

Legislative Assembly of Alberta

Title: **Wednesday, September 22, 1993**

1:30 p.m.

Date: 93/09/22

[Mr. Speaker in the Chair]

head:

Prayers

MR. SPEAKER: Let us pray.

Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom.

Amen.

head:

Introduction of Visitors

MR. SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you. Mr. Speaker and members of the Assembly, I am pleased to introduce to you today His Excellency Serio Duarte, ambassador of Brazil to Canada. The ambassador is accompanied by Mrs. Moraes, acting consul general for Brazil in Vancouver. His Excellency was appointed ambassador to Canada this year, and this is his first official visit to our province. Brazil, as we know, is an important market for Alberta wheat, coal, and sulphur, and it is our eighth largest trading partner. As a major food exporter Brazil shares many similar interests to Alberta and is a member with Canada of the Cairns group of free trading countries. I would ask His Excellency the ambassador and his party to rise in the gallery and receive the traditional warm welcome of this Assembly.

head:

Presenting Petitions

MR. SPEAKER: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. I beg leave to present a petition signed by 3,470 Calgary and area residents in support of the Alberta Adolescent Recovery Centre, that operates a very effective addiction recovery centre in my constituency. The petition seeks ongoing support for this very worthwhile treatment program.

head:

Reading and Receiving Petitions

MR. TANNAS: Mr. Speaker, I rise on behalf of my colleague the Member for Innisfail-Sylvan Lake to request that the petition presented yesterday be now read and received.

CLERK:

We, the undersigned, hereby petition the Legislative Assembly of Alberta to give favourable consideration to opening adoption records in the Province in accordance with Bill 365, The Child Welfare Amendment Act, introduced on May 5, 1993 during the Spring Sitting of the Legislature.

head:

Notices of Motions

MR. SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I rise to give oral notice of motion that following question period today I will rise under Standing Order 15 to discuss an issue of privilege regarding statements made in the House yesterday by the Minister of Transportation and Utilities to the Member for Redwater.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm very pleased to give notice that following question period today I will rise again under Standing Order 40 to seek unanimous consent of the House on the following proposed motion:

Be it resolved that the Legislative Assembly of Alberta congratulate Fred Windwick, president of the Edmonton Chamber of Commerce, who was chosen the national executive of the year by the Canadian Chamber of Commerce Executives.

head:

Tabling Returns and Reports

MR. KOWALSKI: Mr. Speaker, I'm pleased to file with the Assembly today the final report *Toward 2000 Together*, an economic strategy by Albertans for Albertans. It's the final report by the Advisory Committee on Alberta's Economic Future. While this is the final report, of course Albertans have had an opportunity to see a précis of this in *Seizing Opportunity*, a document made public by the government some months ago. As well, there was an interim report associated with this final report.

As well, Mr. Speaker, I'm pleased to table today the annual report of the Alberta Opportunity Company for the fiscal year 1992-93.

MR. ROSTAD: Mr. Speaker, I'd like to table the solicitor general's annual report.

MR. DINNING: Mr. Speaker, I'm pleased to file with the Assembly copies of the annual reports of the following public sector pension plans: the provincial judges and masters in chambers pension plan, the universities academic pension plan, the special forces pension plan, the public service pension plan, the local authorities pension plan, Members of the Legislative Assembly pension plan, and the public service management pension plan.

head:

Introduction of Guests

MR. SPEAKER: The hon. Member for Calgary-Fish Creek.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you my constituency assistants, Diane MacDonell and David McIntyre. If they could stand.

MR. SPEAKER: The hon. Member for Calgary-McCall, followed by Sherwood Park.

MR. SOHAL: Thank you, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly Mrs. Pat Sokolosky from Calgary. Mrs. Sokolosky teaches half-time and is also a district representative for the Alberta Teachers' Association. I would ask that she rise and receive the warm welcome of the Legislative Assembly.

MR. SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to Members of the Legislative Assembly students visiting us from the Strathcona Christian Academy in Sherwood Park. Our group consists of 58 students and their group leaders Mrs. Jeannie Adam and Mr. Doug Zook. I'd ask that students and staff stand and receive the warm welcome of this Assembly.

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

MR. WOLOSZYN: Thank you, Mr. Speaker. Through you and to the members of the Legislature I, too, would like to introduce three constituents from Stony Plain. They are Charles, Janet, and Rob Hennig. I'd ask them to stand and receive the warm welcome of the Assembly.

head:

Oral Question Period

Protest Rallies

MR. DECORE: Mr. Speaker, on the weekend about 2,000 Albertans gathered on the steps of our Legislature. These were Albertans who were poor, Albertans who were frightened of their future, Albertans who were frightened about the future for their children. They're frightened because their Premier has lost his famous heart. They expect that their lifeline to dignity is going to be taken away from them. The sad part is that the Premier couldn't find time to see these 2,000 people, and to add to the injury, the Premier said that he wasn't impressed with rallies. I'd like to ask the Premier again: Mr. Premier, why did you refuse to meet with these 2,000 people?

MR. KLEIN: Well, Mr. Speaker, as I indicated to the media, I wasn't invited to the rally as far as I know. I haven't seen an invitation. Secondly, I stand by what I said: protest often accomplishes very little. There are ways to resolve some of these differences, and that way, to my mind, is through reasonable discussion, consultation, and working with the government to find solutions together.

MR. DECORE: Mr. Speaker, I think it's a given to every member of this Assembly that you don't need an invitation, Mr. Premier, to go out to the steps of the Legislature when people are in trouble.

Given the Premier's comment about rallies, does he really believe that taking a few moments of his time to talk with 2,000 people is a waste of time?

1:40

MR. KLEIN: Mr. Speaker, if I recall, the rally was on Saturday. I was in Calgary. I hadn't received an invitation to attend that particular rally. As a matter of fact, I wasn't even aware a rally had taken place because it was not reported to any great length in the Calgary newspapers. [interjections] Well, it wasn't front-page news. It was only when I arrived in Edmonton on Sunday that I saw the front-page story about the rally.

MR. DECORE: Mr. Speaker, that rally was well documented and well known to Albertans.

Mr. Speaker, we note with interest that the Premier attended a rally for the Oilers hockey team, and that's great. But why is it, Mr. Premier, that your priorities are so skewed that it's more important to go to an Oilers rally than it is to go to a rally for 2,000 poor people?

MR. KLEIN: Mr. Speaker, I take it from the hon. Leader of the Opposition's remarks that he's not concerned about the Oilers. He would let them go down the tube in his own city. Well, I would like to remind the hon. leader that at least six or seven of his colleagues across the way were there at the rally today.

I would ask, Mr. Speaker: was this gentleman at the protest rally for those on social assistance?

MR. N. TAYLOR: They were.

MR. KLEIN: Was he?

MR. N. TAYLOR: Don't you read the papers?

MR. KLEIN: Well, it wasn't in the Calgary paper, so that's an indication as to the kind of coverage this kind of thing gets throughout the province.

I am not afraid of attending any rally of any kind. My gosh, Mr. Speaker, when I was minister of the environment, I had my share of rallies, believe me.

Road Construction

MR. DECORE: Mr. Speaker, all Albertans expect to be treated fairly by their government. They don't expect, nor should it ever, ever happen, that Albertans are singled out or punished for how they vote. In recent days the minister of transportation has repeatedly threatened to cut off highway paving from the people of Redwater.

Speaker's Ruling Anticipation

MR. SPEAKER: Order please. The Chair received notice by letter this morning that this matter was going to be raised as a question of privilege. The hon. Member for Calgary-North West under oral Notices of Motions said that he wished to raise this matter following question period. The Chair believes that this subject should be dealt with as it has been indicated it's proposed to be dealt with, following question period, rather than in the form of questions today.

MR. DECORE: Mr. Speaker, you have not yet heard where these questions are going to be directed. I rise on *Beauchesne* 408(1)(a): questions shall be "in respect of matters of sufficient urgency and importance as to require an immediate answer." I draw your attention to 409(12) of *Beauchesne*: "Questions should not anticipate a debate scheduled for the day, but should be reserved for the debate." My questions are all to the Premier, not to the minister of transportation.

MR. SPEAKER: Hon. leader, the matter will be dealt with by the Chair and not by question period. If this matter refers to the question of privilege raised by the hon. Member for Calgary-North West, the Chair is not going to accept questions relating to it in question period, but it will be dealt with at the appropriate time of our business.

MR. DECORE: Mr. Speaker, with the greatest of respect this applies to a minister of the Crown, a minister of the Crown being responsible to the Premier of this province. This is fundamental to the people of Alberta, to the constituents of Redwater, and to every member of this Assembly.

MR. SPEAKER: Order. Order please. The Chair has made a ruling, and the Chair is not prepared to enter into a debate with the hon. Leader of the Opposition.

The hon. Member for Edmonton-Whitemud.

Municipal Financing Corporation

DR. PERCY: Thank you, Mr. Speaker. Yesterday the Provincial Treasurer attempted to justify the formula under which the Alberta Municipal Financing Corporation's \$100 million surplus is to be distributed. It was not reassuring. Those jurisdictions which had run up high debts gain at the expense of those jurisdictions that

had worked to bring down their debt, that had a plan to do so. All of the municipal representatives on the board had voted in favour of the straight cash payout, which they deemed to be fair. All of the government appointees voted against it. My question is to the Premier. Can the Premier explain why the city of Calgary is receiving a \$12 million increase under the new formula while the city of Edmonton is receiving a \$6 million reduction?

MR. DINNING: Mr. Speaker, I go back to my comments yesterday whereby municipalities, school boards, and others in this province are able to borrow funds at a far reduced rate, a lower rate, through the Municipal Financing Corporation than they would if they went out on their own and borrowed it in the open market. That's simply enabling them to use the province's fiscal strength to be able to lower the cost to their taxpayers. Through that process, through good, sound borrowing and good, sound lending, a \$100 million surplus was generated in the past number of years, and the decision was made by the board of directors of the Municipal Financing Corporation that some \$100 million would be distributed evenly and equitably across the board to municipalities, school boards, hospitals, and others to the direct benefit of those local taxpayers.

There was a view of some of the shareholders of the corporation that all \$100 million should flow on a cash basis. There was on the other hand another view: all of those \$100 million should flow to reduce the going interest rate to a rate of 12 percent or lower. What the corporation attempted to do was find that middle ground between and among cities and villages who believed a cash distribution was right on the one hand and a buy-down of interest rates on the other was the right way. I believe, Mr. Speaker, that the decision the board of directors came to last week was the right one in that it was a compromise. It achieved that middle of the road and was fair and equitable to all municipalities, not to one versus another, and shareholders across the province.

DR. PERCY: Obviously the Provincial Treasurer did not hear my question. It was a question that was related to an issue of fairness, of rewarding good management, of rewarding jurisdictions that had brought their debt down. So I will repeat my question. Why is it that the city of Calgary received an additional \$12 million and the city of Edmonton had a reduction of \$6 million?

MR. DINNING: Mr. Speaker, the hon. member should realize that the corporation is there to provide a benefit to all Albertans and to all municipalities and to all shareholders across this province. When I see the equitable distribution, given the borrowing, given that the municipal debt interest rebate reduction program across this province was the way it was and our desire to reduce the costs of government and to find savings in that area, we believe the decision that the directors came to was a compromise, yes. It did not spare one against another, but it was a compromise that was fair and equitable to all taxpayers in this province.

DR. PERCY: Mr. Treasurer, you talk of fairness and of equity. Let me ask you this question: can you explain, then, to the parents of children why school boards under this fair and equitable payout are going to receive \$4 million less under the interest cash payout than they would have received under the straight cash payout? Is that fair? Is it equitable that you're now penalizing the school boards and that the Minister of Education is off-loading other expenses on them?

MR. DINNING: Mr. Speaker, I would suggest that given that school boards in this province are funded by taxpayers and that

municipal governments are also funded by the same taxpayer, the benefit flows equitably to all taxpayers in this province. If the hon. member wants to suggest that there are a whole bunch of different kinds of taxpayers in this province, I'd suggest he return to university and take a course in political studies 101, which he might have taught at one time.

MR. SPEAKER: The hon. Member for Bow Valley.

1:50 Heritage Foundation for Medical Research

DR. OBERG: Thank you, Mr. Speaker. My question is for the minister of economic development. It is with great interest that I reviewed the report of the International Board of Review on the operation of the Alberta Heritage Foundation for Medical Research. My question to the minister: what plans do you have to implement these recommendations of the review panel, with special interest on recommendation 12, which "recommends that AHFMR continue its technology commercialization program?"

MR. KOWALSKI: Mr. Speaker, the report that was made public and tabled with the Premier on Monday of this week indicated the Alberta Heritage Foundation for Medical Research to be one of the outstanding foundations in North America, and this minister is very impressed with the work of the foundation over the years.

The one recommendation in question, dealing with commercialization of product, is extremely important to the economic development of the province of Alberta. We may spend dollars on very important needed research, but then to take that product of research and move it into a commercial stage is very, very important. The foundation will work with the private sector, the private and entrepreneurial group that we have not only in Alberta but throughout the world, in advancing the promotion and the development of the research founded here in the province of Alberta. It's fundamental, Mr. Speaker. It's absolutely fundamental if we want to take the benefits that we have of our universities, our technical schools, the medical infrastructure that we have to basically go forward and attempt to make it and turn it into commercially viable projects.

One of the key objectives we have, of course, is the pharmaceutical industry, which we think is just a given. It's a natural for the province of Alberta, and we're going to work hand in hand with the Alberta Heritage Foundation for Medical Research and all other interested parties to see what we can do about attracting investment in that area in this province.

MR. SPEAKER: Supplemental question.

DR. OBERG: Thank you, Mr. Speaker. The report also states that

the strategy for health research needs to be based on a clear identification of the health problems of Albertans, including those of minority populations.

My question to the Minister of Health: how does this fit in with the long-term strategies of the Health department?

MRS. McCLELLAN: Well, Mr. Speaker, certainly the long-term strategy of identification of health needs of Albertans is important to our department. To show that importance we have embarked on a series of roundtables on health, the first of which was held in Red Deer in late August, a series of 10 roundtables led by the hon. Member for Calgary-Glenmore, which will take that roundtable to regions across this province and will include people from all areas of the province. Indeed the reason for those roundtables is to ensure that the long-term restructuring and plan for health and

health services delivery in this province meet the very divergent needs of the people of this province.

I should also say that we're involved in a health information strategy, which I think is very important. That will give us a lot of information on the health status of Albertans and indeed Canadians, which is important to us. We've taken the lead in Alberta, as I've indicated before, in setting up a health information strategy. So these are very important items coming to us, and we certainly look forward to the research results from the foundation.

MR. SPEAKER: Final supplemental.

DR. OBERG: Thank you, Mr. Speaker. As we heard, clearly the Alberta Heritage Foundation for Medical Research has been and is on the leading edge of medical research, yet the review committee is suggesting capping the number of faculty positions to 70 for the University of Alberta and 65 for the University of Calgary. Does the minister of economic development plan to implement this cap?

MR. KOWALSKI: Mr. Speaker, the recommendations provided by the review committee and the board of directors of the Alberta Heritage Foundation for Medical Research I think have come up with logical conclusions in terms of how many research scientists we should have at these two facilities in the province of Alberta. It is not the intention of this minister to overrule a recommendation of the Alberta Heritage Foundation for Medical Research. It's an area of specific expertise that this minister has no capability in dealing with. The numbers that they're providing are very, very valid numbers to me in terms of both these two universities.

There are other institutions in this province, Mr. Speaker, that also can gain benefit for medical research in addition to both the University of Calgary and the University of Alberta. As all members know, there are some 28, I guess, advanced educational facilities in this province, these two universities being only two of the 28. There are opportunities for schools like NAIT and SAIT and other facilities as well in Alberta.

MR. SPEAKER: The hon. Member for St. Albert.

Liquor Control Board

MR. BRACKO: Thank you, Mr. Speaker. Mr. Premier, we have it on good authority that the government plans on the privatization of the ALCB wholesale operation. To the Premier: will the Premier confirm that consideration is being given by his government to privatizing the wholesale operations of ALCB?

DR. WEST: Mr. Speaker, I think that question is more appropriately taken by this minister. At the present time – and we made a ministerial statement in this Assembly – we are looking at the privatization of the retail end of the Alberta Liquor Control Board. That is all that has been announced, and we are proceeding forthwith to do that. There's been no other indication at any other level at this time.

MR. BRACKO: Well, Mr. Speaker, at a weekly newspapers' rally I was told that you said this would happen, and the report could come down in the next two weeks. With that in mind, I'm tabling a report prepared by the Iowa Department of Commerce, alcoholic beverage division, in January 1993, which infers that privatization of wholesale liquor operations in the state of Iowa would lead to a \$26 million loss to the state's general revenue or alternately a 24 percent increase in retail liquor prices. Question: in light of

the Iowa experience, which your government is using as a model for privatization, is the Premier telling Albertans that they can expect a 24 percent increase in liquor prices in the near future?

DR. WEST: In answer to the last question, I have no indication whatsoever what the final market-driven prices will be to Albertans. I just know that we did model this privatization after the Iowa experience in content because it so closely mimicked Alberta. It had the same population. It had roughly the same number of stores, same number of employees. But it isn't completely the Iowa experience, because we are only privatizing class D licences, which means that 95 percent or better of the stores' business must be in liquor or liquor-related products and that no grocery stores, none of the large chains, or any other type of business will be allowed to retail these products. In Iowa they opened it wide open at that time. The experience by the Iowa liquor control board over four years was very rewarding to the coffers of that state, and in the overall period of time they saw liquor prices go up about 7 percent.

MR. SPEAKER: Final supplemental.

MR. BRACKO: Thank you, Mr. Speaker. The Iowa study suggests that in the absence of retail liquor price increases there would be a \$26 million loss to the state's general revenue. Is the minister saying that his government is prepared to accept a similar reduction in profits from the ALCB?

DR. WEST: Mr. Speaker, there'll be no loss of revenues to ALCB consistent with the revenues going back to Treasury today.

MR. SPEAKER: The hon. Member for Calgary-East.

Calgary CPR Yards

MR. AMERY: Thank you, Mr. Speaker. My question is to the minister responsible for Environmental Protection. The community of Inglewood in my constituency is one of the oldest and most established communities in Calgary. Unfortunately, this community is located adjacent to the CPR shops and yards. The community has two major concerns: one is the noise level, and the second is the air quality in that area. CPR officials told them that they will have to live with that. Can the minister assure my constituents that they do not have to live with this nightmare and that action will be taken soon?

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

MR. EVANS: Thank you very much, Mr. Speaker. Certainly Environmental Protection will demand that Canadian Pacific remain good corporate citizens. I certainly feel that they are trying to be good corporate citizens, hon. member. Our staff have been in touch with CP and indicated to them that we expect that they will participate in public input with the community. We're certainly going to participate, along with residents, along with the city of Calgary, along with CP. CP themselves have indicated to us that they think there is a need for more public input and are very anxious to continue that process. Part of this, though, of course is a local bylaw issue, the noise issue, and as you correctly point out, it's a conflict between industrial development and municipal residential development being too close together.

2:00

MR. SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. Can the minister undertake to discuss this very important matter with the local officials and with his federal counterpart as soon as Prime Minister Campbell appoints her new cabinet?

MR. EVANS: I'm sure, Mr. Speaker, that that's a very serious question. Certainly the discussions at the municipal level will continue, and immediately after the federal election we will re-examine the amount of progress we've made on this issue. I can certainly provide that kind of information and input to the federal minister at that time.

MR. SPEAKER: Final supplemental.

MR. AMERY: Thank you, Mr. Speaker. Will the minister order a complete analysis of the air quality in the surrounding area?

MR. SPEAKER: The hon. minister.

MR. EVANS: Thank you, Mr. Speaker. With respect to air quality, whether it be studying or monitoring, we will continue to work on that, and I think it would be prudent to wait for a decision on that until after we've concluded the meetings with the CPR and the local residents in the city of Calgary.

MR. SPEAKER: The hon. Member for Edmonton-Glenora.

Nurses' Layoffs

MR. SAPERS: Thank you, Mr. Speaker. It is incomprehensible that the Premier of this province would say that questions about nurses losing their jobs are stupid. This Premier, who says that he cares and he listens, should be ashamed of himself. [interjections]

Speaker's Ruling Parliamentary Language

MR. SPEAKER: Order please. Order. It is the role of the Chair to keep some type of calm in the Assembly, and it is not proper for members on both sides to use inflammatory language to each other. If the hon. member has a brief preamble to ask a reasoned question succinctly, he may proceed.

The hon. Member for Edmonton-Glenora.

Nurses' Layoffs

(continued)

MR. SAPERS: Thank you, Mr. Speaker. The Premier certainly has not listened to Alberta's thousands of nurses, and he apparently cares little for the hundreds who have already been put out of work. My question is: will the Premier please inform this Assembly what he is telling nurses, their families, and their patients as to why he does not take their concerns seriously?

MR. KLEIN: You know, Mr. Speaker, framed any other way, the question might be a worthwhile question. The allegations and the insinuations and all the snide remarks: that's what I was referring to yesterday, that it's very, very difficult to provide intelligent answers to silly questions, questions that are framed in a very silly way.

MR. SAPERS: That is less becoming of the Premier than his original remarks.

Will the Premier please tell us how many nurses will lose their jobs before this government stops shifting responsibility for bad government policy to health care workers and their patients?

MR. KLEIN: First of all, Mr. Speaker, the hon. minister set up a roundtable that I understand was very successful in Red Deer. There will be a further series of roundtables throughout the province. We are inviting the nurses, patients, doctors, administrators, and just ordinary folks to participate with us to find out how we can do things better, how we can do things more effectively and more efficiently without the loss of jobs and without serious impact on the people who are the most important in the system, and those are the patients.

MR. SAPERS: Given that answer, then, Mr. Speaker, to the Minister of Health: have you figured out yet the number of nurses that are going to be required for our health care system on the one hand, while calculating on the other hand how many nurses you're willing to see be put out of work by across-the-board cuts?

MRS. McCLELLAN: Mr. Speaker, on the long-term restructuring of our health system, which is necessary because of new changes in technology, new ways of providing services, we have set up a series of roundtables which the hon. Member for Calgary-Glenmore is leading across all regions of this province to ensure that the health needs of Albertans are met. I would think it would be most appropriate for this minister to wait for the advice from all regions of this province. All Albertans' needs are important to us.

Again, Mr. Speaker, we have to look at how health services are delivered in this province, and they have changed. There are less numbers of acute care beds needed in this province. The shift is occurring to community-based care, to ambulatory treatment, to day surgeries, outpatient rather than inpatient. Yes, there will be changes. Yes, we are working with the labour people; they are invited to the roundtables. The people who work in the field, the people who are consumers, and all affected are invited to these. They have been attended very well, and the interest is well displayed at these roundtables. We will continue that process, and we will continue to work with nurses, with physicians, with consumers, with labour, with all affected.

MR. SPEAKER: The hon. Member for Calgary-Fish Creek.

Year-round Schooling

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. My question is to the Minister of Education. Education is an institution that was developed during the industrial revolution to meet mass public needs. Its foundations were laid in the agricultural revolution when children were needed at harvest time. Society has moved on, yet our schools continue to operate as though 90 percent are still engaged in the farming business. We could serve up to 20 percent more students. The school facilities are there, and we pay to keep them heated and maintained. Has the minister considered adopting a 12-month educational year?

MR. JONSON: Mr. Speaker, in our consideration of ways of . . . [interjections]

MR. SPEAKER: Order please. [interjections] Order in the Assembly, please. The hon. Minister of Education has the floor. [interjections] Order. Order please.

The hon. Minister of Education.

MR. JONSON: Mr. Speaker, in the process of considering ways of improving our education system and making it more efficient, certainly we are open to suggestions about changes to the organiz-

ation of schools and the conducting of education during the school year. [interjections]

Speaker's Ruling Decorum

MR. SPEAKER: Order please. The Chair sincerely regrets interrupting the hon. Minister of Education, but could there be quiet on the opposition front bench while the hon. Minister of Education is attempting to answer the question.

The hon. Minister of Education.

Year-round Schooling

(continued)

MR. JONSON: Mr. Speaker, the suggestions for a year-round operation of schools or for the operation of a school four days a week are among the alternative proposals that I have had proposed. Certainly we are looking at those types of alternatives seriously. Of course if they are implemented, we want to see that the quality of education will be maintained.

MR. SPEAKER: Supplemental question.

MRS. FORSYTH: Yes, Mr. Speaker. Thank you. My second question was about the four-day school schedule, which the minister has answered.

My other question is: my constituents want to know why the teachers are taking so many professional days.

MR. JONSON: I think that professional development activities are a very important part of all employees' working year. We do have provision in the School Act for two days for teachers' conventions, and at the local level in negotiations or discussions with school boards, teachers arrive at a certain number of days for professional development. Yes, I think that this whole area is worth looking at in terms of possible reorganization so that we might have more concentrated, effective professional development in the province. That is the way, Mr. Speaker, that these days are arrived at.

2:10 Community Facility Enhancement Program

MR. WHITE: Mr. Speaker, the approval of some 800-plus applications before this government under the community facility enhancement program can only be approved by one minister after his personal review and subjective scrutiny. As we understand it, as of August 15 only 125 or so applications received have sought and got his personal attention thus far. My question today is to the Deputy Premier, Government House Leader, Minister of Economic Development and Tourism, minister responsible for technology, research, and telecommunications, minister responsible for international trade offices, minister responsible for . . .

MR. SPEAKER: Order please. I believe the minister knows who the question is addressed to.

MR. N. TAYLOR: Mr. Speaker, he was enjoying it.

MR. SPEAKER: Other members are not enjoying the lapse of time. Hon. member, please come to the question.

MR. WHITE: Could the minister now admit that he simply does not have time to deal with this program?

MR. KOWALSKI: Mr. Speaker, I appreciate the time the hon. member took in going through a biography. Unfortunately, the

question that the hon. member raised is loaded with two factual errors. The question really makes no sense at all. Good progress is being made with the administration, the application of the community facility enhancement program. I don't have a clue where the hon. member would have fabricated these figures from.

MR. SPEAKER: Supplemental question.

MR. WHITE: Thank you, Mr. Speaker. We've heard many times the minister speaking of this program, how he insists on taking personal charge of this particular program. How can the minister insist that his personal decision is unbiased and nonpartisan when he makes these decisions behind closed doors without the benefit of airing the applications in this House and without any public scrutiny whatsoever?

MR. KOWALSKI: Mr. Speaker, that is really quite unbelievable in the ultimate. Here's a copy of the 1993-94 lottery fund estimates. The hon. member is referring to a program called the community facility enhancement program. Under the previous community facility enhancement program there were 3,000 applications that were approved. Perhaps another 1,000 to 1,500 could not have been fulfilled. Is the hon. member saying that the minister should bring 4,500 individual applications to this Assembly and ask 83 Members of the Legislative Assembly to spend two or three hours on each of these 4,500 applications in in-depth analysis? On the point of public inquiry the hon. member is out to lunch.

Why doesn't he talk to their House leader? He comes and sees me when he's got a community facility enhancement project that he wants approval for. I mean, the leader of the Liberal Party: if he wants us to approve a particular project, he sends a letter in support of it, Mr. Speaker. There is great public input. [interjections] Is the Leader of the Opposition saying he doesn't send me letters asking for dollars for projects in his constituency? I'll file the letters from the hon. leader, happy to.

MR. WHITE: Mr. Speaker, the hon. member can make light of this.

The Crowchild twin arenas; the Sherbrooke community; Lac La Biche old mission; lots from Smoky Lake, eight or 10: these are all pending resolution, sir. Why does the minister insist that he and only he amongst all the persons in this Assembly and all the persons of Alberta is capable of making these judgments with some assistance, some belatedly . . .

MR. SPEAKER: The Chair has heard a question there. Would the hon. minister like to reply to that question?

MR. KOWALSKI: Mr. Speaker, I gather the hon. member is making submissions on behalf of some applications. I want the hon. member to know as well that some applications and some groups have received hundreds of thousands of dollars in support under the first community facility enhancement program. This is a project-by-project orientation. We've assisted them and we've helped them.

Mr. Speaker, the one he talks about in Lac La Biche, as I recall, received half a million dollars under the previous program. Is the hon. member saying that all the other worthy projects in Alberta that have never received one penny should be taken off the priority list and somehow one that's already received half a million dollars should get more? Is that what the hon. member is saying? Well, to me that is a very, very greedy point of view being addressed by a particular individual. This government will provide regional

allocations at equity with respect to this program, and there isn't one individual in the whole Liberal opposition who can stand up and tell me that the last CFEP program was administered in any other way but fairness and equity because the proof is in the pudding.

MR. SPEAKER: The hon. Member for Cypress-Medicine Hat.

Wheat Exports to U.S.

DR. L. TAYLOR: Thank you, Mr. Speaker. The grain trade has been in the news recently with closure of the border to Canadian barley and the reduction in its price. It's my understanding that there is now talk of impending restrictions against Canadian durum wheat. I'm wondering if the minister of agriculture can tell us why the U.S. government would be considering such an action.

MR. SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Indeed, what the hon. Member for Cypress-Medicine Hat has said is true. It's very unfortunate, because there are disturbing statements that are coming forward from both sides of the border regarding the export of Alberta durum wheat and ordinary wheat into the United States. Unfortunately this has happened on two other occasions. Fortunately we do have a free trade panel that deals with disputes such as this. In both of the other two disputes the free trade panel ruled that there were no breaches as far as moving Canadian wheat into the United States. Obviously this dispute is carrying forward again and will have to be dealt with accordingly.

MR. SPEAKER: Supplemental question.

DR. L. TAYLOR: Thank you. To the minister of agriculture: how can the U.S. possibly consider restricting these imports of Canadian durum wheat and other wheat while there are ongoing negotiations?

MR. SPEAKER: Hon. minister.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Part of the issue comes forward with the Americans basically moving into the Mexican market, which was quite a successful market for Canadian export wheat. They've moved into the export market into Mexico with a very highly subsidized product. What they are now suggesting is that Canada is picking up some of that wheat that's moving from the United States into Mexico, and now Canada is absorbing some of the potential market that's developed into the United States. What they are doing is making allegations, and they're reflecting back to our method of payment as far as our transportation is concerned. They're reflecting some of the issues that we are trying to deal with at the present time. Unfortunately our farmers are caught in a very stressful situation at the present time with the late harvest and the uncertainties of weather, and it's just unfortunate that they have to be burdened with the uncertainty of the ability of marketing their product into the United States.

MR. SPEAKER: Final supplemental.

DR. L. TAYLOR: Thank you. With the decline in farm incomes I would like to know what this minister will do to protect Canadian farmers' interests and income.

MR. PASZKOWSKI: Obviously the grain farmer is very, very much affected by any decision that may come forward from this ruling. The unfortunate vagary of this whole situation is that what we have here apparently is a political process that is developing where the American government is basically trying to bring forward, as I understand it and as I've been advised, agreement and support for NAFTA. We have some Senators whose proximity is very close to Canada who are very vigorously opposing any importation of Canadian product into the United States. So it appears that there is the dilemma of perhaps some trade-offs that may be developing here as a result. Our minister of agriculture, largely through the lobbying of our department and myself, who've talked to our federal minister on many occasions over the dangers of this becoming a reality, has met with Espy as late as September 17 to try and obtain clarification and to get an agreement from the United States Ag department that indeed there will not be any imposition. To date that has not been clearly defined. However, we will keep working on behalf of our producers to protect their potential market.

MR. SPEAKER: The hon. Member for Fort McMurray.

2:20 Northern Alberta River Basins Study Board

MR. GERMAIN: Thank you, Mr. Speaker. Fort McMurrayites and indeed all Albertans are concerned about the quality of river systems in this province, especially in the face of megaprojects. The northern river basins study is an important study to deal with the issue of water quality. My question, directed today to the Minister of Environmental Protection, is: why did the minister reject the recent nominee of the city of Fort McMurray to sit on that important board?

MR. EVANS: Quite frankly, Mr. Speaker, I don't know what the hon. member is talking about. I know that we've had a nomination for the Northern Alberta River Basins Study Board as a replacement from the city of Fort McMurray. It's reviewed by the board itself and then, because the board's made up of federal and provincial representatives, comes to the both of us. We'll deal with that when the recommendation comes forward. I'm well aware that the recommendation is for the current mayor of Fort McMurray, and we'll look at that recommendation as it comes forward to us.

MR. SPEAKER: Supplemental question.

MR. GERMAIN: Thank you. The minister will recall that he recently indicated that he would be altering the composition of the board to deal with representations from institutions. Will the minister tell us why he doesn't consider Fort McMurray an institution so their representative can sit on the board?

MR. EVANS: Well, as I said, Mr. Speaker, we're going to look at all of the recommended replacements for the northern river basins study. As the hon. member has pointed out, this is a very, very important study. It's an ongoing study that will give its final report to us in 1996. The board membership is a very expansive, a very open, a very transparent membership, and if the hon. member wants to add his voice to who should be on that committee, I'm very, very happy to hear his comments.

MR. SPEAKER: Final supplemental.

MR. GERMAIN: Thank you. It's not my voice; it's the voice of the civic administration of the city of Fort McMurray, Mr. Speaker.

To the Deputy Premier then: will the Deputy Premier inform the House as to when reform in the area of appointments to these boards is being made so that cities like Fort McMurray do not have to beg to get their nominees on these important boards?

MR. KOWALSKI: Mr. Speaker, of course there are a wide variety of nominees and appointments that will come forward. I would suspect that within the next four and a half years there will probably be another provincial election, and all citizens in the Fort McMurray community will be able to put forward their nomination as to whom they would want to represent them. That's certainly one way of doing it. Other appointments to positions are advertised in newspapers throughout the province. There are appointments of chairmen of boards and agencies. The Premier has very clearly indicated that the government is looking at a new process in terms of dealing with that. We're in the process of dealing with that. As is our custom, when we have arrived at the position that we want to take, a well-thought-out, well-researched, well-reasoned position, the appropriate minister would then announce it. I would anticipate that that would probably happen rather shortly.

MR. SPEAKER: The hon. Member for Lethbridge-West.

Workers' Compensation Board

MR. DUNFORD: Yes. Thank you, Mr. Speaker. My question is to the Minister of Labour. All Albertans are of course concerned about unfunded liabilities, and employers in my constituency are particularly concerned about the unfunded liability in the Workers' Compensation Board. Can the minister tell me, in the four-year plan, what some of the significant aspects of that plan are and what benchmarks are in place so that we can track whether or not this is going in the right direction?

MR. DAY: Mr. Speaker, I share the concern of the member in regards to unfunded liability, and it is also shared by the Workers' Compensation Board. That's why it is a prime area of consideration, and I can share with some confidence that the number of steps being taken are significantly moving along in the direction of achieving the four-year plan. That would include, just briefly: administration costs have been reduced \$20 million; there'll be a cash surplus projected this year of at least 12 and a half million dollars, and that's on track and on course; and because of work injury reduction programs, the claims have been reduced, the percentage rates have been reduced, and claims are being managed much more consistently. So we are going to be on target to see not only the savings in administration but also \$109 million this year added to the \$12 million surplus this year. Our projection was \$122 million to be reduced by, and we are on target to do that. Each following year has a similar projection, which I can make available to the member.

MR. SPEAKER: Supplemental.

MR. DUNFORD: Yes, Mr. Speaker. Would the Minister of Labour like to assure this House that so long as there is an unfunded liability, there will be no further – and dare I say it? – liberalization of the definition of a compensable injury so that we don't get into claims such as secondhand smoke, work stress, claims along that line?

MR. DAY: Well, again, I have asked for and also seen the results now of consistent and conservative management of claims. The member mentioned specifically the area of stress. I know that there are some jurisdictions that are looking at that and even granting stress-related illness. I would advise extreme caution in this particular area. It would open up a huge new dimension. It's probably fair to argue that there isn't an occupation in this province that doesn't have stress associated with it, our own, for instance, Mr. Speaker. Just the stress of question period alone is almost unbearable. So I can assure the member that we are approaching this area with extreme caution.

MR. DUNFORD: Would the minister agree to sponsor a study that would investigate the feasibility of workers contributing to their own workers' compensation in the province of Alberta to do two things for Alberta workers: one, of course, is to allow them some say in the administration of WCB, and, secondly, they would have an assurance that they were then covered by the Workers' Compensation Board?

MR. DAY: Mr. Speaker, workers do have considerable say in terms of the make-up of the board itself. To ask workers to actually pay – the contract right now between workers and employers goes back to 1913. It's a long-standing understanding that the employer pays the premium and the worker is covered on the grounds that they don't sue the employer. So something of that magnitude I would not presume to go ahead and make a unilateral decision on, but I'll take that forward to the board and to the various task forces like the industry task force. I will make mention that it's been brought up and brought forward, and I asked them to reflect on it and report back what they think the implications of that kind of a sweeping change might be.

MR. SPEAKER: The time for question period has expired after only 11 questions being dealt with, regretfully.

The hon. Member for Calgary-North West has given the Chair the proper notice with regard to a question of privilege. The hon. Member for Calgary-North West.

Privilege Intimidation

MR. BRUSEKER: Thank you, Mr. Speaker. I rise under Standing Order 15 concerning an exchange that occurred yesterday afternoon between the Member for Redwater and the Minister of Transportation and Utilities during the Committee of the Whole. Indeed I did send a copy of my concern, a letter, to the Speaker's office. As well, a copy of that letter was sent to the Minister of Transportation and Utilities. The issue of concern here deals with the exchange that occurred during Committee of the Whole, and the reason I rise on a concern under privilege is that under *Beauchesne's Parliamentary Rules and Forms*, 6th edition, 106 says, "Many of the privileges of the House extend also to its committees."

I'd like to refer back to *Hansard*, if I may, of yesterday, September 21, 1993, page 390. When we were in Committee of the Whole there was a discussion that started with Mr. Taylor, the Member for Redwater, offering an apology regarding statements he'd made earlier on. He withdrew his comment and apologized saying, "I withdraw that, and I'm sorry I said that." At that point, Mr. Speaker, there were some objections raised by the Minister of Transportation and Utilities, and the Chair, at that time the Member for Highwood, said, quote, "It's the Chair's opinion that a point of order is not sustained here." Despite that ruling the Minister of Transportation and Utilities continued with his concern,

at which point the Member for Redwater then made a very broad apology and withdrawal. He said, "I will take back any sort of idea that I said this particular minister was sneaky" – a very broad and general apology and withdrawal.

2:30

Mr. Speaker, it was then, on page 391 of *Alberta Hansard*, that the comments came forward from the Minister of Transportation and Utilities, and these are the comments that I am particularly concerned about. Mr. Trynchy, speaking just after 4:40, quote: "I can assure the hon. member across the way that he has lost any road program for the next four years." The seriousness of that comment I don't think is to be underestimated, because immediately after that, the very next words that appear in *Hansard*, was a quote from the Chairman saying, "Hopefully that does not extend to the Chair." From that I'm perhaps interpreting, but obviously the Chair expressed some concern that indeed this was a serious comment, as is reflected also immediately afterward by the deputy Liberal leader who then rose on a point of order asking a question of clarification – on that same page, 391 – saying, "I'd just like to inquire if that last comment was made in jest." The deputy Liberal leader was also concerned about the nature of the comment.

The minister then responds further on down. Mr. Trynchy speaking, quote: "As we go year by year, we have to put in our priorities, and each year the hon. member will know whether I was jesting or not." Mr. Speaker, along with the words that were said, equally important is the tone of voice and the manner in which those words were said. As I listened to them, it was apparent to me that the words were not said in jest and in fact the threat was real.

Mr. Speaker, later on that day, following some conversations with his fellow colleagues, I guess, towards the end of the day, the minister did say, "I will withdraw [my] remarks." What is equally important here, I think, are two things. First of all, what the minister did not say. The minister did say: I withdraw my remarks. He did not make any comment, certainly, about whether the paving program would be reinstated, nor in his withdrawal remarks did he make any reference to the questions or concerns raised by the deputy Liberal leader. That omission is equally important to the discussion at hand. Equally importantly perhaps, the second point I want to make is that this is not an isolated, unique incident. I refer you, sir, to *Alberta Hansard*, page 283, September 15, 1993. Mr. Trynchy speaking, quote, "I'll tell you that if the Member for Redwater keeps on interrupting . . ."

Speaker's Ruling Relevance

MR. SPEAKER: Order please. The hon. member gave the Chair notice of a specific question of privilege. I don't think this is an opportunity to raise other potential questions of privilege that were not recognized at the time.

MR. N. TAYLOR: It's jest or planned. Jest or planned.

MR. SPEAKER: Hon. Member for Redwater, the hon. Member for Calgary-North West is doing a good job of laying out his complaint and the complaint of the opposition with regard to the hon. minister of transportation's comments yesterday. The Chair doesn't feel that this should be used as a springboard to go back over the *Hansards* for the last number of days to raise other complaints.

MR. DECORE: They're the same issues.

MR. SPEAKER: These may be the same issues, hon. Leader of the Opposition, but the hon. member is presenting a case with regard to what happened yesterday, and that is what we should be dealing with today.

Privilege Intimidation

MR. BRUSEKER: Thank you for your guidance there, Mr. Speaker.

What I am pointing out is that this is a pattern. This isn't a unique incident. This happened on two other occasions on another day. That day was September 15, so I will leave you to research them yourself.

The comments that occurred in yesterday's incident, September 21, occurred from the Minister of Transportation and Utilities despite first of all the Chair making a ruling that, quote, "It's the Chair's opinion a point of order is not sustained," and despite the fact that the hon. Member for Redwater did withdraw his remarks. Mr. Speaker, the issue that I am stating here is that this seems to suggest a pattern whereby in comments made yesterday there were two references made, there were two references made earlier on, not once, not twice . . .

Point of Order Relevance

MR. KOWALSKI: Mr. Speaker, point of order. The point of order's under 23(i). I intend on rising on this point of privilege, but 23(i) also applies to this on a point of order. I think the Speaker's already ruled in terms of this imputation of motives.

Privilege Intimidation

MR. SPEAKER: The hon. Member for Calgary-North West will have the opportunity of concluding his argument.

MR. BRUSEKER: Thank you, Mr. Speaker. I appreciate that. I wasn't aware that points of order could be raised on a point of privilege.

Again, *Beauchesne's Parliamentary Rules and Forms* 75 says quite clearly, quote:

The privilege of freedom of speech is both the least questioned and the most fundamental right of the Member of Parliament on the floor of the House and in committee.

If ministers of the Crown – and in this case I'm referring specifically to the Minister of Transportation and Utilities – are allowed to intimidate and threaten opposition members with the removal of government services, it prevents opposition members and indeed government members on the back benches over there from the most fundamental right to speak on behalf of their constituents. This impacts on all the members in the discharge of their duties. In fact, Mr. Speaker, I have a couple more references that I would like to refer to you and to the members of the House. *Beauchesne* again, number 99: "Direct threats which attempt to influence Members' actions in the House are undoubtedly breaches of privilege."

Also, Mr. Speaker, I would ask you to refer to *Erskine May*, Parliamentary Practice, 21st edition, page 126. Quote:

'That the assaulting, insulting or menacing [of] any Member of this House . . . upon the account of his behaviour in Parliament, is an high infringement of the privilege of this House, a most outrageous and dangerous violation of the rights of Parliament and an high crime and misdemeanour.

Further on that same page:

Members and others have been punished for such molestation occurring within the precincts of the House, whether by assault or insulting or abusive language.

In particular reference to the minister's threat to remove a road paving program, on page 128, again of *Erskine May*, Parliamentary Practice:

To attempt to intimidate a Member in his parliamentary conduct by threats is also a contempt . . . Actions of this character which have been proceeded against include . . .

Then there's a long list, but one of them that is here that is directly applicable is, quote,

threatening to end investment by a public corporation in a Member's constituency, if the Member persisted in making speeches along lines of those in a preceding debate.

Mr. Speaker, when we look back to yesterday's *Hansard*, it is very clear that when the minister stands up and threatens to remove all paving projects in another member's constituency, that cannot be condoned by this House. The citations from the references I provided you are clear, and I would ask that you find that a breach of privilege has occurred.

2:40

MR. KOWALSKI: Mr. Speaker, the hon. Member for Calgary-North West has raised a point of privilege under 15.1. I would like to compliment him for his research. He's done an admirable job in this regard. In fact, I'm quite impressed with the arguments that he put forward and everything else. Arguments, however though, should be complete. I'm not trained in the art of law, and I know the Member for Calgary-North West is not trained in the art of law either, but certainly when individuals put forth arguments, at least the arguments should be complete. There's no doubt at all that *Beauchesne* and the Standing Orders deal with all of these matters.

One thing that I think, though, unfortunately was neglected in the argument put forward by the Member for Calgary-North West was the complete quotation, the complete words provided by the Member for Whitecourt-Ste. Anne last evening in the dying minutes of the afternoon session. I rose when the hon. member was speaking, and I said that I would rise on a point of order 23(i), and 23(i) in the Standing Orders, of course, deals with, quote: "imputes false or unavowed motives to another member." The hon. Member for Whitecourt-Ste. Anne when he rose at the end of the afternoon and sought the attention of the Chair said the following, the complete quotation, Mr. Speaker:

Mr. Chairman, this afternoon we've had some debate. The hon. Member for Redwater and myself couldn't see eye to eye. Being a man of principle, I will withdraw any remarks I made in that regard.

Now, the hon. Member for Calgary-North West in his overview simply said only the following, which is only a portion of the full text provided by the Member for Whitecourt-Ste. Anne: "I will withdraw [any] remarks." Mr. Speaker, the tradition of this House is that hon. members in fact accept the words and the apologies provided by another hon. member and provide it with full intent and meaning it with sincerity.

When I look at *Hansard*, I cannot provide judgment with respect to tone or manner of words, because as the hon. Speaker knows full well, what one sees through one's eyes is really very subjective. One may see a particular painting and say it is beautiful; another one may see another particular painting and say it is quite ugly. When I heard the words of the Member for Whitecourt-Ste. Anne, I was impressed with the sincerity of the hon. member with regards to this apology, Mr. Speaker.

The point of all of this is that the Member for Whitecourt-Ste. Anne, and I quote, says, "Being a man of principle, I will withdraw any remarks I made in that regard." Now, the hon.

member rose as quickly as he could, at the conclusion of yesterday afternoon, to deal with this matter. Having done that and having had his apology accepted by the Assembly, the tradition of this House has always been, then, that the difficulty that may have arisen to that point where the apology is given in essence doesn't exist. It seems to me that by the very nature of the debate yesterday afternoon, by the sincerity of the statement made by the Member for Whitecourt-Ste. Anne in the late conclusion of yesterday afternoon, in essence this matter has been dealt with. The hon. member has clarified it, the hon. member has dealt with it, and the House agreed to accepting it. There was no opposition by anyone with respect to that matter. [interjections] It seems to me that on that basis there cannot possibly be a point of privilege.

At least when the hon. members of the Liberal Party speak we listen, Mr. Speaker, out of courtesy to them. I'm addressing the Chair. I view the Speaker with a high degree of integrity and honour, and then I hear catcalls and heckling from the other side. If we're going to deal with a point of privilege, which is the most serious point in an Assembly, the most serious of all charges, it then must be dealt with in a manner in which all members must have an opportunity to have their say and to be heard.

I repeat, Mr. Speaker, that the Member for Whitecourt-Ste. Anne rose in this House, rose as quickly as he could, dealt with this matter, and in essence he said he withdrew it. I know in talking with the Member for Whitecourt-Ste. Anne that he has felt in his own mind that if there was any offence provided to any member of the Assembly, that offence was in fact covered by the apology that he provided in the late afternoon.

Mr. Speaker, I do not believe there was a point of privilege here. There certainly was a difference of opinion; there's absolutely no doubt at all about that. There certainly was a matter of jesting back and forth. There's absolutely no doubt at all about that. Certainly one cannot impute motives to the dean of the Legislative Assembly. This gentleman from Whitecourt-Ste. Anne has been in this Assembly since 1971. He's well experienced in the matter of what goes on in the House. He's been here on more days and more evenings than any member of this Assembly. He would never take his sincere oath to be a member of Executive Council with anything less than the highest degree of integrity.

MR. DECORE: Mr. Speaker, in section 1 of *Beauchesne* it says that "the principles of Canadian parliamentary law are: To protect a minority and restrain the improvidence or tyranny of a majority." In another Act that binds all Canadians, it says that Canadians are entitled to free speech. That means that I or my colleagues or citizens of this province can stand and be critical of me or government or whomever without any kind of repercussion, without any kind of threat being waged back at them. This system cannot operate unless members feel free and are at ease to speak freely, clearly on the issues that affect them or their constituents or Albertans.

There is a pattern here. We can explain and say that the comments made by the minister of social services at one time about Fort McMurray were done in the heat of an election battle, and we can sort of ignore it. But this is now the third time, twice in one debate and once in another debate, that this particular minister has used this kind of threat. I think it needs to be said that before the same minister said, "He's lost some pavement, and I can assure you that before I'm done, he might lose everything." He didn't apologize that time. This same kind of pattern continues on. Now, how is a member supposed to feel standing up and defending the rights of his constituents or arguing about his constituency if that's the kind of response that a member is going to get? I think that one could easily interpret that, and I think,

sir, you have to move to the side of going towards ensuring that absolute freedom is allowed in this Assembly without any kind of hint of threat. There is a hint of threat here, Mr. Speaker.

MR. DINNING: What about responsibility?

MR. DECORE: And what about responsibility? That's why, Mr. Speaker, I rose today. There is something called parliamentary responsibility: there is responsibility that government has to the Crown, that a cabinet has to the Crown, that a minister has to a Premier, and that's why it was important for us to hear from the Premier to see what he thought about this. I ask the Premier to stand, I challenge the Premier to stand and say what he thinks about this kind of attitude. Is that what he condones?

Mr. Speaker, this is so basic. It goes to the responsibility of a Premier. It goes to the responsibility of you, sir, as the Speaker. This can't be joked about in an Assembly. This can't be made light of. This can't be explained away with some cute little words that try to imply that the thing is forgotten and done away with. A threat was made, and this is serious. That threat has been made twice or maybe three times. I think serious action needs to be taken by this Assembly.

MR. SPEAKER: The hon. Deputy Government House Leader.

MR. DAY: Thank you, Mr. Speaker. There's another point at stake here that's as basic to the freedoms of this House as the ones that have already been mentioned. Our House leader has already commented eloquently and quite appropriately on a number of the points. The hon. opposition leader talked about the freedom to speak. That has to be probably the most cherished freedom that we have in this Assembly, a freedom that down through the decades and even the centuries of the traditions of Houses of parliament like this men and women have died for in wars to protect. With that freedom comes an understanding that in the free flow of debate, which already even the new members know can get very heated, things can be said back and forth. That's why within these walls we forgo the privilege of suing one another, for instance: because of that understanding that when we have that free flow of debate and intensity of feeling can rise, we forgo certain things. Again, with that corresponding freedom comes another recognition that in that free flow and many times heated debate, if something is said that is deemed to be inappropriate, a member has the opportunity to stand and withdraw that remark and then have that accepted, as a point of honour if nothing else, as being a true withdrawal of the remark.

In the events that led up to this particular event, the Member for Redwater made some remarks which were deemed inappropriate and as a matter of fact did not even withdraw them at the time it was requested but on another day then did the honourable thing and withdrew those remarks. Nobody contested the honourability of him withdrawing those remarks. We accepted that in this House because that is the long-standing tradition. Even though he did not do it when asked to the first time by the Chairman, we accepted the fact that he had withdrawn it, and it was dropped. That is so basic an understanding that we cannot tamper with it, and now to suggest that there is a point of privilege after a member has stood in front of his colleagues and in front of opposition members and to be recorded in history and said, I withdraw everything in regards to that, and to still be held to account for it is unconscionable. It is absolutely unconscionable. That freedom goes back for decades and even centuries, of withdrawing a remark. Then having members rise and say that

that's not acceptable is something we cannot allow to happen, Mr. Speaker.

2:50

MR. SPEAKER: Hon. deputy leader.

MRS. HEWES: Thank you, Mr. Speaker. Just one comment. I'm interested in the comments of the Deputy Premier and of the hon. Minister of Labour. I'd just like to draw to your attention in your review of this matter that I was in the House and present when this last exchange took place. Like many members present, sir, I believe I was quite shaken by what I considered to be an unmistakable threat on the part of the minister, so shaken by it that I rose immediately on a point of order, was recognized by the Chair, and asked what I thought to be a very easy question to answer, giving the minister an ample and immediate opportunity to explain that there was no threat intended in his comments and to correct them right then. I gave him that opportunity immediately. Perhaps I could have just waited and attacked at some other point, but I gave him that opportunity. The minister without hesitation reinforced the threat.

I think the Deputy Premier says "as quickly as he could." That was not as quickly as he could withdraw. He had ample opportunity to withdraw at that point, and I think every one of us understood what was being said here, what was being suggested here, what was being threatened here. We all understood. Three-quarters of an hour later the minister came in and said: "We've had some debate. The hon. Member for Redwater and myself couldn't see eye to eye. Being a man of principle, I will withdraw any remarks I made in that regard" – no clarification that there was no threat implied nor any threat intended nor any presented.

Mr. Speaker, I just want to reinforce that I believe that every opportunity was presented that was necessary to the minister at that very instant to withdraw the remarks, and he should have.

MR. TRYNCHY: Mr. Speaker, as mentioned by the Deputy Premier of this province, I have been in this Assembly for a number of years. I take not lightly the comments from across the way and the comments that were going back and forth yesterday. I want to assure all members and every Albertan that I don't make threats. If it seemed that way to the hon. members across the way, I guess that's up to them. I believe that every Albertan wherever they are should be treated equally and will be treated equally by this minister.

Mr. Speaker, in the heat of battle – and I can use that term – some shots were fired. The shot from across the way by the Member for Redwater struck me and injured me. I fired back in my haste to get even, and I suppose being that I'm a considerate, kind, fair, and likable sort of a person, it's unbecoming to me to do that. So I very quickly withdrew everything that I had said.

Mr. Speaker, I believe in free speech. I think that's proper, and it should be that way throughout this Assembly. The hon. Member for Redwater said that he believed in free speech. He called me sneaky; I asked him to clarify it. He never did say: no, you're not sneaky; I apologize. He said: I take it back. Well, when I rose in this House at 5:30 last night and said that I withdraw all the remarks I made in that regard, that doesn't seem to be good enough. So if free speech is good for one person, should it not be good enough for another person?

Mr. Speaker, there was no threat made. I don't threaten people, never have, and I don't intend to.

MR. DECORE: Boy, it sure was clear, though, crystal clear.

MR. KOWALSKI: Ignore it, Peter.

MR. SPEAKER: Order. Order.

MR. TRYNCHY: Mr. Speaker, as the hon. Deputy Premier suggested, I've listened without commenting when they spoke. I would appreciate it if they'd let me finish.

If I've left any doubt in anyone's mind in regards to a threat or on parliamentary procedure, I retract all those statements, as I had in my closing remarks yesterday. I'll leave it at that, and hopefully we can get that resolved.

Thank you.

MR. SPEAKER: The hon. Member for Calgary-North West gave written notice of his intention to raise this point of privilege this morning more than two hours before the meeting of the Assembly. The Assembly has heard from the Member for Calgary-North West, the Government House Leader, the Leader of the Opposition, the Deputy Government House Leader, the deputy Leader of the Opposition, and the Minister of Transportation and Utilities.

This matter that has been under discussion this afternoon arose yesterday in the Committee of the Whole. As has been mentioned before, matters of privilege are the most important thing that has to be dealt with by the Assembly. Therefore, the Chair wants to carefully examine *Hansard* with regard to Committee of the Whole yesterday and to consider carefully the points that have been made by all those who have participated in the discussion this afternoon. Hopefully we'll be in a position to make a ruling tomorrow.

Thank you.

head: **Motions under Standing Order 40**

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

National Executive of the Year

MR. ZWOZDESKY: Thank you, Mr. Speaker. Moving right briskly along, I rise under Standing Order 40 to ask for consent of the House to deal with the motion, copies of which have now been provided, I believe, to all members. This national award was presented to Mr. Windwick a day or so ago, and it is of particular importance and even urgency, I would say, to deal with it now since the business community of Edmonton works hard on all our behalf and is indeed in need of some favourable injections from time to time.

MR. SPEAKER: You've heard the comments by the hon. Member for Edmonton-Avonmore. Is there unanimous consent in the Assembly to proceed with the moving of this motion?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

The hon. Member for Edmonton-Avonmore.

Moved by Mr. Zwozdesky:

Be it resolved that the Legislative Assembly of Alberta congratulate Fred Windwick, president of the Edmonton Chamber of Commerce, who was chosen the national executive of the year by the Canadian Chamber of Commerce Executives.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to all the hon. members here gathered for their endorsement of this recognition to a very deserving individual. It's indeed an honour to recognize such an outstanding Edmontonian and Albertan as

Mr. Fred Windwick. This is a very unique award which is given in recognition of outstanding performance by a chamber manager during the last two years in relation to membership development, benefits to commerce members, benefits to the quality of life in the general milieu, the financial stability of the chamber, and to his or her contribution to the growth and development of Chamber of Commerce Executives of Canada.

The chamber, as many of us know, is a voluntary federation of the business community uniting the efforts of business and professional individuals to ensure a healthy economic and socioeconomic base to benefit the entire community. It harnesses the tremendous potential of the private-enterprise system and enables its membership to accomplish collectively what no one else could do individually. The chamber represents and promotes the area's economy and encourages business and industry, broadening the tax base and providing employment. It also represents the community's self-image. Mr. Windwick has been a consistent champion and promoter of the commerce's image and of Edmonton's community and business image in general.

Recently, Mr. Speaker, as we all know, the chamber gained notoriety of a different nature. While that situation was able to harness the attention of so many, so too would I urge and hope that we as the public and as hon. members of this Assembly might harness our attention and remember some of the many, many positive and rewarding acts of this Edmonton Chamber of Commerce over the past several years.

3:00

Mr. Windwick was raised and educated here in Edmonton and also attended the McGill University Management Institute as well as our University of Alberta. He's been active in community organizations over the last 25 consecutive years, and he has served in leadership roles for many of them as president or chairman. In 1989 he was first appointed as president of the Edmonton Chamber of Commerce, and his impact in this position has been great and wide. I'm pleased that commerce executives right across Canada agree with his contribution and have unanimously chosen to bestow this national honour on this Edmontonian. Under his stewardship the chamber has worked hard to promote and advance economic activity and has pledged to continue.

Today, Mr. Speaker, as one simple example, I and other members from this side of the House attended the rally to save our Edmonton Oilers. I was delighted to see that the chamber took a leading role in trying to stave off the move of our favourite hockey club. They came to speak on the issue because in fact the Oilers do generate a great deal of economic business and other benefits to Edmonton and to Alberta.

In conclusion, Mr. Speaker, thank you for allowing me the privilege to be first among the many who will be there to express thanks to Mr. Windwick, a great Edmontonian and a great Albertan, for having received this coveted national award.

Thank you.

MR. SPEAKER: The hon. Government House Leader.

MR. KOWALSKI: Thank you very much, Mr. Speaker. I want to rise today on behalf of the government to support this very important Standing Order 40 that's been presented by the Member for Edmonton-Avonmore. The Member for Edmonton-Avonmore is quickly getting a reputation as being one of those individuals who likes to rise periodically and recognize outstanding Albertans. I'm want to congratulate him for that. He must get up pretty early in the morning to catch the local newspapers.

Fred Windwick, or old Freddie as we refer to him, has been a friend of ours for a great number of years, Mr. Speaker, and of

course he's one of those dynamic Edmontonians. He's a man about town, a man about the province, a man about the country, and he's always there front and centre promoting the city of Edmonton and the Edmonton Chamber of Commerce.

His involvement in this community, as the hon. Member for Edmonton-Avonmore points out, spans a great number of years. Of course, he was involved with Edmonton Telephones for some 34 years, including 15 years as a member of their management committee. He did a stint at Edmonton Northlands, another famous Alberta organization, from 1986 through 1988, and of course he has been president of the Edmonton Chamber of Commerce for the last five years. In addition to that though, Mr. Speaker, he's been involved as a volunteer in the community, everything ranging from the rotary club to the chairman of the Edmonton hire-a-student program in the mid-1970s.

Above all of that are the personal attributes that you have with respect to a gentleman like good old Fred. Mr. Speaker, he's very determined to promote the city of Edmonton, as is this government very determined to promote the city of Edmonton, and we've worked very well in recent years. I think in fact many of the instruments that have been talked about in recent years will come to fruition in the next number of years.

Mr. Fred Windwick, president of the Edmonton Chamber of Commerce, is truly worthy of being chosen as the national executive of the year by the Canadian Chamber of Commerce Executives. We're very, very pleased with that honour bestowed upon a native Albertan on this day in 1993, and we support the motion unanimously I believe.

MR. SPEAKER: Is the Assembly ready for the question?

HON. MEMBERS: Question.

MR. SPEAKER: Having heard the motion proposed by the hon. Member for Edmonton-Avonmore, all those in favour, please say aye.

HON. MEMBERS: Aye.

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

head: **Orders of the Day**

head: **Written Questions**

MR. DAY: Mr. Speaker, I move that the written questions appearing on today's Order Paper stand and retain their places with the exception of written questions 146, 158, 200, and 201.

[Motion carried]

Forest Management

Q146. Mr. Langevin asked the government the following question:

For the government and commercial operators respectively working on Crown land in Alberta

- (1) what was the total acreage logged between April 1, 1991, and March 31, 1992,
- (2) what acreage was planted, seeded, or prepared for regeneration between April 1, 1991, and March 31, 1992,
- (3) what was the acreage awaiting treatment at March 31, 1992, and

- (4) what was the acreage that had been logged prior to April 1, 1989, that had not been planted, seeded, or treated by March 31, 1992?

MR. SPEAKER: I believe it's up to the government to say whether they're accepting or rejecting.

MR. EVANS: Thank you very much, Mr. Speaker. I have circulated to all members of the House a proposed amendment to Written Question 146.

Moved by Mr. Evans that Written Question 146 be amended to ask the government the following question:

For the government and commercial operators respectively working on Crown land in Alberta

- (1) what was the total acreage logged between May 1, 1991, and April 30, 1992,
- (2) what acreage was planted, seeded, or prepared for regeneration between May 1, 1991, and April 30, 1992,
- (3) what was the acreage awaiting treatment at April 30, 1992, and
- (4) what was the acreage that had been logged prior to April 30, 1989, that had not been planted, seeded, or treated by April 30, 1992?

The hon. member across was probably not aware that statistics on our forest industry are prepared on what we call the timber year, May 1 to April 30 of each year, rather than on a fiscal year basis as the question is proposed. As a result of that, the amendment that I am suggesting would not deal with the meat, shall I say, of the written question but rather just ensure that the statistical information is that information that's available on a timber year basis. So in each of the four specific questions that are asked, we have recommended changes that would show years beginning May 1 and ending April 30.

MR. SPEAKER: Is the proponent of this question prepared to accept the amendment proposed by the hon. Minister of Environmental Protection?

MR. LANGEVIN: Yes, Mr. Speaker. This is acceptable.

[Motion on amendment carried]

MR. SPEAKER: The hon. minister.

MR. EVANS: Thank you again, Mr. Speaker. I will accept Written Question 146 as amended.

Supports for Independence Program

Q158. Ms Hanson asked the government the following question: How many new files have been opened in the supports for independence program for the period January 1, 1993, to August 30, 1993, and of these new files how many clients have been on assistance before and what was the duration previously spent on assistance by each client?

MR. CARDINAL: I am rejecting Written Question 158, Mr. Speaker. The average quarterly caseload statistics are prepared and released on a regular basis. The department does not have an elaborate enough computer system to produce a wide variety of statistics such as file openings and closings and the reason for those changes. We do go through 10,000 to 12,000 files per month, so the added caseload and staff in order to achieve that . . . This was referred to in detail in the supply fund subcommittee

meeting on September 17, 1993, and was well documented in *Hansard* at the time.

MR. HENRY: Mr. Speaker, on behalf of the Member for Edmonton-Highlands-Beverly and for my own information I would like to rise to speak to the comments the minister has made. Having been a participant in the social welfare system in terms of professionally and considerable experience as a volunteer, I find it incomprehensible that this kind of information is not kept on a regular basis. I guess it begs the question which is: how is the ministry able to effectively allocate staff? We often have situations in the ministry that I'm aware of where social workers are inundated and way overworked in terms of caseload and perhaps situations in other parts of the department where there are people who could take on more caseloads. How would you make those kinds of adjustments if you didn't know what numbers in terms of files that you are opening in specific departments and what kind of duration? If the reason for rejection is that the information is not available, I'd like to encourage the minister to look at directions for information gathering and for record keeping so that this kind of information is available in the future so that we do know what effect various policies and programs have on ongoing caseloads, not just that people are coming off social assistance and six months later going back on.

Thank you, Mr. Speaker.

MR. SEKULIC: With regards to Written Question 158 I also regret to hear that the Minister of Family and Social Services didn't see it appropriate or is unable to provide the information to allow this question to retain its place on the Order Paper. The purpose of the request was clearly to ascertain how the department's budget is translating into service to Albertans. The number of files that are being reopened speaks directly to the success or failure of the measures being taken by the minister's department. If we're to hear that we have a success of 10,000 or 12,000 files being closed, it's important to know how they're being closed. Are they being reopened? If we speak of long-term success – and we all certainly have an interest in seeing the employment initiatives very successful – we'd like to see that it is in true fact a long-term success and not a recycling of individuals that are in the lower income groups.

So with that, once again, Mr. Speaker, I truly regret that the minister at this time is unable, and I hope that the systems are improved to be able to take on this capacity in the future.

Thank you very much.

3:10

MR. SPEAKER: There is therefore before the Assembly a question as to whether it favours the rejection of Question 158. All those in favour of the motion to reject question 158, please say Aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Carried.

Student Services

Q200. Mr. Henry asked the government the following question: How many students received services from occupational therapists and physiotherapists in Alberta schools funded

by the Department of Education or local school divisions during the academic years 1990-91, 1991-92, and 1992-93?

MR. DAY: Mr. Speaker, this is a learning process that all members are going through in terms of written questions and indeed motions for returns. I've already sensed in this session a higher degree of co-operation both in the amending process and the forthcoming of information. So as I reject this question on behalf of the government, I would hope the member opposite would not be offended, because the Minister of Education does have a history of being very open with information.

The reason for the rejection is found in 446(2)(g) of *Beauchesne* where it says:

The following criteria are to be applied in determining if the government papers or documents should be exempt from production. The reference here under (g) would exempt papers of a voluminous character or which would require an inordinate cost or length of time to prepare.

I'm sure the member opposite had good reasons for wanting this information, but in fact the question "how many students received services from occupational therapists and physiotherapists in Alberta schools funded by the Department of Education or local school divisions during the academic years 1990-91, 1991-92, and 1992-93" was felt in the estimation of the government to fit solidly under that exclusion in *Beauchesne* 446(2)(g). For those reasons we would reject this one.

MR. SPEAKER: The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you, Mr. Speaker. I'm having trouble understanding why the government would not have this information available. I certainly wouldn't want to take up the government's time or in fact the Assembly's time in terms of trying to produce a lot more extra work. However, one of the major issues in education today – and I don't understand why the Minister of Education wouldn't have already ordered his department to pull together this information – is use of education dollars. One of the major issues to be discussed at the roundtables next month is defining basic education. As I discuss with school boards and in fact with teachers, one of the major concerns they bring to me is the fact that schools are being asked to do more and more things that are not purely educational. One of the things that's happening is that schools are being asked to provide services such as physiotherapy services, occupational health services, as well as other kinds of services that could be defined in the health realm. If we don't know what kinds of services are being provided on a provincewide basis to students that are health services that are being funded with education dollars, then how are we ever going to address the issue of how to fund basic education, and then how do we build co-operation with other agencies such as boards of health to ensure that health dollars are looking after health concerns and education dollars are looking after education concerns?

I also frankly suspect, Mr. Speaker, that the reason the information is not available is contained in the 1991-92 Auditor General's report, page 89, where the Auditor General indicates that "the Department," referring to the Department of Education, "does not have information systems standards." There are several pieces of information that we are going to be requiring in the next few years as we're discussing education, as we're discussing funding education that simply aren't available because the department hasn't gotten its act together to be able to pull together that information. Again I'm pleading with the government to put in those information systems standards so that we do know how many students are being served in the school system.

I think we all know what's happening in every school district in this province. Certainly the Calgary public board of education has just been forced to reduce the amount of physiotherapy and other health services provided out of its budget because of the legitimate demands that are being made on the education dollars. If we're going to start talking about defining basic education, which we'll discuss, as I said, at the roundtable next month, and if we're going to start talking about funneling education dollars for education concerns and letting health dollars deal with health concerns, et cetera, then we have to know what we're doing with our dollars now, and frankly this government's telling me that they don't know.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. Just to quickly point out to the hon. Deputy Government House Leader. In reviewing the question, he cited section 446(2)(g) from *Beauchesne*: "papers of a voluminous character or which would require an inordinate cost or length of time to prepare." When I look at the question proposed by my hon. colleague for Edmonton-Centre, he says, "How many?" Not which. How many? So the voluminous paper that would have to be produced is a single sheet that says: in this year we had X number that received help from the occupational therapist and Y number that received support from the physiotherapist. Similarly for the other years.

Mr. Speaker, I would suggest that this voluminous paper would not cover even half a sheet of eight and a half by 11 paper. The information that is being requested is probably tabulated very easily by the school boards, certainly should be tabulated by the Department of Education, and could, I think, easily be provided to all members of the House and my colleague from Edmonton-Centre.

HON. MEMBERS: Question.

MR. SPEAKER: A question on the motion to reject. All those in favour of the motion to reject, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Carried.

Hunting Licences

Q201. Mr. Collingwood asked the government the following question:

What is the formula used by the government to determine how many hunting licences can be issued each year for each wildlife species?

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

MR. EVANS: Thank you, Mr. Speaker. On behalf of the government I am pleased to accept Question 201.

head:

Motions for Returns

MR. DAY: Mr. Speaker, I move that the motions for returns appearing on today's Order Paper stand and retain their places

with the exception of the following: 164, 165, 166, 181, 192, 195, and 204.

[Motion carried]

Brain Injury Initiative

M164. Mr. Henry moved that an order of the Assembly do issue for a return showing copies of all draft or final studies of a strategic plan for brain injury initiative prepared by the Department of Health as of August 31, 1993.

MR. SPEAKER: The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you, Mr. Speaker. I understand the Minister of Health has an amendment to Motion for a Return 164.

MR. SPEAKER: The hon. Minister of Health.

MRS. McCLELLAN: Mr. Speaker, thank you. In the interests of providing information to the hon. member, I would propose an amendment to this motion for a return by deleting the words – and I quote – "all draft" and inserting "public documents" before "or final studies of a strategic plan." I have discussed the difficulty in dealing with the term "all draft" with the hon. member, and I would be very pleased to provide such information as is available once this amendment might be accepted.

MR. HENRY: Mr. Speaker, speaking to the amendment. I'd like to first thank the Minister of Health for advising me prior to the session of her proposed amendment, and I'm prepared to accept the amendment. I just have one concern. If we're talking about public documents, my intent here is not to get every draft of every proposal that every civil servant prepared for consideration but simply to find out what the plan is and what the studies are with regard to the department's initiatives in the area of brain injury. I'm not asking for information in terms of public information, which we could access through the public library. I'm asking what the government's plan is. I accept the minister at her word, and I'll accept the amendment.

[Motion as amended carried]

3:20

Wild Horse Population

M165. Mr. Collingwood moved that an order of the Assembly do issue for a return showing any studies or documents compiled between April 1, 1992, and July 31, 1993, indicating the population of feral horses in the green zone of Alberta and the Sundre area.

MR. SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Again I understand there is an amendment proposed by the government on this.

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

MR. EVANS: Thank you, Mr. Speaker. I've circulated to members of the House a proposed amendment to Motion for a Return 165.

Moved by Mr. Evans that Motion for a Return 165 be amended to read that an order of the Assembly do issue for a return showing

the estimated population of feral horses in the green area of Alberta on a forest-by-forest basis.

I understand the hon. member's request for information. The attempt that I'm making by the proposed amendment is to provide the information that we have today. We do not have any scientific studies carried out during the period that is mentioned by the hon. member. The information that we have, therefore, is somewhat general and is, generally speaking, kept on a forest-by-forest basis. The information that we have we're very pleased to provide, and that's the reason for the amendment, sir.

MR. COLLINGWOOD: Mr. Speaker, could I just maybe respond to the comments by the hon. minister. I accept that. I did specifically in the motion for a return make reference to the Sundre area. There is for me a bit of uncertainty as to whether or not all of the Sundre area is included in the green area. If, in fact, the deletion of the Sundre area is done on the basis that it forms a subset of the green area, then I'm happy to do that. My concern of course is to know that the B-designated forests will be included in any information that we're provided. On that basis I'm prepared to accept the amendment.

MR. EVANS: If I may just for clarification. The hon. member is aware that we have a number of forest areas in the province. The Sundre area is included in one of those forest areas, and that's the reason that we're trying to provide that information on a readily identifiable basis, hon. member.

[Motion as amended carried]

Moose Population

M166. Mr. Collingwood moved that an order of the Assembly do issue for a return showing any studies or documents compiled between April 1, 1991, and July 31, 1993, indicating the moose population of Alberta.

MR. SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Again I understand the minister is proposing an amendment to Motion 166.

Moved by Mr. Evans that Motion for a Return 166 be amended to read that an order of the Assembly do issue for a return showing documents compiled between April 1, 1991, and July 31, 1993, indicating the moose population of Alberta.

MR. EVANS: Well, again, Mr. Speaker, Motion for a Return 166 as has been presented by the hon. member is talking about "studies or documents." I really have a difficult time with that. We keep our moose population figures, which are basically done through estimates, based on wildlife management units. Those numbers are updated on an annual basis. I'm very, very pleased to provide the hon. member with that kind of information, but to provide all documents relating to individual wildlife management units, as is requested in the motion for a return as presented, would be an extremely time-consuming process for staff and I think would duplicate the numbers that are available on our updated ungulate population data base. I'm sure the hon. member does not wish us to be wasting valuable time of our field staff in providing information in a different manner than the manner that it's currently obtained. I think with that information at hand the hon. member may be in a position to make some constructive

suggestions for data base information gathering, and I'd be pleased to hear those anticipated recommendations in due course.

MR. COLLINGWOOD: Mr. Speaker, in the interests of time I accept the comments of the minister, and I'm prepared to accept the amendment as proposed.

MR. SPEAKER: The Chair doesn't seem to be in possession of the proposed amendment. Was it circulated, hon. minister?

MR. EVANS: Indeed, and I can certainly have a copy sent to you immediately, Mr. Speaker.

[Motion as amended carried]

Prince Rupert Grain Terminal

M181. Mr. Kirkland moved that an order of the Assembly do issue for a return showing copies of any debt restructuring proposals submitted by the government or Prince Rupert grain terminal from January 1, 1992, to August 31, 1993, with respect to repayment of the participating mortgage held in Prince Rupert grain terminal through the Alberta heritage savings trust fund.

MR. PASZKOWSKI: Mr. Speaker, I will have to reject the motion largely because negotiations are still ongoing and it would be wrong for us to be providing information for negotiations that have not been completed. The negotiations are still ongoing, so therefore I have to reject this.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Mr. Speaker, thank you. I certainly understand the point that the hon. minister of agriculture has made. I guess I would ask at this time that if in fact it is concluded in the next little while whether we would be privy to such.

MR. N. TAYLOR: Is the debate closed?

MR. SPEAKER: Order please. Is there permission for the minister to answer the question? Because the minister has already participated in this debate.

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed?
The hon. minister.

MR. PASZKOWSKI: Well, Mr. Speaker, it's very difficult to answer a hypothetical question, and this indeed is a hypothetical question. I can't predetermine the length of time that negotiations are going to take place. There is a responsible group that is negotiating the process, and I think we have to leave it in the capable hands of that responsible group.

MR. N. TAYLOR: Mr. Speaker, I want to speak against the minister's saying that he does not want to answer it because the negotiations are privileged or in process. Admittedly the minister is new at the job, but as agriculture critic for some years this has been the longest going romance since I don't know when. Two agricultural ministers prior to this minister have talked about doing away with the mortgage or restructuring the debt out there. What I'm afraid of is that what we're hiding is a mess out there, another

financial boob by the ancestors of this cabinet minister and this government of the day. To say that they're not going to release anything until negotiations are finished is like Kathleen Mavourneen: "It may be for years, and it may be forever." That's the whole idea of this: there's no end to it. I don't think a minister should get away with telling the people of Alberta that they can't give any information out until the negotiations are finished. It's even older than Gainers; maybe it even precedes you and me. It's been there a long, long time, and the excuse has always been: we're negotiating; we're negotiating. Of course you are. You're in debt up this far. You're fighting for breath is what you should be saying, not that you're negotiating.

MR. SPEAKER: Order please. The hon. Member for Edmonton-Rutherford has asked to be heard on this matter.

MR. WICKMAN: No; that's fine.

MR. SPEAKER: The Chair must admit to a grave error of procedure. The hon. Member for Leduc closed debate on this matter with his comments. The Chair was thrown off by those comments asking a question, but debate was closed. So therefore the Chair must now put the question on this motion.

[Motion lost]

3:30 Government Reorganization Secretariat

M192. Dr. Percy moved that an order of the Assembly do issue for a return showing copies of all documents prepared by the Government Reorganization Secretariat or on behalf of the secretariat by other government entities since January 1, 1993, with respect to government streamlining and departmental consolidation, downsizing of the public service, the elimination and/or amalgamation of government agencies, boards and commissions, and the privatization or disposal of government assets and services.

MR. ROSTAD: Mr. Speaker, I refer the members to *Beauchesne* 446(2)(o) that further states that the documents requested are "internal departmental memoranda." There are no formal documents that are published or public. They're working documents, as we use them. I think it's very obvious from these documents that the government has worked very quickly to reorganize and to privatize.

Perhaps two documents that I could refer the member to, which already are in his possession and I'm sure he's read a number of times, are the budget documents and Seizing Opportunities, which are two that have come through the process and formalization. Otherwise, they're all working memoranda.

We reject the motion.

MR. SPEAKER: The hon. Member for Edmonton-Rutherford wishes to participate?

MR. WICKMAN: Well, Mr. Speaker, I'll make it very, very short and allow the Member for Edmonton-Whitemud to sum up his concerns. My concern is that the question has a great, great deal of impact. For example, if we forget for a minute the "downsizing of the public service, the elimination . . . of government agencies" and such, I'll just key in on one: "the privatization or disposal of government assets and services." When I hear a response that there are only internal documents, there are no studies, there are no reports - we're not talking in terms of just selling off a truck.

We're talking in terms of the privatization of Alberta registries. We're talking in terms of the privatization of ALCB. We're talking in terms, possibly, of the privatization of the wholesale aspect of ALCB. It's quite possible that that decision may be made in what I refer to as a 10-minute decision. In other words, somebody gives it 10 minutes of thought, and it's done. That's the reason why there are no formal documents that can be released: those types of studies were not done ahead of time. It was just on the whim of a government that was going to start showing a new direction in terms of privatization - bang, bang, get her done - without looking at the consequences.

DR. PERCY: Well, I regret that the government has not seen fit to release any of these documents. It was not a fishing expedition that I asked this question. The point is that one would think there would be benefit/cost studies out there that would justify the rapidity with which we've entered into these privatization agreements and provide some sound basis for estimating the gains and losses through time, particularly with respect to the array of privatization initiatives that have gone forward. Similarly with regards to the elimination of various boards and agencies, if there is to be a gain, one would hope that it would be very easy for the government to justify how these gains arise and use that, then, as a benchmark by which other jurisdictions could judge the potential benefits. So I think it is in fact in the best interests of the government to release such documents. Clearly, they must exist; otherwise, they would not have entered into this with such rapidity. Obviously, they would have had a strong statistical base under which to take such decisions and so rapidly.

MR. WICKMAN: You can't count on that, though, Michael.

DR. PERCY: I hope there is. So if there are such documents, I would really urge the government to release them, because it would give a much broader basis of support for such initiatives being undertaken. It would give signals to local municipalities as to the nature of gains that they could expect. I really do think it's in the best interests of this government, if they are serious about streamlining, demonstrating the payoff to streamlining, that they provide a full and open cataloguing of the way we can anticipate such benefits. It's with regret that I hear that they refuse such a reasonable and simple request.

Thank you, Mr. Speaker.

[Motion lost]

Postsecondary Student Fees

M195. Dr. Massey moved that an order of the Assembly do issue for a return showing copies of all studies, reports, and analyses used to ascertain the proportion of postsecondary education programs presently covered by student fees.

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

DR. MASSEY: Thank you, Mr. Speaker. I understand that the Minister of Advanced Education and Career Development has an amendment.

MR. ADY: Mr. Speaker, in the spirit of our Premier's new and open government I'd like to provide the hon. member with the information he's looking for. However, to do so, I must move an amendment to Motion for a Return 195. Copies of the amendment have been circulated.

Moved by Mr. Ady that Motion for a Return 195 be amended to read that an order of the Assembly do issue for a return showing a copy of the most current analysis used to ascertain the percentage of postsecondary institutional net operating expenditure covered by fees for instruction.

The reason for the amendment is that the department does not collect data on the costs incurred by institutions at a program level, nor do we require that the institution report fee revenue on a program-by-program basis. However, we do collect operating costs and fee revenue at an institutional level. The suggested amendment to the motion is to clarify which fee revenues and operating expenditures the department collects and analyzes. As "student fees" does not have a specific definition, we are suggesting using "fees for instruction," representing the contribution made by credit students toward the cost of instruction. That includes tuition fees as well as all universal instruction-related fees and notably excludes noncredit instructional fees and other third-party revenue. Similarly, net operating expenditure represents the cost to institutions of carrying out their daily operations. It includes instructional costs and overhead and excludes those expenditures directly related to noncredit instruction, ancillary services, off-campus instruction, and third-party agreements.

Mr. Speaker, I do have some information that I'd be prepared to make available to the hon. member, whatever we have. Frankly, the information he's asking for has never been developed by the department nor by the institutions, so it's not possible to provide the information in the manner that was called for in that motion.

[Motion as amended carried]

Special Waste Treatment Centre

M204. Mr. Collingwood moved that an order of the Assembly do issue for a return showing the contracts entered into for the repair of leaks in landfill cells at the Alberta Special Waste Treatment Centre at Swan Hills between January 1, 1991, and March 31, 1993.

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

MR. EVANS: Thank you, Mr. Speaker. Regrettably, I'm afraid I'm going to have to reject this motion for a return on behalf of the government. As I think a number of members of the Assembly would be aware, the Alberta Special Waste Treatment Centre is not a government facility. It's owned by a joint venture between the private sector and the government. The government is a minority shareholder in the joint venture, a 40 percent shareholder for the record. The actual operator of the centre is, again, a private-sector company not related whatsoever to government. Any contracts between that operator and the contractor are between just that, the operator and the contractor. For government to attempt to make that kind of information public and to table it here in the House would not be proper. In fact, it would not be proper for me to ask for that information to be made available to this ministry by the private-sector operator.

3:40

MR. N. TAYLOR: Mr. Speaker, contrary to what went on in much of the debate today, I think the hon. member's statement is probably the most shocking thing I've heard in the House today, and we've heard a lot of shocking things.

First of all, he gets up and says that although the government is a 40 percent owner, he doesn't even think he'd ask whether

something like this was going on. In other words, there's a possibility that maybe the minister doesn't even know himself.

Secondly – and this is just as bad – I wouldn't care if it were 100 percent owned. It could be owned by some Hong Kong entity. As far as the public is concerned, if you have leaking landfill cells, that's a health and environmental hazard. The ownership has nothing to do with it. So this minister either has the information and is concealing a dangerous fact from the public, or he doesn't have the information, in which case he's incompetent, Mr. Speaker. In either case, he has no reason whatsoever. I suspect it's the incompetent end myself. Nevertheless, either he's incompetent or he's denying the public the information.

Point of Order

Allegations against a Member

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

MR. SPEAKER: The minister is rising on a point of order.

MR. EVANS: Mr. Speaker, Standing Order 23. This is just a ridiculous comment being made by the member opposite. If this member were trying to withhold information, that might be a different matter. Since we have begun this fall session, I think the record speaks very well for the interest that I have taken in trying to provide information to hon. members opposite. I have done so in a forthright and immediate manner.

MR. N. TAYLOR: That's not a point of order.

MR. SPEAKER: Order please. The Chair will decide what's a point of order, hon. member.

Speaker's Ruling Relevance

MR. SPEAKER: The Chair was just getting ready to interrupt the hon. Member for Redwater before the hon. minister got up. The issue before us that the Chair sees here is that this motion calls for the releasing of "contracts entered into." There's not an issue here of whether there are leaky cells and a danger to the public, hon. Member for Redwater. That's not the issue. The issue is whether the government can release contracts entered into by the Special Waste Management Corporation and private contractors to do certain repair work. It's not a question of whether it's a danger to the public. I guess maybe there was a danger to the public or there wouldn't have been any contracts entered into to repair the cells. So the Chair is not going to recognize that type of argument by the hon. member.

MR. N. TAYLOR: Mr. Speaker, with all due respect, you're very schooled in the law, but I'm schooled in engineering. An engineering contract shows how much the leakage would be, the type of repair you have to do. In other words, you send out one kid with a tube of Seal-all from the Hudson's Bay store; that's one type of . . .

MR. SPEAKER: Hon. member, that's all presupposing that there's some leak going on now. We're talking about the history, contracts that were made some time ago to repair leaks to these cells.

Debate Continued

MR. N. TAYLOR: Mr. Speaker, that's quite correct: it went on some time ago. This is why we need to know the contract to know the extent of the damage that had been done to the cells

and, therefore, how much had leaked into the subsurface of the formation around. This is a very important environmental thing. In all due deference to you, any engineering concern – I'm speaking to the engineers tonight, and this may be worthwhile pointing out – would know that the repair contract tells you what kind of damage has been done to the environment.

I say the minister there, if he doesn't know the . . . He gave two answers, Mr. Speaker: one, he didn't want to get back; the other, he wouldn't even ask for the information. But I'm just saying that any minister of the environment that wouldn't even ask, even if the company is zero percent government-owned, what the contract is, what went on . . . Maybe I can't use – I think the word “incompetent” is okay, myself, but I'll withdraw that and say that . . .

Speaker's Ruling Parliamentary Language

MR. SPEAKER: Now that the hon. member raises the description, the word “incompetent” is not all right. It's not proper.

MR. N. TAYLOR: I'll withdraw the word “incompetent” and just say inefficient. Can I use “not competent?” I think that's all right. The minister is not competent. I recall that that's okay. He's not incompetent but he's not competent. Okay.

Debate Continued

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

MR. DICKSON: Thank you, Mr. Speaker. I just wanted to address briefly the principle involved here. I have certainly the greatest respect for the minister, and I know he'd like to do the right thing, but I am extremely concerned with the proposition that he advances and that I've heard in other context by ministers of this government. To me, Mr. Speaker, if there is public money involved in private enterprise, if the entrepreneur wants public dollars, the entrepreneur has to be prepared to come clean, to be prepared to see that the terms and full text of any contractual arrangement is a part of the public domain. To me, with respect, it's a red herring and unacceptable to the taxpayers and certainly to the constituents of Calgary-Buffalo to hear the government say, “Well, our shareholding, our equity interest, is only 42 percent or 31 percent.” Whether it's 10 percent or 92 percent, the point is that there are public dollars involved in this corporation.

I think there's a proposition here which I'd urge all members to consider, which is that if there's any public money in private enterprise, the public has a right to know. I think the reason this is important is that this is going to come up again when we deal with freedom of information. I simply alert members that I think there were many of us that got a strong, unambiguous message from our constituents on June 15. It's time not only for government to get out of business, but in those areas where government is involved in investing, they have to be prepared to make full disclosure to the taxpayers of Alberta. That's the point I wanted to make, Mr. Speaker.

Thank you.

MR. SPEAKER: The hon. Member for Sherwood Park to close debate.

MR. COLLINGWOOD: Yes, thank you, Mr. Speaker. Just a few comments to close debate. I certainly join with members on this side in stating my regret at the minister's decision to not provide these contracts. I also heard a couple of reasons given. I believe I heard him say that he might not even have it because it's a

private venture. It is extremely unfortunate that ministers of the Crown can simply walk away from these kinds of obligations because they can say that it's a private matter.

This type of example is exactly the type of situation that has to be brought to light in the discussions that are about to take place on freedom of information legislation and with the committee that will be traveling the province hearing submissions, because of course the public has a right to know on any issue that deals with environmental protection and public safety. I guess I can just say to the minister that we'll get to the bottom of it sooner or later.

Thank you.

[Motion lost]

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

Bill 203 Recall Act

[Debate adjourned September 21]

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I wanted to touch on a part of this Bill that hasn't seemed to be touched on too much before. I must admit that if you arrived from Mars and listened to the debate the other day, you'd wonder how things all got so twisted around. Reform has been the backbone of conservative or neoconservative movements for, oh, maybe about 55 to 75 years. To come to this Legislature and see what are essentially a number of Liberals proposing and Conservatives opposing reform must really confuse any political philosopher. I couldn't help but notice too. As members of the party over here will tell you, I've been the architect of the reform Bill in the Liberal Party, and it's taken me about five, six years to get that middle-to-left side of the road so they'd accept reform in some form. I went over and over and over it again, and finally it gets here, and lo and behold, there are some Conservatives that don't like it. It's absolutely amazing in the land of Social Credit, in the land of Peter Lougheed, in the land of the United Farmers to have suddenly one side of the House that would normally think they should have probably proposed it years ago and the other side . . . This is a free vote, mind you. It goes back and forth; we don't know how it's going to turn out. Doing it is rather amazing.

Nevertheless, I wanted to touch on a point that hasn't been made too well. All of us, whether we're elected or not, when we go into politics really have two masters: one is the party, and the other is the voter. Really, those two control. We can talk about maybe your wife or your mother-in-law or your collector who runs the finance bit or whatever it is. You maybe even have a very influential city council in your area, but your real masters split into being either your voter or your party. The party can see that you can't run. The party can also see that you can run. Nearly all parties have legislation that controls nominations. Also, when you're in, the thing that makes the democratic process work is the parties. If all of us sat around one table here and if there was no left or right side of Mr. Speaker, the whole system of parliamentary democracy would fall apart.

3:50

The Greeks invented the idea of somebody proposing, another side opposing, and together we dispose. Or if you want to put it – the Greeks used the words: somebody put up a thesis, the other side put up an antithesis, and synthesis is what we got out of it.

The fact of the matter is that a party or a group, once you get in the Legislature – although we have elected independents from time to time. The political history of an independent is similar to that of a mule. To those of my city friends that don't know what mules are, they are not able to procreate again; they have no pride of ancestry, no hope of progeny. Consequently, an independent disappears through time and usually will not be found in the political process. So we always have a balance between our party and our voter.

[Mr. Deputy Speaker in the Chair]

Now, we have the Israeli system, where I worked for a number of years, where the party is absolutely paramount. Nobody gets nominated. The party puts out a slate. You rank from 1 to 43 – in those days it was 43; now it is 86 – and the number of votes that the party gets decides in which order you go in. You have nothing to do with it. So that's a system where the party controls everything. The other system, of course – Americans have argued to some extent that they've done away with it in their Senate, but they haven't – is where a person runs more or less on his own record but we still have a remnant of the party.

What has crept into the minds of the public and, I think, many of the members around the Legislature – and I noticed that some of the others that spoke before mentioned it, particularly over there – is that the public was worried about the control they had on their elected member. They're feeling the party is too strong. I think it's been a natural growth, Mr. Speaker. One of the things I used to argue with the Liberals for years is that the longer our party's in power – and I remember being in politics when the national government was Liberal year after year after year, and you couldn't make much headway with them. The party decided who were going to be Senators, who were going to be cabinet ministers, who got a car, who didn't get a car, so on, so forth. The party becomes very, very powerful in a parliamentary system. There's no question about it. They pick and choose, and you have to cow-tow to the party. The voters spotted that. They think that too much of that is going on. So what the whole point of recall is, it's not in any way shape or form – and this is what I want to get across, that the capriciousness of the voter gets ahold of. What it is: it gives us as members the right to stand up to our party or our party leader from time to time and say, “Uh uh; no, because if I support that, I'm going to get recalled.”

For instance, you take the GST. Do you think the GST would have gone through if there had been any form of recall? See, party discipline put the GST through. Most people didn't want it, but the point is that nobody dared buck it because the party had the power and the leadership to put it through. Under a recall system, you or I as a taxpayer or as a member of the Legislature have that balance. Really what it points out to the leader – the Leader of the Opposition party or the leader of the first party, or the government party, or the third party – is that you may want to do this, Mr. Leader, and you may be ordering me to do this, Mr. or Mrs. Leader, whatever the case may be, but do that and I can assure you that you're going to have a by-election on your hands, because I'll get yanked. At least, they'll force a by-election.

So then it came to trying to put it together. This is why we should put it through on the first motion. The real details of recall and how it works is best gone over in committee. The committee is the next stage, and of course after committee we've got third reading and so on. So it's a long way from going through if it goes through.

I think the principle, the idea, is that we tell the voters at home: “Yes, we want to strengthen your club; we want to strengthen

your hold on us. In other words, we want to make sure that your hold on us is just as strong as the party's hold.” I think that's one of the reasons why I'm speaking in support of this motion. I think it goes right across the House. I don't look at it as right or left of centre. I must admit that, in general, Conservative parties have espoused it much more than left-of-centre parties, because the collective idea is more present in left of centre, in the Liberals, and eventually the socialists, who are very collective-minded. So something like recall is anathema. If Conservatives have anything going for them at all, it is the idea that they're individualistic-minded, that the individual counts for more than the state, and the individual counts for more than the party. Recall is a way of saying to the voters that the individual indeed can stand up to his or her party – be it in opposition; be it in government – and say, “Look, I won't support this, because if I do, I'll get recalled.” That causes the leader to sit there – in the opposition or the government; it doesn't matter what the party is – and rethink the process. You get a tremendous amount of power, because what you've done is allied yourself with the voters rather than with the party.

Thank you.

MR. DEPUTY SPEAKER: Olds-Didsbury.

MR. BRASSARD: Thank you, Mr. Speaker. I rise today to speak against Bill 203. I know that the right of recall was a part of the platform of the Liberal Party in the last election, and it was highly touted by the Liberal leader and others in the name of democracy. I was very surprised, then, when his candidate for Calgary-Foothills called the election, quote, an appalling condemnation of democracy, unquote. His candidate in Calgary-Glenmore had, quote, lost a little bit of faith in the voters, unquote. I guess you have to be elected before you have an appreciation for the principles of democracy, in this Liberal Party.

Election is democracy. We have talked about changes to parliamentary procedure. We've talked about them for some time, and at the risk of bursting the hon. Member for Redwater's bubble of sponsorship for reform, you'll recall that we struck a committee headed by the hon. Member for Lethbridge-West, as I recall, to initiate change within this Assembly. It was over a year ago. He posted newspaper advertisements asking for input from Albertans across the province. Indeed, many of the changes that we're looking at today were a result of a lot of the input that we received.

It is time to make changes to the parliamentary system here in Alberta, and I am indeed encouraged by the changes announced two weeks ago by the House leaders of both parties. Many of the procedures that have handcuffed private members in the past have been relaxed. Bills such as the one that we're debating right today now have the opportunity to go beyond the initial debate. More Bills will be debated than ever before in this Assembly. Members that want to make changes to legislation will now have a greater opportunity to do so than ever before. Party discipline has been loosened on many votes. As MLAs we have the opportunity now to seek support from the other side of the Assembly for amendments to private members' Bills. Our compressed work week here in the Legislature will allow us to get out and address and discuss the important issues with the people who voted us in. As we become more effective as MLAs through these changes, I believe that the need for recall diminishes. These changes that have been brought about were necessary, and they're healthy. They're sound, good, positive moves that make the MLA's role far more responsible. But change for change's sake is not progressive, it's not productive, and it's not in anybody's best interests.

We just had an election, as everyone here knows. It's the third one that I've personally participated in, and over 62 percent of the voters endorsed my being present here today. It was a very encouraging confirmation and very humbling, I might add. This Bill says that 38 percent can hold that 62 percent hostage. Even more ludicrous, the almost 40 percent that didn't vote at all can hold everybody hostage. They didn't even get out to vote in the first place. There's an old saying: if you don't get to hire him, you don't get to fire him. That's true in this case. I think the greatest injustice of all, however, is the part of the Bill that allows 50 people, any 50, to chastise the member by accusation alone. Any self-interest group can initiate recall, regardless of validity, without any opportunity for defence. It's really guilty by accusation, Mr. Speaker.

4:00

I come from a constituency that basically is agriculture oriented, but we have a great amount of oil and gas activity. We're producing probably the most toxic gas ever produced anywhere in the world; it's 92 percent H₂S. We have people that raise ostriches in my constituency. We have the second largest fox farm in Canada in my constituency. We have the third largest guiding and outfitter industry in the province in my constituency. I raise these issues, Mr. Speaker, only because I want to point out that with such diversity I am never without an issue. At any time, 50 percent of the people could put my name in the paper and call me to recall. I don't think it's fair. My electorate know who I am, and they know what I stand for. In the last two elections I was supported in that by every poll in the constituency. As I said, it's a very humbling experience. That's what recall is all about: the election. That's what recall is. That is the opportunity for my constituents to speak up, and some did.

This Bill is nothing more than a platform for the dissident. It benefits no one. I urge every member to reject this Bill.

MR. DEPUTY SPEAKER: Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Speaker. It gives me great pleasure to speak and support second reading of this particular Bill. I think for a minute we have to sort of reflect why we're here and what this particular position means to us. Many of us sitting here didn't simply walk into a position. Many of us worked at it very, very hard.

Myself, the first time I ran for elected office, I ran as an alderman in a by-election. I ran again. I ran again. Finally, on the fourth attempt I was successful. So I worked very, very hard to become an elected representative, and once there, I worked very hard to try and retain the respect of the people that had given me that position.

I can look within this Legislative Chamber. The Premier of this province had a desire to become mayor of the city of Calgary, and he achieved that. How many people achieve the position of mayor of a major city? The leader of our party had a goal, to become an alderman; he achieved that. He wanted to become a mayor; he achieved that. Now he is Leader of the Official Opposition. Someday, not too far down the road, he's going to achieve that ultimate goal of being Premier of this province. Many of you will have stories you can talk about; you can say how hard you worked to get to where you are. The two latest aldermen for the city of Calgary, for example, sat on city council in Calgary for a period of time, then chose the provincial wing. They have to fight a nomination meeting, fight in the election, and then they come here. They become part of this very, very fine institution and hold that position that is given to us.

Yes, we worked for it. Still, the bottom line is that it was given to us by the electorate that said: look, we're prepared to put our trust in you, we're prepared to put our faith in you, we respect your integrity – we hope you have it – we hope you're accountable, we hope you're going to be there when we need you. But as time has gone by, I've sensed and I believe all of you have sensed that the respect for elected representatives has started to diminish more and more and more and more. In a recent poll, a national poll where they were doing a determination of respect for certain careers of different individuals, 57 percent respected doctors. I went down, down, down the list. Four percent respected lawyers, but below that, Gary, 2 percent respected elected representatives, so you average off at 3 percent. Forgetting that though, that was the lowest category there was: two percent of Canadians had respect for their elected representative. Ten years ago it would have been a totally different story. Most elected representatives could have moved about their communities holding their heads up high with some pride. People looked up to them and said, "There's our elected representative; that's the one that's working for us." But it started to fall apart.

I believe there are a number of factors – the economy, hard times, and so on and so forth – but the one thing that really seemed to have a bearing, when people started to question whether their elected representative was accountable, was the forced implementation of the GST. During that whole process the electorate woke up and started to say: "Are our elected representatives accountable? Are they there to represent us, or are they there to represent a party leader? Are they just trained seals operating for a master, or are they operating for us, who put them there?" It was at that time that cries for recall came out more and more. As you travel throughout the province, they see – and many of you over there are fooling yourselves if you think differently – the true test of accountability as being the right of recall. Particularly in southern Alberta it's coming through loud and clear. In fact, I think in all parts of Canada now it's coming through loud and clear. People want that right of recall. It's a question, then, of working out those mechanics.

If we look at some of the incidents in history, I can recall watching the newspapers many, many years ago and following the activities of this Legislative Assembly. I didn't even dream back then that someday I would be part of it; I looked at it with envy, though. I can recall a medical doctor – I believe it was a riding in the neighbourhood of St. Paul, whatever – chose to move his practice down to the United States halfway through the term. If I recall correctly, the instruction given was: send the paycheque down there as it comes out. I don't believe that member ever came back to serve his constituents in the remaining two years of that particular term. Now, if those constituents had had the right of recall, I'm sure we know what would have happened.

We can look at the neighbouring province of Saskatchewan when a member of their Legislative Assembly was convicted of murder. There was no recall provision. The Legislature had to pass special legislation to remove him as an MLA because there was no recall provision. I would say without question that if there were a recall provision there, he would have been recalled. We can look at the municipal level. We can look at the city of Edmonton. There are probably instances when recall initiatives would have been taken. We can look at the school board level in the area of Drayton Valley. On a number of occasions when I was out there meeting with many, many people who were very disenchanted with that school board, they told me they wished they had the right of recall, not to recall the Member of the Legislative Assembly but the right of recall filtering right down to the municipal level so it even applied to the school boards and they

could recall that particular school board. So whether it's at the federal level, the provincial level, the municipal level, the school board level, all levels of government, people want the right to hold their elected representatives totally accountable. We can never, never forget that we are there because we've been placed there. Those people have given us that position of trust.

Many of us would sit back and say, "Well, if 40 percent of the electorate in my constituency were to sign a petition to recall me because they wanted me out, I would do the honourable thing." I would, and I think most people would – maybe not all. I would resign, because that would be an indication to me. But there are some that would not do that voluntarily. There are some who would say, "No, I'm going to hang it out; I'm going to resist." Then that provision kicks in and forces recall, that total, ultimate degree of accountability.

4:10

Now, I don't think we're talking so much here about the mechanics. The Member for Calgary-Shaw made some extremely good points yesterday when I listened to him speak. He started to talk about the mechanics, the details. This Bill is so much unlike the previous Bill that we had to deal with when we talked in terms of exercising the new concept of the free vote in that there were almost two principles, one principle being a penalty and the other being the removal of the Premier of the province. But in this particular case there is only one principle, and the principle is recall. So you either support the principle of recall – and many of you have stood up and clearly said you don't support the principle of recall; you don't feel your electorate have the right to recall you no matter what you do. But there are others that are going to say: "Yes, we support the principle, and we're prepared to give this Bill second reading so we can move it on to committee. Then in committee we can make some amendments and come forward with a Bill suitable for both sides of this House."

Quite frankly, there are some areas of the Bill that could live with some changes. The Member for Calgary-Shaw raised the point: should those people that could not be bothered to go out and vote, could not take the time to exercise their democratic privilege to go out there and vote, be given the right to participate in an initiation of recall? That's an issue I would really, really like to debate at the committee level, because the Member for Calgary-Shaw has made a very, very solid point. The important thing, though, is to initiate the process to get the Bill into committee stage to allow various amendments to come forward, have those amendments fine-tuned, have the Bill advanced to third reading, and then from there, of course, it gets to Royal Assent.

I believe the vast majority of Albertans . . . The member who did a poll in his constituency – one constituent of the large number that were polled in his constituency did not support recall. I suggest you would find that in all parts of the province, and again in southern Alberta where it becomes so extremely important. If this House were to take the initiative and be the first body in Canada, the first currently elected body to actually put in recall provisions, I think there would be new respect for all of us sitting here. I think Albertans would say, the electorate would say: "Now, those people are truly accountable to us. They respect the fact that we put them there; they respect the fact that we can take them out." I think the recall provision would hardly ever be used. Nevertheless, it would hang over one's head to ensure that they are accountable, and most importantly, it sends that message to the electorate. It sends the message to the people that put us here that they're the ones that control us from that point of view, which they should, and they have the right to say any time they want: "Mr. Wickman, you're not doing the job we elected you to do.

We want you out. We want you tested again." I should not be afraid to go to that test. Nobody in this House should be afraid to go to that test if they live by the principles they spouted when they ran in the last election.

On that note, Mr. Speaker, I'm going to conclude. A number of other people in our caucus and, I'm sure, the other caucus want to speak on this very, very important issue as well.

Thank you.

MR. DEPUTY SPEAKER: Wainwright.

MR. FISCHER: Thank you, Mr. Speaker. I would like to rise to speak against this Bill. To begin, I would like to speak for just a minute about what the member was talking about: respect of a politician. I'm sure that if we want respect – and I say we in this House – then maybe we'd better take the cameras and the news media right out of this Assembly. Maybe you should look at yourself and the parties look at themselves, the Liberal Party look at themselves. Occasionally we might have even been a little bit guilty ourselves. But, truly, if you talk to somebody that watches question period on TV, talk to somebody that comes and sits in the galleries, or talk to the schoolchildren that come here, it's disgraceful. We are supposed to be adults and we are supposed to be wanting to get respect. We have a hard time doing it the way we operate in here. I'm sure that respect could be created a lot quicker through what we do in here than it ever could in a recall Bill.

I heard other speakers say that this Bill will give more accountability and more credibility to the image of our politicians. Well, this Bill does the exact opposite. Can you picture your name in the newspaper every time a special interest group – 50 names get together, and the first thing they do is go to the press, get their application form, and then advertise in the paper that you are a bad person because you voted against something they didn't like. I think you would find that even the Liberals would probably have their name in somebody's newspaper, the weekly newspaper or maybe our daily papers, almost all the time between elections. Now, do we think that is increasing our accountability and credibility? People will look at that and say, "Well, this guy can't be much good, because we've got a number of petitions out against him." Maybe they come about every two weeks. Maybe it's a month or six weeks. Certainly you would be perceived as guilty in the public's eye when they were reading the paper, even though you voted according to your conscience and according to what you felt was right for your constituents, and naturally you don't please them all.

I would just like to give you an example with the Interim Supply Bill. I know all the members of the Liberal Party voted against it. I know they had their reasons for voting against it, and I respected some of their reasons. But if I wanted to go out and talk to the people a little bit about why you voted against it and they didn't have funding for their health care – maybe we turned that down, and they didn't have funding for their seniors' benefits or widows' benefits or education or whatever – certainly they would have a list of names in a hurry. Certainly you would already be perceived as guilty again.

MR. DECORE: That's why recall is a good idea.

MR. FISCHER: Well, maybe we should put a test run, but I guess the test run has been done before.

One of the other things that was mentioned by other speakers, of course, is the time lines, and it is a most unreasonable request. Many of the people that have come here realize that no matter

what occupation you come from, there's a tremendous learning period when you first come in here. To think that somebody is going to be able to come here and in three months have everything learned exactly as your constituents wish so you can vote so you don't get recalled and still learn everything that's in here – you shouldn't even expect that.

Our system, as was said before, runs under a five-year program. It's less if government is defeated. It's less if government decides to have it sooner. It's worked very well in the history of this province. If we look at our province in general terms, we have one of the nicest countries and standards of living in the world. We can make some adjustments without making fundamental changes and still have that.

4:20

I would like to also mention the accountability and integrity and trust that every Albertan would love to see. I would, too. I want that in my politicians when I'm not here, and I want it for my kids and my grandkids. Well, Mr. Speaker, I think the members of the Liberal Party had better do a wee bit of soul-searching then and have a look in the mirror, because every member in this Assembly campaigned and promised to represent their constituency with honesty, accountability, integrity, and trust. I happen to believe that each one of you people and us as well have that. Yet Bill 203 puts that feeling at risk. It indicates there isn't any accountability in our system. Well, if you people that introduced this Bill feel that way, then why didn't you tell your constituents three months ago when you were campaigning that you weren't accountable, you weren't trustworthy, and so on? Why didn't you tell them? Now you're saying that we're not. When you say that, it includes all of us, the opposition as well as government.

I just want to bring out one other thing, signing petitions. Maybe in the rural areas we've watched some of this petition signing go on. If you do get anywhere near it, you can watch people handling the petition lay it somewhere and tell people to sign it. I know there are supposed to be reasons on it. Well, how many people really read the reasons? Somebody that's handling the petition will say, "Look at that Member for Edmonton-Rutherford over there; he raised our taxes and did this and that, and do you like him?" Of course they'll put their name on the petition and say, "We want to recall him right now if he did all those things to us." That is how an awful lot of the petitions are signed. I just want to bring that point out to you.

Certainly the cost here has been addressed enough times, and I do say that if you're going to get 40 percent, somebody has got to do a tremendous amount of work. Somebody's got to pay for that work. You've got to have a complete new voters list, and it has to be redone again in order to be fair. I surely don't think that at this time when we're trying to balance the budget and we have an awful lot of very, very important things to spend our money on we should impose another unnecessary expense.

One other thing that is very negative is the fact that when we're part of this province as one constituency, we have to take a global look. We have to look at the province and what's good for the province, not what's good for Wainwright. I have to compromise, and many urban people do as well, on many, many issues. It doesn't satisfy all my constituents; they want an immediate, right-now decision that's theirs. I think that to be a responsible, fair, and proper politician, you have to do that. This recall Bill doesn't allow that.

It's interesting with the U.S. Different ones were comparing with the states in the U.S. Their system is put together entirely differently. If their government is voted down, they don't have to call an election. As long as our system is the way it is – and

it has worked well in the past – I don't think it's fair to even compare it to the States because of that.

I would like to close by saying that there's one thing we know for sure about history, and that is that we do not learn from it. The other day we heard other members mention the 1936 recall Act. We heard what a disaster it was. We heard how quickly they reversed it, and I'm sure most of you people have read how it went. I just urge members: surely we're not going to make the same mistake when we have an example of the failure right in front of us.

With that, I would like to urge all members to not support this Bill.

MR. DEPUTY SPEAKER: Leduc.

MR. KIRKLAND: Thank you, Mr. Deputy Speaker. I stand with pleasure to speak in favour of Bill 203.

I arrived in this particular esteemed institution through campaigning for six months and knocking on doors for six months. Undoubtedly what I ran into time and time again was the fact that politicians did not carry a very high opinion or respect from the people in Alberta, and the underlying comment directed my way was accountability. To take you to the hon. Member for Wainwright's comments, I think this lack of respect is not restricted simply to question period in this House. There's been an insidious diminishing of respect for many, many years. As I see it, we have an opportunity at this particular point to do something about that. Certainly I expect the rest of the House, as I will attempt, to conduct themselves with honour and dignity in this particular Chamber.

When I think back to the comments I've heard here in the last few days, I heard a concern expressed by the hon. Member for Calgary-Currie that we really didn't list why you should be called back. Well, it's a large, extensive list. It could cover the gamut of many, many things, and I think it would only have a tendency to add bulk and cumbersomeness to the actual process itself. I had to listen with admiration when she indicated that she had great sincerity in serving her constituents, and undoubtedly she would listen very, very closely. I think that is the right approach. That being the case, she would never have a concern about ever being recalled under the recall vote.

The hon. Member for Olds-Didsbury comes to this House with a very sterling record and is thought of very well in his constituency. He has several special-interest groups there. They have had the opportunity in the past to actually put the hon. member to the test. They've not done it because he has carried himself with a great deal of integrity and privilege in that particular situation. He should never be concerned that the right of recall would be implemented in that case.

I listened to some of the comments that came from the hon. Member for Medicine Hat. He had a concern that it would be implemented in six months. That's perhaps a weakness, but I don't think we should throw it out as a result of that weakness. I think there's the opportunity to bring it to committee. Let's define that. There was also a concern by the hon. Member for Medicine Hat that in fact we had a floating election date. Perhaps all the pieces haven't been put together, but I think it's still workable. I think we can work at that particular aspect in Committee of the Whole. He suggested in fact that we should have a filing fee – a sound idea; we certainly should embrace it. The committee, I like to think, would take a very serious look at that and implement one.

I recall some comments from Calgary-Shaw that were very positive. I thought he was adding positive comment to the debate.

I as a rookie too often hear negative aspects coming forth in these debates. I think it's a positive, that spirit of co-operation we've all been talking about and reaching out for. I think that in fact we're making some progress there.

There's been a concern that the 40 percent or 50 voters is too low in fact to get the petition started. You will have lots of people petition to get you started – your special-interest groups – and they can come up with the 50 names. I don't think you have a concern in that case. I think you are going to be forced to stand before the public and explain your position, and every one of us wants to do that.

4:30

Again, Calgary-Currie indicated that if she had a controversy or she voted for something that in fact was not acceptable to her constituents, she would take the information, she would take the knowledge back, and she would present it to her constituents and hope they accepted that. That's what the democratic process is all about, and that's how we in fact in most cases got here: by reason and by our debates.

When you think of how many people turn out to vote in an election, it's generally right around that 40 percent average. So this is a very, very onerous task that people are being challenged with. I would suggest that you'll have to be way off the mark if in fact you think you can get the ire of that many people going so they in fact would pull together that many names. Don't be concerned about the 50 names to start it. That won't hurt you. That'll make you wiser and smarter, because in fact you can stand forth when the press gets hold of that and you can indicate exactly where you're going and perhaps give opportunity to show that their arguments aren't so strong.

I think the Member for Redwater made an excellent point, and I think that lack of respect that I bumped into for six months as I knocked on doors was one that was clearly conveyed, and everyone in this House is aware of it. The party discipline is too strong, and this gives the opportunity to break some of the party discipline down. Don't walk in fear of it. History will tell you that the right of recall has been implemented only on very few occasions.

We are attempting to convince the public of this province that we want to be more accountable. I didn't come in here being unaccountable, but this is one small step to saying: "We are listening. We will give you that opportunity to be accountable, and if you're not, then we have that opportunity to pull you home." I don't live in fear of it. I have the special interest groups in my particular riding as well, very diverse in the urban and the rural, a very large split there. The whole province is split that way. I don't hesitate for a minute that in fact I can pick up the knowledge from the members in this House and take it to my constituents, whatever the issue is, and say, "These are the arguments that came forth, and I agree with them, and these are the reasons." It is not a concern or a fear to me, and I don't think it should be a concern or a fear to anyone or anybody in this particular House. You know full well that apathy and the numbers involved – and those that went through a long campaign such as I did know the amount of energy, the time that is required to actually pull something like this together. I don't mean to diminish the actual impact of it, but it's a small reaching out to the public of Alberta, saying, "I don't fear accountability, and I will offer you this little tool to do such."

So with that in mind, and I want to keep it positive, don't have a look at the red herring such as the 50 names. That will make you a much more intelligent individual. Don't be concerned about 40 percent. Forty percent, ladies and gentlemen, is very difficult

to achieve, very difficult to achieve. I would defy anybody in this room to pull together the numbers to get 40 percent of the voters out to call you home.

So with that, Mr. Speaker, I appreciate the opportunity to address it. I ask all members to look at it in a realistic sense. Do not view it as your job being threatened. That is not the case by any stretch of the imagination. There's a tremendous amount of integrity here in this House today. As I have watched as a rookie, very clearly I see no one, no one in this House today, that I think would ever come under the threat of recall. I think you can all walk with comfort and confidence in that.

Thank you very much, Mr. Speaker.

MR. DEPUTY SPEAKER: Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I rise today to speak in support of the Bill. I believe there are a number of amendments we need to look at, and I hope I have time to get to them. First, what I want to say is that while I did not see any specific amendments during the Deficit Elimination Act that would add teeth to that Act, I believe this is a form of accountability that we can add and give back to our constituents, and I think it's something they have asked for. Many of my constituents feel that while they don't want to see elections more often, they need to see a form of accountability during the term. I believe that recall, if designed properly, would keep us accountable to our constituents. As the hon. Member for Red Deer-North mentioned earlier in the day, this House exists for the free flow of debate, and we need to have that happening.

I think a step that's missing right now is the ability to debate in Committee of the Whole before we get to second reading, and I think that's something we should look at from both sides. This is my own personal view. That would allow us to have that free flow of debate and opportunities to possibly see amendments in different Acts in the future before we come to the second reading and put ourselves on the line. I think that might take away some of the problems we're seeing here.

A few of the amendments that I would like to see and I think are necessary. Changing from six months to 24 months for the time period before you would be able to implement this recall. I think that allows the government and the opposition to set up what they want to achieve and what they want to do. The people of Alberta do not want to see elections again and again. I think we need to change from 50 to 500 the number for the first petition, and that would remove the small interest groups who are trying to cause havoc in individual ridings. I think we need to add a cost of, let's say, \$5,000 to the petitioners. That would remove small, frivolous games from being played against the current MLA. This money could be applied to at least the first two steps of the process, therefore not incurring further costs for the general taxpayers around the province.

I think the people in the past election who voted should have the opportunity to vote again, and the people who did not vote should not have that opportunity. Instead of 40 percent, I believe 80 percent of the voters who voted in the last election should be the number we look at. This is the type of number that would indicate a serious problem with that individual MLA, and that would create the accountability of something we could look at.

Mr. Speaker, that's all I have to say. Thank you very much.

MR. DEPUTY SPEAKER: Lethbridge-West.

MR. DUNFORD: Thank you, Mr. Speaker. I rise to speak in favour of the principle of this Bill. [some applause] I appreciate

the applause, but I'm prepared to stand on this by myself if need be.

Speaking this late in the debate, it might be appropriate to summarize some of the speakers before me, and I do appreciate the various points of view that have come from both sides of the House on this particular Bill. I do, though, want to make a special reference to my colleague from Lethbridge-East, and I want to tell him that I agree that recall would keep a focus on local issues. I think a recall provision would keep us finely tuned, and as a person who enjoyed the smallest majority in this House of any of us, I want the members to know that I'm particularly attuned to that.

If I could also perhaps add, then, to what my colleague from Lethbridge-East had to say, that would be to quote a colleague from this side of the House who informed me that if I continued to relay the concerns of my constituents to Edmonton, I would be okay, but the minute I started to relay the concerns of Edmonton to my constituents, then I was going to be in a lot of trouble.

I was going to say that I agree with the concept of accountability, but I'm hesitating now because of the words of my colleague from Wainwright. I think he did explain it quite well in the sense that none of us ran and none of us would ever sit here for a moment thinking that we were going to be unaccountable. So I think we're all trying to do what it is that we were elected to do, and that is to represent the concerns of our constituents. I do want to say that on the accountability question, and I want to be on record, one of the reasons, then, that I'm in favour of this particular Bill is that a vote for this Bill is a proactive demonstration on my part of being prepared to be accountable.

4:40

I think another point with recall is that it provides an opportunity for discontented citizens to actually send us a real message. It's very difficult, for myself as a rookie MLA anyway, trying to determine what the true numbers are behind a letter from a constituent. I know there are experienced people that somehow are able to relate, when they get a concern that perhaps is about milk pricing or somebody on AISH, to that letter: now, how many people does that truly represent? If we get to committee, I of course will want to get involved in the debate about the mechanics, but I would just leave that for right now. I do see it as an additional way to gain more feedback from the constituents.

[Mr. Speaker in the Chair]

The Member for Medicine Hat raised the concern about some term elections. I wanted to say that in my opinion recall lessens some pressure on fixed term elections. Now, no one likes to see a government extend its mandate to the last possible day, and voters would certainly be frustrated if any government was to do that. On the other hand, to the victor must go some of the spoils. I think that in a British parliamentary system one such spoil, then, is the ability to call elections. So I'm not in favour of fixed terms like our American friends, but I do suggest to this House that the recall procedure perhaps could diffuse some frustration here in that we might not be able to get at the government but we could get at one of the members through recall.

Now, recall, in my opinion again, adds to this free vote concept that we have now developed here in the House, and I believe it makes it better. The hon. Member for Calgary-Varsity said that I must not use the word "enhance," so we'll say that it makes it better. The free vote will be an ongoing record of my activities in this House, and the recall will be there as the hook to get me off this particular stage if I consistently vote against the wishes of

a majority of the electors in Lethbridge-West. Now, we all worry about interest groups, and many speakers have dealt with this, but again I would present the position that recall might in fact actually reduce their influence. Recall then might even make the constituents that we have the largest and the main special interest group that we would have to deal with.

I believe that with recall more people would vote in elections, because I feel they feel they would have more control. I believe that recall is a positive indication to the people back home that they have some control, and I plan to stand in favour of this Bill.

MR. SPEAKER: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. I will not be supporting that Bill 203 proceed to second reading. I can't support it as a matter of principle, principle that dates back several hundred years, embodied by the British parliamentary system and a tradition that forms the basis for our legal system.

Mr. Speaker, I'm very disappointed in the Member for Calgary-Buffalo for bringing forward a Bill that is fundamentally and fatally flawed, in my opinion, in terms of violating a principle of the hon. member, as a member of the legal profession and as a member of the Law Society, the very first principle that a person is considered innocent until proven guilty. This Bill is just the other way around. How can the hon. member make such a fundamental mistake to produce a Bill that essentially convicts an MLA if 50 people sign a petition? There's absolutely no way that this MLA can defend himself against that action.

Mr. Speaker, it begs the question as to whether or not this is a very cleverly crafted document, complete with fatal flaws designed to embarrass all of us. To vote for this Bill is to hold our fundamental rights in contempt.

There are at least three Acts I'm aware of in this province that would result in the removal of an MLA if he or she is guilty of a serious breach of the law, but in each case there is a process where the MLA in question has an opportunity to defend himself or herself.

This Bill is fundamentally flawed in principle, principles that have been around for many hundreds of years. I would urge everyone to vote against it.

Thank you.

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

MR. LUND: Thank you, Mr. Speaker. I just want to get a few comments on the record with Bill 203. I don't really object to the idea of recall. However, I do have a major problem with Bill 203 and will not be supporting it.

MR. SPEAKER: Order please. The time has expired, because under Standing Order 8(5)(b), debate under second reading must conclude after 120 minutes of debate has occurred, which has now happened. Therefore, the Chair is required to put the question on second reading. All those in favour of the motion for second reading of Bill 203 will please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed will please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: In my opinion, the nays have it.

[Several members rose calling for a division. The division bell was rung at 4:48 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Hanson	Mitchell
Beniuk	Havelock	Nicol
Bracko	Henry	Percy
Bruseker	Hewes	Sapers
Collingwood	Hierath	Sekulic
Dalla-Longa	Hlady	Taylor, N.
Day	Jacques	Van Binsbergen
Decore	Kirkland	White
Dickson	Langevin	Wickman
Dunford	Leibovici	Yankowsky
Forsyth	Massey	Zariwny
Germain		

Against the motion:

Ady	Fritz	Paszkowski
Amery	Gordon	Pham
Black	Haley	Renner
Brassard	Herard	Rostad
Burgener	Jonson	Severtson
Calahasen	Kowalski	Smith
Cardinal	Laing	Sohal
Clegg	Lund	Stelmach
Coutts	Magnus	Tannas
Dinning	Mar	Taylor, L.
Doerksen	McClellan	Thurber
Evans	McFarland	Trynchy
Fischer	Mirosh	West
Friedel	Oberg	Woloshyn
Totals:	For - 34	Against - 42

[Motion lost]

5:00

Bill 204 Stray Animals Amendment Act, 1993

MR. SPEAKER: The hon. Member for Olds-Didsbury.

MR. BRASSARD: Thank you very much, Mr. Speaker. I am very pleased to present for second reading Bill 204 standing on the Order Paper under my name. Bill 204 is intended to enable the management of the wild horse herds in the Eastern Slopes and control the method and treatment of horses should capture be necessary.

The first time I saw a herd of wild horses, Mr. Speaker, I was riding in the mountains with a friend. We had decided to get away for a week and had joined up with a group who were riding on the Eastern Slopes, southwest of the Sundre area. The second day out we came across what our guide described as a territorial boundary marking of one of the stallions in the area, a very precise conical-shaped pile of horse manure about three feet high. I thought it was manmade. We continued on, and as we broke over the rise of a hill, we spotted the herd. Because we were still in the brush, it wasn't until one of our horses whinnied that the herd spotted us. There were about 15 of them, and they watched us for about two minutes before the stallion broke loose and galloped over towards where we were standing. When he'd covered about half the distance, he stopped. I later found out that

he was challenging us just to see what we were going to do. When we didn't retreat, he turned and galloped back to the herd, circled it twice, and the entire group took off. Because of our location, they had to pass a few hundred yards below where we were standing, with their manes and tails flying.

I'll never forget that sight, Mr. Speaker. No wonder artists and photographers are constantly attempting to capture it on canvas. It's no wonder children grow up with visions of Black Beauty and the great white stallion and other such horses epitomized in novels. I've had the privilege of witnessing the scene several times on subsequent rides, and it's just as great a thrill every time I see it. We must protect these animals.

There are about 800 known horses on the Eastern Slopes. There are between 250 and 350 in the Bow-Crow area, 25 or so around Grande Prairie, 150 to 160 in the Edson forest, 80 or so in the Slave Lake forest, 100 to 120 in the Rocky-Clearwater forest, 22 near Lac La Biche, and another 30 near Peace River. No one is really certain where all the horses have come from, but it is certain they're not indigenous to the area. They're not really wild horses but rather horses in the wild, turned loose by or escaped from early settlers, native bands, outfitters, loggers, and farmers in the area. They are feral horses, horses that were once domesticated and not native to the area but they have been able to survive in the wild. Consequently, they don't fall under the protection of the province's Wildlife Act. In fact, they don't fall under the protection of any Act. It's for that reason that I propose amendments to the Stray Animals Act so they may be protected and their numbers controlled.

These horses should not be confused with the horse herd at Suffield, which is an entirely different issue. I'd like to talk about it just for a moment. For years the people around the armed forces training base at Suffield utilized the approximately 420 square kilometre area as a community pasture, turning animals loose and rounding them up at will. In 1982 the army attempted to control the number of animals running at large and organized a roundup. Of the animals captured, 142 had been branded, and they were returned to their owners because they could be identified. The ones that didn't contain a brand were turned loose again.

In 1985 the base got busier due to a contract with the British government, and public access was discouraged if not denied altogether. Consequently, the horse population grew, and at present there are approximately 850 mature horses and another 150 to 200 foals running loose. Due to the location of the water supply, the horses range an approximately 120 square kilometre area and are destroying the ecosystem. They cannot continue to survive uncontrolled, and their presence is endangering the natural wildlife habitat almost beyond repair.

Public meetings have been held and the final report presented. The Suffield horses are on private land, and the owners, the Canadian armed forces training base, don't want to be in the horse business. Because of the sheer numbers of horses in such a confined space and the fragility of the grassland in that particular part of the country, the decision has been made, at least at the local level, to remove the horses from the area. At the time of the last public meeting there were over 11,000 requests for these animals. That's 11 requests for every horse that is running loose at Suffield, and that's before the decision has even been made. Truly, Mr. Speaker, the horses at Suffield are an entirely different issue from the matter at hand.

As I mentioned, it's almost impossible to determine the origin of the majority of the horses on the Eastern Slopes. At one time the Public Lands Act gave the Crown ownership of all animals running at large on public lands. A person could obtain a permit

to round up horses from specified areas, keep those animals which couldn't be identified, and charge the confirmed owners of identifiable animals for roundup costs. This policy was stopped in 1972 and a Stray Animals Act created in 1976, but the responsibility for feral horses was not identified. The issue has been in limbo ever since, and the feral horses can be rounded up almost at will and by any method of choice and disposed of at the discretion of the individual. Mr. Speaker, we treat our stray dogs and cats better than that.

It is true that a person should have the ability to retrieve a stray animal within a reasonable length of time, and indeed it would be their responsibility to do so. The government, too, has a responsibility not only for the reasonable protection of the animals but for our natural resources, such as indigenous wildlife, their habitat, reforestation, soils, and the rangeland. Of course, disease control and public safety are also of concern.

Various roundups over the years have had to be performed. One was held in 1980 to remove horses running at large near highways. Most of these animals were actually claimed by their owners. Since then, the issue has become extremely sensitive over the years, primarily due to the methods of capture and the suspected disposition. People felt they were being captured solely for sale as horse meat, and they were right to be upset, Mr. Speaker. Although these horses are not native to the area, they are truly a part of our heritage. We can protect them, and we should.

This Act, Mr. Speaker, would allow regulations to be put in place to monitor the number of horses running at large. In fact, our wildlife biologists are doing this already. If an animal escaped from an outfitter, then the fish and wildlife officers in the area could provide authorization for its retrieval. If too many horses were in a given area, licences could be issued for their reduction together with the terms of capture, which raises the most critical intent of this Bill, which is regulating the method of capture if and when required. We must not, we cannot continue to allow the capture of these horses outside of legislated regulations and subject to snares and other inhumane methods.

Mr. Speaker, the feral horses of the Eastern Slopes are part of our western heritage, a wonderful part that most of us can identify with. They are stray animals, and the only way they can be protected and controlled is under the Stray Animals Act. I urge all members to support this Bill.

Thank you.

5:10

MR. SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Regrettably I stand to oppose Bill 204, and I say "regrettably" because I think that the member introducing the Bill has spoken extremely well on the problem that faces us in terms of the management of the feral horse population. His remarks were cogent, well thought out, and I agree with virtually everything that he has said.

Where I do disagree is in one of the last comments that the Member for Old-Didsbury made, and that was that these are stray animals. I think what he's done in relating to members of the Assembly about his personal experience in seeing feral horses is presented that they are not stray animals; they are indeed wild animals.

Now, maybe what happens is our debate then centres around whether or not we're talking about horses that we consider to be wild or not to be wild. I know that these particular animals have fallen into this abyss in the middle of that debate as to whether or not they in fact constitute stray animals or whether or not they constitute wild animals. I'm satisfied that because of the origin of

the herds, the time that they have been in the wild, they are indeed and should be considered wild animals. The terminology itself "feral" is a Latin term that means wild beast, and the fact that we call them feral horses goes to some way in accepting that we do consider the animals to be wild.

The purpose of the Stray Animals Act, as I see it, Mr. Speaker, is to attempt to find a cure to deal with animals that are domesticated livestock that have strayed off an owner's land. Some of the provisions of the Stray Animals Act in fact impose an obligation on a landowner to make an attempt to capture and confine stray animals and to then, throughout the various provisions of the Act, deal with how that animal comes back to its owner, the liability of the owner for any cost that may be incurred by an individual who makes the attempt at capture and confinement, and in fact deals with how the obligations of those capturing and confining have to conduct themselves in terms of informing the brand inspector or in fact the RCMP when they come across a stray animal. I think the Stray Animals Act in fact deals very well with the situations that it is intended to cure, and that is the way that we deal with livestock that has gone astray.

Livestock, of course, as the hon. member will know, by the definition of the Act does include horses, and I suppose there is still some room for debate as to whether or not that could possibly include feral horses, if we are prepared to accept in concept that feral horses are in fact stray animals. If we are prepared to go that far, I'd perhaps suggest to the hon. member that the Act doesn't need any amendments at all. Horse is included in the definition of livestock. The Crown is bound by the Act. Presumably if we go through a number of the provisions, there is already a regime in place under this particular legislation that does in fact deal with the capture and the way that the capture can occur under the Stray Animals Act.

We then find ourselves trying to decide whether or not we want to deal with this issue. I think it's an important issue, and I think that the member's constituents think it's an important issue. I know that I've certainly had a number of calls in my office from people looking for a way that we can find to actually acknowledge these herds and find some legislative approach to doing that. I think what we then have to do is decide whether or not we want to consider them as wildlife or whether we want to consider them as domestic stock.

As the hon. member will know, I have also introduced a Bill into the Assembly as Bill 234, which is an amendment to the Wildlife Act, and in that Bill, Mr. Speaker, I propose to deal with this very important issue from the perspective of a wildlife matter rather than from a domestic livestock matter. The hon. member in his presentation made reference to how it could be fairly easily implemented that fish and wildlife officers could involve themselves in the regulatory regime. He and I are very much on course with that idea, but I think that it is somewhat inconsistent with the approach that he's putting forward to deal with that through an amendment to the Stray Animals Act.

My personal belief is that the legislative regime and the regulatory regime should come under an amendment to the Wildlife Act and, in helping to clarify the issue, to in fact impose at least a definition that recognizes feral horses. Under the Stray Animals Act livestock means "any horse, head of cattle, sheep, swine, goat, mule or ass," and in taking that definition, we don't necessarily exclude the feral horses, but as the member has indicated, we don't necessarily include the feral horses as well.

One of the difficulties I have, Mr. Speaker, with including the feral horses under the Stray Animals Act is that the Stray Animals Act is essentially regulated by the department of agriculture and inspectors and other civil servants under that department. Again,

the member has stated very eloquently that while it may not be an indigenous species, Albertans have come to accept the feral horses as part of our wild heritage in Alberta, looking back at the history of how those feral horse herds came into being.

My concern is that if we deal with this through the department of agriculture, the herds could in fact be jeopardized if there was any indication that other livestock and other domestic cattle or horses were competing for the same range. These herds could then be in jeopardy if under the Act as proposed, in terms of the amendment and as the Act is stated right now, there could be provision in this Act to remove those animals from the area by the inspector to allow for better grazing of the animals, the actual domestic livestock that are loose in those areas.

Again, the intent of the stray animals legislation is to impose an obligation to capture and confine. The amendment that's being proposed is that no one may capture or confine without the expressed authorization from the government. So I think that in an attempt to resolve the problem, we are putting into the Stray Animals Act something that is entirely inconsistent with what the purpose of the Act is for.

There are a number of provisions in the Stray Animals Act, that I've alluded to generally, that perhaps suggest that there is no need for an amendment at all, and I'm referring specifically to section 9 of the Act. It says, for the benefit of all members:

An inspector may at any time, if he is satisfied that livestock are trespassing, capture and impound the livestock or authorize a person to capture and impound them.

Now, there's other provision in the Act to suggest that the Crown in right of Alberta is bound, so we may in fact be able to interpret that when an animal is on Crown land, the inspector already by section 9 has the authority and the power to capture and impound that particular animal or authorize a person to capture and impound it. If in fact we're prepared to accept that that's what section 9 of this Act presently reads, there is no need for the amendment.

5:20

The other thing, of course, as I have said, is that the amendment does condone that feral horses in fact fit in as livestock, and I don't think that's the message we want to get out. This Act refers in many provisions to the owner or the last person in possession of livestock. Again, without further amendments it's very difficult to grasp who the last person in possession of the livestock was in the case of feral horses. Was it the coal miners in the '20s? Was it a particular landowner at some point in time after that? Rather than having to try and wrestle with those words without further amendments, we should, as I say, deal with the issue in a fashion that is different than dealing with this as domestic stock.

Again to the argument that there may not even be a need for an amendment, I also want to point out, if we intend to go this way in dealing with feral horses, section 11 of the existing Stray Animals Act. Again for the benefit of members this section says:

An inspector may enter any land or premises without the consent of the owner or occupier of it for the purpose of capturing trespassing livestock and removing it from the land or premises.

Now, again, under the Act land is not a defined term. Presumably, if we give this an expansive interpretation, the inspector already has the powers to deal with this matter in a way that he so chooses.

So I think, Mr. Speaker, what I want to say to the member is that I applaud his efforts in raising this matter in the House. We have all in this Assembly been subjected to seeing how these animals have been treated. None of us condone that kind of action. We all condemn that kind of action. We are not the first, I believe, to have made an attempt to try and find a way to deal

with these animals. They're not an indigenous species. They've very often been seen as a problem species or problem herds that don't really fit anywhere. My preference would be to deal with the issue under the Wildlife Act rather than under the Stray Animals Act or consider these animals to be domesticated stock.

Those are my remarks, Mr. Speaker. Thank you.

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

MR. HLADY: Thank you, Mr. Speaker. It gives me great pleasure to rise today to speak in support of Bill 204. The issue of feral horses roaming free on Crown lands is one which this Assembly needs to discuss urgently. I think this is a problem that we've seen come up a couple of times over this past year. We have problems in a couple of different areas of the province as well, and I would like to speak on the specific areas a little bit.

The one which has been receiving the most recent attention is out at Suffield with the 850 horses. These horses have a specific problem in a specific area. The area is comprised of dune fields which are suffering severe damage, and that's why we have the problem. I think there's a potential and a possibility that we could consider moving them or dealing with the problem on a separate issue compared to what we have out at Sundre. I think the protection of the Sundre horses under the Stray Animals Amendment Act would allow us to achieve the full purpose of what we want to do, and that's maintaining the horses in the wild and protecting them. Because they're not indigenous to the area, I don't think it is as easy to put them properly into the wild category.

In Sundre we have anywhere from 150 to 1,000 horses. There are many different studies that are saying how many horses we have there. The foothills topography is much better suited for the animals than what we have out in Suffield. The habitat is not nearly as apt to be damaged or destroyed compared to what we have at Suffield.

The cases of both herds appeal to the romantic in each of us: wild horses roaming free on the range; beasts of burden set free to roam wild. This fits well into our frontier conception. We have just put the buffalo back up in Syncrude in land reclamation projects. It's something that brings tourism dollars into Alberta. People from around the world love the thought of coming to Alberta, where there's lots of opportunities to see wild animals. The thought of having horses running free is a concept that we have promoted in a worldwide area. This is a relevant link to today. Alberta's mountains, foothills, and plains are an attraction for tourists. Alberta's reputation has meant a lot in terms of dollars and cents, and I think we need to continue to work on this attitude and maintain what we've started.

The legal protection is the concept that we're having a problem with here.

Mr. Speaker, due to the hour of the day I would like to see if we could adjourn debate at this time.

MR. SPEAKER: The hon. Member for Calgary-Mountain View has moved that debate be adjourned on this matter. All those in favour of this motion, please say aye.

HON. MEMBERS: Aye.

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

[The Assembly adjourned at 5:28 p.m.]