

Legislative Assembly of Alberta

Title: **Wednesday, April 28, 1993**
Date: 93/04/28

2:30 p.m.

[Mr. Deputy Speaker in the Chair]

head: **Prayers**

MR. DEPUTY SPEAKER: Let us pray.

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

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

Amen.

head: **Presenting Petitions**

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

MR. TAYLOR: Thank you, Mr. Speaker. It is my pleasure to present a petition with 199 signatures on it from Albertans undersigned to petition the Legislative Assembly

to urge the government of Alberta to amend the Highway Traffic Act regulations to allow the towing of trailers and vehicles behind fifth-wheel trailers.

It's to give our vacationers and the people who have fifth wheels the same privilege that Saskatchewanians have of towing their boat or trailer out to the lake on the weekend behind their fifth wheel.

head: **Reading and Receiving Petitions**

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

MR. CHIVERS: Thank you, Mr. Speaker. I would request that the petition I filed the other day regarding the reduction of MLA pensions be now read and received.

CLERK:

We the undersigned residents of Alberta urge the Legislative Assembly to call upon the Government of Alberta, immediately and before the next election, to reduce pension benefits which will be payable to MLAs and Cabinet Ministers leaving office at or before the next election to a level comparable to other pension plans.

head: **Presenting Reports by
Standing and Special Committees**

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

MR. PASHAK: Thank you, Mr. Speaker. It's with a great deal of pleasure that I present the 1992-93 report of the Standing Committee on Public Accounts. The report has already been circulated to members of the Assembly through the Speaker's office.

head: **Notices of Motions**

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

MR. DICKSON: Thank you, Mr. Speaker. I give notice that at the appropriate time this afternoon I will invoke Standing Order 40 and seek the unanimous consent of the Assembly to move

that Bill 354, Members of the Legislative Assembly Pension Reform Act, be brought to the top of the Public Bills and Orders Other than Government Bills and Orders item on the Order Paper so that it can be considered for second reading, pursuant to Standing Order 8(3), on Thursday, April 29, 1993.

head: **Introduction of Bills**

Bill 361

Landlord and Tenant Amendment Act, 1993

MR. CHIVERS: Mr. Speaker, I move for leave to introduce Bill 361, the Landlord and Tenant Amendment Act, 1993.

The Bill provides that landlords will be obliged to maintain their premises in a good state of repair and fit for human habitation during the entirety of the tenancy; will allow a tenant to withhold rent if the obligation to maintain the premises by the landlord has been breached; will enable a group of tenants with a common interest in the application of the parts of the Act that require the landlord maintain the premises to be represented by more than one representative, a class-action provision; will strengthen the responsibility of the tenant to provide a forwarding address; and finally, will expressly expand the jurisdiction of the provincial court to determine equitable remedies so as to settle an issue which is presently a matter of difference amongst the courts.

[Leave granted; Bill 361 read a first time]

head: **Tabling Returns and Reports**

MR. DEPUTY SPEAKER: Pursuant to section 23 of the Conflicts of Interest Act I table four copies of a report from the Ethics Commissioner.

MR. DAY: Mr. Speaker, I'd like to table four copies of reports: the annual report of the Public Service Employee Relations Board, the College of Chiropractors of Alberta annual report, the Psychologists Association of Alberta annual report, and the Certified General Accountants Association of Alberta 1992 annual report.

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

MR. CHIVERS: Thank you, Mr. Speaker. In view of the Premier's comments yesterday that he would be prepared to consider opposition proposals for amendments to Bill 62, I table for the information of the members of the Assembly a series of amendments which will be brought forward by the New Democrats to make provision for the reductions in pensions to be effective March 29, 1989, and applicable to all current and former members of the 22nd Legislature of Alberta.

MR. McFARLAND: Mr. Speaker, it's my pleasure as chairman of the Premier's Council in Support of Alberta Families to table with you today four copies of the report entitled Perspectives on Family Well-being.

head: **Introduction of Special Guests**

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

MR. SIGURDSON: Thank you, Mr. Speaker. It's with a great deal of pleasure today that I introduce to you, sir, and to all hon. Members of the Legislative Assembly 44 visitors some from Balwin junior high school in my constituency and some from St.

Jean Baptiste school in Longueuil, Quebec. They're here to take a look at the activities of the Legislative Assembly. They're accompanied by teachers from Baldwin school Beverley Green and Jean Chamberland and I believe some teachers from St. Jean Baptiste: Lynn Desmarais and André Drapeau. They're seated in the public gallery, and I'd ask that they all rise to receive the traditional welcome of the Legislature.

MR. DEPUTY SPEAKER: The hon. Member for Stony Plain, followed by Bow Valley.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very honoured to introduce two very special people today. The lady is a professor at the University of Alberta and is also a very skilled and talented interpreter and does quite a bit of work when Japanese dignitaries come to this province of ours. I'd like to introduce at this time to the Assembly Masako Miyazaki and her daughter Anne. Would they stand and receive the warm welcome of the Assembly.

MR. MUSGROVE: Mr. Speaker, it's certainly my pleasure today to introduce to you and to the rest of the Assembly 34 students from Rosemary school along with 10 adults which include teachers Tonny Jensen and David Blumell and parents and helpers William Easter, Roselynn Easter, Dorothy Unrau, Jake Unrau, Loreen Forrest, Linda Henderson, Elvira Reddekopp, and Jack Reddekopp. They're seated in the members' gallery, and I would like them to now stand and receive the warm welcome of the Assembly.

MR. MAIN: Mr. Speaker, today in the members' gallery are seven individuals who are studying English as a Second Language, taking adult English in the workplace courses. These seven individuals work just down below the Legislature at the Royal Glenora Club, and they are here today with their teacher Ruby Swanson. I'd ask the entire group to stand and receive the traditional warm welcome of our Assembly.

2:40

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

MR. THURBER: Thank you, Mr. Speaker. It's certainly a pleasure for me to introduce to you and through you to this Assembly today 30 very bright and very polite young students from the Warburg elementary school. They're in the public gallery, and they're accompanied today by Mrs. Gladys Meinczinger, Mrs. Debbie Colby, Mrs. Darlene Heisler, and Mrs. Linda Solberg. I would ask that they rise and receive the warm welcome of this House.

head:

Ministerial Statements

Day of Mourning for Workers

MR. DAY: Mr. Speaker, April 28 is designated by the labour movement across Canada as a day of mourning for workers who have been injured or killed at the workplace. I was honoured to be able to attend a ceremony that recognized this at 11 o'clock this morning on the Legislature grounds put together by the forum for action, a representative group of labour and employee groups who were using that time to officially recognize this occasion. I was representing the government there, and representing the ND caucus was the Member for Edmonton-Belmont.

I'd like to say, Mr. Speaker, that the positive side of the report is that because of the co-operation between labour, industry, and government, we are seeing a decrease in the number of claims and

also in the actual rate of claims. In 1990 there were some 43,000 claims made for injured workers. In 1991 it was 38,000. In 1992 it was 34,000. Our estimations are that '93 will be lower. That means the rate has dropped in 1990 from five per hundred; in 1991 it was 4.4; in 1992 it was down to 3.9. That's the positive side of the report.

Mr. Speaker, the tragic side of the report is that in 1992 the WCB accepted 99 claims related to fatalities at the workplace in Alberta. That is not acceptable to government and is not acceptable to labour or to industry. So the government continues to make the commitment that we will work together with our industry associations, with Alberta occupational health and safety, as it's amalgamated now into Labour. We will work together to continue to see these figures drop.

Today we pause to recognize and remember workers who have been injured and killed, but the answer to seeing continued improvement is that every day of the year together we all recognize the importance of prevention and the importance of safety at the workplace. An accident or a death hurts the person, hurts their family, hurts their friends, and hurts all of us. We must work together in a concerted effort, Mr. Speaker. By 5:30 today, when we adjourn the business of today, 150 more people will have been injured in this province. We must work together in a positive, co-operative way to see this reduced. I commend the labour movement for commemorating this day and for the events it has organized across Canada today.

Thank you, Mr. Speaker.

MR. MARTIN: Well, Mr. Speaker, in response to the ministerial announcement I would congratulate the minister for acknowledging finally. We've been raising this issue. This is a significant day for workers and workers' rights. It certainly is a step in the right direction. The day of mourning for injured workers reminds us that Alberta workers continue to give up their lives and compromise the quality of their lives to build and contribute to our society throughout their labour. The minister did allude to the fact that 150 Albertans are injured on the job every working day. Every year more than 50,000 working Albertans suffer lost time injuries, and most tragically more than a hundred Alberta workers die as a result of a work related injury or illness every year.

Now, the minister alluded to the fact that we have to do better than that, that there has to be continued improvement, Mr. Speaker, and I certainly agree with him. As a result of that, we have some suggestions that we will continue to make to the government. We think it's still regrettable that the government has not mandated joint management and labour worksite health and safety committees in Alberta workplaces, nor have they ensured adequate training in the safe use of equipment and materials, and even worse we're now witnessing, we believe, an erosion of workers' compensation programs so that workers have less eligibility for fair compensation and appropriate rehabilitation when they're injured on the job.

Mr. Speaker, in conclusion, I am gratified again that the minister has brought forward this day, because we think that's a step in the right direction. Now we'll be looking for some concrete measures to improve on the safety record that he talked about.

Thank you, Mr. Speaker.

head:

Oral Question Period

MLA Pensions

MR. MARTIN: Mr. Speaker, we seem to have had a major shift in government policy over the last day. On April 22 the Premier said that a change to MLAs pensions retroactively would . . .

Speaker's Ruling**Anticipation**

MR. DEPUTY SPEAKER: Order please. The Chair regrets to interrupt the Leader of the Opposition, but there has been notice given that Bill 62 is going to be brought before . . .

SOME HON. MEMBERS: No, there hasn't.

MR. DEPUTY SPEAKER: Well, that's what the Chair has been advised.

MR. FOX: This isn't about the Bill anyway, Mr. Speaker.

MR. MARTIN: We're talking about a change in government policy.

MR. DEPUTY SPEAKER: I assumed that you were talking about pension legislation.

MR. MARTIN: Well, there's a change in policy, Mr. Speaker. Let me finish.

MR. DEPUTY SPEAKER: Well, if the questions are about pension legislation, then I would say that it offends the rule of anticipation.

MLA Pensions*(continued)*

MR. MARTIN: Mr. Speaker, first of all, we have not heard definitely that we're going to debate this today, and I'm talking about the general principles of a shift in government policy over the day. I want to quote what the Premier said. He said, "It would violate the fundamental principles of administrative law." The same day he said he couldn't change the pensions because, quote, there's a fundamental issue of fairness here. Certainly not fairness to the taxpayers. On April 23 he said that he couldn't change the pensions because he could be sued by retiring MLAs. Yesterday, not in this Assembly, we learned that the Premier is now considering retroactive changes to the pension legislation. My question to the Deputy Premier is simply this: how can we believe anything this government says when it's impossible to do something one day and certainly possible the next day?

MR. KOWALSKI: I think, Mr. Speaker, what's really important here is that the hon. Leader of the Opposition has indicated that he'd never heard anything said here in this Assembly with respect to this. We have before the Assembly now Bill 62, called the Members of the Legislative Assembly Pension Plan Amendment Act, 1993. It's in my name. On Monday evening this week – and it's included in *Hansard* – there was about a 25-minute overview that enunciated the policies and the positions with respect to the principles contained in this Bill. As I recall, on Monday night, when I was speaking here, I made the statement that one of the prime recommendations that came out of the independent commission, the Peat Marwick Stevenson & Kellogg report – and it's on page 39 – was the following statement, and I quote:

We would expect that these plan provisions would apply prospectively as per the precedents of administrative law and would not alter pension credits accrued to date.

MR. MARTIN: Well, Mr. Speaker, this is different from what the Premier said. Is the Deputy Premier now running the government?

I want to ask him very specifically: who is running it over there? You say one thing; the Premier says another; another one says another. I want to ask the Deputy Premier to be very specific then. Are they considering retroactivity with MLA pensions? Yes or no?

MR. KOWALSKI: Mr. Speaker, we clearly have a Bill before the Assembly. It's called Bill 62. We're in second reading of this Bill, and we will proceed with this matter as we go forward.

What the Premier said in this Assembly, Mr. Speaker, is that he would welcome amendments that hon. members would want to bring forward with respect to this matter. Nothing has changed in my understanding of that.

MR. MARTIN: Mr. Speaker, the Deputy Premier can dance all over. I'm sure he's got a lot of backbenchers pretty uptight over there. But we want to know. The people of Alberta have the right to know. The Premier said yesterday very clearly that he was considering retroactivity. Rather than dancing around the issue, all we're asking here is for the Deputy Premier, because the Premier is not here, to tell us: is the government considering retroactivity on these MLA pensions or not? Tell Albertans. They have a right to know.

MR. KOWALSKI: Mr. Speaker, during a debate on a Bill all hon. members, irrespective of where they sit in the House, may advance any suggestion or any thought that they would want. The Premier said in the House that he would welcome any amendments that individuals would bring forward, that they would be debated within the Assembly, and that they would be given their true weight.

MR. DEPUTY SPEAKER: Second main question. [interjections] Order please. Second main question, Leader of the Opposition. [interjections] Order please. Second main question.

2:50 Freedom of Information Legislation

MR. MARTIN: The second question, Mr. Speaker, is to, I guess, the Minister of Justice, who I think was involved in the discussion Bill. Yesterday when I asked the Premier – we certainly know that there's a broken promise there, but I want to look at this legislation in more detail before it has some chance in the future of becoming law. I fear that this legislation is frankly a freedom from leaks Bill, not a freedom of information Bill. If you go through the Bill, there are 114 sections, subsections, and subclauses that are determining freedom from leaks, exemptions; 25 percent of the Bill has to do with exemptions. Under these exemptions we would never find out anything about our dealings with Pocklington, MagCan, Myrias, NovAtel, all the rest of it. This Bill is virtually useless. Now, my question to the minister is simply this: how can the minister justify bringing forward a draft Bill that proposes to tighten up access to information instead of opening it up?

MR. FOWLER: Mr. Speaker, what the government has done here is introduce a Bill which forms the basis over the next six months with public discussion for finishing up the Bill and listening to input from all of the relevant interests of this province, be it the civil liberties union, the MUSH sector: municipalities, universities, school boards, and hospitals. We sincerely invite the opposition parties to make their presentations on the Bill as well.

MR. MARTIN: Well, Mr. Speaker, I would remind the minister, as I did the Premier, that we were promised a law already in the Speech from the Throne, and now we're back to a discussion paper. But we're dealing with the document that he's presented. As I said, it's virtually useless, the first part of it.

Something is even more odious, Mr. Speaker. Last week in the Legislature I made public a government legal opinion that showed the Premier as being less than honest when he said that he could do nothing about MLA pensions retroactively. Under this draft legislation I would not have been able to do that. That's something the public should have known. I want to ask the Minister of Justice simply this: why would he deliberately bring forward a Bill that could actually gag MLAs from doing their jobs?

MR. FOWLER: The hon. Leader of the Opposition has indicated that a legal opinion was introduced through himself here. Legal opinions by and large under any legislation in any of the jurisdictions are privileged legislation. A legal opinion from one department to another will be privileged not only in Alberta, but it is privileged anywhere in Canada.

MR. MARTIN: The difference is that you're not being nailed when you bring it here in the Legislature, Mr. Speaker. Freedom of information: don't hand us that.

Mr. Speaker, my third question, though. There's another interesting part of the Bill. After we pass this Bill, it says that it would not come into force for two years. Well, I suppose they would need two years to shred all the documents about MagCan and Myrias and all the rest of it. I'd ask the minister this: isn't it true that this Bill would give the government ample opportunity to shred any information it did not want to make public?

MR. FOWLER: The intention of the two-year delay is, of course – and I'm sure all members opposite on both sides, Liberals and the loyal opposition, are aware of the fact that there is a great number of pieces of legislation in existence now that have ways to protect the public: what can be revealed, what cannot be revealed, most particularly in health legislation and social services legislation. Mr. Speaker, these pieces of legislation must be closely reviewed in light of an information Act which will be proclaimed very shortly, after it has been reintroduced in its final form next year. It's the privacy of the people that we have a very specific concern about in order that information cannot be demanded legally on the private lives of people, which could in fact affect them, and other matters that are in the best interest of the public of the province.

Further, this is not the Bill that's introduced. We've said that to begin with. We have a discussion document here in Bill form together with a discussion document and are allowing six full months for input into this document, and we will pay attention to everything we hear from everybody on it.

MR. DEPUTY SPEAKER: The Member for Edmonton-Glen-garry, leader of the Liberal Party.

MLA Pensions (continued)

MR. DECORE: Thank you, Mr. Speaker. The government's Bill on pensions is now starting to fall apart all around them. The Premier is backtracking and falling down and unsure of what to do about the issue of retroactivity. There's another serious problem that the Bill hasn't dealt with, and that's the issue of unfunded pension liability. Presently the MLA pension fund has a \$40

million-plus unfunded liability. There is no protection for the taxpayer for the past or for the future in the new government Act. I'd like to ask the Deputy Premier to explain to Albertans why this issue of unfunded pension liability hasn't been dealt with in the government Bill.

MR. KOWALSKI: Mr. Speaker, attempts have been made to work towards that. If one would look at the report of Peat Marwick Stevenson & Kellogg and then look at Bill 62, quite clearly two important initiatives occurred in working towards the resolution of that concern. First of all, in 1992 in a previous Bill that was introduced and passed in this Assembly, the contribution level of those who were enrolled in the plan was raised 33 percent. That's already in place, and that already has been dealt with.

The second thing that happens, Mr. Speaker, by way of Bill 62 and what's included in Bill 62 is a very dramatic reduction in the benefits that participants in the plan will be receiving. In fact, there will be a 33 percent reduction in the level that individuals will be able to receive out of the pension plan. Now, those two initiatives will be in place. One will be dealt with on the conclusion of Bill 62. The first one, the 33 percent increase in terms of the contribution level, has already been dealt with. I think that we are working towards that item.

MR. DECORE: Mr. Speaker, it doesn't matter how this is cut or served; the taxpayer is still going to get stung with an unfunded pension liability for the past and for the future. I'd like to ask the Deputy Premier. The government represents that this Bill is the most responsible pension legislation in Canada, which is incorrect. I believe Saskatchewan's is, which is based on an RRSP concept. Why can we not have a Bill, a plan, a concept that is like the RRSP concept, that is like the Saskatchewan model, that ensures that there never is an unfunded pension liability?

MR. KOWALSKI: Mr. Speaker, we have principles within the Bill that we do have in the province of Alberta including the age level, a factor that we have that is different than you'll find in other pension jurisdictions across the country of Canada. We also see that years of service that are required in the province of Alberta are different than can be found in other pension plans across the province of Alberta. We are working towards the unfunded liability portion of the whole Bill. The Bill has been introduced. It's Bill 62. There are principles assembled with it.

Mr. Speaker, it's incumbent upon all members of the Assembly that if they choose to bring amendments to the debate that will be occurring on second reading, they may do so. I'm advised that earlier today the New Democratic Party, as an example, has issued a press release saying that they're going to be suggesting amendments, and if the Liberal Party wanted to bring forward suggested amendments, they would be weighed here in this Assembly and debated and votes would subsequently be taken.

MR. DECORE: Mr. Speaker, the Deputy Premier is glossing over a serious issue of unfunded pension liability, as serious as the government glossing over on retroactivity before. I ask again: Mr. Deputy Premier, will you agree to scrap this concept that you're coming forward with, go to the Saskatchewan model, use an RRSP concept, use our Bill as a basis for that and ensure that taxpayers . . . [interjections] I see that the hon. Member for Lethbridge-East is the biggest heckler today, and he's the biggest beneficiary of this pension liability. Will the Deputy Premier assure Albertans that there will be a concept that will not see them stung for unfunded pension liability in the past or the future?

3:00

MR. KOWALSKI: It is certainly the hope and the intent of the government to deal with this matter in hopes of reducing any unfunded liability. What we are doing with this legislation very, very clearly is: we're affirming that the increases that were put in effect in 1992, the 33 percent increase in contribution levels, will remain.

I hate to use the phrase, but there seems to be no better phrase. It will end double-dipping, Mr. Speaker; that is, the ability of an MLA to collect a pension while continuing to hold office. It will dramatically increase the level of entrance on the age and years of service from 55 to 65. That is a dramatic increase making it the highest in the country of Canada. It will further suspend the pensions of retired MLAs if they work for more than a limited period of time for any employer covered by either the public service or the public service management pension plan. It will include a 3 percent reduction penalty for each year that an MLA falls short of the 65 factor, and it will reduce the overall pension benefits by 33 percent. There are some seven initiatives there that we're working towards in Bill 62, in fact, to deal with the concern raised by the member.

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

Electric Energy Marketing Agency

MR. PASZKOWSKI: Thank you, Mr. Speaker. My question is to the Minister of Energy. For some years now the people of Alberta have been concerned about the Electric Energy Marketing Act. Studies have been done. Consequently, a group was put together to bring forward recommendations, and subsequently a report was tabled. It is with some concern that I read in the editorial of the April 26 edition of the *Daily Herald-Tribune* in Grande Prairie, and I'll quote: "Klein, however, came flat out and said EEMA will have to go; northern residents will have to pay more for power." To the Minister of Energy: would you indeed give my constituents some reassurance of the government's position on EEMA? What is the latest position regarding EEMA?

MRS. BLACK: Mr. Speaker, I'm pleased that the Member for Smoky River has brought this concern forward. The EEMA question has concerned all Albertans, from north and south to east and west. He's quite right when he says that last year an independent review had been brought forward to the government with their recommendations. In February of this year I filed that report and sent it out to those that had participated in the original review process. I then asked that the major stakeholders gather together, which they did, and go through those recommendations – and not just tell me that they didn't like them but if in fact they did not like them, to come back to me with alternatives.

Mr. Speaker, this was a consensus-building process which our government is following. The four major stakeholders – Alberta Power, TransAlta utilities, Edmonton Power, and the city of Calgary – came together for the first time with a task in mind, and that was to look at the recommendations and come back with some alternatives or a new proposal. The report was to come back from the stakeholder groups within 45 days. Collectively these four groups came back and asked, because of the importance of this issue, if they could have an extension until July 15. At this point the stakeholder groups are in fact working together to reach consensus. [interjections]

MR. DEPUTY SPEAKER: Supplementary question.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Though the Liberals may be downplaying this issue, this is of great importance to all Albertans, both north and south. It's a very serious issue, and it's unfortunate that the Liberals feel that it's not of great importance.

To the Minister of Energy: will the four stakeholders be the only participants in the decision-making process?

MRS. BLACK: Mr. Speaker, that is again an excellent question. No, they will not. There have been other members who took the review panel's report, people that had participated in the original process, that sent me back their opinions. I have since asked them to also participate in the overall extension of the review. What we have here is an opportunity for the electricity stakeholder groups and individuals to come back to us with a new structure for electricity generation and transmission.

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

Treasury Branches

MR. HAWKESWORTH: Thank you, Mr. Speaker. My question is to the Provincial Treasurer. Why has the North Stars hockey club, an American NHL hockey team, been a borrower with the Alberta Treasury Branches since June 1992?

MR. DINNING: Well, Mr. Speaker, as I've said in this Assembly before, I don't think it's right or proper that the Provincial Treasurer reveal banking relationships between clients of the Treasury Branches and Treasury Branches themselves. So I am not going to comment on any Albertan, company or individual, who makes a choice to bank with the Treasury Branches unless those people choose to reveal their financial relationship with the Treasury Branches. To do so I think would be to violate the oath that I took when I became the Provincial Treasurer.

MR. HAWKESWORTH: Well, Mr. Speaker, he stood there on Monday and announced a position, a position New Democrats support, by the way: no loans for an out-of-province hockey team. All the time he had to have known full well that the North Stars hockey club had signed a \$150 million debenture with the Alberta Treasury Branches. The public has every right to know when this government says one thing for public consumption while doing something completely opposite behind the scenes. If it's his policy now to not backstop out-of-province NHL hockey teams, why hasn't he called this loan on the North Stars hockey club?

MR. DINNING: Mr. Speaker, for the Provincial Treasurer to stand here and violate a trust relationship between a client of the Treasury Branches and the Treasury Branches would be breaking an oath. It would be just as easy for the hon. member tomorrow to bring into this Assembly a list of all of his constituents and their banking relationships, their deposits with the Treasury Branches. I think such an act would be not only irresponsible, but it would be a violation of the trust that the people of Alberta have placed in legislators elected to this Chamber.

MR. DEPUTY SPEAKER: Calgary-North West.

NovAtel Communications Ltd.

MR. BRUSEKER: Thank you, Mr. Speaker. In June of 1992 the government conveniently decided to deflect criticism of their mishandling of the \$219 million in NovAtel assets by hiring

Crown-controlled North West Trust without any kind of a public tender process. Now we find that North West Trust in their annual report has charged the taxpayers of the province \$3.3 million for seven months of management of those assets. My question is to the Treasurer. Given that Alberta taxpayers have forked over \$3.3 million to collect on loans, can the Treasurer inform the House how many, if any, of those systems financing loans have been collected in the past seven months?

MR. DINNING: Mr. Speaker, the Auditor General was called upon to do a report into the activities of NovAtel Communications Ltd. I think all of the facts pertaining to NovAtel are spelled out in the report that the Auditor General released to all members of the Assembly and to all Albertans in late 1992.

MR. WICKMAN: Can we afford to forget NovAtel?

MR. DEPUTY SPEAKER: Order, Edmonton-Whitemud.
The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. You know, the really scary thing is that the Treasurer doesn't know how many dollars we're dealing with here. That's the really frightening thing. Will the Treasurer admit that in fact nothing has been collected by North West Trust for this \$3.3 million and that in fact it's just an infusion of cash to prop up this company?

MR. DINNING: No, Mr. Speaker.

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

Rural Hospitals

MR. TANNAS: Thank you, Mr. Speaker. My question today is directed to the Minister of Health. Parts of rural Alberta have excellent hospitals with well-trained nursing and support staff. Some of these hospitals, however, have underutilized operating rooms. This is clearly an opportunity for those surgeons from Alberta's major centres who are unable to book operating room time for their patients in some of the large city hospitals without prolonged delay. What is the Minister of Health prepared to do to help these surgeons help their patients by utilizing rural operating rooms?

3:10

MRS. McCLELLAN: Well, Mr. Speaker, the member raises a very important point on the utilization of our many fine facilities in this province. I would be pleased to inform the hon. member and the House that a good many specialists – surgeons and other medical practitioners – do today travel to communities outside of the major centres to provide services. I applaud this initiative on their behalf and am very pleased that it provides more access to medical services outside of the medical centres.

MR. TANNAS: I thank the minister for her answer. However, other related questions come to mind as to what plans or ideas the minister has to improve the utilization levels of these rural hospitals given the opportunity outlined before.

MRS. McCLELLAN: Well, Mr. Speaker, as the hon. members know, we embarked on a process about a year ago of looking at the health delivery system in this province. In January of this year we continued to further that process by communicating with some 300 care givers, municipal leaders, and other interested persons.

I would say that I have received most of the replies from the participants, and I've shared those responses with the chairman of the Health Planning Secretariat, the hon. Member for Drayton Valley. The Health Planning Secretariat is looking at the responses, and I would say in a preliminary comment on it that we've received a lot of good advice and a lot of good information. There are many opportunities to increase the utilization, but more importantly there are many opportunities to increase the access to medical services to people in this province whether they are in rural or urban communities.

Foreign Qualifications

MR. GIBEAULT: Mr. Speaker, my questions today are to the Minister of Community Development. After the release of the report Bridging the Gap over a year ago, the government gave a commitment to Albertans to open the foreign qualifications assessment and information centre. Today, however, Albertans are still waiting and wondering if this is just one more of the government's broken promises. Given that now even PC candidates, like Bas Roopnarine in Edmonton-Ellerslie, have lost faith in this minister, can she give some indication today of whether the government still supports this project? If so, exactly when will it be open and serving Albertans?

MRS. MIROSH: Well, Mr. Speaker, the foreign qualifications centre comes under the jurisdiction of the Minister of Labour, who is responsible for professions and occupations, but I can say that, yes, this government is very much in favour of the centre, and this department is helping fund it.

MR. GIBEAULT: Mr. Speaker, when even PC candidates like Mr. Roopnarine are on the record – I quote from today's *Sun* – saying, "She either isn't sensitive or doesn't understand multiculturalism," would the minister not agree that her lack of leadership on important issues like the foreign qualifications centre has totally compromised her public credibility?

MRS. MIROSH: Well, Mr. Speaker, that question doesn't deserve an answer, but perhaps the chair of Professions and Occupations could expand on the foreign qualifications centre.

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

MR. TANNAS: Yes, Mr. Speaker. I would like to add a little to what the minister has said to the first question. There are two groups working on this very issue, and the idea of the centre is moving forward. There isn't a specific date at this time, but it is moving forward.

MR. DEPUTY SPEAKER: The hon. Member for Three Hills.

Tire Disposal

MR. MacDONALD: Thank you, Mr. Speaker. Over a year ago, in January of 1992, there was a protest at the way in which two companies were selected to carry out tire recycling in Alberta. The Premier, who was then minister of the environment, stated that he wrote to then Premier Don Getty proposing that the provincial Ombudsman conduct an investigation. Premier Getty, however, failed to follow up on that suggestion. To the Deputy Premier, the Government House Leader. The Premier is now in a position to appoint the Ombudsman as a commissioner under the

Public Inquiries Act and authorize him to conduct a full inquiry. Why has he not done this? [interjection]

MR. KOWALSKI: Mr. Speaker, Flipper is at it again.

I'm going to defer that question to the very, very competent minister of the environment, who is dealing with the matter.

MR. DEPUTY SPEAKER: The hon. Minister of Environmental Protection.

MR. EVANS: Thanks very much, Mr. Speaker. I'm pleased to have the opportunity to deal with this issue today. It's an issue which since December 15, when I took over as Minister of Environmental Protection, I've put a lot of time and effort into. We are going through a process now to review a number of alternatives to deal with the specific issue of how we take care of this environmental problem. We are going to be making announcements in the very near future. We've had discussions in this House as well about the importance of high-end recycling, and I think that's what the hon. Member for Three Hills is getting at. That is going to be part of the announcements I will be making in this House and outside of this House to the Alberta public within the next couple of weeks.

MR. MacDONALD: Mr. Speaker, the question still has to do with whether or not the Ombudsman will look into this, as was previously suggested by the Premier. So it's not too late. The Premier has an obligation, I think, to rural Alberta to carry out a proper investigation into the way those initial recycling contracts were awarded. When will he do that?

MR. EVANS: Mr. Speaker, I find quite interesting these comments being made by the Member for Three Hills, particularly when I harken back to the comments that were made by his colleague the Member for Edmonton-Meadowlark at the time that the two contracts were being considered for the one group here in Edmonton and the other group down in the Okotoks region, and that was that the process was a very good process, and that that seemed to be a reasonable decision that had made been made to identify two companies that could have access to the advance disposal fee, if they proved that they had an economically viable project. [interjections]

MR. DEPUTY SPEAKER: Order. Order.

MR. EVANS: I really find it interesting that their caucus doesn't seem to have the same view on this issue.

As I've said, this is an important environmental issue for the province of Alberta. We are looking very carefully at how we can dispose of tires, and we are very, very conscious of the applications that have been made to date for both what we call the high-end recycling and what I think is a possible alternative in the short term, the three- to five-year term, to deal with tires by other disposal methods.

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

3:20

Education in Rural Areas

MR. McFARLAND: Thank you, Mr. Speaker. My question today is to the Minister of Education, and it concerns the many rural schools, in southern Alberta especially, which have faced serious declining enrolments over the past number of years. As a consequence, many of these school boards have had to make many tough decisions concerning and adversely affecting the viability of

these same communities, Mr. Minister. Will the minister comment, please, on how his department will work co-operatively with the Department of Agriculture, Food and Rural Development to complement their objectives on rural development in Alberta?

MR. JONSON: Mr. Speaker, I certainly recognize the importance of education to our students in our rural communities. Currently the Department of Education provides, through distance education, enhanced opportunities for rural students to take a wider range of programs, and it also is an initiative which improves the viability of our rural schools. In addition, through the overall partnership initiatives that are being encouraged and supported by Alberta Education, we are looking to work with rural communities to have businesses, the total community, and its agencies work in support of the school.

MR. DEPUTY SPEAKER: Supplementary question.

MR. McFARLAND: Thank you, Mr. Speaker. The supplementary is also to the Minister of Education. Participants in conferences such as Creating Tomorrow identified the need for a strong educational infrastructure. They also indicated the need to promote and attract young and brand-new participants into the rural communities. Will the minister indicate if he will encourage local school boards to work with the rural community initiative groups that have sprung up throughout the province?

MR. JONSON: Certainly, Mr. Speaker, I recognize that in rural Alberta there is a great deal of work at the community level going on in this regard. I would certainly commit to work with the minister of agriculture in this very important local development initiative.

I would just like to add, Mr. Speaker, that there are other initiatives going on to help in this regard. One is the development through our curriculum branch of curriculum initiatives, which will improve the understanding of all Albertans of the agricultural industry.

Finally, I just wanted to mention a very important matter, and that is the whole area of equity funding, which we are committed to and pursuing a long-term solution in and which helps our less wealthy school divisions in the province.

MR. DEPUTY SPEAKER: Thank you.

The hon. Member for Vegreville.

Gainers Inc.

MR. FOX: Thank you, Mr. Speaker. Well, this government recognizes, as does the New Democrat opposition, the important role played by the Gainers plant in the economy of the city of Edmonton and northern Alberta. The Conservatives are on the horns of a dilemma because of the secret deals they made with Peter Pocklington, jeopardizing tens of millions of taxpayers' dollars. There is concern that this government, desperate to find a political solution to their problems just days before an election, is trying to slap together some sort of hurried deal involving Gainers. I'd like the minister to advise the Assembly of the status of recent negotiations in Vancouver between Gainers and Fletcher's.

MR. ISLEY: Mr. Speaker, I can assure the hon. member that this minister is not in any panic to slap together a hurried deal with anyone. I will not share with him anything I know of discussions held in Vancouver or in other cities in this nation.

MR. FOX: It's the secret deals that got us in trouble in the first place, Mr. Speaker. I'd just like the minister to recognize that we need a thoughtful economic and social solution here that is best achieved through involving in the whole process the people – the men and the women, the workers and the farmers – who depend on the Gainers plant for their livelihood.

MR. ISLEY: Mr. Speaker, I can again repeat: if a solution is announced, it will be a thoughtful, workable solution. I think the books on Gainers have been fully opened. I've personally met with Gainers workers and responded to their questions. I think the Gainers workers are quite appreciative of the fact that this government has continued to support that operation. I think many of the northern producers are very supportive of the fact that the plant is still serving their needs and has paid them almost a billion dollars in livestock purchases since this government took control of it. When news is ready, at the end of any negotiations that are successful, announcements will be made.

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

Preservation of Government Documents

MR. DICKSON: Thank you, Mr. Speaker. The Premier has made it clear already in this Chamber that Albertans will be denied access to information for a long time yet. Given past incidents, sir, like the disappearance of documents related to the Principal fiasco, and the fact that this province . . .

SOME HON. MEMBERS: Ask Grant. Ask Grant Mitchell.

MR. DEPUTY SPEAKER: Order. [interjections] Order please. Order. The Chair still has a number of people who wish to ask questions. Could we have order so that the hon. Member for Calgary-Buffalo can?

MR. DICKSON: Thank you, Mr. Speaker. In any event, given past difficulties we've had with missing documents in this jurisdiction, the fact that this province has no statute which governs the destruction of government records and documents, my question to the Minister of Justice: will he undertake to this Assembly that all records now in the custody of the government of Alberta, its departments, its agencies, boards, and tribunals – including records related to NovAtel – will be protected and not destroyed before the next government is sworn in?

MR. FOWLER: Mr. Speaker, I don't really believe that that question has come from what I assume to be a reasonably intelligent member opposite. For one member here to make that sort of guarantee or warranty would be the most ludicrous statement I ever heard from any minister, member, from any of the parties here. Of course I do not give that undertaking.

MR. DICKSON: Well, Mr. Speaker, I think that kind of ad hockery shows the compelling need in this jurisdiction for a law that governs destruction of documents.

My supplementary question to the Minister of Justice is this: why does this province not have a process like, for example, British Columbia, whereby destruction of government documents and records is monitored by an all-party committee of the Legislature?

MR. TAYLOR: You didn't know that, did you?

MR. FOWLER: You're right, hon. Member for Westlock-Sturgeon. I wasn't aware.

MR. TAYLOR: Nova Scotia has one too.

MR. FOWLER: I must admit and apologize to the degree necessary that I'm not aware of all the laws of this land in every province in the whole of Canada. I really am not. [interjections]

MR. ELZINGA: Laurence didn't even know what was in his own Bill.

MR. TAYLOR: Elzinga knows all about shredding.

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

MR. FOWLER: I suspect, Mr. Speaker, that one day, if this is in fact a good idea, which I doubt very much, we can expect a private member's Bill from the Liberal Party to cover the matter.

MR. KOWALSKI: Mr. Speaker, I might just supplement that answer. The preservation of documents in the province of Alberta is governed very, very carefully by an interdepartmental committee that looks after all archival material in this province. It's stored under the auspices of the Department of Public Works, Supply and Services, and there is a governing committee that would look at what material there is.

We currently have an issue dealing with that. We have so much paper assembled in the historical records of the province of Alberta that in fact with new technology: microfiche machines, microfilm machines, xerox machines, the new kind of technological material that we have that will allow literally thousands and thousands of pages to be stored on one little digital computer that may be the size you might hold in your own hand – there is this technological kind of evaluation being done right now in the province of Alberta, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Member for Rocky Mountain House.

Alberta Energy Company Ltd.

MR. LUND: Thank you, Mr. Speaker. In early April the provincial government offered for sale its shares in Alberta Energy Company. To the Provincial Treasurer: how much did the government receive per share, and flowing from that, what was the total value of the sale?

MR. DINNING: Well, Mr. Speaker, the hon. member raises a very important asset that this government initiated about 18 years ago with the creation of the Alberta Energy Company. Through a number of years the province earned somewhat of a return on its investment. We capitalized on very positive markets in the early part of the month, such that about 25 million shares that were left within the heritage savings trust fund were sold and made available to all Albertans and indeed to all Canadians. About \$476 million in gross proceeds have come to the province; about \$183 million will be returned to the heritage savings trust fund to keep it whole; another \$19 million was paid as a 4 percent commission to all of those active, hardworking brokers in this province and indeed across this country to help us to sell and make sure that the stock issue was a successful one; about \$274 million will go directly to reduce the deficit, indeed to pay off some of that accumulated mortgage: indeed, a very, very positive return for all Albertans.

MR. DEPUTY SPEAKER: Supplementary question.

MR. LUND: Thanks, Mr. Speaker. My supplementary to the hon. minister: were Albertans given any preference in this sale?

MR. DINNING: Well, most definitely, Mr. Speaker. Not only were Albertans given a preference in buying the stock, but Albertans benefited greatly by doing the investment the way we did. I remind all hon. members that about three years ago when Alberta Energy Company issued stock on its own and Albertans were able to take it up, the total take-up in the stock by Albertans was about 6 and three-quarter percent. During the period that it was sold, the stock price dropped from \$21 to 19 and an eighth dollars. As a result, the company only benefited from the 19 and one-eighth dollar price, not the \$21 price. By doing the proposal, doing the settlement the way we did, with a \$19 price payable to taxpayers on Friday at noon, we knew exactly what the return to the taxpayers would be. There was no risk in that. At the same time, Albertans were able to access as much as 40 percent, \$200 million worth of stock, which is an incredible amount of investment and confidence shown by Albertans in this very strong Alberta company.

3:30

Social Assistance

MS MJOLSNESS: Mr. Speaker, recently the Minister of Family and Social Services put in place several measures that would make it much more difficult for people to access social assistance. Now clients can be cut off their benefits in 30 days without any notice. They will no longer receive benefits while appealing, and this can take several months. The bottom line is that they are supposed to find a job when there are hundreds of thousands of people that are unemployed in the province. To make matters worse, 13 directives were outlined, informing social workers that they are not to advocate on behalf of their clients any longer. My questions are to the Minister of Family and Social Services. Given that social workers have training and skills and they are in the best position to assess the needs of their clients, can this minister explain how these punitive policy changes will do anything to support clients and their families to become more independent?

MR. CARDINAL: Mr. Speaker, the project is a three-year plan. The project is approved in principle. I had asked the same hon. member a little over a week ago to come up with their plan of how the welfare reforms should work in Alberta. I haven't heard from the member yet.

Part of the overall plan, of the reform, is restructuring the department and giving more authority and more responsibility and freedom for frontline workers to be able to make wise decisions at their jobsite, and I will support those decisions fully.

MS MJOLSNESS: Mr. Speaker, social workers are not being given more freedom. They've been given more restrictions.

Another policy change that is of concern relates to income exemption. Regardless of the amount a client earns, he or she may now only have 25 percent of the income exempt from deductions whereas in the past income exemption was on a sliding scale. In other words, if income was low enough, 100 percent of that earning would be exempt. Can the minister justify a policy such as this that penalizes those people who are successful enough to work part-time and earn a limited income?

MR. CARDINAL: Mr. Speaker, again I would ask the hon. member to give me her plan of the welfare reforms in that specific area.

The hon. member is misinformed. We did keep the existing policy in place. In addition to that, we will allow the clients to earn 25 percent of additional income.

MR. DEPUTY SPEAKER: The time for question period has expired.

head: Motions under Standing Order 40

MR. DEPUTY SPEAKER: The Chair has received a notice from the hon. Member for Calgary-Buffalo with regard to an application under Standing Order 40.

The hon. Member for Calgary-Buffalo.

Order Paper Revision

Mr. Dickson:

Be it resolved that Bill 354, Members of the Legislative Assembly Pension Reform Act, be brought to the top of the Public Bills and Orders Other than Government Bills and Orders item on the Order Paper so that it can be considered for second reading, pursuant to Standing Order 8(3), on Thursday, April 29, 1993.

MR. DICKSON: Thank you, Mr. Speaker. I do stand on a matter that I view to be one of urgent and pressing necessity. I submit that the one most important immediate issue, sir, in the view of most Albertans is the abuse of power evident in the current MLA pension plan.

Speaker's Ruling Relevance

MR. DEPUTY SPEAKER: Order please. The comments of the hon. member should be made to the urgent and pressing necessity. Urgency is what the hon. member should be talking about and not the reasons for his standing order.

Debate Continued

MR. DICKSON: I appreciate that advice, Mr. Speaker, and wanted to say this. The upcoming Thursday afternoon set aside for private members' Bills is going to be the only opportunity for this Legislature to debate a truly comprehensive MLA pension reform package, the Liberal Bill 354, Members of the Legislative Assembly Pension Reform Act. The difficulty, sir – by moving this up, this is the only opportunity we'd have to deal with a comprehensive plan before this Legislature deals further with government Bill 62.

The concept that's set out in Bill 354 follows the Saskatchewan model, sir. It implements a defined contribution plan for MLAs. It's in the fashion of an RRSP.

MR. DEPUTY SPEAKER: Order please. The hon. member has made his case for urgency. It is not up to the hon. member to state his motion, which may be presented with the unanimous consent of the Assembly. So after hearing what the hon. member has said about urgency, it's incumbent upon the Chair, then, to ask the Assembly whether it is willing to give unanimous consent to the hon. member to present his motion.

All those in favour of allowing the hon. Member for Calgary-Buffalo to present his motion, please say aye.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: There is no unanimous consent.

Privilege

Role of the Speaker

MR. DEPUTY SPEAKER: Before calling Orders of the Day, the Chair is in possession of a notice of a purported point of privilege from the Member for Calgary-Buffalo. The notice was delivered to the Table at 8:10 o'clock last evening during Committee of the Whole. The notice read:

I give notice of my intention to raise a question of privilege pursuant to Standing Order 15.

My privilege in question is the right to rely on the provisions of section 22(6) of the Conflicts of Interest Act.

The Speaker breaches my privilege by proceeding to deal with a question of privilege raised by the Member for Camrose when the same matter is the subject of an investigation by the Ethics Commissioner pursuant to section 22 of the Conflicts of Interest Act.

Only this morning did the Ethics Commissioner confirm to me that he has been notified by the Member for Camrose relative to this issue. This, therefore, is the earliest time for me to raise this matter.

The Chair is going to make a ruling on this notice at the present time. The disposition of this notice as a purported point of privilege is as follows. First, a point of privilege cannot be raised against the Speaker. *Erskine May*, 21st edition, says that unless the decision is based upon a substantive motion drawn in proper terms, reflections must not be cast in debate upon the conduct of the Speaker. The reasons for this are clear and basic. The Speaker is the elected servant of the Assembly and as such is answerable to the Assembly as a whole: *Beauchesne* 167. Standing Order 15 requires the Speaker to hear and rule upon whether a prima facie case of privilege exists. Therefore, the question as raised by Calgary-Buffalo or any question dealing with the Speaker in his role as servant of the Assembly must go directly to the Assembly and can only be done by way of a substantive motion.

I would also remind all hon. members that it is the Assembly and not the Speaker that rules whether a case of privilege exists. Even if the Speaker were able to overcome this fundamental point, he would be unable to put the matter to the Assembly because pursuant to Standing Order 15(6) the matter was not raised at the earliest opportunity.

There is only one purported point of privilege before this House. It arose out of a question put by the Member for Calgary-Buffalo on April 21, 1993. The Member for Camrose raised a point of privilege with respect to that question on April 22, 1993. The privilege question raised by the Member for Camrose was debated pursuant to Standing Order 15(6) on April 23, 1993. The Member for Calgary-Buffalo participated fully in that debate. The Member for Calgary-Buffalo stated during the privilege debate that he had requested the Ethics Commissioner to conduct an investigation. However, the subsequent notice of privilege to this House occurred six days after the member indicated he had contacted the Ethics Commissioner. The earliest opportunity for the Member for Calgary-Buffalo to raise this matter would have been on April 23, before the debate pursuant to Standing Order 15(6) commenced. Instead, the Member for Calgary-Buffalo participated in the debate. In so doing, the Member for Calgary-Buffalo acquiesced in the proceedings and therefore chose to forgo any subsequent right to bring it to the House at any time after April 23, 1993. The Chair feels compelled to observe colloquially that one cannot suck and blow at the same time.

The Chair is therefore prepared to receive and awaits a substantive motion from the Member for Calgary-Buffalo with respect to this matter.

Point of Order Clarification

MR. DICKSON: Point of order, sir.

3:40

MR. DEPUTY SPEAKER: A point of order.

MR. DICKSON: Mr. Speaker, for my clarification. As I understand Standing Order 15(6):

Mr. Speaker may allow such debate as he thinks appropriate in order to satisfy himself [not only] whether a prima facie case of . . . privilege [is there but also] whether the matter is being raised at the earliest opportunity.

I take it that it's your ruling, sir, implicit in what you've said, that you're not going to entertain submissions in terms of whether in fact this has been raised at the earliest possible opportunity. Could you clarify that, please?

MR. DEPUTY SPEAKER: That is correct, but the Chair does await a substantive motion to the Assembly, though, and will not deny the hon. Member for Calgary-Buffalo to make such a motion.

head: **Orders of the Day**

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

[Mr. Main in the Chair]

MR. DEPUTY CHAIRMAN: Can I have the committee come to order.

Bill 60 Alberta School Boards Association Amendment Act, 1993

MR. JONSON: Mr. Chairman, I think the principles of the Bill were well covered in second reading debate. The amendments are fairly brief and, I think, to the point. The only comment that I would like to make at this time is that with respect to the overall thrust of this particular Bill or of any actions of the government to this point in time, there has certainly been no intention or any plan which would inhibit or detract from the historic and constitutional right of Catholic school electors to form Catholic school districts.

MR. DEPUTY CHAIRMAN: Any other comments with regard to this?

The Member for Calgary-Forest Lawn.

MR. PASHAK: I'm just wondering if the minister would care to elaborate on - I guess, it would be section 6(2).

A board of trustees of a publicly supported school system in the City of Yellowknife in the Northwest Territories is eligible to be a member of the association.

Are there any other school boards in the territories that would also like to be members of this association? Is this something that the school system in the city of Yellowknife would like to see take place? Did they request this? I mean, I think it's a good move. I'm not questioning the inclusion of this in the Bill. I'd just like to know a little bit more about the background to it.

MR. JONSON: Mr. Chairman, the Alberta School Boards Association, formerly the Alberta School Trustees' Association, has for some number of years provided as an association support services to the school boards in the city of Yellowknife. Of

course, for a long period of time they were and to this day are the only elected school boards in the Northwest Territories. They did not have any other school boards to be associated with or to receive legal advice from. Therefore, the Alberta School Trustees' Association, initially, and then the ASBA offered to provide and entered into a working relationship with the Yellowknife school board.

However, Mr. Chairman, at this point in time it seems reasonable to expect that there may be a number of other elected school boards established across the Northwest Territories. The challenge that would be involved in the ASBA trying to serve that number of school boards in those distant locations is something that the Alberta School Boards Association, dealing with stringent budgets, just as we all are, does not want to commit to, but they would like to honour their historic commitment to Yellowknife.

The other thing is that I would anticipate, Mr. Chairman, that if this move towards self-governance of schools in the Northwest Territories goes ahead, there will come a time when they will form their own school boards association, and the need for even this relationship will diminish.

MR. DEPUTY CHAIRMAN: Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. Just a few comments on Bill 60. The Liberal caucus, as outlined by my hon. colleague for Calgary-McKnight, will not be supporting this Bill.

Two concerns to express about this. The position that we've taken is that we feel that more could be achieved by amalgamation of school boards rather than the tack the minister is outlining in Bill 60. Further, the requirement to own buildings doesn't seem to be really appropriate in terms of whether or not a school board can in fact occur. From that standpoint, the Liberals will not be supporting Bill 60.

Thank you.

MR. DEPUTY CHAIRMAN: Any further comments?

[The sections of Bill 60 agreed to]

[Title and preamble agreed to]

MR. JONSON: Mr. Chairman, I move that Bill 60, the Alberta School Boards Association Amendment Act, 1993, be reported.

[Motion carried]

Bill 58

Students Loan Guarantee Amendment Act, 1993

MR. DEPUTY CHAIRMAN: The minister of advanced education.

MR. ADY: Thank you, Mr. Chairman. I outlined the main components of this Bill last night in second reading. It's a very simple, straightforward Bill. It's brought forward in order to ensure that there will be funding available for student loan programs in this province. Because presently the funding level and limit are set by statute, the amendment will allow the change to be made within the cabinet, Lieutenant Governor in Council. The present limit is \$250 million. We anticipate that it will be surpassed this year, and we wouldn't want to be in a circumstance where, if the Legislature was not sitting, we would not have access to funding to guarantee student loans across the province. That's the main component of the Bill.

Certainly the government has always been responsible to ensure that funding is available to students, and this is to further ensure that they can react quickly and move quickly to ensure that that funding would be available.

Thank you.

MR. PASHAK: Well, I think I appreciate what it is that the minister is trying to do here, but I think it would be preferable, from my point of view, to see an amount actually set in the legislation, as the situation currently exists. Did the government ever consider at any time just raising the \$250 million limit to some other figure, say, \$300 million or \$500 million or whatever they might deem necessary? I recognize as well that under the current legislation the government has the right to lower the amount, which they could do at any time, but at least there would be an actual figure somewhere that people could refer to. So my basic question, I guess, to the minister is: why didn't he consider increasing the amount, if that's his problem, to make sure that they have a sufficient amount of money to pay for any student loan requests that aren't covered by the \$250 million that's set out in the current Act?

3:50

MR. DEPUTY CHAIRMAN: Edmonton-Highlands.

MS BARRETT: That's okay. I'd like the minister to respond to that question.

MR. ADY: The member's question centred around: if we had ever increased the limit in the past. Yes, we have. The government in 1981 moved from \$35 million to \$100 million. In 1984 it increased to \$150 million, and in 1990, to \$250 million. As I said earlier, this will be surpassed in the not-too-distant future.

The reason for making this change in this Act is simply to ensure that whenever the cap might be reached, it could be done in cabinet, Lieutenant Governor in Council, and done quickly to ensure that there's loan guarantee money available for the students of Alberta.

MR. PASHAK: Mr. Chairman, my question really is about: why not continue with the past practice and just continue to raise the limit rather than giving the cabinet authority to raise the figure to whatever amount it deems appropriate?

MR. ADY: Well, as I explained to the member, it has to do with the accessibility of the Legislature. It would seem rather expensive and nonproductive to call the Legislature back to do such a simple thing. If, for instance, we had a dramatic influx of students and a dramatic call on the program, we would have to recall the Legislature in the middle of July perhaps in a given year in the future. Under the circumstances I don't believe that would be very productive. Consequently, we've chosen to do it in this manner with the primary motive nothing more than to ensure money is accessible to students.

MR. PASHAK: I'd like to try once more, because I'm not asking my question very clearly, obviously. I'm not questioning the government's motives. We are sitting right now. I'm not talking about raising the limit at some point in the future. I'm just saying that when you introduced this Bill today, why did you give so much discretionary power to the cabinet? Why did you not just consider doing what you've done in the past and introduce an amendment that would have raised the \$250 million to some higher figure that would have covered any possible contingency?

MR. ADY: Well, the answer to that is that as I've sat in this Legislature for seven years, I've listened as various ministers have brought forward Bills endeavouring to increase caps for a variety of reasons, and each time the opposition opposed it on the basis that it was too much, too little, not right. This way we can move it in accordance with the need. When the cap gets bumped, it can be moved quickly. It will be printed in the *Gazette*. Everyone who wants to can have access to the information of what is happening. It will work very smoothly without us having to orchestrate it to fit a legislative session.

MR. DEPUTY CHAIRMAN: Edmonton-Highlands, followed by Calgary-North West.

MS BARRETT: Thank you, Mr. Chairman. I think I smell a rat here. If the past practice has been to escalate the maximum dollars in the fund by \$100 million or even \$65 million, I don't understand why we would want to give that authority to cabinet when you know – I can tell you right now; I'll tell every member. I can guarantee you that you're not going to need more than an extra \$100 million during the next year.

The House constitutionally has to sit once a year. I don't understand why you'd have concerns about legislative debate. No one would debate it probably, because if there is a higher number of subscribers, then there is, and that's all there is to it.

I'll tell you what my concern is: that this Bill is related to the supports for independence reforms announced a few weeks ago by the Minister of Family and Social Services. I think what's going on is that they're going to be telling people who are living on social allowance to go and apply for student finance loans to support themselves to go to school. Okay; that's one issue. I've got some problems with that, but in principle that may be a reasonable approach to take.

I fear that when the financial crunch comes after the election, a lot more students are going to be subject to much more stringent income testing, which itself is okay in principle, but that the threshold for qualifying for student loans is going to be dramatically reduced. Then they will say the reason is that we've got a lower fund, because they'll pass an order in council declaring the fund to only have a ceiling of \$225 million instead of \$250 million. That's the rat that I smell, and I would like a much more thorough explanation from the minister than that which I've received so far.

Thanks.

MR. ADY: The member opposite is looking for something that does not exist. This government is committed to a student loan program that will be needs based and that there will be funding there to fund students within this province. Certainly there's been adequate recognition in the past of that commitment, because never once since the student loan program has been initiated in this province has there ever gone an answer to a student, "We cannot fund you because we don't have the money." That's not the issue, and that's not the intention of the issue.

On the other side of the issue the intention is to ensure that there will always be funding available and that we will not have a glitch in the system that we could not deal with very expeditiously. We can call Executive Council in very short order and pass an order in council and have the money there and available for students. It's pure and simple, straightforward. There's absolutely no intention on the part of this government to reduce student funding in the kind of backhanded manner that the member opposite might suggest. That is certainly not the intention; rather, it's to serve the students of the province.

MR. DEPUTY CHAIRMAN: Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. I, too, just want to get a couple of questions to the minister. The Member for Edmonton-Highlands expressed a concern of one direction. Certainly I'm an advocate of education; I'm an advocate of increasing accessibility of education to students. I believe my colleague from Calgary-McKnight expressed concerns yesterday about behind closed doors, in cabinet, and the minister replied that the notice would in fact be given in the *Alberta Gazette*. But that's an after-the-fact kind of presentation. I guess my first question to the minister is: is there going to be any kind of advance notice given before a decision is made by cabinet as to what is going to happen to the pool, either going up or going down in size?

I would like to put a second question to the minister. As I understand, this is to remove the cap or make the cap more flexible, I guess, in a sense. Currently we have a cap on the tuition fees. There's a government motion that tuition will be 20 percent of the cost. Is this now going to be a rising cost? The government's going to say, "Hey, we can pass more of our education costs on to the students," and we're going to see that 20 percent cap going up to 25 or 30 or, some people have suggested, even as high as 50 percent, and the government's response will be, "Well, gee, son of a gun, we're giving you more money through the student loan pool." So are these two tied together? That's my second question.

My third question on this particular issue. Although it's perhaps somewhat different, some of the universities now are in fact putting a cap on admissions because of lack of space. I'm wondering: is this in any way going to – which I hope it will do – increase accessibility for students to get into our postsecondary institutions instead of turning more of them away?

So I think there are three issues that I would like to address, and I'm just going to review them quickly so that the minister does have them. Will there be advance notice? What about the cap on tuition? What about the caps on admissions to our different institutions; will there be more spaces? I wonder if the minister could address those.

4:00

MR. ADY: Well, on the issue of accountability, whether it's before or after, there's provision there that all members and the public are aware very soon after an order in council. The government is accountable to the public and to the opposition parties and to themselves for orders in council and for the expenditures that may be passed there.

You speak of a cap on tuition. Yes, there is a cap on tuition as we speak, at 20 percent. I should also tell you that presently, on average, the students are paying about 12 percent instead of 20. So there's a lot of space in there for tuitions to move. It's on a graduated scale. Universities can increase their tuition by \$200 a year, plus a formula for a cost-of-living index, which adds on a few more dollars. The colleges and NAIT and SAIT increased theirs \$100 with the same provision for cost of living on an annual basis. It is not my intention to change that policy in the foreseeable future. The concern about passing on dramatic tuition to students: that very policy is there to ensure that students can have the opportunity to plan their education and that they can thereby calculate the maximum increase that could impact on them.

As far as it being of some benefit to the government to off-load some of the costs of education onto students through the Students Finance Board: I think if you consider for a moment some of the impact of that, you may have some second thoughts about it.

Remember that the taxpayers of the province or of Canada, depending on whether it's the provincial program or the federal program, pick up the interest on the amount of money borrowed for the duration of the student's program and for six months afterwards on the provincial side. In addition to that, there are some grant components in there that are part of that, and in addition to that, there are defaults. So if the member would get his pencil out and consider it, he would realize that a great deal of that student loan dollar going out the front door is eaten up. Government, or the taxpayers of this province and country, in fact pick up a very high percentage of that in the final analysis, so it would not be productive.

If the government intended to off-load onto students, that would not be a very productive way to do it, especially in view of the fact that since the tuition policy has been put in place, historically there's been a provision that student loan limits are increased each year to compensate for that increased tuition. So it would make a circle and come back to the government and the taxpayers in the province and in Canada. So if it was the intent to do what you suggest, that would not be a very wise way to do it. That's not the intention.

MR. DEPUTY CHAIRMAN: Rocky Mountain House.

MR. LUND: Thank you, Mr. Chairman. I just want to rise and make a few comments on this proposed amendment. I'm very much in favour of the student loan program, and I think we should do anything we can to enhance and improve it.

It seems to me that this Bill 58 would in fact streamline the program. I don't quite understand those that have spoken against it talking about just giving the ability to the cabinet to reduce the number. Currently, section 9(3) says: "The Lieutenant Governor in Council may establish a lesser sum than that referred to in subsection (2)," so it seems to me that the cabinet already has the ability to lower the number. They can't raise it above the cap, but they can lower it. The arguments today seem to be that by putting in this amendment, the cabinet is going to reduce it. I don't believe that's the case.

If I had any criticism of this Bill, it would be that perhaps it should have opened up one area. I've had a lot of concern about the way that, in many cases, a portion of the loan is turned into a grant. I would sooner see that the money be paid back. You know, we don't want to make it extremely difficult for a young person, but eventually the money should come back. With that, perhaps we could increase the scope of the program. The one thing I would like to see happen with the program is to make sure that any student that has the ability and the desire to go to a postsecondary institution or take some special training would have that ability and that finances wouldn't stand in the way of that.

MR. DEPUTY CHAIRMAN: Any other comments?
Calgary-North West.

MR. BRUSEKER: Mr. Chairman, yes. I'd like to add on just one more question to the hon. minister. Does the minister see that increasing the cap will increase the spaces? I don't know that the minister answered that last question. I gather that what we're looking at, too, from this move is allowing more students to access student loans. Will it see, therefore, an increase in the number of students being able to get into our postsecondary institutions; in other words, increase the number of spaces available?

MR. ADY: In response to the last question, I really don't see a direct connection there. Access is a different challenge and has

to be dealt with in a different way. It's the department's intention to enter into a different process to deal with the access problem. A student going to a university: a pocketful of money is not going to get him access. Really all we're talking about is ensuring that he has adequate funds to pay for his education, so I don't see a direct connection there. I would hope that the opposition parties could see that, as the Member for Rocky Mountain House indicated, there is a provision now to reduce the cap under regulation if the desire was there. This is nothing more than to allow it to increase, and that can only be beneficial to the students of the province.

I would just encourage the members opposite to get onside and let us put some provisions in place to ensure that students have adequate funding at any given time in the cycle so that they can access postsecondary education.

MR. DEPUTY CHAIRMAN: The Member for Highwood.

MR. TANNAS: Thank you, Mr. Chairman. I'd like to ask the minister about a problem that's come to my attention with a number of people. As the minister knows, there are many students who are graduating and then they seek out jobs and are unable to obtain anything that would pay the kind of money they had expected to get. They work for the summer, perhaps for a year, return to university and seek a second degree, perhaps a graduate degree or a second undergraduate degree, appear once more on the job market, and now they have rather substantial debts. Has any thought been given to those students who are out on the job market, are able to obtain employment but at relatively low pay levels, and who have rather substantial debts? What kind of stability, sort of assistance can the minister offer such people who find themselves at their cap and just not able to make the payments?

4:10

MR. ADY: In response to the Member for Highwood, there are two components to the student loan program that address the problem that he recites. One of the provisions is that in the remission program that's there for students who accumulate an excessively high debt load in order to achieve their goals or their degree, there is remission above a certain dollar number depending on the tenure and the level of program they've been involved in. So their total debt load is controlled with that.

The second component is that if a student can't get a job and makes a good case with the lending institution after graduation, he can have an additional six months in order to get himself established, with interest not ticking and no payments required. That's true on the provincial side of the loan and I believe on the Canada student loan side presently. However, if he again finds himself in the same circumstances, what I'm really saying is that he or she can go up to 18 months and still stay in good standing with his loan and hopefully, by that time, can find some way to begin paying off the obligations that he's incurred. So there is a good window of time provided for students to become established and be able to deal with their obligation.

MR. DEPUTY CHAIRMAN: Any other further remarks with regard to Bill 58?

Calgary-McCall.

MR. NELSON: Thank you, Mr. Chairman. I haven't had any personal experience with student loans other than some young people that I know within the constituency. Of course, the usual

thing is that we get phoned when something goes awry with these things.

I appreciate the fact that this Bill is very narrow, but I'm just wondering how the minister can deal with these student loans. There seems to be a tremendous amount of inconsistency when students are applying for loans: depending on financial circumstances and what have you. I appreciate the fact that they have to evaluate students based on the information provided, but there are cases where the information provided, that students are obtaining loans on, may not be totally accurate. I know of a case where one student provided information with regard to a student loan and a fairly large amount was offered to that particular student. Another student who, in fact, had a lesser financial ability to pay was offered a loan of \$75 for the year. The other one was in excess of \$5,000. Now, that's what I'm talking about: inconsistencies within the offering of these student loans. I appreciate that there is a separate body that is charged with the authority to give these loans, and it's certainly not easy because there are a lot of people doing it.

The other difficulty: information should be provided to allow students to understand that there are two parts to some of these loans. One is a federal loan, and one is a provincial one that has some remissions attached to it. Of course, we do get phone calls relative to students complaining that they can't get remission. Then when you explain to them that the federal portion doesn't have a remission and the provincial portion may, they need to discover which portion they're dealing with. So there are some difficulties with the body that authorizes these loans, hence the occasional phone call by an MLA to a minister's office or to the loans office itself.

Mr. Chairman, I think the whole issue of student loans and the consistency of them should be examined and may assist the minister in determining the additional items with regards to any Bills or any legislation or regulations that may come into place, understanding again, of course, that the laypeople who are placed on these boards may also not understand. Of course, they take a recommendation. I also know that there is an appeal process. Sometimes that process is kind of flawed also.

Maybe the minister could take note of these concerns additionally to the information supplied in Bill 58. Maybe we can deal with these loans in a more consistent fashion and also in a more understanding fashion and maybe even delve a little further into the economic circumstances of some of these people that are receiving higher amounts than those people who have financial difficulties are being offered, as in one case that I know of: \$75 for their schooling year. I must admit that in that particular case the individual appealed it and did receive other financial assistance but not to the tune that was necessary. The other person still maintained their \$5,000.

So these are the kinds of things we need to address when we're dealing with student loans in the larger picture of things.

MR. DEPUTY CHAIRMAN: Any further comments?

MR. ADY: Perhaps I could just respond briefly to the member's questions on inconsistency. Granted there are some inconsistencies, and there are some circumstances out there among students that give us some difficulty with the program. To address that, I should tell you that a year or two ago the Students Finance Board commissioned an audit program, and by auditing the tax returns of students and others that the students may have named in their application, they recovered some \$4 million back to the Students Finance Board. There is a provision in there to try to ensure that there's fairness in the program and that the abuse is kept to a

minimum. Certainly it's difficult to totally eliminate abuse when you have any kind of government program, at least in my experience. By and large, the students in our province are fair and straightforward, but I suppose there's always the possibility that a few will take advantage of a program, and that tarnishes it for everyone.

The appeal process is available to students who feel that they don't receive a fair assessment of their application, and hopefully that has addressed many of the problems where perhaps there was something overlooked in the application. In fact, I've been involved in them myself with my constituents, as I'm sure all of you have. I find that the counselors at the Students Finance Board work very hard to try to address these appeals that come to them in an effort to ensure that students receive the funding they need on a needs-based process so that they can access postsecondary education.

[Title and preamble agreed to]

[The sections of Bill 58 agreed to]

MR. ADY: Mr. Chairman, I move that the Students Loan Guarantee Amendment Act, 1993, be reported.

[Motion carried]

4:20

MR. KOWALSKI: Well, Mr. Chairman, I'm really pleased with the progress shown by the committee. That means that we've now cleared Bill 60 and Bill 58 in committee.

I do now recommend that the committee rise and that we proceed with other business of the day.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. MAIN: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bills 60 and 58.

MR. DEPUTY SPEAKER: Having heard the report by the hon. Member for Edmonton-Parkallen, all those in favour, please say aye.

HON. MEMBERS: Aye.

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

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

Bill 57
Electoral Divisions Amendment Act, 1993

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

MR. FOWLER: Thank you, Mr. Speaker. Bill 57, the Electoral Divisions Amendment Act, 1993, of course as we all know, has been through first reading, debate in second reading, and debate in Committee of the Whole. In moving third reading at this time, I would just like to make a few comments and then let the debate carry through, and I will close if there is any debate on third reading.

Mr. Speaker, at any time in any jurisdiction – be it a province, a state, the nation of Canada or of the United States – where there is a division or a redistricting of boundaries, there is always a naturalness in us that resists change. We get used to doing things in a certain way, and there's something within mankind that has a natural resistance to a change once you get comfortable in doing something in a certain manner. Most particularly is that true where in fact the manner in which you are doing that particular function has created no problems, is not uncomfortable. In legislators representing constituents in a democratic country, this becomes more so for the very simple reason that those of us that become elected, representing a certain group of people, become closely attached to that group of people – more so with some than with others – particularly the people we work with on a day-to-day basis in our constituencies and in the associations, be it the governing party or any of the opposition parties. So these things are viewed with some trepidation at any given time, and whenever a redistricting is in fact done, irrespective of how that redistricting is done, there is an uncomfortableness among the members that are losing certain of their constituents and gaining others they may not have any familiarity with. There has been no difference in the process in Alberta and the redistricting which has brought about Bill 55, which was passed in the spring, I believe, and now Bill 57.

[Mr. Speaker in the Chair]

Bill 57 corrects some of the boundary line and map mistakes that were made in the actual preparation of the maps. That is a very complex matter in a province as large as Alberta, which is so much larger than many of the countries of this world. The boundaries which follow roads or township lines or quarter-section lines or half-section lines or section lines, as I say, are a very, very complex matter. It is not surprising that in some instances there may be some errors created. This was the case in eight of the 83 constituencies of this province, and those are being corrected in the Bill.

The most important correction of course, Mr. Speaker, was the unfortunate omission of the citizens of Muir Lake, who were never no less citizens of this province at any given time, and of course this government could never consider the calling of an election at any time with certain of our residents being outside of an area which permitted them to vote. Had it been 1,700, 2,000, 4,000, 10, or 11 – I rather suspect this government would not have permitted or called a vote had one Albertan been denied his right to vote in any general election that is called. Therefore, to correct this error, Muir Lake has been properly included in the constituency of Stony Plain, which it was intended to be included in all the time.

Now, I accept my responsibility as the guide of Bill 55 through the House in the late winter session. It was an error on my part and a misconception that by excluding it out of one area, as we did in the amendment, it would automatically fall into the other area. That perception was wrong, and the perception was mine. Therefore, the maps were drawn after the Bill passed third reading. We were advised by Legislative Counsel, which was verified and we accepted, that the good citizens of Muir Lake were in fact excluded and disenfranchised by Bill 55 after third reading and Royal Assent. An intolerable situation it was, and the people of Muir Lake were immediately advised – immediately advised – that this would be corrected. There are no circumstances under which they would not be allowed to vote in the next general election. That is the main correction.

I apologize to the good people of Muir Lake who were excluded in Bill 55. However, I believe that they in all probability understand the complexity of the redistricting and the fact that one of the ministers of the Crown did make an error in his perception of what was happening by excluding it from the constituency it was to be taken out of but that it did not in fact fall into the constituency automatically.

Therefore, I am pleased to move third reading on this Bill. I accept and thank the speakers in second reading and also during Committee of the Whole. If any further matters are raised, I would try to respond to them on third reading.

MR. SPEAKER: Edmonton-Kingsway, on third reading.

MR. McEACHERN: Thank you, Mr. Speaker. Just a few comments. Actually the minister said that this Bill corrects some errors. That's true; there are some 11 errors in nine ridings. He said that it was logical and that you might expect that sort of thing. It might be logical and you might expect that sort of thing from this government, but I don't think you should expect that sort of thing necessarily from an Electoral Boundaries Commission had it been allowed to do its job and follow it through the way it should have been done: by an independent commission.

This Bill is the final correction on a comedy of errors, an incredible legacy of silliness and ridiculous gerrymandering and government bullying of committee members and . . .

Speaker's Ruling Relevance

MR. SPEAKER: Hon. member, this is third reading stage. It relates to the whole matter of what's specifically in the Bill. It's gone through all the various stages. So the specifics of the Bill, thank you, not the repetition of other material which is indeed quite readily available in *Hansard*.

MR. McEACHERN: I would point out that the minister mentioned a basic assumption that is made about boundary changes, so I will comment to that effect. If he can, I don't see why I shouldn't be able to.

MR. SPEAKER: Thank you, hon. member.

MR. McEACHERN: But it's not on the same subject.

MR. SPEAKER: Forgive me, hon. member . . .

MR. McEACHERN: You could at least wait to hear what I said.

MR. SPEAKER: Would you like to apologize?

MR. McEACHERN: For what?

MR. SPEAKER: Thank you.

The Chair recognizes another member who would care to speak. [interjections] Order. Order.

MR. McEACHERN: What did I say?

MR. SPEAKER: You can check the Blues.

MR. McEACHERN: Well, you were . . .

MR. SPEAKER: Thank you, hon. member.

MR. McEACHERN: I said nothing . . .

MR. SPEAKER: End of discussion, hon. members.

4:30 Debate Continued

MR. SPEAKER: The Chair is happy to recognize any other member in the House. Thank you. Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. Just a few comments, in closing, on Bill 57, the Electoral Divisions Amendment Act. I was very pleased with the minister's opening comments on third reading about the process that had occurred with Bill 57, and I think that . . . [interjections]

MR. SPEAKER: Order please.

MR. BRUSEKER: Thank you, sir.

I was very much in agreement with the minister's comments that people do tend to resist change, and the changes that are being brought about by this Bill and previous boundary Bills that we've had before the House do in fact create substantial change for all MLAs: MLAs here in the House today, those who will be coming back to the House after the next election, and new MLAs of course.

Mr. Speaker, one of the difficulties in changing boundaries, as we see this Bill doing, correcting some boundaries – I applaud the government in correcting the oversight, I guess is the best way to describe it, with respect to Muir Lake. Certainly that had to be done, and I'm pleased to see that it is being done.

I think one of the difficult things that all of us will see – one of the curiosities about being an MLA is that you kind of develop a sense of family with your constituents, whether your constituents are in towns or in villages or in communities in the cities. From that standpoint, I think whenever you lose a part of your family, whether it's your biological family or your larger extended family in your constituency, it does make some difficulty for MLAs, because suddenly you develop a different relationship. I think that is going to be difficult for the members who are going to be coming back again after the election.

I'm pleased to see that the errors are being corrected that were in a variety of different constituencies. The concern that we still see, however, is with respect to particular constituencies in this Bill, the Calgary and Edmonton constituencies as opposed to some of the constituencies that are not in those two cities. It still does result in a disproportionate representation between those two areas and rural areas, I guess, for lack of a better term. We still see an imbalance in the number of voters per constituency. There is still some error involved there.

Mr. Speaker, I guess what we've done in this process is that we have moved a considerable distance down the road to improve the equity between constituencies. The errors are corrected. I sincerely wish that we had been able to move farther along the road, but this is, I guess, one small step in the right direction, and for that I do compliment the government.

MR. SPEAKER: Thank you, hon. member.
Additional?

HON. MEMBERS: Question.

MR. SPEAKER: There's a call for the question. The Minister of Justice in summation.

MR. FOWLER: Mr. Speaker, thank you for the comments opposite. I think I would merely like to say that notwithstanding the comments or the belief of some members on the side opposite that had the Electoral Boundaries Commission been there, as envisioned at the beginning by the opposition, it would have precluded the necessity of an amendment at this time, I'm not so certain that that is true. The actual map work is not done by the boundaries commission itself. The map work is a purely technical exercise performed by fully qualified members of our civil service. I think we should allow again for the horrendously complex job that is and that oversights might in fact occur.

Mr. Speaker, just to close on the note that the division of boundaries in the redistricting causes some pain to many of us. Such is the case in the constituency of St. Albert. I am in effect losing the legal right to represent at least 10,000 people in the northwest sector of St. Albert, people that I have represented in almost all of my political life, inside this Legislature or outside in the municipal field. It certainly is more than a mere tug at the heart to come to the realization that I will no longer have the legal right to represent these people, notwithstanding the fact that they have been assured that St. Albertans in the northwest sector, in the new constituency of Spruce Grove-Sturgeon-St. Albert, will be fortunate to have two MLAs. I don't see any circumstances under which I would not represent those people in the northwest sector in any case.

I am pleased that we are at the third reading stage and we can complete all of the boundary maps properly. I know that enumeration is under way based on the boundaries as they are going to be, and I commend those people out in the field at this particular time.

Thank you, Mr. Speaker.

[Motion carried; Bill 57 read a third time]

MR. SPEAKER: Order please. Order please, so we might hear. Thank you.

**Bill 60
Alberta School Boards Association
Amendment Act, 1993**

MR. JONSON: Mr. Speaker, I would move third reading of Bill 60, Alberta School Boards Association Amendment Act, 1993.

Mr. Speaker, I think the various aspects of this very succinct Bill have been discussed in second reading and Committee of the Whole, and therefore I would wait for any further comments.

MR. PASHAK: Mr. Speaker, we support this Bill because we think it moves in the desirable direction of consolidating school districts in the province of Alberta.

MR. SPEAKER: Thank you.
Additional?

HON. MEMBERS: Question.

MR. SPEAKER: A call for the question.

[Motion carried; Bill 60 read a third time]

**Bill 58
Students Loan Guarantee Amendment Act, 1993**

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

MR. ADY: Thank you, Mr. Speaker. I'm pleased to move Bill 58, Students Loan Guarantee Amendment Act, 1993.

Inasmuch as we have just very recently discussed this Bill in second reading and Committee of the Whole, I believe the components of it have been adequately addressed, and I move this Act without any further comments.

MR. SPEAKER: Calgary-Forest Lawn.

MR. PASHAK: Yes, Mr. Speaker. We've had a long and vigorous discussion over this proposed change. We do support the Bill because it's our understanding that it's basically intended to raise the amount of loan money that would be available to students in the province of Alberta.

MR. SPEAKER: Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. Just a few comments. Indeed, we have just recently had the discussion in Committee of the Whole. I would simply suggest, I guess, to the minister that the concerns which were raised by members in debate are considerations that I hope will be taken under advisement by the minister and his department for future consideration. The education of our young people is of paramount concern, I believe, to all Albertans, and I'm hopeful that it will continue to be so.

Thank you.

MR. SPEAKER: Additional?

HON. MEMBERS: Question.

MR. SPEAKER: A call for the question.

[Motion carried; Bill 58 read a third time]

head: **Government Bills and Orders**

head: **Second Reading**

4:40

Bill 64
Safety Codes Amendment Act, 1993

MR. LUND: Mr. Speaker, I rise to speak on second reading of Bill 64 on behalf of the Minister of Labour, who is at a day of mourning ceremony today and so is not able to speak to this.

The Safety Codes Act was passed in the Legislature in June of 1991. The Act replaces seven separate pieces of legislation in the following disciplines: building, fire, plumbing, gas, electrical, boilers, and elevators. The Act ensures that the stakeholders in the safety system – the municipalities, owners, designers, contractors, and manufacturers – share in the responsibility for the setting of standards and for delivery of service. The present system consolidates control, regulation, and responsibility for program delivery at the provincial level, with limited involvement of the industry and municipalities. The Safety Codes Act contains three significant concepts: accreditation, certification, and the Safety Codes Council.

Accreditation allows for municipalities, agencies, and corporations to undertake the responsibility for administering the safety system in those disciplines which they choose to be involved in. Where a municipality chooses not to be involved, the responsibility will fall back to the province, who will enter into agreements with accredited agencies. Where municipalities choose to be involved, they will have the responsibility for administering permits and for determining the requirements for inspections. There will not be a duplication of the permitting and inspection

requirements between the municipalities and the province through the process of accreditation. The intent is to allow a division of activities between the partners rather than placing another layer on top of the existing ones.

The Safety Codes Act does not provide for self-regulation. However, it does provide for the flexibility within accreditation to support systems such as contractor certification to ensure code compliance. This type of system makes very good sense. The concept of certification of safety codes officers provides that those persons administering the provisions of the legislation will do so with a consistent level of competency. Industry will establish the levels of certification in each discipline and the training requirement to achieve certification. Again, there is no intent to develop or deliver training that is now provided through other organizations. Persons who have already completed training will not have to retrain in order to be certified. It is intended to have a system of grandfathering of existing people to ensure limited costs in the certification process.

The Safety Codes Council will ensure that there is appropriate input and a sharing of the responsibilities and delivery of the safety system in Alberta. The council is made up of persons with technical competency in a particular discipline nominated by the various industry associations. The Safety Codes Council will be divided into nine technical councils. Technical matters regarding a discipline, such as proposed changes to the code and regulations or appeals, will be dealt with by the technical councils.

Under the existing safety system the costs of providing safety services in Alberta is significantly above the revenue that is generated. The cost of services provided to individuals is supplemented to a significant degree from the general revenue within the province. The new safety system will not add substantially to the cost of delivering safety services. However, it will ensure that those persons who receive a direct benefit from the services are the ones who will pay the costs of the services.

Mr. Speaker, these amendments allow for accreditation of agencies and individuals to have liability provisions similar to municipalities. The council will be able to cover expenses of members as far as travel and lodging are concerned. The council may establish fees in order to cover their costs. It also allows that not more than 40 percent of the members shall be appointed by the minister. It allows for professions and occupations other than those mentioned in the present Act to be included in the delivery of this service.

So with those few comments, I will be anxious to hear what other members have to say.

MR. SPEAKER: Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Speaker. As I go through the Safety Codes Amendment Act, 1993, I must confess that I see this as one of the enforcement problems that came about because of what we had done earlier with the safety codes.

I think that we're further taking away the responsibility of government to provide certain safety services. I know that the government hopes to provide safety services through private mechanism. Well, I think there's a problem with doing that. While you may very well have accredited agencies out there providing these services, I still think there's room for conflict. I'm very much concerned about how the government is now prepared to allow those accredited companies that would provide a safety inspection – if they've done something wrong, they seem to be absolved of any wrongdoing. I think there is opportunity for an association to develop amongst those accredited agencies that may be providing services by way of safety services. I worry about the

corporate relationship that may develop. I'm concerned that the interests of the public will be secondary to the interests of the bottom line in some instances. Now, that's not in all instances, but I think that can occur in some instances where people that are going to be providing safety services or inspections for an at-cost price may not be taking into account the real need of the public. Mr. Speaker, I see some of this as downloading and privatizing.

We've had examples in government service. Going back a number of years, we had a terrible tragedy out at the West Edmonton Mall, where we had safety inspectors inside our own public service checking on product that they were unfamiliar with. Quite frankly, we came into this House and demanded of the then Minister of Labour some accountability, what accountability the department had with respect to the provision of safety inspections for that amusement ride. That fell under the elevators branch of the Department of Labour. Well, there was some accountability there. The problem with this Bill is that our inspection services may be handed out to an accredited agency and there's no accountability. So I very much worry about the public being asked to accept an accredited agency going into the field and inspecting certain things that the public will be involved with or on and then there not being any kind of an accountability brought back before this Assembly.

We were able to take some corrective measures. We made sure that inspectors were brought up to snuff. Those people that inspected the facility out at West Edmonton Mall, where the tragedy occurred, should never have inspected and should never have approved the safety inspection that went along with the ride. Now, under this Bill I think the government is going to be able to dust off its hands, clap them together, and say: "Well, you know, that's no longer the responsibility of the Department of Labour. It's no longer the responsibility of the regulations. We now have inspectors who are with accredited agencies that go out and inspect. That's their responsibility."

I really, truly believe that this is another abdication of the responsibility of the government in providing certain safety inspections that ensure that the public is protected. So, Mr. Speaker, we will not be able to support this Bill.

4:50

MR. SPEAKER: Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I, too, have some concerns about safety codes in general and the Safety Codes Amendment Act, Bill 64, that we have before us today.

The Member for Rocky Mountain House introduces this, I guess, essentially as a housekeeping Bill to make some changes and improvements to the safety codes legislation we debated in this House not long ago. I guess as we look through the Bill, there are a couple of positive steps in some of the amendments that are before us in this particular piece of legislation. One of the amendments finally recognizes – I guess maybe "finally" isn't quite the right word but recognizes – that it's important that some of the members on the council will be appointed by the minister and some of them by the co-ordinating committee of the Safety Codes Council, whereas there was no reference to that before. So I think that is indeed a corrective measure or step in the right direction.

However, when you look at 40 percent of the members still being appointed by the minister, I guess I do have some concerns about that kind of a concept, as ministers tend to change. You may get ministers who don't have any particular expertise in these areas. The concern I have in particular with the safety codes legislation, Mr. Speaker, is that safety codes legislation covers

such a broad area of concerns. The Member for Edmonton-Belmont talked about elevators and hoisting conveyances. There's also fire inspection, there are boilers and pressure vessels, and there's a whole long list of highly technical areas. When I look at the concept that a minister would be selecting individuals to those particular areas, I guess I can only hope, because it doesn't say in the legislation anywhere, that the minister's going to make those appointments based upon some knowledge that he has gained from people in the area. The Bill doesn't say that, and I have some concern about that.

Mr. Speaker, the concept of accredited agencies or their employees or officers or administrators is referred to in one of the sections of this Bill, and the question or the process of accreditation I still see as a concern. I still hear of problems, particularly in some of the smaller centres in the province, in ensuring that there are adequately trained personnel to do the inspections. We in the Liberal caucus don't have any problem ideologically with privatization per se, but on this particular issue, when you're dealing with public safety, it's not something that you can deal with very lightly. If indeed the government is pursuing the concept of privatization with respect to safety and inspections, it is incumbent on the government to ensure that those inspections are being undertaken by adequately trained personnel. I don't hear of that. I hear the other side of the coin, that particularly in smaller centres, as I said, you may not have all of the personnel with all of the broad ranges of talents and skills that are necessary, that in fact those kinds of particularly trained personnel are simply not available. So when we talk about accredited agencies and their employees, I think there is some potential for problems, and I think there continues to be some potential for problems. I highlight that to the member who piloted the original Bill through this Legislature some time ago as an ongoing concern.

Mr. Speaker, I guess the member introduced it with no increased costs to government. I suppose potentially this will in fact decrease costs to government, and at a time when we've got raging deficits, that certainly is a correct move in an attempt to reduce costs. However, as I said before, with respect to safety the value of a human life is pretty tough to put a price on. So let's make sure we're not saving dollars in a foolish kind of manner.

Mr. Speaker, the question that I would have to put to the hon. member is a reflection, I guess, of some of the things we've seen happening before. As I said, we passed the original Safety Codes Act in this House not long ago, yet already we are seeing amendments to that particular piece of legislation. Although the member said what the purposes of these particular amendments were – he talks about fees that can be levied by the council with respect to recouping costs, fees and expenses, of course, by the council members – I have to wonder why we're already seeing amendments at this stage. Is the fact that this Bill is back before the House to amend the Safety Codes Act a reflection of problems that are occurring? If so, I'd like the Member for Rocky Mountain House to address those. If there are some difficulties right now with safety codes legislation, then I would like to see a broader set of amendments rather than just the few that are before this House today.

So, Mr. Speaker, as I have in the past, I've expressed concern about the Safety Codes Act. I've expressed concern about the hands-off policy, I guess, of the government with respect to inspections and licensing of facilities with potentially hazardous sites or where potentially hazardous practices are occurring, and I continue to voice those concerns.

Thank you, Mr. Speaker.

HON. MEMBERS: Question.

MR. SPEAKER: A call for the question.

The hon. Member for Rocky Mountain House in summation of second reading.

MR. LUND: Thank you, Mr. Speaker. I've got to refer back to the principles of the Bill and the amendments. The amendment we're proposing which would allow for the accreditation of agencies and individuals that have the same liability responsibility as municipalities certainly puts them in the same category as municipalities, and therefore they should be capable of delivering service similar to a municipality. Another principle: we talked about the 40 percent being appointed by the minister. I'm not sure how else we could have people from the public appointed if it wasn't by the minister, so that amendment should help answer that problem.

I guess the reason that we're back into this already is because this was a brand-new concept. It's a new way of delivering the service within the province. Yes, there have been some problems show up. I still am very confident that the original Bill as proposed can deliver a very safe service. We'll have the government involvement through the auditing of the accredited agencies and individuals, so I believe there still is a role that government will be playing and will not be abdicating its responsibility to provide a safe environment for its citizens.

So with those few remarks, I would move second reading of Bill 64, the Safety Codes Amendment Act, 1993.

MR. SPEAKER: The hon. Member for Rocky Mountain House on behalf of the Minister of Labour has moved second reading of Bill 64. Those members in favour of second reading, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Carried.

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

5:00

[Eight minutes having elapsed, the Assembly divided]

For the motion:

Adair	Fischer	Moore
Ady	Fowler	Musgrove
Anderson	Horsman	Nelson
Black	Hyland	Orman
Bogle	Johnston	Paszkowski
Bradley	Jonson	Rostad
Brassard	Kowalski	Severtson
Calahasen	Laing, B.	Shrake
Cardinal	Lund	Tannas
Cherry	Main	Thurber
Clegg	McClellan	Trynchy
Elzinga	McFarland	Woloshyn
Evans	Mirosh	

Against the motion:

Barrett	Hewes	Mjolsness
Bruseker	Laing, M.	Pashak

Chivers	McEachern	Sigurdson
Ewasiuk	McInnis	Taylor
Gibeault		

Totals:	For - 38	Against - 13
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[Motion carried; Bill 64 read a second time]

5:10

Bill 62
Members of the Legislative Assembly
Pension Plan Amendment Act, 1993

Moved by Mr. Martin that the motion for second reading be amended to read that Bill 62, Members of the Legislative Assembly Pension Plan Amendment Act, 1993, be not now read a second time because the Legislative Assembly deeply regrets that Bill 62 fails to adequately address the concerns of the public that benefits payable under the Members of the Legislative Assembly Pension Plan Act be substantially reduced and that the said reductions in pension benefits be applicable to all members and former members of the 22nd Legislature of the province of Alberta.

[Adjourned debate April 26: Mr. Elzinga]

MR. ELZINGA: Mr. Speaker, let me quickly summarize again what is in this piece of legislation and indicate that the Bill before the Legislative Assembly is based on an independent report that was commissioned by an all-party committee that suggested that they come forward with their recommendations as it relates to remuneration. I should indicate, as I've indicated before, that the salary increases as advocated by this independent report, which was endorsed by all parties, are not going to be implemented in the legislation. We are also highlighting again for the benefit of all concerned the contributions that we as participants must make. That issue has been dealt with, whereby we raised by some 33 percent the contribution levels that we do make. This legislation ends double-dipping, and that is the ability of an MLA to collect a pension while continuing to hold office as an MLA. It increases the age and length of service factor that has to be met before a pension can be received, from age 55 to age 65. It suspends the pensions of retired MLAs if they work more than a limited period of time for any employer covered by the public service or public service management pension plans, and it includes a 3 percent reduction penalty for each year that an MLA falls short of the 65 factor. In addition to that, it reduces the pension benefits by some 33 percent.

Mr. Speaker, contrary to what others have suggested, recognizing that Saskatchewan does have a bridging formula on their payouts to MLAs through their pension fund, these amendments will make the Alberta plan the least generous plan for MLAs anywhere in Canada.

Mr. Speaker, with those comments I will close my portion of this debate and indicate to all members that I would encourage their support of this very important piece of legislation, recognizing that it was done by an independent group commissioned by all parties in this Legislative Assembly. I would hope that we could deal with this legislation as speedily as we have done with earlier legislation today.

MR. SPEAKER: Speaking to the amendment, Edmonton-Kingsway.

MR. McEACHERN: Yes. Thank you, Mr. Speaker. It is my pleasure to stand up and speak to the amendment moved by my colleague the leader of the New Democratic Party. In spite of the

words put forward by the Deputy Premier, this plan is not adequate, and the amendment makes that very clear. It hits at two points where the Bill is deficient. It says that

Bill 62 fails to adequately address the concerns of the public that benefits payable under the Members of the Legislative Assembly Pension Plan Act be substantially reduced and that the said reductions in pension benefits be applicable to all members and former members of the 22nd Legislature of the province of Alberta.

So let me elaborate on those two points.

It is true that pension Bill 62 reduces MLAs' pension benefits, but there are two things that it fails to do that are very important. First, it does not make the pension plan a contributory plan. It still remains a beneficial plan; that is, the contributions put in by the members of the Assembly and matched by the government do not necessarily fully fund the plan. So there could still be some unfunded pension liability in the payouts under this plan. That's the first point.

Now, that is not true of other pension plans. Any ordinary worker who along with his employer comes up with a pension plan – the pension has to come out of that plan. There's no other money to back it up in the same way that this plan could be backed up by the taxpayers. So it fails in that regard.

The second failure is perhaps the biggest and most important right now in the minds of the taxpayers of this province. The changes to Bill 62, the MLA pension plan, are not retroactive to 1989. That is the most important and significant failing of the Bill. There are many pros and cons, both legal and moral, and political ways of looking at this. The Deputy Premier from Sherwood Park indicated his view about this particular problem. He says that the present pension plan was like a signed contract between the members of the Assembly, the MLAs, and the people of Alberta. Now, that is rather an overstatement, I think. It's fairly clear that the voters going into the 1989 election had no notion that the Tories who were running in that election intended to take a 30 percent pay raise as soon as the election was over and that that 30 percent pay raise would lead to a huge increase in pensions, something in the neighbourhood of 40 percent. I'm sure that there isn't one Conservative candidate that knocked on the door saying: if I get elected . . .

Point of Order

Questioning a Member

MR. ELZINGA: Mr. Speaker, on a point of order. May I ask the hon. member if he's aware that the individual from his party who serves on the Members' Services Committee voted in favour of that 30 percent increase.

MR. McEACHERN: Yes, of course.

Debate Continued

MR. McEACHERN: Mr. Speaker, being in opposition, you're not in control of the agenda of the government and you know that you have limited ability to affect what the government does, and we've tried as hard as we can and as much as we can. Whatever the past history of how we got into this – okay? – and how we arrived at this point today, you still have to take a look at both moral and political reality and say that this is what has to be done. We are doing that on this side of the House. You do have a choice as to which direction you go from here, regardless of what happened in the past. So go make your points to the electorate, as we will all be doing in the next weeks.

I don't think you can consider that the pension plan as it now stands is a contract between MLAs and voters. Certainly I'm sure that the voters out there don't see it that way and don't think of it

as that. So if somebody on the Tory side was running in this election and in their own mind is saying, "When I get elected, we're going to have a 30 percent pay raise and those pension benefits will go up," it was some kind of a contract. I know I certainly had no notion that that sort of thing was in anybody's mind. I mean, I was out knocking on doors to try to get re-elected, and the furthest thing from my mind was what my pay and pensions would be and how they would be changed. It's not really a contract.

Now, there are two different theories of how representative democracy should work. Some people believe that we are only delegates of our constituents. Now, I'm sure if anybody here holds that view, all they need to do is go out and take a poll or take some kind of a survey or knock on a few doors and ask a few people what they think should be done. If we're only delegates, then we should do it. On that basis, then, I would think the government members would conclude that they should change the pension and benefits and make them retroactive to 1989, because the delegate theory of what should be would be very clear in what their intentions would be.

Now, I don't really subscribe to the delegate theory. I subscribe to the representative theory, and that is that an MLA goes out and knocks on doors and talks to various people in the riding. In fact, I remember somebody said, "I don't know any other job that anybody can seek where they have to go out and talk to thousands of people to get the job." I thought it was kind of cute. I've certainly done that in Edmonton-Kingsway over the years. I now have to turn around and do it in some areas that are not Edmonton-Kingsway. In fact, two-thirds of my riding is not in Edmonton-Kingsway. Be that as it may, when I go to the door, I tell people what I stand for. I answer their questions. They don't necessarily always agree with me, but they do know that what I tell them is what I believe. So whatever subjects come up, I tell them where I stand. I expect, then, that when I get to the Assembly, I have the right to fight for that point of view. So that's the representative theory.

5:20

I don't remember the Tories telling us they were going to take this 30 percent pay raise and that we would get this big boost in pensions and that therefore I should go around my riding . . .

Point of Order

Questioning a Member

MR. SHRAKE: A point of order.

MR. SPEAKER: A point of order, Calgary-Millican.

MR. SHRAKE: I was wondering if the hon. member would just convey to us: did he put his letter in, which you had told him they could do, declining that increase so he would not have it, or is this a bunch of mendacity?

AN HON. MEMBER: On the point of order, Mr. Speaker.

MR. SPEAKER: No, no. Order please.

First, there's no point of order on a purported point of order.

AN HON. MEMBER: But he made his point.

MR. SPEAKER: Order please. No, hon. members. Just a moment. If you like to tangle the threads, I guess I get a chance to try to do something about it.

Actually, Calgary-Millican, the point of trying to interrupt the member is to ask the member if he will take a question. You don't ask the question right away; you wait to see whether or not the member will take it. Thank you.

Edmonton-Kingsway, are you prepared to take the question?

MR. McEACHERN: Of course, it was a totally rhetorical question. [interjections] Well, Mr. Speaker, when you know what the answer is, it's a rhetorical question.

I'll just go on with my comments.

Debate Continued

MR. McEACHERN: MLAs should all be treated the same, and therefore if that's the law of the land, you live by the law of the land. That's the answer.

AN HON. MEMBER: What's the answer?

MR. McEACHERN: I've already answered it.

Mr. Speaker, when I went knocking on doors, I had no notion of these changes, so I did not talk to the people in Edmonton-Kingsway about any changes in pay or any changes in benefits. When I came to the Assembly, I didn't expect those things. So I don't consider that I got a contract with my voters in my area and I don't think anybody in here has a contract with the voters in their area as to the size of MLAs' pay and benefits. We on this side of the House have said all along that it should be done by an independent commission anyway, and that's been our basic position.

AN HON. MEMBER: It was.

MR. McEACHERN: No, that's not true. It was not done by an independent commission in the way that we intend. The independent commission's words would be final.

Mr. Speaker, some people think there are legal implications to this so-called contract, which I think I've just shown is not a contract, or at least it certainly isn't in the minds of the people of Alberta that have to pay for these pensions. I think that idea that somehow the members of this Assembly had some kind of legal right to pay and pensions based on the 1989 increase in pay and pensions is true only as long as that remains the law of the land. There have been a number of independent lawyers' opinions sought, and it's clear that this Assembly has the right to retroactively change those rules. That is obviously what we have to do if we are going to restore the faith of the ordinary voters in this province in their elected officials.

I guess after you look at the legal side of it, you have to think: well, would it be fair to do? I think I've already shown that it's not a contract; therefore, it would not be unfair to do this. The question you have to ask is: are the pay and benefits packages fair to the taxpayers of this province, particularly given the three

years of rather difficult economy we have had and the number of people in the electorate that have had to tighten their belts? When they look at the pay and benefits to MLAs, they certainly don't think they're fair. So if there are a few people in here that think they can't take the cutback that is suggested, then I think they are being unfair, because there is a larger thing at stake than just their own remuneration. Nobody in this Assembly that's getting the pay that an MLA gets and the benefits as proposed after the cutbacks is really going to hurt very much, certainly not as much as the person that one of my workers was helping today to try to get AISH. She's now on the third appeal and may not get it, and she's going to have to try to live on that pittance that she's been getting for the last X number of months. She can hardly make ends meet. She's having great difficulty. Yet it's questionable whether this government is prepared to give her \$735 a month. There are lots of people out there like that compared to those of us here.

The MLA pay and perks as outlined by the Bill that we're putting forward – and we're not just talking about pensions but some of the other things as well, with some of the details to be left to an independent commission to decide – would be adequate remuneration for a job that is a very difficult job. I make no bones about that. I work very hard at this job, as do most of my colleagues and most of the people in this Assembly. It may be possible that being a backbencher in a big government is easier; I don't know. I'm not accusing anybody of that. It is a hard job. It does have to pay reasonably well if you're going to attract people to come into the Assembly and help make the laws of the province. That does not mean that the pay and benefits should be out of line with what ordinary Albertans think is reasonable. So I do not think it would be unfair, particularly for retiring ministers who are in line to collect in some cases over a million dollars in pensions over the next few years, to not be able to have that big of a pension package. I think it's more unfair to the taxpayers of this province to be expected to pay those kinds of benefits.

Mr. Speaker, in view of the hour, I would adjourn debate.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. The motion carries.
Acting Government House Leader.

MR. ELZINGA: Mr. Speaker, for the benefit of all members, let me share with them that tomorrow we will be dealing with private members' issues, recognizing that tomorrow afternoon is private members' day, and the House will not be sitting tomorrow evening.

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

