly quote from that judgment. The Supreme Court stated:

The province must enact legislation (and regulations, if necessary) that in all respects is consistent with S.23 of the Charter . . . To date the Legislature of Alberta has failed to discharge its S.23

obligation. It should delay no longer in putting into place the appropriate minority language education scheme.

Mr. Chairman, in the two years following the Supreme Court decision, the government of Alberta has engaged in discussions on the best way to implement the decision. In January 1991 the then minister appointed the French language working group to make recommendations for legislation to implement the Supreme Court decision in a way that suits the Alberta context and Alberta communities. These recommendations culminated in the provisions of Bill 41.

As a reminder for the Assembly, Mr. Chairman, Bill 41 provides the following. The province will be divided into six or seven regions which are geographic areas containing a number of public and separate school districts, divisions, and counties. Francophone regional authorities will operate just as do school boards, in most respects at least. They will have the same powers and responsibilities as a regular school board except for the power to tax or requisition.

Initially three regional authorities will be established: one to serve the Edmonton region, one to serve the north Peace region, and one to serve the St. Paul region. These are areas where there are significant numbers of Francophone parents with section 23 rights. Currently there are eight Francophone schools already in operation in these three regions. All section 23 parents whose children live within a reasonable commuting distance from a Francophone school operated by a regional authority will have the right to send their children to a Francophone school operated by the authority and participate directly in the governance of the Francophone schools in the region by voting for and running for office as a trustee within the region.

In areas of the province where there are only small numbers of Francophone parents, Mr. Chairman, the legislation provides for Francophone co-ordinating councils to be established. Each of the Francophone regions in the province will have a co-ordinating council. These co-ordinating councils will have the responsibility of working with section 23 parents in the region, to advocate on their behalf, to enter into agreements with school boards and regional authorities, and finally to advise regional authorities, school boards, and the minister on any matter related to French language education.

Section 23 parents who live outside of the region served by a Francophone regional authority have a right to access Francophone programs for their children where there are sufficient numbers of students. These programs and schools would be operated by regular school boards. Also they have the right to participate on the Francophone co-ordinating council for the region.

An addition to Bill 41 through House amendment will ensure that the fee formula for Francophone education will apply to boards whose resident students attend Francophone schools and Francophone programs operated by public or separate boards.

In the case of regional authorities, Mr. Chairman, the minister will appoint the first members, but from then on members of a regional authority will be elected. All section 23 parents who have children attending a school operated by a regional authority have the right to vote and run for office with the authority. That means that the registration list for the parents at the school will also become the voters list. All subsequent elections for regional authorities will be done through the same process but at the same time as regular school board elections. For co-ordinating councils the minister will select members to serve on the councils from a list of nominees provided by section 23 parents in the region. A list of nominees will be developed based on an advertised call for nominations.

4:20

Various provisions of the School Act deal with the transfer of teachers' assets and liabilities. These will apply to the transfers from existing school boards to regional authorities. In addition, the House amendments provide for a negotiation process with respect to those assets and, in particular, with respect to their value. If boards and the regional authorities are unable to come to an agreement, the minister has the ability to settle the impasse by order.

Francophone education will be delivered for some time by public and separate school districts in areas where there are no authorities and regional Francophone authorities.

In the matter of another very important area, that of the provision for regional school divisions, Mr. Chairman, the concept of regional school divisions has been very well received throughout the province. During our consultation on Bill 41, the questions asked by trustees and administrators indicate a need to put more detail into the School Act with respect to ensuring that each district remained a distinct ward inside the regional division yet allowing the ward to be divided into electoral subdivisions to ensure representation from areas within the ward. As well, county councils felt it was important to allow representation on behalf of a county by county councillors. The House amendment permits appointment of rural county councillors where the county council has passed a bylaw to that effect. Councillors cannot represent those areas of the county included for educational purposes; i.e., education units. Separate school boards wanted to ensure that if a ward voted to remove itself from a regional division, the minister would be required to re-establish the ward as a separate district within its own school board. Therefore, we propose to change the word "may" to "shall" in section 208.6(4).

Mr. Chairman, as of March 1993 there are 182 school boards in the province: 140 operating and 42 nonoperating. For some time we have heard from many sectors, including, I may add, from the Alberta School Boards Association and the Public School Boards' Association, of the need to reduce the number of school boards. While it's true that the current provisions of the School Act allow the minister to amalgamate school districts, Bill 41 creates an alternative to provincial initiatives with respect to boundaries and provides a means by which two or more local operating jurisdictions can decide to join together voluntarily to form a single governing structure called a regional division board which would be locally elected. The purpose of a regional division board is to improve the education programs and services available to Alberta students and promote cost-effectiveness.

In order to form a regional division board, each member school jurisdiction must pass a bylaw that approves the regional division agreement. The agreement would include plans for electoral representation, dissolution of all boards, and amalgamation of all assets, liabilities, students, and staff. In the case of a county, the county council would pass the bylaw. There would be no board of education appointed in the county. Instead, trustees from the county together with trustees from education units within the county would be eligible to be elected to the regional division of trustees. The House amendment provides that where a county council has passed a bylaw, the county councillors may appoint from their membership trustees to represent the rural part of the county. The board of trustees for the regional division would have all the powers of a school board as stated in the School Act, including the power to requisition the entire assessment of the member jurisdictions. They could consist of public and separate districts, divisions, or counties and need not be contiguous.

A ward system would be established in the agreement by which each district, division, or county would be a ward within the new regional division. Each district, division, or county would come into the regional division as an individual ward. If a public district and a separate district were coterminous, each would be treated as a distinct ward, where the voters in each ward would vote according to residency under the School Act. No district or division or county would be dissolved. Therefore, if a ward which was a separate school district voted to withdraw from a regional division board, the minister would simply re-establish it as a separate school district with its former name and number. The minister by order would form a regional division at the request of the member jurisdictions and dissolve the member school boards. If a county is a member, the Minister of Municipal Affairs would also approve the agreement.

In the order establishing a regional division, the minister would appoint an interim board in accordance with the agreement for the balance of the current term. The interim board would pass a bylaw to establish a ward system in accordance with the regional agreement and provide for a first election. Elections would thereafter be held under the Local Authorities Election Act.

An important additional amendment here: at any time after a minimum of four years following the date of the member jurisdiction's joining the regional division, the electors in the ward could petition the minister for a vote to withdraw from the agreement at the next general election. If in a vote the majority of the voters in a ward chose to withdraw from the regional agreement and return to the former jurisdiction status, the minister would approve a by-election to elect a new board of trustees of the original district or division. In the case of a county, the appointment of councillors and the election of trustees of education units would take place in accordance with the County Act.

Mr. Chairman, Bill 41 addresses a number of other amendments which are essentially housekeeping in nature. I would like to refer members of the committee to the section on independent students, section 1(3). The House amendments contain a provision to ensure that independent students have obligations under the School Act as well as rights; for example, if a board charges a textbook fee, a student who lives independently will be required to pay the fee. Of course, if the student is unable to pay the fee, school boards will still have the ability to waive such a fee.

There's a reference to the definition of "resident student" in the amendment to section 1(1)(p). "Resident student" is redefined to clarify that in order "to have access to an education program" under the Act, an individual must meet the citizenship requirements under section 3(1)(b) as well as the residency requirements under section 27.

Mr. Chairman, referring to section 19(8), the word "immediately" has been added to the phrase "the board shall notify" in order that a board immediately notify parents, and students have the right to have an expulsion reviewed by the minister. In expulsions time is of the essence.

Reference in the amendments is made to "resident students of the Government," and I would refer hon. members of the committee to section 27(6)(a) and (d). Students in the custody of the Solicitor General and who are incarcerated in an institution or group home are resident students of government. Students who are in open custody and placed back in the care of their families will be resident students of their resident board.

Point of Order Clarification

MR. MacDONALD: A point of order.

MR. DEPUTY CHAIRMAN: Point of order, Three Hills.

MR. MacDONALD: Mr. Chairman, I can't find subsection (19) in what we've received here.

MR. DEPUTY CHAIRMAN: Can the minister help the member, as he's hunting here?

MR. JONSON: I think if the hon. member would refer to Bill 41, he would find it. I have endeavoured, Mr. Chairman, as I went through my remarks, to identify the House amendment sections and also refer to some of the other sections in Bill 41 because I was trying to give an overview, first of all, of public discussions that have taken place and also just feature again for the committee, since there's been some passage of time, some of the features of the Bill.

MR. DEPUTY CHAIRMAN: Does the member have a copy of the Bill? We have the Bill and the amendments. Are you all right?

4:30

Debate Continued

MR. JONSON: As well, Mr. Chairman, the words "who resides" have been added to section 27(6)(b) to ensure that students attending a clinic or treatment program at a health care institution but living at home will not be considered as resident students of the government. These two amendments simply reflect the intent of the current Act.

Mr. Chairman, I would like to refer to section 55(3) on the matter of quorum. This amendment is designed to fill what has been referred to as the hole in the road currently. Currently trustees who are married to teachers, for example, are eligible for office but cannot vote on the collective agreement. If a majority of trustees are in this position and the board does not have sufficient trustees for a quorum to approve the collective agreement, by allowing the minister to deem a minority of trustees a quorum, the remaining trustees on the board can complete the collective arrangements. The wording of the amendment would require the board to submit the matter to the minister. It is not a general legislative endorsement of a minority of trustees serving as a quorum.

Mr. Chairman, there's a reference in the amendments to ministerial reviews, section 105(1). Some have interpreted the present wording of this section to mean that the minister must review any matter submitted to him under section 104 and that his only discretion relates to his ability to determine how he will review the issue; that is, the process he will use. The amendment that's in the Bill will simply make it clear that the minister can decide if he will review a matter and what process he will use for the review.

Mr. Chairman, there is the reference to instructional materials fees that I think is in the Bill and which hon. members are aware of.

I'd like to just feature one area of the Bill, Mr. Chairman, that has come under considerable discussion, and this is with respect to nonresident fees, section 32(3). The amendment to section 32 will allow boards to charge students who are not residents of any board in Alberta a fee which reflects full cost recovery to the board. Boards are not eligible for provincial grants for students who are not Alberta residents. Therefore, section 32 will allow a board to charge no tuition fee to its resident students, the net average local cost of the program to a student who is a resident student of another Alberta school board, and the actual cost of

delivering a program to a particular student who is not a resident student of any Alberta board.

With respect to attendance boards, sections 109 and 110, two minor amendments have been made with respect to that particular section.

We have a minor amendment with respect to separate school district formation with respect to petitions and elections.

Mr. Chairman, I would like to conclude by once again, through you, thanking the many individuals that have worked very hard on the review and the suggestions for the improvements to Bill 41 which are, I believe, contained in these amendments. I welcome hon. members' comments and questions.

Chairman's Ruling Sequence of Amendments

MR. DEPUTY CHAIRMAN: Member for Calgary-Forest Lawn, before we proceed, is there agreement on how we're going to deal with these amendments? One by one, as a package, or how do you want to handle these? I'm in the committee's hands here.

MR. PASHAK: I think I'd prefer that we deal with them in sections, and maybe we could deal with the amendments that touch on a complete issue, such as, say, Francophone education, home schooling, consolidation of school boards, or this kind of thing. If we could proceed that way, that would satisfy me.

MR. DEPUTY CHAIRMAN: Calgary-McKnight, do you have any specific thoughts?

MRS. GAGNON: Mr. Chairman, I just wondered, before we get to dealing with the amendments section by section, if the minister would answer a few questions for clarification if that is allowable, if members of the committee agree with that process.

MR. DEPUTY CHAIRMAN: Well, let's deal with the amendments first, and then we'll get to your request.

Mr. Minister, on the amendments, do you have any preferences, or should we just deal with them the way the member of the opposition has suggested? Is that agreeable?

MR. JONSON: No, Mr. Chairman. It's the will of the Assembly.

MR. PASHAK: I propose we begin then, if that's all right, and we'll see how it proceeds, because I understand that you've moved your amendments already.

MR. DEPUTY CHAIRMAN: Okay; we'll deal with them, then, as you've suggested, section by section.

MR. PASHAK: Okay. We may do that, and we'll see how it proceeds.

MR. DEPUTY CHAIRMAN: Is the committee agreed?

HON. MEMBERS: Agreed.

MR. PASHAK: I'd just like to, I suppose, reiterate some of the comments I made.

MR. JONSON: Perhaps I did not make it clear, Mr. Chairman, that I was moving the amendments. Certainly, as I recall, it is always a decision of the committee as to whether they wish to vote on them separately.

MR. DEPUTY CHAIRMAN: Well, I think what we'll do, just for the ease of discussion, is discuss them in sections. When we get to the point of taking a vote, I expect we'll deal with that issue when it arises.

Chairman's Ruling Clarification

MR. DEPUTY CHAIRMAN: Calgary-McKnight was requesting a couple of issues for clarification. Do you have a problem with just taking a couple of minutes to answer those questions?

MR. PASHAK: As long as we don't get into the substance.

MR. DEPUTY CHAIRMAN: Okay. Just for clarification, very briefly, Calgary-McKnight.

MRS. GAGNON: My first question deals with a comment made by the minister towards the end of his remarks dealing with the establishment of separate school boards. He said that there were a couple of minor amendments. I'd like to know what those are and what they mean.

Also, another amendment in the same regard. It's on page 4, section 208.6: a lot of concern by separate school boards about dissolving themselves and then being able to re-establish themselves if the regional or ward plan didn't work out. Could the minister expand a bit on how that is intended to work according to these amendments?

MR. DEPUTY CHAIRMAN: Well, I'm just going to jump in here. From understanding your questions, I think we'll leave those answers until you arrive in the speaking order. They don't sound like they're technical questions. They sound more like issues of substance.

So we'll recognize Calgary-Forest Lawn.

Debate Continued

MR. PASHAK: Thank you, Mr. Chairman. I really feel more like I'm back at second reading of a Bill, because the minister spoke for almost half an hour outlining his amendments. It's almost like a whole new Bill has been brought before us. As I said earlier, we really haven't had a lot of time to study that.

Now, I had a number of concerns with respect to Bill 41 itself as it was presented to us. I tried to listen as carefully as I could to the minister and the remarks that he just made, but as the Chair acknowledged, there's so much background noise inherent sometimes that it was difficult to follow him in all instances. So some of the concerns that I might raise he may have addressed in his remarks, and I hope he will extend some patience if that should be the case.

Getting on to substance, he opened his remarks by saying that he and the minister before him, the hon. Mr. Dinning, had engaged in quite an extensive consultative process, and he mentioned that they'd received 60 or more written submissions. I just talked to a representative a few minutes ago from the Public School Boards' Association who told me that in fact they would be given a response by the minister to concerns that they'd raised with respect to Bill 41. They said that they hadn't received that response, so I guess my first question in a sense is: to what extent, really, was this consultative process in place? How does he then address this concern of the Public School Boards' Association?

Now, the first issue that I'd like to turn to, then, is this whole question of Francophone education, if I may, and if we could deal with that as a particular topic. I just want to make it very, very clear that we support any initiative on the part of the government

to not delay any obligation it has under section 23 of the Charter. There are some concerns about the Francophone section of the Bill, however, that I think I would like to raise, and they are influenced by the presentation by the Public School Boards' Association. Before I say that, when you get an omnibus Bill like this before the Assembly, there are many sections of the Bill that you'd like to support and there are many sections of the Bill that you can't support. I mean, I certainly am very supportive of all the sections on Francophone education, but there are some other sections that I can't support. So I'm put in the difficult position that at some point I may have to actually vote against this legislation although I'm a strong supporter and proponent, in fact, of the government taking moves to satisfy its obligation under section 23, as I've just said.

4:40

Well, the objections here seem to be essentially these, in terms of the way the Bill addresses the Francophone issue, and I'll just quote from the brief by the Public School Boards' Association. They claim:

It is important to make it clear in legislation that a Francophone Education Region is a public school jurisdiction, and a regional authority is a public school authority.

Then they say:

The establishment of a Francophone Education Region is not related to being of either the Protestant or Roman Catholic faith.

So in one jurisdiction you'd only have one Francophone school board, as I understand their concern.

They have proposed a change to 223.1 by adding a clause that would say:

A Francophone Education Region is a public school jurisdiction for the purposes of this Act.

I'd like to know how the minister would address that concern.

Section 223 under the Bill provides for the possibility that certain citizens of Alberta could vote twice, that they could vote both in a public school jurisdiction and also in a Francophone jurisdiction. I think that is unreasonable. I think you should only be able to vote for one school authority once and not twice. I don't know whether the minister dealt with that situation in his amendment or not.

Finally, the third point with respect to Francophone schools has to do with the entitlement that extends under section 23. As I read it, only children of Francophones would be entitled to Francophone education, French language education under this Bill. As I understand it, section 23 of the Charter makes it very, very clear that even if you've received education outside the province in French language schools, you should have that entitlement when you move to another province, such as Alberta. That's also a concern that I believe the Public School Boards' Association has.

So those would be my general concerns with Francophone education. Maybe if we could just deal with that topic, I'd be happy for now.

MR. DEPUTY CHAIRMAN: Mr. Minister, do you want to respond now?

MR. JONSON: I could, Mr. Chairman.

First of all, with respect to the issue raised by the Member for Calgary-Forest Lawn with respect to consultation or discussions with the Alberta Public School Boards' Association, it's my understanding, Mr. Chairman, that representatives of that organization were involved in the forums that I referred to in my remarks. Of course, in terms of the overall invitation to be involved in the review of this particular piece of legislation, they were able to participate. I understand that the executive director

of that association has met with my deputy, the former president met with the former Minister of Education regarding Bill 41, the new president has certainly met with myself, and individual school board members who are members of the Public School Boards' Association have also provided input into the Bill. So I think there has been certainly a significant degree of consultation in that regard.

Mr. Chairman, I'd like to just respond to the question about a Francophone regional board being a public school authority. As I understand the School Act, all school boards in the province coming under the School Act are public school boards. By definition they are all public school boards unless, through the appropriate process in the legislation, designated as a separate school board, so I do not see that that should be too much of an issue. I think it is fairly clear in the way that the Act is presented and has existed for a long time.

Secondly, Mr. Chairman, with respect to the two-vote issue. I know this has been a matter of concern that has been raised because it is certainly a unique situation, but I think that we're dealing with a special effort in this particular section of Bill 41 to provide for the education under the provision of section 23 of the Charter and the various court judgments. I think we should look at what is provided for in Bill 41. The first vote, with respect to the board of the resident school board, is respecting that long-established British tradition of being able to vote for the board, the elected body that spends or directs your taxes. In the second area of representation in voting, we're talking about the management decisions, the policy decisions with respect to the program of that new school political entity.

Finally, with respect to the hon. member's question with respect to Francophone or non-Francophone students attending schools under this section of Bill 41, it is our understanding that it has always been very important in the court judgments that have come down and have to be respected that the integrity, the French nature of this educational program be preserved and protected. Therefore, the amendments are as they are.

MRS. GAGNON: Mr. Chairman, could you clarify: are we seeking clarification of amendments to the Francophone governance issue alone? Are we speaking either in support or in opposition? What exactly is the process that we are taking part in?

MR. DEPUTY CHAIRMAN: I'm sorry; I was engaged in another conversation. I didn't hear your question.

MRS. GAGNON: Could you provide some clarification. Is this the appropriate time to speak for or against the amendments? Are we still seeking clarification from the minister? There was an unusual procedure there where the Member for Calgary-Forest Lawn made some comments and the minister responded before going on to another member of the committee, so I want some clarification of the present process. I am prepared to speak to the Francophone governance issue if it's appropriate now.

MR. DEPUTY CHAIRMAN: You have the floor. You can do pretty much what you want.

MRS. GAGNON: Thank you very much.

MR. DEPUTY CHAIRMAN: Within the bounds of good taste.

MRS. GAGNON: Mr. Chairman, I was dismayed last June, as were a number of Francophone parents, when sections of Bill 41

were not proceeded with as we had hoped that they would be. Our suggestion was that, because of lack of consultation and some problems in certain sections of the Bill, the government should proceed with French school governance as well as with the user-fee section. Had that happened, by this last September of '92 and throughout this year the actual process of setting up these regional boards and these co-ordinating councils could have taken place. By this fall, September '93, it's possible that the parents would have had governance. Now another year will have to go by before this actually takes place.

Having said that, I am very pleased to support wholeheartedly this section of Bill 41. I applaud the government. It's taken them a long, long time. They have been a renegade province with regard to Francophone school governance issues but better late than never. As we know, the purpose of providing for governance by Francophone parents is to stem the tide of assimilation which, as we know, in Alberta is rampant and does threaten the continued existence of the Francophone language and culture. As we know, there are some parents in the province, namely in Lethbridge and Plamondon, that don't even have Francophone programs although they believe that their numbers warrant such programs. There's still some way to go there in order to get co-operation and a willingness by the boards affected to at least admit that in principle they do have a right to programs if not yet to their own schools.

4:50

As the minister stated, a consultative process occurred, with a working group established, needs identified – I think that's very important in any process – and the two-tiered solution was arrived at, which includes a regional board model as well as the co-ordinating councils and also the right to access programs for those who live in areas where numbers do not warrant. It's important to clarify for Albertans that these regional boards would have no taxing authority and that the costs are to be split 50-50 with the federal government. So I believe it is high time that the government proceed with this matter and that this amendment to Bill 41 go forward. I will certainly support it.

I would like to address the concerns of the Public School Boards' Association as well. I also was informed that they felt that having made a presentation to the government, they should have received a response and they did not get a response. However, maybe today is the response and all that they should have expected, that having made a presentation, they could not expect a response to be provided exclusively to themselves.

I want to speak about their issues. The first one is about a Francophone regional board necessarily being a public board. Well, as the minister stated, it is a non-issue because all boards are public boards. The separate and so-called Protestant boards were given birth at the same time in this province, prior to 1905, and they are what I call fraternal twins. So they are public boards. Because the majority of Francophone parents I believe are Roman Catholic, certainly not all but a majority of them, I think at some point in time it will become a bit of an issue as to what kind of philosophy their schools would adhere to. I think that again is something that Francophone parents will have to work out.

Now, as regards voting twice, I don't see it as an issue at all either. In one case they're voting for the board to whom they pay taxes, and in the other case they are voting for those people, their representatives, who would sit as officials on their regional board. So it is not voting twice in the traditional sense of voting twice.

On the third matter, non-Francophones who have been able to attend French first-language schools in other provinces not necessarily being accepted in our Alberta Francophone schools, I

think you will see a variety of responses by the regional boards. But it must be said very clearly that these programs are for French students for whom French is their first language. They have spoken French since they were born. They come to grade 1 or to kindergarten knowing French very well already. If other students arrive who desire French language education but don't have that background, you could not proceed with the same kind of program. You would have to have some type of very strong orientation program provided, which is the case if they have the rights under the Charter even though they don't yet have the skills. But I think we have to make it very clear that for a certain number of students who desire French, the appropriate program for them is immersion, and that in this case the Francophone schools are for those who already speak French and have their rights under the Charter.

Those are my comments on this aspect of the Bill. On the amendments I would like to state again that it is extremely difficult to speak to an omnibus or miscellaneous Bill, because while you might wholeheartedly support some aspects of it, other parts of it are more problematic. When we get to regional divisions, for instance, I would not be prepared to make any comment one way or the other with the amendments that are being suggested because I think we have to do more consultation and listen to boards who will be affected by these amendments.

Having said that, Mr. Chairman, I suggest that we go on to another section of the Bill. Thank you.

MR. PASHAK: I'd like to go on to section 6, I guess it is, under the current Bill. I noted that in his introductory remarks the minister I believe said that he was going to delay the implementation of section 6. Could I just check with him to see if that's correct? I see he's nodded and indicated that. I tried to look through his amendments to see where in his amendments he's made changes to home schooling, and I couldn't find them. I believe he said that he was going to improve the process and this sort of thing. But are these amendments that are actually contained in the list that he dropped today? May I ask the minister that question, first of all?

MR. JONSON: For the benefit of the committee, Mr. Chairman, in an attempt to give a thorough overview of the results of the consultation process, I did refer to the House amendments and also to some deliberations which had taken place with respect to the original provisions of Bill 41. With respect to section 6, I tried to identify for the committee that we do recognize that there have been a number of concerns raised with respect to – perhaps I do not have the right term – the management by school boards of home schooling. Now, this management structure can be handled currently in regulations, but we do need to review those regulations, and I indicated that that review would occur. To allow that process to occur with the proper consultation, we would not move that particular section.

MR. PASHAK: Mr. Chairman, I'd like to then address the issue of section 6 in the proposed Bill. I do have an amendment. If I could ask one of the pages to distribute copies of the amendment, would that be in order? We have on the floor a series of amendments by the minister, but I have a very simple amendment, which is basically to delete section 6, that it be struck out. Could we entertain that amendment at this point in time, and then I'll speak to that issue?

MR. JONSON: If I might comment, Mr. Chairman, I believe it is customary to deal first with government amendments to a Bill, and then of course other amendments are considered.

MR. PASHAK: Well, in that case I would like to discuss section 6 then. I'll have distributed copies of the amendment, but I won't move the amendment until we've finished dealing with the government's amendments.

MR. DEPUTY CHAIRMAN: What is being distributed in the House is for information at this point. You'll then move it at an appropriate portion as we move through this debate.

MR. PASHAK: Right. Correct.

My concerns with section 6, at least as I understand section 6, are basically that it extends the privilege of offering home schooling supervision to private schools. I have some concerns about the whole question of home schooling to begin with that I'd like the minister to address.

A lot depends on what you see as the purpose of education. What's the fundamental reason why students are in school? I think it's probably true – I mean, I would think we'd get a fair level of agreement among all members in this Assembly – that certain basic skills must be developed in students, that they should learn how to read, write, spell, do some mathematics, and things like this. So there is a certain skill function in schooling, but I think there's an essential function to public education, and that is to instill in students a sense of moral or social responsibility, however we define that. It can cut across religious lines. I'm not talking about a particular Christian ethic or a particular Muslim ethic or whatever. I think we'll find in all religions that it's important that we treat our fellow man with some respect and some dignity, and I think public education should reflect that. I fail to see how a student studying on his own or by herself could ever develop a sense of social responsibility, because the only way that you can develop a sense of social responsibility is working in co-operative relationships with other people. Having said that, I guess I'm clearly indicating an opposition to home schooling.

Beyond all of that, in terms of the Bill, just to extend it, there are problems right now with the way that home schooling currently operates. There are situations in this province where a student can register with a board that's 200 miles away from his or her home, and how in the world can you get adequate supervision?

5:00

Again, the Public School Boards' Association has raised a couple of concerns that I think are noteworthy. One has to do with the nature of curriculum and who approves the curriculum for each of these students that are in a home schooling program. The Act says that school boards are responsible, but unless there's a curriculum there that all students that are doing home schooling have to take, how in the world can a board exercise any real supervision, if they don't know what it is that they're supervising or looking for in the programs of these students? If the students are further removed from the locality in which they live and the school board is at some remote distance, that complicates the problem even further. So as a very bare minimum it seems to me the minister should require that if a student is going to engage in home schooling, it should be under the jurisdiction of a board in which that student is resident, and I guess that's the principal issue here that I would like the minister to address.

MRS. GAGNON: Mr. Chairman, I must say that I am happy the minister has decided to delay section 6 in order to provide opportunity for more input and to review the regulations and so on. I mean, I just couldn't support it as it is because I don't think there's enough clarity. However, I would like to say that our

caucus knows that whether we like home schooling or not or whether as individuals we support or do not support that concept, the courts have said that parents have the right to make that decision for their children's education, and not only that; they also have the right to receive funding to provide home schooling. So it is out of our hands unless someone is prepared to start a court challenge.

I also want to say that we recognize that parents are turning to home schooling for a number of reasons, and I guess it provides a challenge to public and separate schools to find out what those reasons are and to see if they can stem the tide, a term I used earlier, by providing alternatives, which seems to be the case. That is what parents are looking for, some alternatives. In many cases parents would still decide for home schooling, and as I said earlier, that is their right.

I want to say, though, that where home schooling currently exists we do advocate, as per the ASBA resolution last fall, strict adherence to established Alberta guidelines, procedures, and standards for registration, delivery, and supervision of home education. We do that because we believe the parents have a role and an obligation, but the government also has an obligation to make sure that students are receiving an education consistent with provincial curriculum.

So those are my remarks there, but I am happy for the delay in implementation of this section of the Bill.

MR. MacDONALD: Mr. Chairman, while I'm sure there are good and sufficient reasons for delay at this point in time, I'd like to remind the House that the children of this province are ultimately the responsibility of the parent and not the responsibility of the state or province. As parents choose those forms of education that they think best for their child, we honour and realize that. Just in the very last little while I've discussed with parents who are home schooling the benefits of the home schooling process and how much better the child is doing at home with one-on-one supervision with a parent who knows and understands that child much better than what a teacher may in a class of 30 or 40. So while we accept the delay, I would hope that in due course and in due time private schools would have that opportunity to give direction to home schooling.

Thank you.

MR. DEPUTY CHAIRMAN: Additional speakers?

MR. PASHAK: Well, getting back to that same point, I know that there was a very esteemed member of the Liberal caucus who for years supported in an entire way public education, and he did so for very good public reasons. The only way that we can produce a society of tolerance and understanding, and sharing, working together, co-operating, and moving towards the future with a sense of purpose and maintaining ideals is to have a strong public school system that's not weakened by the provisions that are contained in this Bill which would extend to private schools the right to take responsibility for students in a home schooling situation.

AN HON. MEMBER: You mean you're opposed to it.

MR. PASHAK: I am opposed to it clearly and unequivocally.

MR. DEPUTY CHAIRMAN: Red Deer-North.

MR. DAY: Thanks, Mr. Chairman. I appreciate the provisions that the minister is making in this particular area. Also, I don't often find myself concurring with a Liberal member, but this is

one of those rare occasions where philosophies seem to coincide and some Liberal thinking seems to swing a little more Conservative. So I appreciate that.

In fact, to me this is a logical extension of the fact that the government can accredit an independent school to perform the very challenging task of educating, therefore obviously recognizing that accreditation and the high quality that goes with it that has been demonstrated in Alberta in our independent schools. It recognizes very clearly the ability to also work with parents in a home school situation, the vast majority of whom are parents who have taken on a high degree of personal responsibility, a high degree of commitment, because this is no easy task, to educate one's children. It's also demonstrated through some pretty significant testing that's been going on now because this movement has been alive and well for well over a decade in North America. The results, too, are pretty encouraging in terms of those who take on this responsibility in a serious way. So to me it's just naturally consistent that parents could be assisted and helped in this area by those who have been accredited in independent schools.

One of the difficulties is that sometimes you run into differences in philosophy between maybe a particular school board and a group of parents. Sometimes those differences in philosophy cloud the actual good work that's being done by a public school board and in a home school situation. Just that difference of philosophy, unfortunately, at times can be enough to obscure the ability that we can have to work together and to assess how education is coming along.

So when you take out the philosophic block as would happen by allowing an accredited independent school to assist in this particular area, you can really move along significantly in advancing the goals of education of this province, which are to see that children do receive a substantial and quality education. In the whole debate that's something that sometimes gets forgotten: people choose different paths to walk down to the same goal; that is, to have educated children. Where actually, whatever part of this issue that people are involved in, whether it's a public school perspective or a separate school perspective – and we heard today about our French language schools – or a home school perspective, sometimes we just need to take a step back and recognize that there's some unanimity here. The desire is to see children educated and to see them be prepared to face the world and to do it with a high degree of excellence. That's actually a common goal of all the different groups. So anything that we can do to facilitate that and accommodate that is praiseworthy, and I appreciate the open approach that's being taken in this area by the minister.

MR. PASHAK: Well, since the Member for Red Deer-North got into the philosophical aspect of this issue, I feel that I must respond in kind. What is happening here in terms of the larger picture is that our society is under a lot of threat by individual values. It's absolutely essential when we come to make moral choices that we make choices which promote and enhance society so that we protect it against their enemies, so that we open up possibilities for the future. In this particular case it's really important that the collective value takes precedence over any individual value. If we're going to have a society that's going to function, cohere, and work in the interest of all of its members, then it's absolutely essential that we improve public education, not weaken it, and we weaken it every time we take money away from public education and make it available to the private school system. So for that reason I still am adamant in my opposition to section 6 of this particular Bill.

5:10

MR. DEPUTY CHAIRMAN: Additional speakers? Rocky Mountain House.

MR. LUND: Thank you, Mr. Chairman. I feel compelled to rise and make a few comments on this amendment. Certainly I believe very strongly in the public system and the separate system as they exist today. However, I also believe that parents should have the right to choose. I also have noticed that within the Rocky constituency we have a number of independent schools. They're doing a very fine job.

When the hon. member mentions taking away money from the public system and putting it in – the fact is that on a per pupil basis the independent schools spend less. So in fact what we are doing, then, is enhancing the opportunity for those that are left in the public system, if we want to expand that argument.

However, I do have some real concerns in the administration of the home schooling program as it currently exists, and I believe we have to tighten up the regulations dramatically. I think what is happening currently, where some jurisdictions 200 miles or more away are responsible for those students – I don't see how they can possibly meet the needs of those students. I think we simply have to change the regulations so that a nonresident board or a private school, whoever is supervising those students, would have to develop a very thorough plan of how they're going to service those students. Things like how often do they have contact with the student, how does the student access things like the gymnasium, library, and those other things that are necessary for a student to develop properly would have to be laid out in the plan. How is that going to be handled?

Certainly I take extreme offence to this idea that somehow the province is paying the jurisdiction responsible for the student, and if there's enough money left over, they can turn around and pay some to the parent. That I find very offensive. I believe that if in fact that's the case, then we are either paying the board too much money or they are not fulfilling their obligations.

So I wholeheartedly support what the minister is proposing in this amendment to the School Act.

MR. PASHAK: Well, on to another topic.

MR. DEPUTY CHAIRMAN: Well, in recognition of the Member for Calgary-Forest Lawn's birthday, we will grant him another opportunity to speak.

AN HON. MEMBER: Twenty-nine.

MR. PASHAK: Twenty-nine; right.

The other issue that I think is significant in the Bill is the question of permitting school boards, where they so agree, to enter into a consolidation. I really think the minister should go beyond this. I think it's important that he gives this perhaps as a signal to school boards throughout the province. In my judgment, at least, he should also say, "Look, if you can't find a way of doing this on your own, be forewarned that I'm going to be prepared to step in here."

I just want to lay a few facts on the table for members. The minister I think said something like 188 boards. I counted a few more than that, 189 boards in total I guess, 50 of which at the time that I did this survey were nonoperating. These boards come into existence and disappear, so it depends on the point of time when you're doing your count. That means that there are 50 boards in the province that have students but no schools. We

tried to estimate the average administrative cost in these school boards by numbers of students. As we did our statistics, we found out that the average administrative cost per student was \$637 for some of the smaller boards, those boards that have fewer than a hundred students, and as boards get larger, those administrative costs drop rather substantially on a per student basis. In fact, if you have more than 50,000 students in your school board, the average administrative cost declines from \$637 to \$226 per student. Provincial average, by the way, is \$291 per student.

Now, we estimated that if we collapsed those boards in some significant way, we could save at least \$10 million, because boards do cost money. Board members do get honorariums. They do attend conferences and this sort of thing. I don't know what an ideal size for a school board is. I had some figures here where I've looked at comparisons across the country. In some provinces the average number of students in a school district is as great as 10,000. In Alberta it's substantially less than that. Consolidation would not only reduce some of these other costs that we're engaged in, but it would also allow for economies of scale.

I think that if we're truly interested in this province in the question of equity – and the minister addressed it earlier today in questions that were put to him during question period. If we're going to get at equity, I don't believe that we can get at it unless we first of all deal with this problem of this enormous number of school boards. I've even talked to a person who did a brief for the Calgary separate school board who assured me that at least separate school boards that are Catholic in the province would have no objection to a significant consolidation. We know what the game is out there. In many instances school boards spring up not to deal with educational issues, but they're the way that municipal taxes are arranged and financed. The only way that you can get access sometimes to the taxes that derive from gas plants that happen to be located in a particular area is to create a new school board. These kinds of financial decisions should not be driving the creation of school boards or preventing the consolidation of school boards.

We really do need to overhaul the whole way in which we collect municipal taxes in this province. I think that's what I would like to see. It's a web of competing, conflicting interests that are really based, ultimately, on everyone trying to protect their own financial interest, not make decisions that are based on sound educational principles. As I understand it, one of the government departments – as a matter of fact, I think it was Economic Development and Trade – engaged in a study of the provincial tax system. You know, we talk about freedom of information. I tried to get access to those documents, and I haven't been able to get them. I don't know what it is that the government's afraid of, but I certainly think that document should be made available and that the government should get into a process of holding hearings and trying to get a real handle on just how we tax machinery and equipment, pipelines, powerlines, and this sort of thing. I know that equity funding is not actually on the table in terms of this Bill, but it's certainly a debate that we're going to have to get into shortly.

MR. DEPUTY CHAIRMAN: Calgary-McKnight.

MRS. GAGNON: Thank you, Mr. Chairman. I will be brief because of the time. I am certainly not prepared to support or even to speak against the amendments to the sections of Bill 41 that deal with regionalization and regional divisions, because I think we will have to study them carefully and see what the impact is.

However, I do want to say that for many years now I have supported amalgamation of like-kind school boards, and I think the Lakeland separate and Lakeland public are wonderful examples of seven school boards in each case which came together under one jurisdiction to provide much more effective and efficient service to parents in a given geographical area. I also want to say that we believe very much in locally elected school boards, so I wouldn't want anyone to get me wrong when I say that I support amalgamation.

5:20

We all know that when Alberta was a young province, small boards sprang up all over the place because the population was so scattered. Today we know that demographics have changed. Four urban school boards educate 60 percent of our students, while many small school boards educate as few as 40 percent of our students. So I think a boundaries review, some kind of regional plan, is definitely necessary, and I would like to see the minister, when he speaks in response to this aspect of the Bill and his amendments, talk about incentives to make regionalization happen. Will it be a carrot? Will it be a stick? Will it be simply left to the political or collective will of the people in a given area? I think it's important to note that constitutional rights to Francophone and separate school education will have to be honoured no matter what the plans are or what the minister determines would be the regulations dealing with regionalization. I know that the minister mentioned some amendments to establishment of separate school boards as being part of this. I need to know what those are.

Also, the minister earlier today gave notice that he would be tabling Bill 60, Alberta School Boards' Association Amendment Act. I'm not sure what that contains, so at this time I'm withholding opinion on the whole matter except to say that we probably do have far too many boards. Amalgamations would be most welcome and would provide, I think, the dollars where they should be, in the classroom, not in administrative structures, not in school board governing structures.

Thank you.

MR. JONSON: Mr. Chairman, I thank the hon. members who have thus far participated for their comments, and I would like to just briefly respond.

First of all, there was some general discussion, Mr. Chairman, as I estimated, with respect to the amendment to the School Act provided for in the original Bill 41 with respect to the provision to allow private schools to supervise home schoolers. While it is good to hear these arguments, I think those basic questions have been dealt with in second reading of Bill 41.

There was one specific item raised however, Mr. Chairman, and it's appropriate that I emphasize that in the ensuing discussion with respect to section 6 of Bill 41 and what is proposed there, many of the concerns that came up relate to the manner in which home schooling is managed or supervised in terms of its operation. This is a matter for the regulations which come under the School Act, and I indicated that it would be our intention, with the passage as intended of Bill 41 as amended, that the proclamation of section 6 would be delayed until such time as there was a revision, review, development of new regulations to address some of these issues.

Secondly, there was some discussion of regionalization of school boards. Mr. Chairman, I certainly appreciate the Member for Calgary-McKnight's concern that she wants more time to study the amendments. I hope that she is referring to the amendments

that were proposed today. The original amendments have been there for some time. Nevertheless, that will obviously occur.

With respect to the overall regionalization of school boards, I think many of these points were raised in second reading debate, but I have recognized and indicated, just as my predecessor and probably my predecessor before that, that we do need to look at cost efficiencies within the system. We do need to look at vehicles and ways of providing for reasonable, educationally sound amalgamation of school boards in some cases. In Bill 41 for our operating school boards in the province is permissive legislation which will allow school boards, hopefully, to consider the merits, which we quite frankly think are there in many cases, of offering better programs, providing for more effective use of budget dollars and so forth in the whole area of education in this province. I recognize the support that members of both opposition parties have indicated for that direction, because it has been a direction and a consideration of the government for some time.

Finally, the Member for Calgary-McKnight referred to a piece of legislation which was put on oral notice today. Once again I would just have to mention to the committee, Mr. Chairman, that it is a piece of legislation and it has to be provided to the whole House at the appropriate time in the appropriate form, and that will be done.

MR. DAY: Mr. Chairman, I do move that the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

MR. MAIN: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. We report progress on Bill 41. I will be tabling copies of all amendments considered by the Committee of the Whole on this day for the official records of the Assembly.

MR. SPEAKER: Does the Assembly concur with the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

Perhaps the Member for Three Hills would be good enough to put on his proper attire for the House.

Government House Leader.

MR. DAY: Mr. Speaker, I would advise the Assembly that tomorrow evening we will be convening to give consideration to Motion 38.

[At 5:29 p.m. the Assembly adjourned to Thursday at 2:30 p.m.]