

## Legislative Assembly of Alberta

Title: **Thursday, April 29, 1993**

2:30 p.m.

Date: 93/04/29

[Mr. Speaker in the Chair]

head: **Prayers**

MR. 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 both our province and our country.

Amen.

head: **Presenting Petitions**

MR. SPEAKER: Edmonton-Strathcona.

MR. CHIVERS: Thank you, Mr. Speaker. I have for presentation to the Assembly a petition supported by another 842 Strathconans calling on the government immediately to reduce pension benefits payable to MLAs leaving office at or before the next election.

MR. SPEAKER: Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. I wish to present to the Legislature this afternoon a petition signed by 10,000 Albertans which

respectfully petitions the Legislative Assembly of Alberta to reform the Members of the Legislative Assembly Pension Plan by converting it to a self-funding, defined contribution plan and furthermore petitions this Chamber, sir, to eliminate the Members of the Legislative Assembly Re-establishment Allowance.

MR. WICKMAN: Mr. Speaker, I too wish to table tons and tons of similar petitions that again illustrate the anger of Albertans with the failure of the government to deal with this very, very critical issue.

MR. SPEAKER: The Chair trusts that all hon. members have signed the petitions. Thank you.

The Member for West Yellowhead.

MR. DOYLE: Thank you, Mr. Speaker. Today I'd like to table 10,000-plus petitions on behalf of Alberta taxpayers and especially on behalf of the Association of Alberta Taxpayers:

The undersigned respectfully petitions the Legislative Assembly of Alberta to reform the Members of the Legislative Assembly Pension Plan by converting it to a self-funding, defined contribution plan. I furthermore petition the Legislative Assembly to eliminate the Members of the Legislative Assembly Re-establishment Allowance and to immediately stop double-dipping.

head: **Reading and Receiving Petitions**

MR. SPEAKER: The Member for West Yellowhead. I'm sorry; he's directly in my line of sight.

Westlock-Sturgeon.

MR. TAYLOR: You can borrow these any time you like, Mr. Speaker.

MR. SPEAKER: It's my eyes, hon. member; it's my eyes.

MR. TAYLOR: Mr. Speaker, I would like to ask that the petition I tabled yesterday be read.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta 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.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I'm pleased to table with the Assembly today the annual report of Alberta Health for the fiscal year ended March 31, 1992, and the statistical supplement of the Alberta health care insurance plan for the year ended March 31, 1992. Additionally, I am tabling a copy of the 1991-92 actual payments to hospitals and nursing homes by facility. A copy of each document will be circulated to all members.

Thank you.

MR. SPEAKER: The Minister of Environmental Protection.

MR. EVANS: Thank you very much, Mr. Speaker. I'm pleased today to table with the Assembly four copies of the 21st annual report of the Environment Council of Alberta to March 31, 1992. I have distributed copies to all members' offices. This report is printed as a package wrapper for a long-life environmentally friendly light bulb to reflect the council's commitment to both the environment and the economy. I would encourage others reporting to this Legislature to share as well their novel ideas and successes with us.

While I'm up, sir, if I may . . .

MS BARRETT: I thought exhibits weren't allowed.

### Speaker's Ruling Exhibits

MR. SPEAKER: Forgive me, hon. member. The point has been raised that they are exhibits. However, the Chair has made a ruling outside of the House that the minister could not distribute them to all members in the House, that four were sufficient. As with petitions the Chair has said that as long as they can be carried in two hands, that would suffice. Obviously those four things are carryable in two hands. Thank you.

Environmental Protection.

head: **Tabling Returns and Reports**

*(continued)*

MR. EVANS: Thank you very much, Mr. Speaker. I would also like to file with the Assembly responses to Written Question 387 and Motion for a Return 385 as amended.

MR. SPEAKER: Thank you.

Edmonton-Strathcona.

MR. CHIVERS: Thank you, Mr. Speaker. I have several things for filing with the Assembly: first a letter to Premier Klein from a law professor at the University of Alberta who differs with Parliamentary Counsel's legal opinion on pension reform; secondly, I have four copies of a letter from the special prosecutions division of the former Attorney General's department regarding the decision not to allow criminal charges to proceed with regard to violations on the rate of interest charged; and finally, I have four copies of a letter that shows the government of Alberta has

refused to ask for intervenor status in a case before the Supreme Court even though the government would be representing Alberta consumers.

head: **Introduction of Special Guests**

MR. ISLEY: It's my pleasure, Mr. Speaker, to introduce to you and through you to the members of the Assembly three gentlemen with the Alberta Wheat Pool who are sitting in the members' gallery: Ray Schmitt, the president; Garry Dewar, the chief executive officer; Dale Riddell, the director of corporate affairs. I'd ask that they stand and receive the welcome of the Assembly.

MR. SCHUMACHER: Mr. Speaker, it is my distinct pleasure this afternoon to welcome to the Legislative Assembly a man who has served his country and province with distinction both in war and peace, first as an officer in the Royal Canadian Air Force during the years 1940-45, the last year of which he served as a prisoner of war. Later he was elected to this Assembly in 1959 and was re-elected in all succeeding elections, including the 1971 election in the constituency of Calgary-Mountain View. Following his service in this Assembly, he was appointed to the Provincial Court of Alberta in 1980, retiring in 1989. I'd ask all members of the Assembly to welcome Mr. Albert W. Ludwig.

MRS. McCLELLAN: Mr. Speaker, it is my pleasure today to introduce to you and through you to Members of the Legislative Assembly some 15 grade 9 students from Consort school. They are accompanied by a number of adult supervisors but I would especially recognize Janelle Isaman, their class president, who arranged this trip. I would ask them to stand and receive the very warm welcome of this Assembly.

MR. CARDINAL: Mr. Speaker, I would like to introduce to you and through you to the Assembly nine individuals from the Flatbush economic committee who were here today to meet with some of the cabinet ministers in relation to economic growth in their community: Ellen Sauter, Rose Marie Pichota, Joe Dobyanski, Norm Colquhoun, Rick McKnight, Murray Kerik, Robert Esaw, Murray Smith, and Bob Roddick. I'd like them to stand and get the recognition of this House.

2:40

MR. STEWART: Mr. Speaker, it's a real pleasure for me to introduce to you and through you to members of the Assembly 41 students from St. Joseph school in Calgary-North Hill. They are in the public gallery, and they're accompanied by teachers Bob Blanchette, Rob Coumont, Toni d'Apice and parents Bruce Schweider, Ron LaBerge, and Rose Bell. I would ask all members to join in welcoming them to the House this afternoon.

MR. ROSTAD: Mr. Speaker, on behalf of the Member for Wetaskiwin-Leduc I would like to introduce to you and through you to the Assembly 22 students and parents from St. Joseph school. They are accompanied by teacher Pius MacLean and parents Pauline Thoben and Rose Makinaw. They're seated in the members' gallery. I'd ask that they rise and receive the cordial welcome of the Assembly.

head: **Oral Question Period**  
**MLA Pensions**

MR. MARTIN: Mr. Speaker, this government seems to have descended into chaos. I'd like to go back and try to figure out

what the Premier has been saying recently about the pension thing. One day he says that it's against the law, the next day that it was a fundamental issue of fairness to MLAs. He said that he couldn't do anything because his own members might sue him. Then one day he mused: well, maybe he'd have to listen to the people and go back to retroactivity. Meanwhile, we have members of the government publicly taking the Premier on over this issue. But today's a new day, so we've got to find out what the Premier believes in today. My question is a very simple, straightforward one to the Premier: is he considering retroactively changing MLA pensions? Yes or no?

MR. KLEIN: Mr. Speaker, we have Bill 62 before the Legislature right now. That Bill conforms entirely with the recommendations of the Peat Marwick report, which was commissioned by all the parties on the condition that indeed that would be the Bill brought to this particular Legislature. We are still committed to having full debate on that Bill and considering any amendments that might come forward.

MR. MARTIN: Well, Mr. Speaker, we certainly have lots of amendments. We brought some in yesterday.

The Premier still hasn't answered the question. You can't go outside the House and say one thing and, when you feel a little heat, say another thing. We want to know here and the people of Alberta want to know: is he considering retroactivity with MLA pensions? Yes or no? Again, we want to know the answer to this question.

MR. KLEIN: Mr. Speaker, I indicated to the media today following our own caucus meeting that we understand this to be an issue that has a lot of dynamics. Believe me. There are the considerations of those who are leaving the service of government and their spouses. There is the consideration, of course, of the public. There is the confusion, chaos, and confrontation being created by the opposition. There are a number of dynamics here at play. We understand all these things, and we're considering in a very reasonable and responsible fashion as a caucus, as the government all the options available to us.

MR. MARTIN: Mr. Speaker, there are lots of dynamics going around. It comes down to whether the Premier has courage enough to take on his own backbenchers or whether he's going to stand up for the taxpayers of Alberta. I guess the question we have to ask: how can the Premier expect to run a province when he can't even run his own caucus?

MR. KLEIN: Oh, I sort of look around and I see a fine, fine caucus indeed. [interjections] As a matter of fact, Mr. Speaker, I'm so very, very happy to have in our caucus a former member of his caucus.

MR. SPEAKER: Second main question.

MR. MARTIN: Second main question, Mr. Speaker, and we'd like to continue with the Premier. You know, a lot has been made about the justice of retroactivity. In fact, today the Member for Medicine Hat is quoted as saying that he "will not support . . . retroactive legislation as a matter of principle." Now, I would revert to 1977, when Bill 29, the Land Titles Amendment Act, was debated in this House. That Bill retroactively extinguished the rights of the Lubicon, some of the poorest people in the province. Many of those MLAs who are now squawking about principle had absolutely no principles at all when it came to dealing with the

Lubicon. Even the Member for Medicine Hat and others voted to extinguish their rights. My question to the Premier is simply this: how can the Premier continue to justify waffling on the issue of retroactivity when members of his own caucus were quick to act when it came to extinguishing the rights of the Lubicon retroactively?

MR. KLEIN: You know, Mr. Speaker, I guess that is one of the questions relative to retroactivity and some of the problems that retroactivity creates. The hon. Leader of the Opposition party has alluded to the difficulties that arose because of making something retroactive, and these are the kinds of things that we have under consideration at this particular time.

Mr. Speaker, I would like to add that with respect to the circumstance as they now stand relative to the Lubicon, I can't think of a government that has gone any further than the government of Alberta to try and reach a fair and equitable settlement with these people.

MR. MARTIN: Well, Mr. Speaker, isn't it interesting. I guess it's only principles when it affects your own remuneration; that's when we worry about principles in this Legislature. One standard for them and one standard for other people. I want to ask the Premier again: how can he justify not applying the same standard of justice for retiring MLAs and their remuneration right now? Why the double standard?

MR. KLEIN: What the hon. member is trying to say is that retroactivity was wrong then. I guess I'm wondering, Mr. Speaker: why is it right now if it was wrong then?

MR. MARTIN: Well, Mr. Speaker, I think it's right now because a bunch of people that gave us NovAtel, gave us MagCan are going to give themselves a golden handshake, and if he doesn't understand that, almost every other taxpayer in the province does.

I want this Premier now to quit waffling around. We have legal opinions coming in, Mr. Speaker, mentioned by the Member for Edmonton-Strathcona. Clearly they can legally do this. I want to ask him one more time: will the Premier now do the right thing – it's not a legal impediment – and roll back the retroactive increases to these MLAs?

**2:50**

MR. KLEIN: As I indicated, Mr. Speaker, we have a Bill before the Legislative Assembly being Bill 62, that conforms entirely with the recommendations of the report of Peat Marwick. It's an independently conducted report by a highly respected firm of accountants and other financial people. That report is before the House. We do know that there is demonstrable public concern relative to the whole issue of MLA pensions. Our caucus and this government has those concerns seriously under consideration, and we are, as I speak, considering a number of options.

MR. DECORE: Mr. Speaker, two days ago the Premier said that he was reconsidering retroactivity. Yesterday the Deputy Premier said that retroactivity amounted to "economic terror," this referring to the right of retiring MLAs to collect pensions of up to \$83,000 per year when the average pension in Canada is a measly \$9,000 per year and the average income for a person 65 years or over in Alberta is \$17,000 per year. The Premier says one thing on retroactivity; his Deputy Premier another. The caucus is in revolt. Mr. Premier, why do you lack the leadership strength to lead your caucus, your Deputy Premier, and your party on this important issue?

MR. KLEIN: Mr. Speaker, I just don't accept any parts or any portion of the hon. leader's question. It's simply not the case.

MR. DECORE: Mr. Speaker, we have an unfunded liability in the MLA pension plan of over \$40 million that the taxpayers of Alberta are going to be stuck with. Mr. Premier, reconcile for Albertans, if you will, the economic terror that the Deputy Premier talks about and the economic terrorization of the taxpayers of Alberta with that \$40 million-plus.

MR. KLEIN: I made no comments relative to economic terror or anything else, so I'll let the hon. Deputy Premier respond to that.

MR. KOWALSKI: Thank you very much. Mr. Speaker, I'd be very, very happy to do that.

Mr. Speaker, it's really quite amazing. You know, when I grew up as a little kid, somebody once told me that you don't judge a book by the cover. When the hon. Member for Edmonton-Glengarry now takes two words and inserts them in a question to satisfy himself, he should recognize that the two words "economic terror" were taken out of context in the manner in which the hon. member has presented them today.

Essentially what I was doing, not in this House, was just pointing out that as an instrument of public policy by a government when it adopts the principle of retroactivity, it could very well turn out to be a very negative impact among all the people that live in the jurisdiction that the government has governance over. If a government chooses to use that as a principle to deal with everything, Mr. Speaker, it can deal with every matter that the government has done going back who knows how many years, and in that context it could become an instrument of economic terror. I would sincerely ask the leader of the Liberal Party to please make sure that if he wants to take words I have said someplace else, at least he have the decency to use them in the context in which the words have been presented.

MR. DECORE: Mr. Premier, it is my information that your government does not intend to proceed with the passing of the Bill to deal with pensions. I would like the Premier to tell Albertans whether he's prepared to renege on his promise, to renege on his commitment, to renege on his undertaking to the people of Alberta that pensions would be dealt with in this session, that there would be scaling back and that this fat pension plan would be reduced accordingly.

MR. KLEIN: Well, Mr. Speaker, if we had the full co-operation of the Liberal Party and the ND Party, we would be most happy to pass the Bill that is now before the House.

MR. SPEAKER: The Member for Highwood and, if there's time, Calgary-Mountain View.

#### **Fish and Wildlife Habitat**

MR. TANNAS: Thank you, Mr. Speaker. My questions today are for the Minister of Environmental Protection. An environmentally active constituent of Highwood drew to my attention that the habitat division of the former forestry, lands and wildlife department has disappeared. My question is: why has the minister eliminated this important and valuable division?

MR. EVANS: Mr. Speaker, actually the habitat branch was eliminated a couple of years ago as part of an earlier downsizing. The operations of habitat, hon. member, moved over into our

operations branch, and the habitat issue has actually been directed through operations at the five regional division level.

MR. TANNAS: The question that arises, then, from that explanation is: does this change in any way downgrade the priority of the work of the habitat branch?

MR. EVANS: Mr. Speaker, the short answer is no, it certainly doesn't. We have four cornerstones in our fish and wildlife division – fisheries, wildlife, enforcement, and habitat – habitat being the fourth of those cornerstones. It continues to be an extremely important component of the fish and wildlife division.

MR. SPEAKER: Calgary-Mountain View, followed by Calgary-Buffalo.

### Treasury Branches

MR. HAWKESWORTH: Thank you, Mr. Speaker. The North Stars hockey club have signed a \$150 million debenture with the Alberta Treasury Branches. All loans from the Treasury Branches, including this one, by the way, are backstopped 100 percent by the people of Alberta. Will the Provincial Treasurer confirm that under the terms of that debenture the Treasury Branches can demand the \$150 million payment at any time and that in the event of a default under the debenture the Treasury Branches can take over ownership of the North Stars hockey club on behalf of the people of Alberta?

MR. DINNING: Mr. Speaker, the hon. member yesterday filed a demand debenture document in this Assembly between a company known as Stewart, Green Properties of Alberta and Alberta Treasury Branches. This Provincial Treasurer is not going to politically meddle in the banking relationships between clients of the Treasury Branches and the Treasury Branches themselves. I can see that the socialists across the way would do that if they were ever in office, and that's something I think all Albertans should know about, that they would want to debate loan arrangements between the Treasury Branches and their clients on the floor of this Assembly. When I say that there are about 818,000 deposit accounts and some 200,000 loan accounts at the Treasury Branches, what I want to know is: where would they stop? What violation of somebody's privacy are they going to break tomorrow? I think it's downright immoral.

MR. HAWKESWORTH: Well, Mr. Speaker, all of this is a matter of public record, including the fact that this Provincial Treasurer has taken one position in his dealing with Peter Pocklington and something completely different in his dealing with the North Stars hockey club.

Under this debenture, Mr. Speaker, the Provincial Treasurer has potentially tremendous clout as banker to the North Stars hockey club. Can I take from his previous answer that he's not prepared, or perhaps he now is prepared, to use his clout as banker and bring the North Stars hockey club to Edmonton in the event that Peter Pocklington moves the Oilers out of Alberta?

MR. DINNING: A little speculative, Mr. Speaker, a little hypothetical. I guess the question also relates to this: should Alberta Treasury Branches loan money to Albertans or to Alberta businesses who want to make a good investment in this province? I don't think there's any disagreement there. I think we both agree that they should. I think the difference is where there's a successful Alberta business or an Alberta businessperson who has

loans and finances with the Treasury Branches. If that person chooses to begin doing business outside of the province, we now know that the socialists across the way would say: let's bring the Berlin wall back; we're not going to allow any of those kinds of investments to occur, not with the support of Treasury Branches. We see the socialist principles across the way: keep Alberta locked in; don't let us be a trading province or an export province. That's their position. We have an entirely different one on this side of the House.

MR. SPEAKER: For those of us who are hockey purists, they will now be known as the Dallas Stars, just in case the other hypothetical situation about moving them to Edmonton doesn't develop.

Calgary-Buffalo, followed by Little Bow.

3:00

### MLA Pensions

(continued)

MR. DICKSON: Thank you, Mr. Speaker. The Minister of Municipal Affairs recently wrote volunteer members of housing foundations, associations, and management agencies encouraging them, as cost-cutting measures, not to be buying donuts or making photocopies. He says, and I quote, "I believe that saving nickels and dimes is the beginning of saving dollars." My question is to the Premier. I ask him how he would reconcile, if he can, on the one hand having a minister in his cabinet encouraging volunteers to forgo photocopying and donuts and on the other hand still refusing, as of this date, to take action to reduce retroactively the outrageous \$40 million pension bill owing to MLAs who will retire before the next election.

MR. KLEIN: Well, Mr. Speaker, to say that we haven't taken action is absolutely false, and the hon. member knows it. As a matter of fact, his leader asked if we were going to pass the Bill that purports to take action on pensions, and we said that we would, providing that we get the co-operation of the Liberal Party.

With respect to the letter itself, I would defer to the hon. Minister of Municipal Affairs.

MR. SPEAKER: Thank you, hon. minister, no. It was just used as a preamble, as a throw-away diversion to get to the question. The question was retroactivity.

Supplementary.

MR. DICKSON: Well, thank you, Mr. Speaker. Today in this Legislature we saw the presentation of petitions signed by some 20,000 Albertans requesting an MLA pension plan exactly like the Bill that the Liberal Party has introduced, sir, a Bill that would include retroactivity, significant cuts in benefits, and an end to the guarantee by taxpayers. Given the urgency and importance of this issue, I ask the Premier: why has he canceled the session scheduled for this evening?

MR. KLEIN: Well, to answer the last part of his question first – or did he ask another part of the question? – I didn't. It was the House leader.

MR. SPEAKER: The Member for Little Bow, followed by Edmonton-Kingsway.

### Waste Management

MR. McFARLAND: Thank you. Mr. Speaker, my question is to the Minister of Health. I understand, Mr. Minister, that several health unit boards across the province are experiencing difficulties

with increasing costs incurred in siting landfill sites and the applications that flow from that. Would the minister please explain what difficulty seems to be causing this concern and whether she possibly could provide funding to offset the costs incurred during these investigations?

MRS. McCLELLAN: Mr. Speaker, the hon. member has raised an important matter. It is a matter that has been raised with me by a number of health units across the province and also recently at the health unit conference. Under the waste management regulations of the Public Health Act health unit boards are required to investigate and to study landfill applications and through that investigation and study can and do seem to be incurring some substantial costs. Currently in the province the health units are not funded with any designated funding to cover this. It's expected to come from their global funding. They have asked if they could be allowed to charge a fee to cover these costs.

Mr. Speaker, I would say that I have referred this matter to the Waste Management Regulation Advisory Committee, chaired by the assistant deputy minister of public health in my department. They are currently discussing these issues. So I would like to hear that recommendation from that committee. I have undertaken to work very closely with my colleague the minister of the environment to ensure that we can solve this very important issue for our health units.

MR. SPEAKER: Little-Bow, supplementary.

MR. McFARLAND: Thank you, Mr. Speaker, and I want to thank you, Madam Minister, for indicating that you will be consulting with the department of the environment as well.

My supplementary has to do with another rather touchy question in regard to the financing. Might you consider passing on the costs of review processes to the municipalities, or is this a cost that's properly borne by the health units?

MRS. McCLELLAN: Well, Mr. Speaker, this government recognizes that there are financial pressures on our municipalities, and I certainly don't want to add to those burdens. I would be concerned about adopting measures that would in fact increase the cost borne by the municipalities. I do expect to receive that recommendation from the waste management regulation committee in the fairly near future, and I'm very hopeful that they will have some recommendation for us as to how to handle those costs.

MR. SPEAKER: Edmonton-Kingsway.

#### **Alberta Government Telephones**

MR. McEACHERN: Thank you, Mr. Speaker. Yesterday the Canadian Radio-television and Telecommunications Commission granted AGT interim telephone rate increases. That means that starting this Saturday residential customers will pay more to use their telephones, and business customers will pay upwards to 25 percent more. These hikes are about 60 percent of what AGT wanted, and the company has plans for two more increases in the coming year. That would mean rate increases of 30 to 50 percent higher than today. In fact, extended flat rate calling charges will double for many people. In 1990 this government privatized AGT, and the minister of technology, research and telecommunications assured the Legislature that there would be no rate increases and no job losses at AGT as a result of their actions. How can the Premier accept these rate increases by the company that contravened the promises made when he was a cabinet minister in 1990?

MR. KLEIN: I'll defer to the Acting Minister of Economic Development and Tourism, responsible for utilities.

MR. ISLEY: And, Mr. Speaker, I will take the question on notice on behalf of my colleague.

MR. McEACHERN: Yeah, and that's a guy from rural Alberta, and rural Alberta gets the worst of this deal.

Mr. Speaker, proponents of long-distance . . . [interjections]

MR. SPEAKER: Order. [interjections] Order.

With keen anticipation, the supplementary.

MR. McEACHERN: Mr. Speaker, proponents of long-distance competition in Canada boasted that the competition would create winners everywhere, that costs would be lowered, that thousands of new jobs would be created, and that local rates would continue to be subsidized by long-distance rates. Yet two weeks ago AGT laid off more than 1,200 workers and awarded handsome bonuses to their senior management. This government still participates . . .

MR. SPEAKER: Order please, hon. member. The clock is ticking; you're almost up to a minute. Let's have the question. This is a supplementary.

MR. McEACHERN: Why doesn't this government, that still participates in the operation of AGT through four appointed representatives on its board, intervene to save jobs in Alberta rather than guarantee profits for its friends?

MR. ISLEY: Mr. Speaker, I will also take that on notice, and I'm sure my colleague will respond in due course.

MR. SPEAKER: Edmonton-Jasper Place, followed by Edmonton-Gold Bar if there's time.

#### **Environmental Protection and Enhancement Act**

MR. McINNIS: Thank you, Mr. Speaker. There's been nonstop celebration in the offices of corporate polluters in Alberta since the minister of the environment announced just over a week ago that the new legislation protecting the environment will be delayed until September for proclamation. Perhaps the greatest atrocity relates to Sunpine Forest Products, which has been provisionally awarded a huge forestry management agreement in Alberta's west country, one of Alberta's treasures. Under the new Act Sunpine would have to make its application to build a phenol formaldehyde veneer plant public. It would have to produce an environmental impact assessment, and there would be public hearings by the NRCB. Under today's legislation the application is a secret. There's no EIA, and there's no due process. Guess which one the company prefers? In view of the fact that September 1, the date that the minister has identified for the Act, is also the deadline for Sunpine to begin its plant, has he decided to seek an earlier proclamation in the interest of fairness to those people who believe that this project should be handled correctly?

**3:10**

MR. EVANS: Well, Mr. Speaker, what a nonsensical preamble. The hon. member is well aware that the exact same standards that apply today in terms of environmental sensitivity apply once the regulations come into force and effect under AEPEA. He is well aware of that, and he is quite frankly on a wild goose chase making any of the comments that he's made in his preamble.

MR. McINNIS: Yeah, right. You get to keep your applications secret under the new legislation. Read the Act. Read the Act.

MR. SPEAKER: Supplementary. Order. Let's have a question, not debate.

MR. McINNIS: Okay. As much as he pretends it's business as usual, the minister has also created a modern gold rush of applications for five-year permanent extensions to be heard during this four-month hiatus period: Mitsubishi, Al-Pac, Daishowa, Slave Lake Pulp, not to mention the two major cement plants that want to burn tires. Will the minister at least confine this obscenity to a six- to 12-month period rather than granting any five-year permits during the four months between now and the date when the legislation is proclaimed?

MR. EVANS: Well, Mr. Speaker, I would restate that the exact same standards apply today under the current environmental legislation as will apply once AEPEA is proclaimed in effect on September 1. There are licence renewals which are coming on stream, and they are being dealt with in good time. They are being dealt with according to the rules and the regulations that we have to date, and those rules and regulations are that we allow a maximum licence renewal time frame of five years.

Now, once a licence is renewed, that renewal process will give the directors under the new environmental legislation the right to review any issue with respect to the granting of that licence if there was some information that wasn't available. There is no intent here to secrecy. In fact, the Sunpine operation that the hon. member referred to is going overboard in trying to have public input. Because of some concerns raised by local people, they went forward; they had a very thorough review process undertaken with vested interest groups from the area to determine whether another site could be picked. Very, very upfront, very . . .

MR. SPEAKER: Thank you, hon. minister. Thank you.  
Edmonton-Gold Bar.

#### MLA Pensions (continued)

MRS. HEWES: Thank you, Mr. Speaker. This afternoon the Premier suggested that he would appreciate co-operation from all sides of the House related to the pension legislation. One would therefore expect that every available opportunity would be used to allow for this debate. My first question is to the hon. Deputy Premier, the House leader. Why, Mr. Deputy Premier, then, was this evening's session, which could have dealt with Bill 62, canceled and tomorrow morning's agenda shifted not to include this very important item?

MR. KOWALSKI: Mr. Speaker, tomorrow's agenda will deal with Motion 38, which is on the Order Paper. A motion was introduced several days ago. The motion is:

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

This motion is perhaps so wide that you could literally speak about anything you wanted to speak about. So I would certainly welcome the hon. member to be in the House tomorrow.

Mr. Speaker, there are circumstances during a week in which a government has to deal with a variety of issues, including the preparation of the budget that we're dealing with. It would have really been helpful - I asked the Liberal Party if they would allow us on Thursday, May 6, which is the date of the budget, to present

the budget at 6 o'clock in the evening so all people in the province of Alberta would have a chance to see the Provincial Treasurer provide it, and the Liberals said no. We're working around an opportunity to provide as much information to the people as we possibly can. [interjections]

MRS. HEWES: Mr. Speaker, the . . .

MR. SPEAKER: Forgive me, hon. member. I'd like you to wait so I can hear what your question is going to be when the rest of the people are a bit more quiet.

Edmonton-Gold Bar. Thank you.

MRS. HEWES: Mr. Speaker, the Premier wants co-operation from this side. I suggest that the absence of co-operation is on that side of the House.

Mr. Speaker, my supplementary is to the Premier. I'd like to ask: is the Premier going to give Albertans an MLA pension Bill that contains a scaling back of benefits, including retroactivity, signed, sealed, and proclaimed before an election is called?

#### Speaker's Ruling Repetition

MR. SPEAKER: Forgive me, hon. member. The Chair is confused as to what the supplementary question has to do with the first question. In addition . . . [interjections] Order. [interjections] Order.

As for the second question, which does not flow from the first in the opinion of the Chair, that's been asked about three times so far this afternoon.

The Member for St. Paul.

#### Barley Marketing

MR. DROBOT: Thank you, Mr. Speaker. My question is to the Minister of Agriculture and Rural Development. Last night in St. Paul the Minister of Municipal Affairs and the chairman of the standing policy committee on agriculture and rural development met with area farmers to discuss their mutual interests and concerns. One item raised was the Carter report on continental barley. Can the minister inform the House of the reasons he gave in outlining Alberta support of the Carter report and a move toward a continental barley market?

MR. ISLEY: Mr. Speaker, reason number one, obviously, and the reason anyone in this House should support it, is that it will bring greater dollar returns to the farmer at the farm gate. Reason number two is that it's very consistent with what we heard after the massive consultative process known as Creating Tomorrow, when farmers were consistently telling us: let us get closer to the marketplace; let us read true market signals. I think those are two very good reasons for supporting it.

MR. TAYLOR: Take a plebiscite, Ernie.

MR. SPEAKER: Supplementary. It's not Westlock-Sturgeon's turn but St. Paul's.

MR. DROBOT: Supplementary, Mr. Speaker. At the same meeting some farmers asked whether a producer plebiscite should be held on the matter or not. Could the minister inform the House as to whether a plebiscite should be held or would be held?

MR. ISLEY: Mr. Speaker, as I've stated before in this House and as I stated at St. Paul last night, this was the first minister to

ask for a plebiscite on the marketing of barley. At that time, the debate was whether or not barley should be totally taken out from under the Canadian Wheat Board. That was the issue where I said: let's do a plebiscite and find out what farmers are thinking. When there was no response from the Canadian Wheat Board to carry out a plebiscite, we came forward with the continental barley marketing proposal, which gives the farmer the option to either market through the Wheat Board or market freely off board, as he does now in Canada, beyond the 49th parallel. I can't really see any need to have a plebiscite when all we're doing is giving the farmer an additional option. The farmer can vote with the way he is marketing. If everyone markets through the board, there'll be no continental barley marketing. If everyone feels they're getting a better return by going directly to the marketplace, so be it. They've told the story.

MR. SPEAKER: Calgary-Forest Lawn.

### Education Funding

MR. PASHAK: Thank you, Mr. Speaker. Earlier this month the Minister of Education finally made his announcement regarding special grants to education. Not only did this delay put an intolerable burden on school boards, who were attempting to finalize their '93-94 budgets, but the minister also cut transportation grants by 10 percent and 22 other special program grants by 8 percent. My question is to the Minister of Education: how can he justify these cuts when they include support for such important programs as early childhood education, native education, community schools, and especially high-needs schools?

3:20

MR. JONSON: Mr. Speaker, since 1988-89 the provincial government has provided an additional \$400 million in funding to education, or an increase of 29 percent over that very short period of time. I'd also like to point out that this year, in terms of additional moneys flowing to school boards in this province, there is an additional some \$35 million, or an increase of 2.5 percent overall. I think that is quite justifiable in our current economic circumstances.

MR. PASHAK: Those increases the minister referred to just account for increases in enrollment.

Not only did the minister cut funding to public education, but he increased the level of funding to private schools by some 75 percent of the special grants. How can the minister justify increased taxpayer support for private schools at the same time he cuts support for private education?

MR. JONSON: Mr. Speaker, the increase in funding for private schools was simply a function of extending the 75 percent level of support, which is our current level of support for the SFPP per pupil grant, to a number of other programs that private schools are operating. The overall support for private schools in this province is about 34 percent of what is available to the public and Catholic schools of this province.

MR. SPEAKER: Westlock-Sturgeon.

### Southview Athabasca Ltd.

MR. TAYLOR: Thank you, Mr. Speaker. My question today is to the Minister of Energy. An organization called Southview Athabasca Ltd. has been trying for over two years to build an electrical power generating plant, an ethanol plant, near Flatbush,

which is in the old Athabasca and the new Deputy Premier's riding. For some reason or another they've been getting quite a runaround. Since it is in the Minister of Energy's ambit and she's had a few months to train in her job and this application has been outstanding for two years, can the minister tell us whether this project is going to get the go-ahead or not?

MRS. BLACK: Mr. Speaker, I had the opportunity less than an hour ago to have a meeting with the people representing Southview and Flatbush, and I'm looking forward to receiving their application.

MR. TAYLOR: Mr. Speaker, it's about as fast as the pension legislation is in this House.

Let me go on, then, to the minister of agriculture. Since this project, because it's reputed to use agricultural products, could involve as many as 2,000 or 2,100 farmers and it's been around for two years and the minister has been around for more than that, can the minister say what his recommendation is to the Minister of Energy? Go-ahead or turn down? Elzinga is giving you the nod, so you should know.

MR. ISLEY: Mr. Speaker, I've had three meetings now with the proponents of this project. We are still attempting to get a clear understanding of what the project is. I repeated again to the proponent today: define the project; come forward with a business plan; come forward with a financing plan so we can do an assessment and be in a position to make a recommendation. At this point in time the proponent is talking at the conceptual level only.

MR. SPEAKER: Edmonton-Avonmore.

### Child Support and Maintenance Payments

MS M. LAING: Thank you, Mr. Speaker. My questions are to the Minister of Justice. This government has failed to address the economic inequities faced by women and children by implementing such measures as pay equity legislation. We are reminded of one of the other economic inequities women face as we approach the deadline for filing income tax returns. Single mothers face the added burden of unfair taxation inasmuch as child support payments they receive are fully taxed while the fathers who make the payments can deduct the full amount from their taxable income. Such unfair provisions deepen the poverty in which women and children live. Will this minister now commit to lobbying his federal colleagues to change this unfair tax law?

MR. FOWLER: Mr. Speaker, as the hon. member acknowledges, it is purely federal tax legislation, and the degree of success that we would have in lobbying for any changes in that, I think, would be rather small. However, I am not in disagreement with her statement that there may be a correction there that can and should be made. We are fully aware of the fact that the contributing spouse has a fully deductible amount while the one who receives the funds must include it in their income. In today's difficult economic world there is no doubt in the world that single mothers raising children are in a difficult economic situation.

MS M. LAING: Well, Mr. Speaker, part of the reason that women are in such a difficult situation is their inability to collect the money awarded to them through child support orders. We continue on a daily basis to hear from women whose husbands have arrears of thousands of dollars, which adds to the number of

women and children living in poverty. Will the minister now commit to implementing a program which will collect child support payments by deducting income at source?

MR. FOWLER: Well, of course I believe, Mr. Speaker, that that's already done through the garnishee process, and that is collecting income at source. I have no more toleration, no more sympathy for absconding spouses who do not maintain their responsibility to family and to former spouse or spouse that they are separated from than does this hon. member herself. The enforcement division of maintenance enforcement of our government collects hundreds of millions of dollars through their efforts now and do an excellent job with a very hardworking staff. However, in many instances in this economic time our enforcement officials are in no better a position to create money than anybody else is in the world today. Many people on which enforcement orders are held do not in fact have the money, because they themselves may not in fact be working or they in fact are applying for changes in those court orders.

Finally, I would state again that we in this government are extremely concerned that husbands and former husbands or those responsible for paying maintenance should in fact pay maintenance, and they are chased very, very hard.

MR. SPEAKER: Edmonton-Whitemud.

#### Lottery Funds

MR. WICKMAN: Thank you, Mr. Speaker. My question is to the minister responsible for lotteries. Year after year the Auditor General recommends that lottery funds be part of general revenues. What is it about the use of these lottery funds that prevents the minister from implementing the Auditor's recommendations?

MR. KOWALSKI: Nothing, Mr. Speaker.

MR. WICKMAN: Mr. Speaker, the minister responsible for lotteries replies, "nothing," in a very, very flippant manner. This is a very, very serious question about accountability and openness. To the minister responsible for lotteries, also the Deputy Premier: why does the minister continue to defend this action of secrecy?

MR. KOWALSKI: Mr. Speaker, the hon. member obviously wasn't listening to my first answer. I said that there was nothing that would prevent it.

A little earlier his colleague sitting beside him said: well, why aren't we sitting tonight? I said: some of us are working on budgets. Well, we also asked the Liberals to allow us next Thursday night at 6 o'clock to have the Provincial Treasurer bring forth the budget. All citizens of Alberta would then know exactly what the government wants to do, but the Liberals have denied us that. We want to deal with this matter. If they would just be helpful in allowing the people of Alberta to really understand what happens, rather than have, you know, the Liberal Party filter what happens here to the people of Alberta in association with some of their colleagues, we would be able to make sure the people would be well served. It is the government's intention to deal with the recommendations of the Auditor General in a very positive way, as has already been outlined by Premier Klein.

3:30

MR. SPEAKER: We'll pause long enough for the one minister to leave.

#### Privilege Imputing Motives

MR. SPEAKER: First we will deal with an item of privilege; then we will deal with a point of order which was raised last week as well. The ruling is fairly lengthy, and copies will be distributed to all hon. members upon completion of the ruling.

On April 21, '93, during question period the Member for Calgary-Buffalo directed a question to the Premier, as found on page 2309 of *Hansard*, and in his comments made reference to a letter written by the Member for Camrose. [interjections] Perhaps we could all just keep it quiet for a while.

The quote is this:

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

A copy of a letter was sent via a House page to the Premier and another copy to the Chair. The Chair intervened with a caution to the Member for Calgary-Buffalo. The Member for Calgary-Buffalo then placed a supplementary question. Quote:

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

On April 22 the Member for Camrose delivered notice of privilege at 12:25 p.m. to the office of the Speaker, which showed a copy to the Member for Calgary-Buffalo. When the House convened on April 22, the Member for Camrose gave oral notice that he wished to raise a matter of privilege at the end of question period. During question period the Member for Edmonton-Meadowlark placed a question to the Premier related to the issue as raised the day before by the Member for Calgary-Buffalo. The Chair called Edmonton-Meadowlark to order since the issue was to be a matter of purported privilege to be addressed that same day and therefore subject to the rule of anticipation. Edmonton-Meadowlark failed on a point of order following question period, as recorded in *Hansard* on pages 2334, 2335, and 2336.

On that same day the Chair recognized the Member for Camrose to rise in accordance with Standing Order 15(2), and under Standing Order 15(4) the Chair delayed further discussion until a day when the Member for Calgary-Buffalo would be present. In the evening of April 22 the Chair sent a note in the House to the Member for Calgary-Buffalo to ascertain if he would be present on April 23 to address the issue of purported privilege as raised. The member replied in the affirmative.

On Friday, April 23, the Member for Camrose addressed the issue of purported privilege, as found on *Hansard* pages 2368 and 2369. In the course of his remarks the member mentioned he had scheduled a meeting with the Ethics Commissioner to discuss the letter of reference. The Member for Calgary-Buffalo addressed the House on the issue, and this is found in *Hansard* on pages 2369 all the way through to 2372. The member stated he had referred the matter to the Ethics Commissioner on April 21. A letter from the Ethics Commissioner to the Member for Calgary-Buffalo dated April 23 was supplied, which indicated receipt of documents and an intention to make an investigation. The Chair made no comment save that the purported privilege matter would be given due consideration. Yesterday the Chair tabled the report of the Ethics Commissioner, dated April 28, 1993, and received



by the Speaker at 11 a.m. This report was later given to all members of the House.

In assessing this particular case of purported privilege, a number of concerns arise. Unknown to the Chair or to the House, on April 21 the Member for Calgary-Buffalo sent a letter to the Ethics Commissioner. On the same day the same member raised his question in the House. At that time the Member for Calgary-Buffalo without notice then sent a copy of a letter to the Premier and to the Chair. It was not a proper filing; therefore, the method of filing is defective and inappropriate. The letter is not a certified copy. Indeed, it is a facsimile, as indicated at its lower right-hand corner. The document does not comply with the standard practice of this House. The letter is addressed, quote, "To the Court," not to a specific person. The letter does not show a time or date stamp to indicate that it was received or by whom. The question arises as to how this supposed, quote, court document, close of quote, became public. In addition, how is it that the Member for Calgary-Buffalo came into possession of a letter which was not addressed to him personally or in another capacity?

In his remarks to the House on April 23 the Member for Calgary-Buffalo made considerable reference to two documents, namely the Code of Professional Conduct for the Law Society of Alberta and the proposed code of professional conduct for the same society. No one can be held responsible for a proposed code which has not come into force; therefore, a reference to such material is of no consequence. Calgary-Buffalo also referenced the code of ethics as in effect for the Law Society. Calgary-Buffalo further stated in *Hansard* on page 2371 that this issue of purported privilege, quote, "is a matter for the Legislative Assembly; it's not a matter for the Law Society." The Chair agrees that both of these documents are of no relevance in this Chamber.

Yesterday the Ethics Commissioner delivered his report to the office of the Speaker with copies for all members, which were distributed in the Assembly. The Ethics Commissioner stated on page 2, and I quote, "The actions taken by the Member for Camrose do not breach any section of the *Conflicts of Interest Act*." The Ethics Commissioner further states on page 3, quote, "No sanction is recommended as the Member has not breached the *Conflicts of Interest Act*." The Ethics Commissioner makes useful comments throughout his report. The Ethics Commissioner also raises the issue of letters of reference for the Assembly to deal with at a later date. The Ethics Commissioner also stated on page 3, and I quote:

This particular matter was simultaneously raised in the Assembly and with the Office of the Ethics Commissioner. It is recognized that privilege is one of the most important matters to be considered by the Assembly and that the Assembly must retain its full authority to deal with matters of privilege.

The Chair has given long and thoughtful consideration to this whole matter and is well aware of precedent being established as this is the first time purported privilege has been raised since the coming into force of the *Conflicts of Interest Act*.

Standing Orders of the Assembly come very much into play, especially Standing Order 23(h) and (i), which are, and I quote:

A member will be called to order by Mr. Speaker if that member:

- (h) makes allegations against another member;
- (i) imputes false or unwavred motives to another member.

I quote Beaudesne 409(7):

A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.

Under Standing Order 15(2) notice was complied with by the Member for Camrose, and I quote here:

A member wishing to raise a question of privilege shall give a written notice containing a brief statement of the question to Mr. Speaker and, if practicable, to any person whose conduct may be called in question, at least two hours before the opening of the sitting, and before the Orders of the Day are called, shall call attention to the alleged breach of privilege and give a brief statement of the nature of the matter which founds the complaint.

Standing Order 15(3) and (4) were complied with by the Chair, and they read:

(3) If Mr. Speaker is of the opinion that the matter may not be fairly dealt with at that time, he may defer debate on the matter until such time as he determines it may be fairly dealt with.

(4) If the member whose conduct is called in question is not present, the matter shall be deferred to the next day that he is present unless Mr. Speaker rules that, in the circumstances, the matter may be dealt with in his absence.

Standing Order 15(6) was complied with, and I quote:

Mr. Speaker may allow such debate as he thinks appropriate in order to satisfy himself whether a prima facie case of breach of privilege has taken place and whether the matter is being raised at the earliest opportunity.

The Chair therefore rules that a prima facie case of privilege has occurred.

3:40

MR. KOWALSKI: Mr. Speaker, I rise to give oral notice to make a motion with respect to your finding that a prima facie case of breach of privilege has taken place. However, prior to doing so, I wonder if the hon. Member for Calgary-Buffalo wishes to rise in his place to follow the time-honoured tradition of parliament and to apologize to the Member for Camrose and to this House.

MR. DICKSON: Mr. Speaker, given the decision you've just rendered, I appreciate the opportunity provided by the Deputy Premier, and I wonder if I might have a day to consider that, sir.

MR. SPEAKER: I'm sorry, hon. member; that's not the tradition of the House.

MR. TAYLOR: Point of order.

MR. SPEAKER: Order. There's no points of order on this issue. [interjection] Order. Take your place. Thank you.

MR. KOWALSKI: Mr. Speaker, I have been in this House for a great number of years, since 1979. When an hon. member rises on a question of privilege, that hon. member must understand the seriousness of a question of privilege. This is not a matter that should be taken lightly. It's not a matter of whim that goes on on a particular day. It's my understanding as well that the Member for Calgary-Buffalo is learned in the law. Certainly he's been in this House, with ample time to deal with everything that he chooses to. I think we should deal with this matter today. We have the reputation of one hon. member at stake. If the hon. Member for Calgary-Buffalo chooses not to rise - I'll sit down, and I'll give him a minute perhaps, if that's appropriate, sir - then I will be proceeding with my oral notice.

MR. SPEAKER: Thank you. The House stands adjourned for five minutes.

[The Assembly adjourned from 3:45 p.m. to 3:50 p.m.]

MR. SPEAKER: Order please. Order.

Does Calgary-Buffalo wish to take the floor?

MR. DICKSON: Thank you, Mr. Speaker. If I do not have the opportunity to consider this matter overnight, I think my comments would have to be these: firstly, I always regret, sir, if what's said in the House is seen by a particular member as reflecting adversely on his general reputation. That had not been my intention. But I'm unable to apologize for asking the question, which I still believe to be an appropriate question.

MR. SPEAKER: Thank you, hon. member. The Chair takes it this is not an apology. Therefore, you are not recognized.

MR. KOWALSKI: Mr. Speaker, I give oral notice of a motion to refer your finding of a prima facie breach of privilege to the Standing Committee on Privileges and Elections to determine the appropriate action with respect to the Member for Calgary-Buffalo.

#### Point of Order Reflections on a Member

MR. SPEAKER: With respect to the point of order that occurred on April 23, '93, in question period, the Member for Edmonton-Strathcona raised a matter related to MLA pensions. In his supplementary question the member stated on page 2365 of *Hansard*, quote:

Yesterday the former minister of consumer and corporate affairs said that one of the reasons that he ran for office in the last election was the generosity of the MLA pension plan.

The MLA for Calgary-Currie rose on a point of order and cited Standing Order 23(h) and (i).

A member will be called to order by Mr. Speaker if that member:

- (h) makes allegations against another member;
- (i) imputes false or unavowed motives to another member.

Calgary-Currie referred to Edmonton-Strathcona's remarks in the supplementary as being, quote:

At best, that is a complete distortion; at worst, it impugns the very motives for which I ran for the Alberta Legislature.

In reply Edmonton-Strathcona commented that he had made his remarks based on a, quote, "publication in the *Calgary Sun*."

Edmonton-Strathcona withdrew the one word, quote, "generosity," from the phrase "generosity of the pension plan." Edmonton-Strathcona did not apologize to the member or to the House.

Edmonton-Strathcona indeed made a statement in his supplementary comments which violated both Standing Order 23(h) and (i) as well as *Beauchesne* 409(7). Quote:

A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.

The Chair therefore requests the Member for Edmonton-Strathcona to honour the gracious tradition of this House and to apologize to the Member for Calgary-Currie and to this House.

MR. CHIVERS: Mr. Speaker, I regret if I've misquoted or misunderstood the member's comments. In that sense, I apologize to him: if I've misunderstood or misquoted his comments.

head: **Orders of the Day**

head: **Written Questions**

MR. DAY: Mr. Speaker, I move that the written questions on today's Order Paper stand and retain their places.

[Motion carried]

head: **Motions for Returns**

MR. DAY: Mr. Speaker, I move that the motions for returns on today's Order Paper stand and retain their places with the exception of Motion for a Return 277.

[Motion carried]

#### Hemisphere Engineering Inc.

277. On behalf of Mr. Decore, Mr. Wickman moved that an order of the Assembly do issue for a return showing details of the payment of \$49,027 to Hemisphere Engineering Inc. by the Department of Public Works, Supply and Services during the fiscal year 1989-90.

MR. DAY: Mr. Speaker, the government accepts Motion 277.

MR. SPEAKER: Thank you. A favourable indication.

MR. WICKMAN: Thank you, Mr. Speaker, for the positive comments. I will not speak on it.

[Motion carried]

head: **Motions Other than Government Motions**  
**English as a Second Language Programs**

234. On behalf of Rev. Roberts, Mr. Gibeault moved:  
Be it resolved that the Legislative Assembly urge the government to provide accountable, effective English as a Second Language, ESL, programs to both children and adults by increasing the per pupil grant paid to school boards, extending the number of years for which grants are available, providing ESL to early childhood services students, providing ESL for Canadian-born children whose first language is not English, updating curricular resource materials, increasing the number of full-time spaces available for adult ESL as immigration levels increase, providing specialized ESL training to assist with the transfer of foreign credentials and the ability to work in Alberta, and ensuring that the availability of ESL training does not discriminate on the basis of gender.

MR. SPEAKER: The Member for Edmonton-Mill Woods.

MR. GIBEAULT: Now, Mr. Speaker, that is a comprehensive motion dealing with a very important issue. [interjections]

MR. SPEAKER: Order please, hon. members. Order. Down just a bit, thank you.

MR. GIBEAULT: It's an important and comprehensive motion, Mr. Speaker, that deals with the question of English as a Second Language. Principally it relates, of course, to English for those citizens, those newcomers to our province for whom English is not their first language, although it does also apply, as I'm going to touch on in my comments here shortly, to Canadian-born children who have difficulty and have not mastered English to an appropriate skill level to be completely competent in the language in the sense of being able to function effectively in our society.

I'd like to touch on a number of points to this issue, Mr. Speaker. The question of English as a Second Language training in the province has been one that's been the subject of much discussion and perhaps some controversy for a number of years.

Back in January of 1991 the Alberta Teachers of English as a Second Language put out a position paper entitled Language Training for Adult Newcomers, in which they put out a request for the provincial and the federal governments to adopt a long-range funding policy for language training for adult newcomers to Alberta. That position was based on five points.

1. Language training is essential to the successful integration of newcomers.
2. Quality language training gets a good return on the investment.
3. A quality language training program is based on professional ESL instructors.
4. The [English as a Second Language] Profession must be part of policy-making on language training.
5. Effective programs should not be hampered by fluctuating funding.

The reason, of course, that this position paper was adopted was because there has been a number of difficulties with regard to the administration of the English as a Second Language program in the province. Part of the problem was, of course, that English as a Second Language was not part of Alberta Education's mandate; it was not part of Alberta Advanced Education's mandate. It was sort of an interdepartmental committee's responsibility, if you like, and to that extent, when everybody's responsible for something, nobody's responsible for it. So what we had was a situation where programs were introduced on a somewhat ad hoc, piecemeal basis in various institutions around the province.

The instructors in many of those cases did a very excellent job under very limited resources and under difficult circumstances at times. What the Alberta Teachers of English as a Second Language were trying to bring to the government's attention is that English as a Second Language to be effective should be given the same kind of status, if you like, in terms of funding and attention and administration that is available for the wide range of education services that are administered through the departments of Alberta Education and Alberta advanced education. That of course means that you have to have people with certain qualifications. Not just anyone is taken off the street to teach English as a Second Language. Like all teaching, the teaching of English as a Second Language is a specialized occupation. As we have certificated teachers in our schools all around the province, we should also be looking at having a certification and professionalization process for the teaching of English as a Second Language.

4:00

In addition, of course, that sort of professionalization and funding base for English as a Second Language would ensure that the quality of instruction was at a high level. One of the problems of this ad hoc and piecemeal approach and funding that only went for a few months at a time on a renewable basis from time to time was that many educators were reluctant to get into the field because they were often taken on on a contract basis for a few months' period, with no benefits, no pension – none of the accoutrements, if you like, of the profession of educators. So there was a lot of instability and turnover, and generally it was a situation, Mr. Speaker, that did not contribute to the effective delivery of an English as a Second Language program.

[Mr. Deputy Speaker in the Chair]

Now, Mr. Speaker, on November 15, 1990, the interdepartmental committee responsible for English as a Second Language – which included the departments of advanced education, career development and employment, culture and multiculturalism, education, family and social services – put out their report, English as a Second Language: Interdepartmental Review

Committee, in which they had a number of recommendations to bring to bear on the question of English as a Second Language as it's delivered here in the province of Alberta.

Their first recommendation for adult ESL in the short term was that

the existing or a higher level of financial support be provided for full-time ESL training;

secondly, that

Advanced Education allocate more funds to clear up the current waiting lists in part-time training;

thirdly, that

the current level of generic part-time ESL training be increased temporarily.

Now, for ESL for adults in the long term, it recommended that federal ESL funding be tied to numbers of immigrants requiring ESL in the negotiation of a new Canada-Alberta immigration agreement and that

specialized English language training be increased.

They indicated here that at least a half a million dollars would be required over the remainder of the 1990-91 budget year.

Now, Mr. Speaker, the problem and the point that they were getting at there, one of the problems that continues to exist in this field of English as a Second Language, is that while many newcomers have a basic level of English, which allows them to order meals in a restaurant and do some fairly basic kinds of things – which is probably the level of ability that I have in French and Spanish, for example; I can function at very basic levels like that – but when it comes to technical language and any of the trades, whether it's a profession of medicine or education or engineering or plumbing or carpentry, you name it, the problem is that the English as a Second Language training that is available now simply doesn't provide people with that kind of English skill development. Without that kind of technical command of the language, it makes it very difficult for newcomers, who may have considerable technical or professional training from their country of origin but have difficulty in finding appropriate placements in their fields, because their command of English is not available at a technical or professional level.

While it's important, of course, to have that preliminary and basic English as a Second Language training, it's simply not adequate and not enough to ensure that those newcomers who come to our province with high degrees of education, training, professional and technical courses in many cases, and degrees – we want to take advantage of those people's background, ensure that they can participate fully in the provincial economy. So that recommendation was a very important one and is one that is advocated as well by my colleague the Member for Edmonton-Centre in his motion that we're discussing today.

Mr. Speaker, it went on in that same report to make a number of short-term recommendations for the basic education component; that is, ECS to grade 12. It recommended, first, that

provincial funding be extended to Alberta students who were born in Canada and who are not fluent in English and to students at the ECS level requiring such assistance.

As I said, there are situations, perhaps some of the native communities and some of the more isolated communities, where people can grow up not developing a good and effective command of the English language. They argued in that interdepartmental committee report that the program should be extended to cover those as well.

They recommended, secondly, that “two count dates be used for determining the number of students eligible for ESL funding,” and thirdly, that “ESL curricular guidelines, learning resources, assessment tools, and inservice assistance be updated.”

Now, for the long term, Mr. Speaker, they looked at suggesting that

a study be undertaken to identify the costs and effectiveness of offering ESL programs in different school districts and school settings, taking numbers and cultural background of students, delivery systems, and special needs [all] into account.

In terms of their relations with the federal government, Mr. Speaker – and that's important because this is a shared responsibility – the interdepartmental committee recommended that

Alberta be directly involved in immigration policy decisions which affect the ability of this province to provide adequate services and that

federal funding for ESL in basic education and for adult ESL full-time and part-time programs be part of the new Canada-Alberta immigration agreement.

So, Mr. Speaker, there have been, as I said, two major position papers that have been developed in that period of time: the interdepartmental committee report of November 15, 1990, and the Alberta Teachers of English as a Second Language position paper of January 1991. Those have received wide discussion among service providers and people in the institutions that are involved in English as a Second Language training.

Mr. Speaker, we do still have a ways to go. Just last year Alberta Education put out a document called *Achieving the Vision*, 1992 report, in which, talking about the successes in the educational system for immigrant children: enrollments in English as a Second Language programs have increased from 8,000 students in 1990-91 to 8,400 in 1991-92. It pointed out that some 85 percent of all students who received ESL instruction in 1991-92 attended school in Calgary or Edmonton. So it's really a concern that is of particular salience to those of us who are from the two major cities of the province, but it is also a concern for many of the smaller communities because, as they point out in these reports repeatedly, it's in the interests of all of us to ensure that newcomers have a good command of English not only at the basic level but also at the enhanced technical and professional levels to ensure that we can have all of those individuals participating effectively in the provincial economy.

Of course, this relates again to the question of foreign qualifications to some extent, and I spoke to that just the other day in the House. We look forward to the centre for foreign qualifications assessment being established soon, because that is the other component that is really a gap in the current system: newcomers to our province who have these advanced degrees and certificates and diplomas are not currently able to get them recognized and determined for a Canadian equivalency or an Alberta equivalency. So that is the additional part. The English language is the principal one and then, of course, being sure that people, when they do come to the province, are able to get that equivalency so that they can participate in the economic life of the province whether it's in some kind of an employment capacity or in terms of establishing new businesses in the province.

Now, it goes on in this report, *Achieving the Vision*, 1992 – just last year – to point out that immigrant students who received ESL instruction in elementary school attained about the same level of success in high school as other Alberta students. However, it pointed out that some 61 percent of the students in a sample that was used for this report “had not attained an Alberta high school diploma.” That is to suggest that for those who only start English as a Second Language training in high school, it doesn't seem to be meeting the needs of those students, because quite a significant number of them do not graduate from high school.

It goes on finally in this report, Mr. Speaker, to point out that in terms of success for immigrant children, the rating that was given here is only fair. It could have been good or very good, but it was only fair. It means that there is more work that needs to be done. It pointed out that

service delivery to immigrant students has not changed. A study of the academic achievements of a sample of immigrant students indicates some are very successful in school, while others experience considerable difficulty.

It points out here that

the low graduation rate of students who receive ESL in junior or senior high school indicates that these students continue to have educational needs which are not yet being met.

That's the salient point here, Mr. Speaker. These needs are not yet being met. It indicates that this priority is only rated fair, the same as 1990-91. So a year later we haven't made much progress, and we're now into 1993. If the Minister of Education was with us, perhaps he could tell us how his latest assessment might be in that area. Clearly, the report from last year indicates that we are not making nearly as much progress in this area of educational success for immigrant children as we are making in many of the other elements that the Department of Education tries to measure and determine; for example, do students stay in school longer, is there excellence in science, building partnership, excellence in school and teaching and curriculum and so on. On those other factors many of them were rated good or very good, but on this one here, the success for immigrant children, it's only rated fair. It was one of the poorest ratings except for success for native children, which was also given only a fair rating.

#### 4:10

Mr. Speaker, there is room for improvement here. I think it behooves all of us as leaders in the province and as legislators to do everything that we can to ensure that the changes are made, whether it's in terms of funding of the learning resources, the administration of these programs to ensure that we do provide programs that meet the needs not only of basic education but also at the secondary level and also in the technical and professional fields to ensure that we do get in fact the full benefit of the contributions that newcomers can make to our country.

The only other thing I want to say here before inviting other members to join this debate is to point out, as was mentioned in some of these reports also, that one of the problems with English as a Second Language has been that it has been targeted to heads of households with the idea that heads of households tend to be the first member of the family to join the work force and therefore have the greatest need for developing some mastery of the English language. While we don't necessarily dispute that, what has happened is that this has often meant that spouses of the heads of households, which for the most part tended to be women, were left out of the English as a Second Language training stream and have in many cases become very isolated in their homes. They don't have a sufficient command of the English language to interact effectively with the mainstream community. So there's been a serious problem of domestic isolation, and this leads to a number of difficulties for those families. I think a higher priority clearly has to be made for ensuring that ESL programs do not discriminate on the basis of gender and that the needs of all the family members are taken into account.

Mr. Speaker, I do invite all members to support my motion, Motion 234, which is on the Order Paper on behalf of the Member for Edmonton-Centre.

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

MR. MAIN: Thank you, Mr. Speaker. When I saw this motion on the Order Paper, I wanted to make sure that I had an opportunity to say a few words about it, because I think it states a case and makes some important points that are important as our society changes and will continue to change in its demographics, ethnic makeup, over the foreseeable future. I would expect that our society in our province, both in the big centres and in the smaller centres, will continue to evolve and change into one that is very cosmopolitan, one that is very ethnically mixed. I use those two expressions because I'm trying to avoid the use of the word "multicultural" because of its negative connotations, many of those connotations very richly deserved, I might add.

Mr. Speaker, during my period of time serving the people of Alberta as minister responsible for the Multiculturalism Commission, I came to be very, very much aware of the needs, demands, and requirements for English language training for those people who were arriving here and who wanted to make a better contribution, a greater contribution to our society, our economy, and the well-being of our province but who were restricted somewhat by their language skills. It seemed to me then that we had quite a situation; we had ESL responsibilities in four or five different departments. This was in the previous alignment of departments. We had it in advanced education for adults. We had it in Education for K to 12. We had it in the Department of Labour through the Professions and Occupations Bureau. It was evident in the Department of Family and Social Services as well, and the Multiculturalism Commission got all the complaints.

Mr. Speaker, things haven't changed all that much, although some departments have been realigned, and some responsibilities have been realigned so that we now see responsibilities for English language training in the Department of Advanced Education and Career Development, in Community Development, in Education, in Family and Social Services, and in the Department of Labour. The same general bureaucracies are still attempting to deal with this issue and are attempting to make sure that those people who come to this country who want to join our society and make a valued contribution are able to do so with the minimum of disruption and with the minimum of barriers. When I had the responsibilities for the Multiculturalism Commission, my stated goal was to make sure that all Albertans could participate in everything that Alberta had to offer by eliminating barriers and opening doors. Of course one of those doors, that for many people remains closed, is the door of language.

Mr. Speaker, when you move to a motion such as Motion 234, that has been presented by the New Democrats, you have to ask yourself a number of questions not based on the validity of the issue: should the government, should society, do something with regard to English as Second Language? We're specifically debating this particular motion and the way it lays out the case. While I have enormous sympathy for those who are upgrading their skills, attempting to upgrade their skills, and working hard – as a matter of fact, yesterday, Mr. Speaker, you'll recall that I introduced seven people from the Royal Glenora Club here. It's a club that I've belonged to for 15 or 16 years. There are many individuals who work on staff there in the hospitality end of the operations, who are involved there who are immigrants, who are here from different countries, whose English skills are not what they would be for you or me or anybody else in this Chamber, but individuals who are attempting with the help of their employer to upgrade their skills. They're doing a special, narrow focus, niche type of ESL training based on the hospitality industry. They

graduated yesterday. The seven individuals were here with their teacher, and I was proud and pleased to introduce them to Members of the Legislative Assembly.

[Mr. Moore in the Chair]

I'm very sympathetic. I've met and talked with people right across the province in a variety of walks of life who agree that ESL training is something that we have to do more of. It became clear to me that we could double, triple, quadruple, increase by a factor of 10 or 20 the amount of money available for ESL and it still wouldn't begin to be enough. So I guess you have to ask your questions and try to find the answer. Do we give each and every request for funds equal weight? Do we have unlimited funds? How much of this is the government's responsibility? How much should government, therefore the taxpayers, take on themselves? How much is the responsibility of the individual attempting to increase his or her competitiveness in the marketplace and increase his or her qualifications and ability to gain work? Mr. Speaker, when you start to answer some of those questions, you begin to see how, while its intent is good, this motion's specific substance begins to fall a little short.

There are in all, Mr. Speaker, eight different suggestions here, starting with the notion that the current efforts by government are neither accountable nor effective. The motion suggests that the government be urged to provide accountable and effective ESL programs, and then it goes on to describe some. It would be my suggestion and my feeling that there are accountable programs, there are effective programs now. Without question there could be more money spent. I wouldn't debate that for five seconds. If there were more money, I'd say: well, let's put it into ESL or libraries or schools or hospitals or agriculture or roads or the environment or anything. Mr. Speaker, there is no more money. So I guess we've got to ask ourselves: Are we designing an effective program? Are we getting some of this work done? Are good things happening? My experience is: yes, there are.

My next-door neighbour, Mr. Speaker, volunteered to teach ESL. When she decided she didn't want to do that anymore – she is an independent woman; she can do as she wills – when she decided she wanted to move on to something else, the people who had her volunteering hired her to teach; they paid her money to do it. She was doing it for nothing. They wanted to keep her. She wanted to leave. They offered her money, and she agreed to stay on. It seems to me that in that particular case there was sufficient money not only to hire her but to get some effective work done. She enjoys the work, by the way.

4:20

Some of the issues that I guess we have to deal with just to get a sense of whether we should support this motion or not, and to be quite frank, today I'm not sure if I'll be voting for this motion or against it. I'm going to try to work through the issues here. We'll hear from some other members, I'm sure, and then we'll come to some kind of a conclusion. As I've been doing some research on this, I want to lay out some of the things that I've found for the benefit of the Member for Edmonton-Mill Woods, who made the opening arguments, and for the Member for Edmonton-Centre, under whose name this motion appears. As I started to say, first of all, if we agree with the substance of the motion, that we need accountable, effective ESL programs, let's see what we're doing now. Are we doing anything now, and can we get some sense of if that's any good?

Well, as I said, there are five existing departments of government that deal with ESL now. What is there already? Well, the

motion suggests that per pupil grants paid to school boards increase. Well, Mr. Speaker, program grants for students have increased. For years there have been regular ongoing increases, not only volumetric increases but also inflationary and other adjustments upwards. That already happens.

The motion suggests that the number of years for which grants are available be extended. That has already happened. Initially there were two years available for funding. Now that funding has been expanded to three years. That has already been accomplished. I'm sure the Member for Edmonton-Mill Woods would suggest four years or five or six or eight or 10 or 15 or 20, but already the second test prescribed in the motion has been met.

The third suggestion here is to provide ESL to early childhood service students. Well, Mr. Speaker, program documents do address ECS needs as well as Canadian-born students requiring ESL. That's already being accomplished. It would be easy to argue and easy to point out and show graphs and so forth that indicate that you need to do more, and I suppose I could grant that to the member. The motion suggests that there is nothing being done, and in fact there is quite a bit being done already.

Curriculum program guides have already been revised and have already been expanded in the ESL area, as the motion suggests it should do. It says: update curricular resource materials. That's already being done, Mr. Speaker. New student and teacher learning resources have already been identified. Many of these things, more than half the things that have been suggested in this motion are already being undertaken, being expanded, increased, and being done by the government of Alberta through its various efforts on behalf of those people who require ESL training.

Mr. Speaker, the one thing I think that is also important that members should be aware of is that ESL funding is not provided entirely by the province of Alberta. There are some considerable numbers of millions of dollars attached to ESL training in a variety of fronts, as I've already described, but there's a great number of dollars that flow to this province and to others from the federal tax base. The federal language training program, which is called the language instruction for newcomers to Canada, or LINC, was introduced in 1992, and it redirected funds that were formerly used for student support into program support. They have expanded the number of spaces available. The training spaces have gone up to about 45 percent of all newcomers who need language training, and prior to that it was just a shade over a quarter.

We want to be very, very careful that, as we expand and grow and the government attempts to move ESL training ahead, we don't just simply throw money at the problem. Were I the federal department in charge of this, I would look at what is happening in Alberta. For the purposes of this debate, let's say we're putting \$10 million in and the feds are putting in \$5 million. Well, if we were to up ours by \$2 million, my guess would be that the next day the feds would reduce theirs by \$2 million, and the net effect for those people who need ESL would be zero. It would still be the same number of dollars. So what we want to do is make sure that the dollars that are already committed to ESL are used in an efficient manner, are directed where they are needed most, and provide the kinds of things that we as a society want, which are productive, capable immigrants who come to this society.

I'd just like to stop parenthetically for a moment and say a word about immigrants and immigration. Mr. Speaker, I have met a great many recent newcomers to this province, a great many people who came here from far-off lands whose skin colour, whose language, whose religion, whose entire cultural background is so different from mine that it would be as far away as you can get. I was born in a small town on a farm in Saskatchewan: just

a little white prairie boy. I have many friends and associates who have worked with me in my capacity as a minister, as an MLA, as a broadcaster, just as a regular citizen, who weren't born on small prairie farms, who were born in far-off lands that you or I have never visited. They are completely different. They come to this land to make a valuable contribution.

Now, some people think that immigrants come here to steal jobs. I know of one individual who came here from Vietnam. As a matter of fact, it was interesting. I was in a town hall meeting, and there was one guy who, if you saw him in a crowd, you'd say looked like me – same skin colour, same cultural background – and he was complaining about immigrants. "Oh, those immigrants, they come here; they go on welfare. They sit around. They do nothing," and all the rest of it. This was this one constituent of mine complaining. Sitting right beside him was an Oriental gentleman, clearly an immigrant. His English, while it was passable, was not what you would call fluent. This gentleman sat there quietly, listened to this harangue from the long-time Canadian. I had to intervene. I had to say, "Well, sir, tell me: are you on welfare?" "No, I'm not." "How long have you lived in this country?" "Fifteen years." "Where did you come from?" "Vietnam." "What do you do?"

Well, Mr. Speaker, the man has a market garden just on the outskirts of Edmonton. He sells his produce to restaurants all across Canada. He has several dozen employees working for him. He operates a very strong business, making a valuable contribution to the tax base federally, provincially, municipally. He hires people. They do the same thing. Yet the individual who was my constituent, looking right at this guy, said, "Oh, no, all immigrants are just here to leech off the rest of us."

Mr. Speaker, my submission and the lesson that we all learned in that meeting was that immigrants come here; they want to work hard, and they want to do well. If we can give them a break somewhere along the line to help them with their English language skills or with their qualifications, as the government has agreed to do with the centre on foreign qualifications, we're going to do something good for these folks. I was proud as minister to be involved in the establishment of that centre for professional foreign qualifications. It was a major issue. The chairman of the Multiculturalism Commission provided a good chunk of funding for that; we worked together to make sure it happens. I'm going to be proud when that centre is up and running and opening and operating on a cost-recovery basis to do those good things for immigrants.

Perhaps, Mr. Speaker, there's an opportunity for some individuals on a cost-recovery basis to set up more ESL training. You have to ask yourself: how much of this should fall on government? Some must, and much does, but how much more can government and the tax base be expected to absorb? My suggestion to the hon. member is that there are finite limits and that we may be pretty close to there. What we need now is not more money from the taxpayer; we need more good ideas from governments and more good ideas from legislators, ways to make these good things happen that won't cost us more money.

Mr. Speaker, I believe this motion is well intended. I think the member has laid out a good number of arguments, but if this comes to a vote, I'm afraid that on this particular motion I'm going to have to say no.

MR. ACTING DEPUTY SPEAKER: I hesitate to interrupt the Member for Edmonton-Parkallen. The time for consideration of this motion has been expended.

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

**4:30 Bill 220**  
**Native Peoples Representation Act**

MR. TAYLOR: Thank you, Mr. Speaker. In proposing Bill 220, I first introduced this Bill in the Legislature in the spring of 1991, but a fair amount of water has flowed under the bridge since then, or I guess if you're a westerner, a fair amount of dust has blown across the prairie since then. The hon. member from Hanna, I noticed, perked up when I mentioned dust moving across the prairie. If I mentioned tumbleweeds, she'd be right with it. Basically what we're trying to do in the Bill is to allow three more seats in this Legislature, assigned to Treaty 6, Treaty 7, and Treaty 8, one for each one of the treaty areas in the province.

MR. CARDINAL: Is that for me?

MR. TAYLOR: Yeah. You're Treaty 6? Treaty 7?

Anyhow, I believe it's rather a priority issue. The first thing I want to get across to the Legislature, Mr. Speaker, is that it is not a form of self-government. Self-government has to stand on its own. It's just to try to compensate for the lack of aboriginal representation in provincial politics.

Now, when I first introduced this in '91, it was greeted with a few yawns and probably others by the members. Since that date a federal committee reported in the fall of '91, the Committee for Aboriginal Electoral Reform, stating that, simply put,

when a community of interest is spread out geographically, as Aboriginal people are in Canada, it is unlikely that their interests will be represented directly or that candidates of their identity will be elected. This is because numbers in each constituency are too small to form a majority - or even a significant minority - of the population in any given area.

This is from the federal report in the fall of '91.

[Mr. Main in the Chair]

Now, there are a number of precedents for the Bill, Mr. Speaker. Some people say: where does it work? In New Zealand, for instance, there are four parliamentary constituencies for the Maori elective. The Maori make up only 10 percent of the population, whereas our native peoples here are considerably less. They run at around 3 percent. That's treaty, but if you take the mixed treaty, it could go up as high as 6 or 8 percent. The Maori in New Zealand are given four parliamentary constituencies, and the Maori can register either on the native voting list or on the general voting list. I've used that system here in putting Bill 220 together, in that any member of treaties 6, 7, or 8 could choose either to be on the aboriginal voting list or to be on the list of the constituency within which they reside, the ordinary, straightforward constituency.

Even the United States, which hasn't had a great reputation for being so kind to natives, has two native seats in the state of Maine. Now, admittedly, out of the 50 state Legislatures in the U.S. only one has representation for the natives. They have two seats, one particularly for the Penobscot Indians, which have been in since 1823. Interestingly enough, that's nearly 82 years before Alberta became a province. The other is for the Passamaquoddy Indian tribe. So each of the two tribes - not three treaties, as we're talking about, but two tribes - have representation in the legislative House. Of course, back in 1823 that was thought quite advanced, but they do not even to this day have the right to vote.

What I'm talking about is three seats that would have all the rights, privileges, and headaches that any other MLA has. I'm also providing for the three MLAs that they could be party or nonparty; it wouldn't matter.

The fact that the other states have not created legislative seats for their Legislatures is not so much that they have been overlooked, Mr. Speaker, but because states in the U.S. are much smaller than our provinces up here as a general rule. A native population or a native reserve could actually control and elect members into the state Legislature much easier than for natives in our province to elect members into our Legislature.

One of the other reasons for having treaties 6, 7, and 8 allowed one representative each is that as time goes on, more and more of our native peoples are living off reserve, not on reserve. As a matter of fact, I think it comes pretty close to 60 percent now live off reserve. This is also a way for them to combine with their on-reserve brothers and sisters to have an effect in the Legislature. Now, I'm not going to insult your intelligence and tell you that three native people in the Legislature are suddenly going to sway the Legislature one way or another, because you've got 83 nonnative and three native. Or we could on the other hand, if we wanted to, just stay at the same size and take three away from the nonnative. That might be better. In fact, as far as I'm concerned, I might even volunteer my own seat; who knows? Three seats will not a government make. It will not really influence the balance of power, unless on those very rare occasions when they happen to be very close between the parties involved. I would suspect that most times natives elected would be a member of a party anyhow, and they would be part of the caucus.

Now, the other precedent I wanted to argue is that, believe it or not, we in Alberta, good old Alberta - people like to say redneck; sometimes they even call us backward - experimented back in 1945-46 with three members at large. They were not native members at large. They represented the army, the navy, and the air force. Their constituents on that voting list were all over the world: Singapore, West Germany, over here. They all had the right, and the only restriction on it - this is before Mr. Paul Hellyer, Mr. Speaker - was whether or not they were army, navy, or air force. They could vote for their own MLA, and they did. A very classy bunch too; it was a very intelligent and forward-looking group they put in here. One of them later became leader of the Liberal Party, which is about as high as you can strive in the political life in this province. The other one later became a member of the NDP, the navy type. I don't know. They're used to being out at sea, I guess, so he just sort of naturally became NDP. The air force member later became a cabinet minister for the Social Credit government. So it was rather interesting that they all took positions of talent and leadership after they moved on, after the three seats were canceled out in I think 1953 or so. So we have that precedent of three people at large, and I think there's no question that we'll have any trouble doing that.

Now, you might say: what has happened in other provinces in Canada? To bring you up to date a bit, both New Brunswick and Nova Scotia have committees out now considering representation for the native element. There is a bit of a problem down there in that the natives of both Nova Scotia and New Brunswick are Micmacs. Since I have a fair amount of Micmac blood myself, I can understand why the whites down there don't want them in the Legislature. They are a little bit argumentative, and they like a good fight now and again. Consequently, Micmac blood is looked at with a certain amount of skepticism. Nevertheless, Nova Scotians and New Brunswickers are dealing with the idea of representation. In fact, they borrowed the Act that I filed here

back in 1991 and are using that as a model to work around down there.

On the federal scene I have just mentioned the committee headed by Senator Len Marchand from Kamloops, who at one time was a Member of Parliament and a cabinet minister, the first person, I believe, of full native blood in cabinet in Canada. That committee's report has been filed, and like so many other Mulroney reports it's just sort of laying there gathering mold right now, but I think something more will be done about it.

4:40

This Legislature has been blessed with people with varying amounts of native blood through the years, so there's no question of their competency and no question of their ability. Sometimes I question their judgment, but then I question the judgment of some of my nonnative brothers and friends too. The fact is that they have the ability, and they should be represented here, Mr. Speaker. The prime reason I push for this is that we need something in our public life that will sensitize us to the problems of the native sector. This isn't a perfect Bill. There's no doubt that the Metis have been left out, and possibly down the road we'll add a fourth seat for that, or maybe we'll group the Metis in with the treaties; I don't know. But we have to make steps in the direction of sensitizing our Legislatures, and if we sensitize the Legislature, we sensitize the media. If we sensitize the media, we sensitize the public. We all know that system. Question period leads to a headline, which leads to the public being interested, and so on and so forth. Sometimes it goes the other way, like in pensions. The public gets all concerned, sensitizes the media, and it comes back into the House to the MLA. The point is, it's a flow back and forth, and this is where aboriginal representation could do so much for us. It's a two-way street.

The amount of information, the amount of what we would gather from aboriginal representation would probably be more than what they themselves would gather, but it would give them room to put forward their ideas and fight for their causes. Although I've mentioned that many people in the Legislature have had varying amounts of native blood, they've been elected from constituencies, and that means they have to do much more. They have to be a native plus. These candidates would be solely spokesmen for the native causes, the treaties 6, 7, and 8. To keep with the democratic tradition of the voters being allowed to select who they wish to represent them – like, we do not for instance request that an MLA has to live in the constituency he or she represents or gets nominated for, just a voter. The same thing would be with the representatives of 6, 7, and 8. They would not have to live within those treaty areas, nor would they even have to be native. The natives would be the only ones allowed to elect, but they could pick whomever they wished.

You might say, "Well, how about population?" Treaty 6 has a population of around 26,000; Treaty 7, 18,000; Treaty 8, 21,000. It's rather interesting how close they are. They all come in a couple of thousand above or below 19,000. Well, that makes a small provincial constituency. As we know, populationwise provincial constituencies usually go up over 30,000, unless you're lucky enough to live in Hanna, Oyen, or Cardston. Most of them go up to a fair number, but these are smaller numbers. When you realize that the MLA who represents them will have such a huge area to cover, you will agree that the number isn't that bad. As a matter of fact, I notice the only ones that might compare in the area to cover would be the members for Smoky River and Peace River, and they have expenses a little higher than the average city MLA. Smoky River I think last year had \$55,000, but that's very

little more to be paying to represent all the natives. So there's a small financial cost to the public.

Finally, I can close my debate no better, Mr. Speaker, than to take a quote right out of the federal Committee for Aboriginal Electoral Reform, if I may read it.

If Canadians are serious about building bridges with the Aboriginal community, the electoral process must be designed to ensure that Aboriginal people not only have the opportunity to participate, but also the right to participate effectively. The Committee believes that Canadians will agree that the adoption of its recommendations will provide for effective Aboriginal voting rights. They are long overdue.

Mr. Speaker, thank you.

MR. ACTING DEPUTY SPEAKER: The Minister of Family and Social Services.

MR. CARDINAL: Thank you very much, Mr. Speaker. I would like to thank the Member for Westlock-Sturgeon for introducing this Bill. Aboriginal electoral districts are indeed an interesting way to address the issue of greater representation for native people, and for that I applaud and praise the member. As a treaty Indian and one of the first aboriginal members to be elected to this Legislature, I'm not sure if he's trying to guarantee me a seat in this House forever or not. I appreciate him doing that.

As he mentioned, I don't think there's any question as far as the competency of native people in this House and also competency in selecting the party we represent.

There is little question that our current electoral system has had its shortcomings in terms of providing an effective bridge between aboriginal communities in the past. Voter participation rates have been typically low, and native candidates have not always been willing to step forward to get elected. Some aboriginal people in Canada, of course, have been searching for a different method of representation, whether that be one of the several models of self-government or that which we see before us today.

The aboriginal electoral division Bill is not a new concept. In fact, the idea has been discussed or practised in Britain, I believe in Ireland, in New Zealand, in the Northwest Territories, and even in New Brunswick, as the hon. member mentioned.

In principle, I find the proposal to be a very interesting method of representation, but I have several serious concerns regarding Bill 220. Perhaps the matter of greatest concern to me is that Bill 220 is exclusionary. The first thing I noticed upon reading this Bill is that it makes no provision – and the hon. member mentioned this also – for any group other than status Indians. The Metis, nontreaty Indians, and the Inuit have been omitted from the Bill, apparently for reasons of, I believe, convenience. This is a significant oversight when one considers that the Metis population in our province is over 64,000, Mr. Speaker. I would like to ask the member if he has considered what the reaction would be from native groups that have been excluded from this proposed legislation.

I am also somewhat concerned about the actual drafting of the Bill. In section 1(2)(k.02) a native elector is defined as

an elector ordinarily residing anywhere within Alberta who is defined under the Indian Act (Canada) as a native covered by Treaties 6, 7 or 8.

The Indian Act, however, does not reference the treaties by number, nor does it define Indian, and the Act references treaties generally.

Furthermore, one of the proposed amendments to the Electoral Divisions Act would define native electoral division as those areas of land described in the Indian Act as covered by treaties 6, 7, or 8. Again, the Indian Act contains no reference to treaties 6, 7, or 8.



Apart from the actual wording of the Bill, which is in itself a major problem, I have some concerns more general in nature. Canada, as we're all aware, is increasingly becoming a country which focuses on group rather than individual rights. We have no better evidence of this than the recently concluded constitutional debate in which numerous interest groups voiced their objection to being excluded from certain clauses. It didn't matter that their rights as individual Canadians were being protected. This was not sufficient, as they wanted to be identified specifically in the text. I do have some concerns with this manner of thinking. I believe it can lead to a divisiveness and disunity as the country dissolves into the sum of its parts.

#### 4:50

I have the same concern with Bill 220. While its objective is admirable and worth pursuing, I am reluctant to support it because it could set a very dangerous precedent. Does it not open the door for other groups to argue for similar representation? Would we then be forced to consider guaranteed representation for the multicultural community, the disabled, the elderly, the women, and the men? This leads to a question of even greater significance: what values should the electoral system express? Should it declare that we are a society which promotes basic equality of individuals, or that what we prefer is to provide expression for collective differences? Should we all participate in one of the processes, or should we be segmented based upon race, gender, or other characteristics?

I am not necessarily endorsing one opinion or the other, but I just wanted to point out that the idea of aboriginal electoral divisions does indeed carry with it some very weighty questions. To date Canada has opted for an electoral system that does not make the distinction between groups of individuals. The aboriginal electoral divisions would represent a fundamental shift in our political values in Canada.

I would also be interested in knowing how this legislation would be interpreted considering the Charter of Rights and Freedoms. Is there the possibility that the Charter would prohibit creating electoral districts along racial or indigenous, rather than territorial lines? Is an electorate based upon the ethnicity, the origins, the colour of skin compatible with the Charter? All these questions need to be investigated and discussed before we make a decision here.

As I understand it, Bill 220 allows for a treaty Indian to vote in either the aboriginal electoral division or on the general roll. While one can obviously understand the rationale for making this provision, I believe that it would create considerable difficulties in a logistical sense. In fact, Dr. Roger Gibbins, who in 1991 published an analysis of the aboriginal electoral division for the royal commission on electoral reform, stated that the creation of these special ridings would present a host of operational problems for those charged with the administration of the elections. Polling stations across the province would need to have a constituency ballot plus ballots and voting lists for each of the special constituencies that overlap the ridings. It would be extremely difficult to use aboriginal voting lists to determine if an individual had already voted because the same list would be in use across all the special constituencies. Consequently, policing the vote would require considerable effort and resources.

I would also be interested in knowing how the campaign would be run in the aboriginal electoral divisions. Due to their very nature, the three aboriginal electoral divisions would be of incredible size and scope. Aboriginal voters would be thinly spread out over hundreds of reserves, towns, villages, communities during a campaign. Reaching all of these voters would be

next to impossible for the aboriginal candidates. I can well imagine the costs a candidate would incur in terms of travel, newspaper and television advertising, publication costs, and so on. Has the Member for Westlock-Sturgeon taken this into consideration? If the intent of this Bill is to encourage aboriginal people to run for office, then he has approached the situation in a very questionable manner, I believe. The amount of money needed to run an aboriginal electoral division would itself be a disincentive to a candidate. I could well imagine the resources that would be needed to run in Treaty 8, for example, which covers a large part of northern Alberta, an area from Grande Cache to Fort Smith, which takes in about a third of our province. I can't really imagine one individual serving that large an area.

We would witness very similar problems once an aboriginal electoral division representative was elected. How much contact would the native or aboriginal MLA have with his or her constituents? Taking into consideration the size of the constituency, I believe it would not be possible for this person to represent the constituents in a positive way. As you realize, in a lot of our northern ridings now, where they're sparsely populated, the job of an MLA is not that easy. This, of course, would not make it any easier.

I would also express the concern that aboriginal electoral divisions might have the effect of making it more difficult, in fact, for aboriginal candidates to come forward and, if nominated, win in a conventional district. I wonder if their existence would mean that natives would be seen by party organizations and voters as inappropriate candidates in a nonaboriginal riding. If such were the case, then by enacting this legislation we may in fact punish candidates seeking the nomination in a conventional riding. I think this would be of considerable concern to individuals such as the Member for Lesser Slave Lake, the hon. Member for St. Albert, and myself. I don't know where in the system we would fit in: if this member would guarantee that maybe each one of us take those special ridings, or how we'd fit in, Mr. Speaker, in that system.

I do believe, though, that as a democratic society we must look to see how the general public would respond to special ridings of this nature. In New Zealand, where the Maori seats have been a feature in the country for over 123 years, a substantial majority of the population would support their abolishment. In fact, 69 percent of the aboriginal people themselves would support the abolishment there. It's even more interesting to note that only 50 percent of the aboriginal people there want to retain the system. Obviously, this is something that people in New Zealand, I believe, are reconsidering, at least the aboriginal people.

I think it's instructive to read to you an excerpt from the New Zealand *Herald*, and I quote. In advancing the abolishment of the Maori seats in Parliament, the race relations' conciliator no doubt has the support of many New Zealanders. With more Maoris on the general list than on the Maori list, the seats are redundant in numerical terms. Another important reason for doing away with them is that the presence of racial separation in Parliament is not keeping up with the ideas of equality to which New Zealanders adhere. Besides, abolishment could strengthen the part Maoris play in politics. Unless there are radical changes in voting patterns, the Labour Party can continue to take the Maori seats for granted.

In such circumstances Maori voters have exerted less political clout than if they had been on the general rolls. It has been obvious for some time that these seats are standing in the way of true equality for the Maori. In Canada the proposal for the creation of aboriginal electoral divisions could create opposition from the multicultural community and quite possibly within the

electorate in general. I would like to stress that this opposition would not be a rejection, I believe, of aboriginal aspirations but rather of the change in the electoral system from the universal values. Regardless, I don't believe we can do the concept of the aboriginal electoral divisions justice without due consideration and input from all Albertans, including the aboriginal people.

**5:00**

I believe there are other less intrusive and complex methods that we can use in order to increase aboriginal participation in the electoral process. More of an effort could be made to cultivate the aboriginal vote, whether it is through greater use of native languages or increased advertising, such as Australia has utilized. It seems to have worked somewhat successfully.

In conclusion, I would again like to thank the Member for Westlock-Sturgeon for bringing forth the Native Peoples Representation Act. It has as its objective the increased participation of aboriginal people in our electoral process, and for that I commend it. However, I have outlined several concerns I have with Bill 220, and for that reason I cannot support it.

The issue of jurisdiction also is a concern. I know a lot of the aboriginal people themselves, the treaty Indians, do not participate in provincial elections and only would like to participate in federal elections and sometimes none. So that issue would have to be clarified also.

The other area that exists out there I believe is the existing review of the constituency boundaries. I think some of the constituency boundaries which we have now with the new legislation if reviewed every 10 years can design a process in there so we can encourage more representation by native people. In fact, if you were to look at the north half of the province or the extreme north end of the province right now, the Wood Buffalo area, you could easily in the next review, in 10 years, add a constituency across the north. Of course, the majority of the population are native people who would no doubt automatically have a native member representing the constituency. I believe that could be very similar with other parts of Alberta and also could be similar as far as representation from the Metis group. You have the eight Metis settlements. It's something that I think could be considered in the future.

With that, Mr. Speaker, I'd like to thank you for allowing me to participate in this.

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

**MR. CHIVERS:** Thank you, Mr. Speaker. I also would like to commend the Member for Westlock-Sturgeon for bringing forward Bill 220, not because I necessarily endorse the solution that he's proposing but rather because it recognizes the reality of the systematic underrepresentation of aboriginal people within the context of the electoral system that we operate under in Alberta. There is a structural inequality within the electoral system and one which is particularly disadvantageous to aboriginal people. It is beyond doubt that the fact is that the interests of aboriginal people are not adequately directly represented in the Legislature. I congratulate and recognize the contributions that have been made by the minister of social services in that regard, and of course I recognize the contribution that he and other members in this Assembly make to the representation of aboriginal people. The fact remains that the interests of aboriginal people are not fully, adequately, or directly represented in the fashion that they might be in this Legislative Assembly.

The issue, however, is a question of how to redress the problem. I think members on all sides of the Assembly recognize that there is a problem. I think members on all sides of the Assembly recognize that there is a need to redress the problem. I think members on all sides of the Assembly understand and appreciate the nature of the underrepresentation and the nature of the structural inequality in the present system.

However, I have reservations with respect to the solutions contained in Bill 220. Some of the reservations that I have have been expressed by the minister of social services. For example, I am particularly concerned that this Bill does not in any way address the needs of urban aboriginals, and indeed it is confined to dealing with only one dimension of a very difficult and complex problem. However, having said that, I do welcome the Bill, because it brings to the attention of the Assembly and the people of Alberta the nature of the problem, and it gives us an opportunity to focus our attention on it as members of this Assembly and to perhaps focus some public discussion of the nature of this difficulty in our electoral system in the public realm.

I want to remind members of the Assembly of the recent round of constitutional discussions, the Charlottetown accord, the positions that were taken by aboriginal peoples within the context of that round of constitutional discussions, the aspirations of aboriginal peoples that were advanced during the discussions on constitutional amendments. Aboriginal people – and I think this is true of Alberta as it is of other areas in Canada during the recent round of constitutional discussions – sought recognition of an inherent right to self-government. What they were seeking and what their aspirations were in the context of the constitutional discussions was, in reality, not a restructuring of the present electoral system but a recognition of the aspiration that they had to a third level of government.

Now, one of the problems with the Bill is that the Bill does not contemplate that issue in any way, shape, or form. It does not attempt to address that issue in any way, shape, or form. The solution proposed in this Bill would simply ignore those aspirations of aboriginal communities to self-government and set them aside in favour of reform of the current electoral system within the province of Alberta. I have concerns, Mr. Speaker, with respect to any mechanism for improving the representational aspirations of aboriginal peoples which does not come about through involvement, consultation, and discussion with aboriginal people. Now, I'm not sure exactly how Bill 220 came into being or came to be presented to the Legislative Assembly, but I know of no process preceding Bill 220 which involved discussions, consultation, or any means of communications with aboriginal people. I may be mistaken in that, and perhaps the member sponsoring the Bill would care to address that issue in his closing remarks.

It seems to me that one of the basic principles that we should be operating within in the nature of this particular problem and in addressing solutions to this particular problem has to be that any solutions that we bring forward should involve directly the consultation and involvement of aboriginal people in a meaningful way. Our solutions may not necessarily be their solutions, and I have concerns that perhaps the process here is somewhat flawed. I suggest, as a matter for debate in this Assembly, that perhaps there are better ways of addressing the issue, the very real problem with respect to representation of aboriginal interests within the province of Alberta.

**5:10**

I suggest that rather than the approach that is set out in this Bill, perhaps we should consider the approach that was taken by the Ontario New Democratic government. The approach that was

taken by the Ontario New Democratic government was a joint political declaration of political relationships with First Nations people which incorporated a specific recognition of the inherent right to self-government. It seems to me that this is a necessary first step in terms of bringing about reform of the electoral system, that what we should be looking at is following the lead of the Ontario government in terms of involving ourselves, our government with aboriginal people in terms of involvement and consultation on the nature of a joint declaration of a political relationship. That might be a very fruitful method of proceeding in terms of bringing into being some kind of electoral reform, if that indeed is the wish of the aboriginal populations in Alberta. That may be a necessary first step towards achieving that goal.

Mr. Speaker, those are my comments.

MR. ACTING DEPUTY SPEAKER: The Minister of Justice.

MR. FOWLER: Thank you very much, Mr. Speaker. I am pleased to take part in this debate on Bill 220. I'd like to thank both the sponsor of the Bill and my colleagues who have chosen to speak on the issue of aboriginal representation. I have found the preceding comments interesting and well informed, and I would like to offer my interpretation of aboriginal electoral districts.

Mr. Speaker, I'm not an old-timer in this Legislature, nor am I liable to become one. I suspect that one of my great pleasures in serving the people in the Alberta Legislature will be having had the honour two years ago of becoming minister responsible for Municipal Affairs for what I regret was a short time. During that time I took the opportunity to try and learn something more about native ways than I came into the ministry knowing. I took the opportunity in the middle of the summer of 1991 to travel for four weeks to the native reserves and the Metis settlements of this province. I have never had nor do I expect to have in my political life a more satisfying experience than I had at that time. My 1992 tour took me to many Metis settlements, and it took me to reservations in the treaties 6, 7, and 8 areas. I found and spoke with the peoples of these native bands from one end of Alberta to another and from the west to the east, and I never once ran into or heard a comment or a request for some type of assigned representation in this House. I found and talked with the leaders of those reserves about their concerns, about their way of life on the reserve, their love for their family, and their concerns that have been in existence for many, many years since they first arrived on this land, more thousands of years ago than we really know. I passed archival sites where it has been conclusively shown that the natives have been here in Alberta at least 11,000 years, and it is known that it is likely, in all probability, far more than that on the North American continent.

I found that one of the things the native people of Alberta would like and enjoy is for the white people at all times to desist from determining what is in their best interests without proper consultation with the native people. I found that this was one of their greatest wishes. As a result of that, signed this year in this building but introduced in this House by our hon. Premier was an agreement between the Treaty 8 people and the province of Alberta representing all the people of Alberta: not a long treaty, not an official treaty as we know treaties to be between the federal government and the native people of this country, but a simple agreement in the manner which is known to our native people, an agreement which said that we would work together with the natives of Treaty 8 area in looking to the resolution of the needs and wants of the people living in Treaty 8. It was an agreement, even in its shortness and brevity, that took nearly a year to get on

the floor of this House because of the consultation that was taking place with Grand Chief Halcrow of Treaty 8 and his people as well as the government side. Nonetheless, it did get here.

There's nothing in that agreement – and I'll more properly refer to it as an agreement so that it does not get mixed up with those official treaties across Canada – about representation in this House, and my hon. colleague the minister of social services indicated the difficulty, because of the breadth and width of the native lands in this province, in assigning only three native representatives who would come to this House. In my prepared text, if I get to it within the time limit that I have, I will refer to that because they have found in New Zealand difficulties in that area where the Maori have in fact had this type of representation for many years.

In respect to my rounds of 1991, I found the gentlest people, who had the important issues of family and peace in their communities, safety from crime, and this type of thing as their prime concerns. I sat in the teepees with people in the pipe ceremonies. I discussed with them in other celebrations. I have seen them in their discussions, and I do not hesitate to state, Mr. Speaker, that what goes on in this House a good part of the time would be of great difficulty for our native people to experience on an ongoing basis in attempting to resolve resolutions. They are a people of consensus within their own band areas and within their own reservations. They reach that consensus through consultation with elders, not raucous debate across the floor of the teepee, not the throwing of a peace pipe back and forth, not in an area but in quiet consultation with one another and on the advice of their wise elders. In that way they govern in a fine manner those areas and in the manner in which they are able to govern. It is not that they do not have difficulties on reservations in the governing that they provide, but almost in every instance those difficulties are first – the groundwork is in the white man's legislation by which they try to operate under.

As my colleague alluded to, the concept of guaranteed representation is not new. Similar consideration has in the past been given to graduates from Dublin college, Oxford, and Cambridge. However, as indicated, the best example we have is of the guaranteed representation in New Zealand. The Maori have had these areas of electoral districts since 1867, constituting one of the few examples in the democratic world of an electoral division based on racial rather than territorial or universal grounds. Oddly enough, New Zealand at one time had also made similar provisions for gold miners and pensioners, although that is no longer the case. I believe we can learn a great deal from the New Zealand experience: how aboriginal electoral districts have worked in that country, how they were set up, what problems they have encountered, and the benefits they have seen. There are questions as to whether Maori representatives and the Maori people have been well served by New Zealand's system of guaranteed representation. There are some disconcerting statistics that I think the Member for Westlock-Sturgeon may well be interested in, particularly as it relates to voter participation in those aboriginal electoral districts.

5:20

Similar to Bill 220, a Maori has the choice as to whether he or she will vote from the general roll or from the aboriginal roll. As a result, only about 40 percent of the Maori voters are registered on the Maori roll, the remainder choosing to cast their ballots with the general public. In fact, out of all of New Zealand's potential voters only 70,000 chose to vote in the aboriginal electoral district vote in 1986. Ten years earlier over 145,000 Maori voted on the Maori roll. This is a rather serious decline over one decade, a matter definitely worth consideration.

[Mr. Speaker in the Chair]

One of the primary reasons for the poor turnout for the aboriginal electoral district votes is that many view the guaranteed seat as a symbol without substance. They are seen to be an instrument that appeases the Maori yet offers no real avenue to power. What is even more disconcerting is that high-profile Maori leaders have expressed dissatisfaction with the current aboriginal electoral district system. There is evidence, Mr. Speaker, that the presence of these districts serves as a disincentive for other MLAs to concern themselves with issues that relate primarily to aboriginal peoples. This has happened in New Zealand, as Maori issues are seen to be of limited relevance to many candidates since they are no longer required to seek the aboriginal vote. Consequently, native issues are viewed as the sole jurisdiction of the guaranteed representative. I don't believe this is a positive occurrence, and neither do the leaders of the Maori in New Zealand.

In Bill 220 we could see a similar situation evolving in Alberta. If this Bill were to be successful, aboriginal people living in Athabasca-Lac La Biche would no longer be, in a very real sense, constituents of the conventional MLA. Because he is better acquainted with the smaller area which he serves, he is in a better position to adequately represent that constituency. In this context I don't believe that aboriginal peoples would be represented in the most effective and efficient manner. At the present time, Mr. Speaker, aboriginal concerns are taken into consideration by all MLAs. Their views and issues are listened to by every member of this House, because every MLA is acting on behalf of his or her constituents, and this typically includes members of the native

community. If you take away this incentive, you put an undue amount of pressure on the aboriginal MLA, and I do not believe this benefits all those involved. I believe native concerns are everybody's jurisdiction, and I would not like to see this changed.

There may also be the perception, Mr. Speaker, that aboriginal electoral district MLAs are simply tokens, such is the case in New Zealand, as indicated by the aboriginal expert Augie Fleras, who stated that the Maori representatives were not regarded necessarily in the same light as their European counterparts; rather, they were perceived as observers with speaking rights over issues of relevance only to Maori. I worry that Alberta's representatives would be viewed in a similar light regardless of the amount of hard work and dedication they contributed to their jobs.

New Zealand's system of separate representation has also been attacked on the grounds that it has sabotaged Maori desires for greater power sharing beyond the symbolic level. Different forms of self-government and power sharing have been undermined through the existence of aboriginal electoral districts.

Mr. Speaker, having regard to the clock, I move that debate be adjourned on this motion.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.

[At 5:27 p.m. the Assembly adjourned to Friday at 10 a.m.]