

Legislative Assembly of Alberta

Title: **Thursday, March 3, 1994**

1:30 p.m.

Date: 94/03/03

[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: **Presenting Petitions**

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

MR. HENRY: Thank you, Mr. Speaker. I would beg your leave to introduce a petition signed by 264 constituents of mine in downtown Edmonton-Centre. These members of my constituency are affiliated with the Queen Mary Park Community League. They formed this petition in the fall because they all of a sudden found out by accident that a liquor store was going into their neighbourhood. Since we already have a problem in that end of the riding, they asked that I present this petition to bring the Legislature's attention to this problem.

Thank you.

DR. PERCY: Mr. Speaker, I beg leave to introduce a petition signed by 166 residents of Edmonton, primarily in the southwest. This petition urges

the Government not to alter funding arrangements for Alberta's Seniors Lodges and Seniors Subsidized Apartments until Seniors have been consulted and have agreed to any revisions to funding arrangements.

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

MS CARLSON: Thank you, Mr. Speaker. I beg leave to present a petition from 1,000 residents of southeast Edmonton, Spruce Grove, Sherwood Park, and Stony Plain urging the government to maintain the Grey Nuns hospital as an active care, full-service hospital in Edmonton.

MR. SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I beg leave to introduce a petition signed by 1,350 people from Spruce Grove, Stony Plain, Duffield, Seba Beach, Calahoo, and several other areas northwest of Edmonton. This petition urges "the government to maintain the Misericordia . . . as a Full-Service, Active Hospital."

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

DR. MASSEY: Thank you, Mr. Speaker. I beg leave to present a petition on behalf of 1,847 residents of southeast Edmonton who ask that the Grey Nuns hospital be saved as an active treatment hospital.

head: **Reading and Receiving Petitions**

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'd ask that the petition I presented on February 17 respecting the Grey Nuns hospital now be read and received.

CLERK ASSISTANT:

We the undersigned petition the Legislative Assembly of Alberta to urge the Government to maintain the Grey Nuns Hospital in Mill Woods as a Full-Service, Active Hospital and continue to serve the south-east end of Edmonton and surrounding area.

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

DR. MASSEY: Thank you, Mr. Speaker. I would ask that the petition which I presented on February 17 on behalf of the Grey Nuns hospital be read at this time.

CLERK ASSISTANT:

We the undersigned petition the Legislative Assembly of Alberta to urge the Government to maintain the Grey Nuns Hospital in Mill Woods as a Full-Service, Active Hospital and continue to serve the south-east end of Edmonton and surrounding area.

head: **Notices of Motions**

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

MR. LUND: Thank you, Mr. Speaker. I will be rising immediately after question period to ask for unanimous consent for the following motion:

Be it resolved that the Legislative Assembly of Alberta recognize Mr. Kurt Browning of Caroline, Alberta, for his career achievements and contributions to the sport of competitive figure skating.

head: **Introduction of Bills**

MR. SPEAKER: The hon. Member for Grande Prairie-Wapiti.

Bill 12 Brand Amendment Act, 1994

MR. JACQUES: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Brand Amendment Act, 1994.

[Leave granted; Bill 12 read a first time]

head: **Tabling Returns and Reports**

MR. MAR: Mr. Speaker, today I'm pleased to table with the Assembly Alberta Community Development's annual report for the year ended March 31, 1993. Anybody wishing copies of this report can contact my office.

Thank you.

head: **Introduction of Guests**

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

MR. HENRY: Thank you, Mr. Speaker. I have two introductions to make. I'd like to introduce to you and through you a constituent of mine who has been involved in the oil and gas sector for a number of years and who has just returned from various locations in the former Soviet Union. Fred Feduniak is in the public gallery, and I would ask that he rise and receive the warm welcome of the Assembly.

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

MRS. FRITZ: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the Members of the Legislative Assembly members of my constituency. Today we have 48 students, many of whom I've known for a very long time, from St. Patrick school with their principal, Mr. Jon Kommes, as well as teachers Mrs. Beth Weitz and Mrs. Kate Granson. We know that it takes a great deal of energy and fund-raising to bring such a large group of students to the Assembly, and some of those parents and contributors are here with us today as well: Mr. Ken Lang, Mrs. Rhonda Plante, Mrs. Barbara Nickle, Mr. Len Ames, Mr. Peeter Tosine, Miss Barbara Kapel, and Mr. Tom Clarkson. Also in this group are two people that are dear to my heart: my son Matthew Fritz and my husband, Mr. Lanny Fritz. Would you please rise and receive the warm welcome of the Assembly.

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

MR. HENRY: Thank you again, Mr. Speaker. It's with great pleasure that I introduce to you and through you to members of the Assembly 21 students from the transitional vocational program at Alberta Vocational College located in my constituency. They're in the members' gallery. They are accompanied by two instructors Ms Judy Dobbs and Mrs. Atiya Siddiqui, and I would ask that they rise and receive the warm welcome of the House.

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

MR. WICKMAN: Thank you, Mr. Speaker. I take this opportunity to introduce to you and through you to Members of the Legislative Assembly two residents of Edmonton-Rutherford who are visiting here today. They are seated in the members' gallery: Matt and Darlene Day. They do have a link with the Legislative Assembly in that they are the brother and sister-in-law of the hon. Member for Red Deer-North. If they would stand in the members' gallery and receive the warm welcome of the House.

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

DR. MASSEY: Thank you, Mr. Speaker. With your permission I would introduce to you and through you to members of the Assembly a young college student from Edmonton-Mill Woods: Heather Rempel. She's in the gallery, and she's here this afternoon to see how we do business. Could she stand and receive the welcome of the House.

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

MS LEIBOVICI: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you some very important constituents of mine. They are 22 students from Belmead school, and with them today are their teacher Ms Wisheu and parent helpers Mrs. Toth, Mrs. Coles, and Mrs. Matthews. If they would please stand and receive the warm welcome of the House.

MR. SPEAKER: The hon. Member for Pincher Creek-Macleod.

MR. COUTTS: Thank you very much, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to members of the Assembly a longtime family friend, a gentleman originally from my constituency, hailing from the town of Granum, coming from a strong pioneer background of the Daley ranch. Mr. Wallace Daley is presently living in Edmonton, but he leaves in our constituency and the town of Granum a strong

heritage: Mark, his son, and Jan Daley still run the original homestead. This last summer we had the honour and privilege of being at the Daley ranch to commemorate the 110th anniversary of the brand of the Daley ranch. Would you please rise, Mr. Daley, and receive the warm welcome of this Assembly.

head: **Ministerial Statements**

MR. SPEAKER: The hon. Minister of Community Development.

1:40 **Winter Games**

MR. MAR: Thank you, Mr. Speaker. March 6 marks the beginning of the 1994 Arctic Winter Games to be held in Slave Lake, representing one of the biggest international events hosted in Alberta since the 1988 Winter Olympics. Approximately 1,500 athletes from Alberta, Yukon, Northwest Territories, Alaska, Greenland, and Russia will compete for the coveted ulu, the official medal of these games. Guests include our Governor General, our Lieutenant Governor, the Premier, the commissioners of Yukon and Northwest Territories, Yukon government leaders, cabinet ministers and MLAs from the province of Alberta, and cabinet ministers from Northwest Territories. International guests include the Alaskan Lieutenant Governor and the vice-premier of Greenland.

Eight thousand spectators will come to Slave Lake to enjoy the unique mix of sport and cultural events. Besides the usual winter and indoor sports seen in other games, the Arctic Winter Games include such sports as the snowshoe biathlon, dogsled racing, and other arctic sports.

A strong element of the Arctic Winter Games is its cultural component, and a variety of northern cultural festivities will be showcased in Slave Lake. This combination of sports and cultural events has led the Arctic Winter Games to be dubbed the friendly games.

Most importantly, Mr. Speaker, the Arctic Winter Games provides a common ground for developing northern athletes, promoting cultural and social interchange between northern peoples, and providing a vehicle for education, understanding, and friendship between all peoples inhabiting the circumpolar world of the Arctic.

Team Alberta North will consist of 336 athletes and coaches from communities north of the 55th parallel in Alberta. I wish each and every one of them the very best in their quest for excellence.

An incredible effort has gone into these games. Approximately 1,200 volunteers have prepared Slave Lake for the largest influx of visitors in the town's history. Many townspeople have actually placed their homes in the hands of the host society for the duration of the games. This of course shows the hospitality that Albertans and the people of Lesser Slave Lake are renowned for. I encourage all members of this Assembly to take an Alberta break and experience the Arctic Winter Games.

The Alberta government through Alberta Lotteries has contributed a million dollars over a three-year period, and Community Development has been unending in their support. This has been supplemented by the generosity of over 200 corporate sponsors.

The Arctic Winter Games offers the community of Slave Lake and the constituency of Lesser Slave Lake an unparalleled opportunity to showcase the beauty of their community and the hospitality and organization skills of their citizens.

As well, Mr. Speaker, I want to offer similar congratulations to St. Albert and the 1,500 volunteers and the 2,200 athletes that will kick off three days of winter athletic competition tonight in St. Albert. To put the size of this event in perspective, the number

of athletes who will be participating in St. Albert will approximately equal the number of athletes who participated in the Lillehammer Winter Olympics.

So, Mr. Speaker, I offer my congratulations and my deepest appreciation to both the communities of Slave Lake and St. Albert and the many volunteers. I know that the members of this Assembly will join me in wishing all Alberta athletes success in these games, the Arctic Winter Games and the Alberta Winter Games.

Thank you.

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

MR. DECORE: Mr. Speaker, thank you. On behalf of the Liberal caucus I, too, want to extend my congratulations and best wishes to Slave Lake. Every time we have a ministerial statement – and we've had two or three in the last two weeks – we hear of the hundreds and thousands of volunteers that come forward and make Alberta and their communities great. I think every member of this House has either participated in that kind of activity or has seen that kind of activity in their respective communities. I don't think it's wrong to keep highlighting the fact that Alberta's great strength is its people, its people who organized Universiade and the Commonwealth Games and the Olympics and the Alberta Games and the Canada Games. The success of all of the things that we've had I think is due to the tremendous work that Albertans have put in.

My final comment, Mr. Speaker, would be to say that there are some Canadians, and I'm sure only a few Albertans, who sometimes refuse to admit that we live in what is sometimes a harsh climate, particularly this year, the climate of winter: cold, snow. Sometimes people get down, but I like communities like this community, Slave Lake, that make something of it, that test it, that build on it, that create an infrastructure that allows for the human beings of that community to be better human beings, better community members, and for Alberta to be stronger.

Thank you, Mr. Speaker.

MR. DAY: Mr. Speaker, I request unanimous consent to revert to Introduction of Bills.

MR. SPEAKER: Having heard the question of the hon. Government House Leader, is the Assembly agreed?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed?

head: **Introduction of Bills**
(*reversion*)

Bill 12
Brand Amendment Act, 1994
(*continued*)

MR. DAY: This isn't the big one they're waiting for, Mr. Speaker, but it's just as exciting. I would like to move that Bill 12, the Brand Amendment Act, 1994, under the name of Mr. Jacques, be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head:

Oral Question Period
Seniors' Health Care Premiums

MR. DECORE: Nice to have you back, Mr. Premier.

Mr. Speaker, during the election at the same time as the Premier was telling Albertans that he cared, he promised all seniors that they would continue to receive health care benefits. Many of them believed in that statement, but then the Premier made them pay for that trust. Mr. Premier, explain why you hit seniors with nearly \$400 a year in health care insurance premiums.

MR. KLEIN: Mr. Speaker, first of all, all seniors will receive health care benefits. It's simply a matter of those seniors who are able to pay paying all or some of their fair share. But I did say this: if there were to be any changes to any programs affecting seniors, they would be consulted, that we would consult with them, and we would develop programs in accordance with their wishes and their needs. As I traveled the election trail and visited many, many seniors' homes and met with many seniors who were independently living in their own homes, many of them said to me, "Ralph, surely to God there should be a way that would allow us to pay our fair share when we can afford it."

MR. DECORE: Mr. Speaker, this is the Premier's brochure. In this brochure he makes it clear that seniors are going to continue to get the health care benefits that they were enjoying. Mr. Premier, why did you break the promise that you set out in your own election brochure?

MR. KLEIN: Mr. Speaker, I've broken absolutely no promises. As a matter fact, the Minister of Community Development has set up a very comprehensive program to go out and consult with seniors. We have laid out some benchmarks on the basis of what seniors have told us thus far through previous public consultation programs, the Bowker report being one of them. It is now the responsibility of the minister to set up a process, which he is now doing, to go out into the field, into seniors' homes and church basements and community halls of this province, to consult with seniors with respect to what they can reasonably pay to support some of these services.

1:50

MR. DECORE: You should check with some of your members to find out that the calls they're getting from seniors are calls that say that you broke your promise, Mr. Premier.

Mr. Premier, what do you expect seniors to give up from their lives to pay for this new health care tax?

MR. KLEIN: Mr. Speaker, I can tell you this: those seniors in our society who have a minimum subsistence and really need our help to survive and to receive proper medical health care will receive that. That is totally consistent with this government's policy to look after those in need.

Freedom of Speech

MR. DECORE: Mr. Speaker, while the man was away, the mice were at play. The Member for Red Deer-South wants to ban books. The Member for Calgary-Shaw wants plays to be approved before theatres receive government grants. [interjection] I guess somebody likes that. The hon. House leader likes that. It's the Conservative mind police at work. Mr. Premier, is it your policy to censor Nobel prize winners and live theatre in Alberta?

MR. KLEIN: Well, Mr. Speaker, there is live theatre; then there is live theatre. There is some live theatre that I'm sure even the hon. member wouldn't attend. [interjections]

MR. SPEAKER: Order. [interjections] Order. Order. The Chair is rising to bring order to the Chamber so the Premier can answer the question.

The hon. the Premier?

The hon. Leader of the Opposition.

MR. DECORE: Mr. Speaker, the government grants only go to that side of the House for the live theatre.

Mr. Premier, why are you allowing these MLAs to run around threatening the right that all Canadians have to free expression within the law?

MR. KLEIN: Mr. Speaker, no one's right is being threatened whatsoever. As I understand it, the hon. member who tabled the petition was doing that on behalf of his constituents, just like the Liberal members do day in and day out: table petitions on behalf of their constituents. The hon. member not only has the right to do that; he has a duty to do that on behalf of his constituents.

MR. DAY: Point of order.

MR. DECORE: Mr. Speaker, it's one thing to stand in this Assembly and file a petition. It's another to stand in the hallway and say that everything is right in that petition, and that's what the hon. member did.

I'd like to ask the Premier if he's going to stop these mind police working in his caucus.

MR. KLEIN: What the hon. member is saying, Mr. Speaker, is that unless you think precisely like a Liberal, you can't think at all, which probably makes a lot of sense anyway. People in my caucus are allowed to express their views. They are allowed to express their views. They might not be my views. They might not be the views of my colleague here. They might not be his views. But our people in a democratic society are allowed to express their views. [interjections]

MR. SPEAKER: Order. Order. [interjections] Order in the Assembly.

MR. DINNING: It's Thursday today.

MR. SPEAKER: Thursday? Oh, it's Thursday. He pointed out that it's Thursday today.

The hon. Member for Calgary-*Buffalo*.

Freedom of Information Legislation

MR. DICKSON: Thank you, Mr. Speaker. One week ago the Premier promised that when his freedom of information Bill is finally delivered in this Assembly, it will reflect the recommendations from his all-party panel. I remind the Premier that that includes implicitly the recommendation that there be full retroactivity for all government documents. Now, despite his assurances his Deputy Premier continues to fight against full retroactivity. His deputy wants some documents to remain secret forever. My question to the Premier: will he tell Albertans now that no matter what his deputy says, his Bill will include full retroactivity for all government records?

MR. KLEIN: I will tell Albertans that the process that has brought about this piece of legislation was very unique in the history of this province: an all-party committee to travel the province, to hear the views of the public, to bring forth recommendations. Those recommendations will be reflected in the legislation. It is entirely, Mr. Speaker, up to this Legislature as to how that Bill is passed. If not, then I would suggest that these people over there do not believe in the democratic process.

MR. SPEAKER: Supplemental question.

MR. DICKSON: Thank you, Mr. Speaker. As the Minister of Health just yesterday refused opposition requests for financial statements from all hospitals receiving taxpayers' money, why does the Premier allow his ministers to flout the spirit of freedom of information?

MR. KLEIN: Mr. Speaker, the hon. member was part of the committee that prepared the recommendations for the Bill. I would suggest that he will have ample opportunity when the Bill is brought forward to debate those points that he likes about the Bill, to oppose those points that he dislikes, or to make all the amendments he wants relative to the shape and the form of that piece of legislation.

MR. SPEAKER: The hon. member with a final supplemental.

MR. DICKSON: Thank you, Mr. Speaker. This government ordered the Legislative Offices Committee to set aside a sum of money, \$200,000, for freedom of information. Mr. Premier, why would you do that when we haven't even seen what the Bill will look like?

MR. KLEIN: Mr. Speaker, in anticipation of the kinds of things that the Liberals want in terms of monitoring the provisions of that Bill, we had to put something in the budget this year or we would then be going back for a supplementary requisition or for an order in council, and that would give them even more reason to scream.

MR. SPEAKER: The hon. Member for Calgary-*Currie*.

Water Use Fees

MRS. BURGNER: Thank you, Mr. Speaker. The hon. Minister of Environmental Protection was quoted this morning as saying that under his department's three-year business plan water users will be facing fees. My question is to the minister. Is this just a hidden tax for Albertans?

MR. MITCHELL: Yes.

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

MR. EVANS: Thank you, Mr. Speaker. I heard a comment from the other side trying to answer that question, and the answer they gave was "yes." Well, water use fees have been in place in this province for a number of years. The beauty of a three-year business plan is that we get to look into the future and we get to look at how we should be responsibly charging for our natural resources in my Department of Environmental Protection. Clearly in the three-year business plan we are talking about major industrial users. We're talking about major agricultural users. This is a continuation of a policy that was made by this government quite some time ago.

2:00

MR. SPEAKER: Supplemental question.

MRS. BURGNER: Thank you, Mr. Speaker. It was noted that some municipalities will be affected by this fee. Can the minister tell me how the department will determine which municipalities will be charged more?

MR. SPEAKER: The hon. minister.

MR. EVANS: Thank you, Mr. Speaker. Again, that is one of the beauties of a three-year business plan. We have indicated in the business plan that if these water use fees are implemented, we'd be talking about it in the 1995-1996 fiscal year. So what we will be doing – and we've already started this – is consulting with major industrial users, the agriculture sector, and municipalities in this province, just as the hon. Member for Calgary-Currie should know we've been doing with her own city of Calgary. My staff have had a couple of meetings with the city, and we will continue to work with them in this next fiscal period.

MR. SPEAKER: Final supplemental.

MRS. BURGNER: Thank you, Mr. Speaker. You call this a water user fee, but where will the moneys collected be going?

MR. EVANS: Well, Mr. Speaker, one of the major initiatives in our three-year business plan is the setting up of the environmental protection and enhancement fund. It's really a natural resources emergency fund to ensure that we have enough money to handle severe flood damage, forest fires, those kinds of natural disasters that can occur. I think that's forward thinking. I think it's responsible. Certainly if the water use fees are implemented, a very large portion of that money would be earmarked for that fund.

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

Trade with Mexico

MR. BRUSEKER: Thank you, Mr. Speaker. Last year the government hired a former cabinet minister, Juan Oldring, to travel to Mexico and produce this rather skimpy report that has the grand sum of two recommendations in it: one, that we should open an office in Mexico City and, two, that the Premier should go on his next jet-set tour to Acapulco, Cancún, and points south. My first question to the Premier is: why would the government, given this report, hire Mr. Oldring for a second report, given the lack of depth we've seen so far?

MR. KLEIN: Well, I think that certainly there is some thought being given to this government's presence in Mexico relative to the North American free trade agreement. We think that there are marvelous opportunities to foster and promote trade between the two countries under that particular agreement. I think that this report, Mr. Speaker, reflects that, and the author of this report simply makes some recommendations as to how we can further enhance our opportunities with Mexico under NAFTA.

MR. BRUSEKER: Well, it could have come out of the *Encyclopaedia Britannica*.

My supplementary question to the Premier: given the government's track record in hiring agents general for wherever, has this position in Mexico already been awarded to Juan Oldring, or are

we going to finally see an open, honest competition for this position?

MR. KLEIN: Well, with respect to the preamble – and it relates to the question – I don't think people have too much trouble, for instance, with our agent general in Hong Kong. I think that person has been doing an exceptional job. We've had a marvelous success record certainly in Japan. I think that if the hon. member wanted to see the results of that success, he should see perhaps the way our people associate with Seiyu foods on a secondment program. I think you should see the tremendous inroads that we have made there relative to the export of Alberta pork and Alberta beef and carrots from Bassano and cabbages from Bassano and vegetables from the hothouses in Redcliff. I think that we have done a phenomenal job through the agents general in foreign offices representing the province of Alberta.

MR. BRUSEKER: I guess that means John does get the job.

My final question is: will the government commit, before we open yet another foreign office, to a cost/benefit analysis so we can see exactly the value we are getting for the \$4 million we are spending so far on our foreign offices?

MR. KOWALSKI: Mr. Speaker, that matter was dealt with on Tuesday night, two days ago, in this Assembly, when the estimates of the Department of Economic Development and Tourism were provided to this Assembly. This member said that what we are doing is taking the report commissioned for us by Mr. Oldring – I'm circulating it to hundreds and hundreds of entrepreneurs in the province of Alberta. I've met with the president of the Alberta Chamber of Commerce. We will have in the province of Alberta in the middle of June of 1994 a four-country Chamber of Commerce international conference that will include the Canadian Chamber of Commerce, the American Chamber of Commerce, the Mexican Chamber of Commerce, and the American-Hispanic Chamber of Commerce. I've also said to the private sector that we want to create a new office in Mexico with private . . . [interjections]

MR. SPEAKER: The hon. Member for Peace River.

Timber Shipments to British Columbia

MR. FRIEDEL: Thank you, Mr. Speaker. My question is to the Minister of Environmental Protection. Last week the minister spoke of the export of timber from Alberta, and there are reports that the volume of this timber ranges up to 350 million board feet a year. If that's true, I would suggest that we have a fairly serious problem. I'm wondering if the minister has any actual statistics on the amount of timber that is being exported.

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

MR. EVANS: Thank you, Mr. Speaker. My department's been working with the Department of Transportation and Utilities at border crossings in this province to check trucks that are going outside of the province of Alberta. Although there have been reports of up to 350 million board feet, by our estimate in 1993 there may have been as many as 90 million board feet that left our province and went into British Columbia. Now, again, it's important to recognize that this is timber from private land, landowners selling their timber to the highest bidder in British Columbia. We expect, however, that this year there may even be higher demand. That's because of high sawlog prices in the

province of Alberta and province of British Columbia and elsewhere in North America and, secondly, due to the fact that there is certainly a shortage of supply of timber in British Columbia. They have not had the kinds of forest practices that could allow for a regeneration of the forest in that province. Quite frankly, they have annual allowable cuts that are higher in that province than they have trees to cut.

MR. SPEAKER: Supplemental question.

MR. FRIEDEL: Thank you, Mr. Speaker. To the same minister. Even 90 million board feet is a lot of timber. I'm wondering if the minister can tell us what could possibly be done to establish a more level playing field between the timber operators and truckers in B.C. and Alberta.

MR. EVANS: Well, establishing a level playing field is exactly what we're trying to do in this province, Mr. Speaker. We recognize that there's a substantial resource going outside of our province. First of all, we're concerned that harvesting is done in an environmentally sensitive way. Secondly, we want to make sure that our Alberta producers, our Alberta industry on the lumber side is not unfairly disadvantaged. So we intend, again with the help of the Department of Transportation and Utilities, to make sure that all of the trucks that are going outside of this province are measured, that they are scaled, and that they have the proper documentation to prove that the lumber they are taking out of our province is indeed from private land.

MR. FRIEDEL: The final supplementary is to the Minister of Transportation and Utilities. Is the minister aware and is there anything that can be done to ensure that the timber that is being exported is legitimately entitled to be exported, to go across the border?

2:10

MR. TRYNCHY: Mr. Speaker, it's a circumstance that I'd like to see not happen, our timber leaving the province. What we can do in Transportation and Utilities is inspect the trucks, to have the proper documentation in regards to a documented affidavit or bill of lading that the timber did come from a certain parcel of land in the province of Alberta under a free-hold ownership. Yes, we inspect the trucks for safety, but that's as far as we can go in regard to getting a document that says it did come from a certain piece of land. If we can use that somehow to get our local people in the province of Alberta to talk to our local mills and try to get the same price, that's something we'd like to do.

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

Crime Rate

MR. SEKULIC: Thank you, Mr. Speaker. Albertans are pleased that crime is down, particularly those who are responsible for this positive result. Preventative law enforcement, not welfare cuts, is responsible. Yet somehow and amazingly, the minister of social services has taken credit for this. To the minister of social services: what percentage of the 55,000 people cut off welfare had criminal records?

MR. CARDINAL: Mr. Speaker, to start with, this minister has never ever said anywhere that I would take credit for a positive change in Alberta. Some people may want to use it politically, but it's a positive change when the crime rate drops in the

province. From past experience when we ran pilot projects in northern Alberta, where the welfare caseload was reduced by 40 percent over a two-year period, the crime rate also disappeared in that particular period of time. Therefore, when you have people back in the work force and actively training, like we have 8,500 students right now fully training, people do a lot better, and I feel that's a positive move for Alberta.

MR. SEKULIC: If the minister doesn't know anything about that 55,000, can the minister tell us what percentage of the people remaining on welfare have criminal records?

MR. CARDINAL: Mr. Speaker, this minister has never ever said that clientele of my department have criminal records. This minister has never ever said that I wanted to take credit for the positive change in this. I don't regret seeing that the caseload is reduced by 30,000 and over 63,000 individuals, because it allowed us, number one, to redirect close to a hundred million dollars to a high-needs area. In addition to that, we have over 8,500 students actively attending training programs. Now, there is a positive change out there because we have the economy moving, we have people working, and people are happy to do that.

MR. SEKULIC: Why, then, Mr. Minister, without these correlative statistics, without any idea of this, are you stereotyping all poor people as criminal people?

MR. CARDINAL: Mr. Speaker, that's what the opposition is saying. I've never ever said that any of my clients are criminals. Never. I never ever said that I'm going to take credit for that positive change. They are saying that they are criminals. But if you will take the time and listen, past experience in northern Alberta before the welfare system was introduced: very few of our native people in northern Alberta were in jail. Today it's almost 34 percent. I've seen times when there was practically no crime in Alberta, and that's before the welfare system was introduced. That is why I'm here today: to see that positive change, so we can end that.

MR. SPEAKER: The hon. Member for Bow Valley, followed by Sherwood Park.

School Transportation Grant

DR. OBERG: Thank you, Mr. Speaker. My question today is for the Minister of Education. My constituency, as you know, is very large and sparsely populated. There are schools that cost up to 30 percent more to operate because of their small size. I do not feel that elementary schoolchildren should ride more than an hour on a bus one way, or a total of two hours per day. Will there be a sparsity grant that will take these special circumstances into consideration?

MR. JONSON: Mr. Speaker, in the design of a new provincial grant program or fiscal framework, as it's sometimes referred to, certainly I have indicated and I would like to affirm here in the Assembly this afternoon that the factors of sparsity, in terms of student population, and distance, in terms of the amount of traveling that students have to do on school buses, will certainly be considered in that formula. That, I think, is one of the advantages of such a formula, in that we can recognize those varying costs of delivery of education.

MR. SPEAKER: Supplemental question.

DR. OBERG: Thank you, Mr. Speaker. Mr. Minister, you have mentioned the formula. I was just wondering: how will this grant be calculated and distributed?

MR. JONSON: First of all, Mr. Speaker, we currently recognize load factors in our transportation grant, the difficulties that the sparsely populated parts of the province have. As we move forward to develop a fiscal framework or a new overall provincially funded grant program, we will be considering those factors. Now, in direct response to the hon. member's question, work has to be done on that particular matter. We need to talk to the stakeholders involved, particularly those people involved in providing transportation, and work out the best possible formula for the future.

MR. SPEAKER: Final supplemental.

DR. OBERG: Thank you, Mr. Speaker. With the amalgamation of school boards this is a very critical issue in my area, and I would just ask the minister if he could ensure that this information is made available as soon as possible.

MR. JONSON: Well, Mr. Speaker, I'd like to make two or three points in response to the hon. member's question. First of all, the amalgamation and regionalization of school jurisdictions, we feel, will lead to more effective and efficient transportation systems. As I've indicated earlier in this Assembly in a previous session, one of the goals that we have is to also eliminate duplication in the transportation system, whereby we sometimes have two or three parallel bus systems. Certainly the factor that the hon. member has raised will be very carefully considered in the design of the new grant structure.

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

Water Use Fees (continued)

MR. COLLINGWOOD: Thank you, Mr. Speaker. As mentioned by the Member for Calgary-Currie, the Minister of Environmental Protection is now tapping into the new idea of taxing water for the new environmental protection fund. In case the minister hadn't noticed, Albertans are already drowning in taxes, and they're not very happy about choking down another one. My first question to the minister is: can the minister put on the record and explain how the new water tax is going to be charged and collected?

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

MR. EVANS: Thank you, Mr. Speaker. I'm not sure that the hon. member opposite was listening. We are not talking about a tax. We are talking about a water licence fee for the major users of water in this province. We've had for a number of years through this government, through the Department of Environmental Protection, water licence fees for major agricultural and industrial users of water. We have the opportunity now with the three-year business plan to look into the future and to consult with those major users and to develop a reasonable price for the use of that water. We will do that in consultation with Albertans in the next year.

MR. COLLINGWOOD: You know, Mr. Speaker, I think he's all wet.

Mr. Speaker, to the Premier: since the money from the environmental protection fund can move back and forth between general revenue and this fund, how can you say that this is not a tax?

MR. KLEIN: Well, firstly, as the hon. minister pointed out, there has been for some time a user fee for water. Indeed, you pay for water in the city of Edmonton; you pay for water in the city of Calgary. When the water reaches the laterals out of the main canals in the irrigation districts, the farmers pay for their water. Everyone pays for water to some degree or another. Indeed, as a matter of fact, when I was minister of the environment, Mr. Speaker, a discussion paper was prepared relative to revisions to and the rewriting of the Water Resources Act, and that whole question was asked relative to what is fair with respect to the cost of providing water. The minister is simply continuing that exercise, and it's an exercise of consultation with Albertans to determine from Albertans what is fair.

2:20

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Again to the Premier. We have now had talk and we see a timber tax. We now have talk and see a water tax. So my question is: how soon are we going to hear your government talking about a carbon tax as suggested by the Provincial Treasurer?

MR. KLEIN: Well, that's very interesting, Mr. Speaker. The only people talking about a carbon tax are the federal Liberals. [interjections] The only people talking about a carbon tax . . . [interjections]

MR. SPEAKER: Order.

The hon. Member for Calgary-Mountain View.

Trade with Mexico (continued)

MR. HLADY: Thank you, Mr. Speaker. This government's next step is to create the atmosphere that will stimulate our economy. While the hon. Member for Calgary-North West had some general questions re the document that we received this week on Mexico, I have some specific ones for the minister of economic development. This document has nothing on business strategy or business planning in Mexico. How can Alberta businessmen possibly make use of this document?

MR. KOWALSKI: Mr. Speaker, the purpose of the document was to review market opportunities and the appropriate role for the government of Alberta in penetration of the Mexican market. Mexico is the 15th largest economy in the world, one of the fastest growing economies of the world. As of January 1 Canada is a participant in the North American free trade agreement. The purpose of the document was to answer and identify responses to those two questions. This paper will now be circulated to business leaders in the province of Alberta and all other leaders in the province of Alberta with a request from me to participate with us in developing a strategy for Mexico.

As I indicated on Tuesday night in this Assembly, by the early fall of 1994 the government of Alberta will make its decision. We want to do it in consort with the private sector. In fact, I've asked the private sector to come to the table with dollars so we can in fact create a new office or series of offices in Mexico to

promote that business strategy on our behalf. I think the paper serves a very useful purpose in focusing on those two questions, Mr. Speaker.

MR. SPEAKER: Supplemental question.

MR. HLADY: Thank you, Mr. Speaker. Many reports have been done on trade with Mexico, such as Partnering for Success between Canada and Mexico by the federal government. Can you identify any new information uncovered by this new report?

MR. KOWALSKI: Well, Mr. Speaker, the really important thing about identification is where Alberta fits in Canada. Alberta has less than 10 percent of the population of the country of Canada, and we all know that it's a truism that essentially – and this is unfortunate, but it's a reality in the world today – most of the people who work for the federal government of Canada find that their home provinces are either Ontario or Quebec. They do not come in the proportionate numbers in the federal public service from Alberta as they should.

Mr. Speaker, when I have gone to Canadian embassies around the world and I've asked questions about Alberta and the economy of Alberta and the opportunities in Alberta, I find that there's a very limited amount of information that's available. Now, that is a natural reality, for the most part, of the heritage of the people who work in our foreign offices. So we may take a federal document and we may assume that it speaks for all of Canada, but I really honestly believe that a fair amount of them and a fair portion of them are skewed to basically the background of the authorship, of the people who write those reports. If they come from Ontario and Quebec, they will be skewed in that regard.

I'll give you one example. I was in our Canadian embassy in The Hague a couple of years ago and asked for information on agriculture in Canada. Mr. Speaker, they gave me a 50-page document. I asked, "How much is Alberta?" Less than one page. We must market Alberta.

MR. HLADY: Businesses need this information on strategy and planning if they are to be successful in moving into this new market. Will there be a follow-up report that will address these key issues?

MR. KOWALSKI: Mr. Speaker, the next steps are the following. This document is going to be circulated to business leaders in the province of Alberta asking them to make submissions to me about the role they would play in participating with the province of Alberta in a marketplace strategy in Mexico. In the latter part of June of this year there's going to be a four-party convention in the province of Alberta with representatives from the Canadian Chamber of Commerce, the Chamber of Commerce of the United States, the Mexican Chamber of Commerce, and the Hispanic-American Chamber of Commerce. We are going to work on that strategy by the early fall of 1994.

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

Magnesium Company of Canada Ltd.

DR. PERCY: Thank you, Mr. Speaker. This government has a history of dithering when it comes to unloading money-losing operations to the private sector. A hundred and seventy-two million dollars, sale of Gainers; \$68 million, sale of Northern Lite Canola: these are losses this government has racked up. It has now written off \$54 million in MagCan. It continues – and this

is the unbelievable part – to pay a million dollars a month at 12 percent interest on financing this bad operation. My question is to the Deputy Premier. Can the Deputy Premier confirm that the only way the government is going to unload this operation is to eat the \$49 million outstanding on the loan guarantee and pay an additional \$5 million to purchase the technology it never owned in the first place?

MR. KOWALSKI: Perhaps, again, Mr. Speaker, the hon. member has not had a chance to read *Hansard* from Tuesday night of this week, when I did comment with respect to the Magnesium Company of Canada, because obviously I answered the questions that the hon. member has raised. I indicated that we have gone to a world market through a consultant, Burns Fry, to ascertain what interests there would be on a world market for purchase of the Magnesium Company plant in the province of Alberta, and I indicated that we'll know by perhaps the end of March or early part of April what we'll do. When we determine what the interest is, then we will ask ourselves the next question. The rights of the technologies which are currently held by an individual who lives in the state of Texas: should the purchase be negotiated or anything else? We've made no decision whatsoever about the expenditure of any dollars with respect to any kind of technology that is unproven. [interjections]

I know that speakers and viewers at home don't understand this catcalling in the background, but what the Liberals are basically saying is that the plant will never work. The point is, Mr. Speaker, that they want us to purchase technology. We're not prepared to do that. We're going to do this in a businesslike approach: determine the interest around the world and come back and evaluate it from a cost-effective point of view. We will not be pressured into making a rash decision simply because Liberals want to make catcalls in this Assembly.

DR. PERCY: Mr. Speaker, pressure? He's been looking for three years to find a buyer. There are no buyers out there for this corroded plant.

My question to the Deputy Premier is: what's changed in the last three years? In nine months you're going to find a buyer, and each month costs a million dollars at 12 percent. What's going to change, Mr. Deputy Premier?

MR. KOWALSKI: I've only been the Minister of Economic Development and Tourism since the latter part of June, so it's rather erroneous for the member to say that I've been personally involved for the last three or four years, Mr. Speaker. The fact of the matter is that there is a world marketplace. We are testing that world marketplace. I've indicated very publicly here in this Assembly that we will come back with an open clarification with respect to all matters associated with the Magnesium Company of Canada Ltd. Everything we have to say about it is open. We've conducted all of that business in public, and I'm not going to be pressured, again, by innuendo coming from the hon. member of the Liberal Party.

DR. PERCY: To the Provincial Treasurer: can the Provincial Treasurer tell us how much it's going to cost us as taxpayers to have Burns Fry look for a nonexistent buyer for this plant?

MR. DINNING: Well, Mr. Speaker, perhaps the Deputy Premier might want to supplement, but I believe he's done a very good job of describing exactly the process we're going through. Perhaps it's the desire of the hon. members across the way that we not do this. I see them everyday rubbing their hands in glee at the

prospect of further failure in the Alberta economy. I think it's almost an immoral approach for the Leader of the Opposition and for members of his party to be saying to Albertans: we hope there's more failure in this province. That's exactly what the hon. members across the way are saying. [interjections]

**Speaker's Ruling
Decorum**

MR. SPEAKER: Would the hon. Member for Spruce Grove-Sturgeon-St. Albert please tone it down. You do not have the floor. People get the floor by rising to their feet, not sitting in their chairs making catcalls.

2:30

MR. DECORE: Mr. Speaker, get some answers out of these people. That's the problem.

MR. SPEAKER: The same applies to the Leader of the Opposition. [interjections] The Leader of the Opposition knows full well that answers can be given in any manner in which the person that asks the question . . . [interjections] Hon. member. The hon. Leader of the Opposition should try to set an example for other members in this. The hon. member is supposed to be a leader. The hon. Leader of the Opposition knows that it's completely out of order to be carrying on a debate with the Chair, particularly from the seated position.

The hon. Member for Calgary-Fish Creek.

MRS. FORSYTH: Thank you, Mr. Speaker. I have been receiving a disturbing number of calls regarding special needs funding.

SOME HON. MEMBERS: Oh, yeah. I'll bet.

MR. SPEAKER: Order.

MRS. FORSYTH: Excuse me.

AN HON. MEMBER: Get in line.

MR. SPEAKER: Order. Order.

MRS. FORSYTH: This is an important question.

MR. SPEAKER: Order. Order. [interjections] Order please. All questions are to be put through the Chair. All replies are to be put through the Chair. That has been a disturbing tendency, for members to be asking questions of ministers. Please, hon. members, business is to be done in this House through the Chair. It is totally inappropriate for the Liberal caucus to be making catcalls at the very beginning of an hon. member's question. They shouldn't be making catcalls at any time, but certainly even before the hon. member gets a chance to start her question, to be making it impossible for her to be heard is no evidence of democracy or freedom of speech. Please, have some idea where you're at.

The hon. Member for Calgary-Fish Creek. [interjections]

MRS. FORSYTH: Yes. Thank you, Mr. Speaker.

MR. HENRY: What about that just now?

MR. SPEAKER: The hon. Member for Edmonton-Centre doesn't have to be starting to make a bunch of theatrics by waving his

arms, and neither do these other members, like Edmonton-Mayfield.

The hon. Member for Calgary-Fish Creek.

Special Education

MRS. FORSYTH: Thank you, Mr. Speaker. I have been receiving a disturbing number of calls regarding special needs funding. As a parent of a child who has required additional attention in school, I can appreciate their concerns. Can the Minister of Education indicate if funding for special needs children has been eliminated?

MR. JONSON: First of all, I'd have to say that I'm very concerned if calls of that nature are coming to an hon. member, and I thank her for bringing the issue forward. I wish to emphasize, Mr. Speaker, that, no, the specific grants that we have – the program unit grants, the special needs block grants – have not been eliminated. I want to repeat that: they have not been eliminated. We've recognized that special needs students have to have a priority in terms of our grant funding, and that funding will continue.

If I recall correctly the budget estimates, in this province in addition to the local contribution which should be there, in addition to the regular per pupil school foundation program grant, an additional \$120 million-plus is specifically targeted to special needs programs.

MR. SPEAKER: Supplemental question.

MRS. FORSYTH: Thank you, Mr. Speaker. The hon. minister has clarified my second question, about the amount of funding going into the Calgary public and separate school boards at \$120 million.

Can the minister assure parents of special needs children that funding will continue to be provided for these children?

MR. JONSON: First of all, in my first answer I'd like to make sure that something is understood, and that is that I am speaking of a very significant amount of money provincially, which is \$120 million-plus. In terms of the school boards in Calgary, the Catholic separate and the public school boards – I have to go here by memory, Mr. Speaker, and I may not be exact – as I recall, about \$27 million-plus is provided in the different special education categories there.

In direct answer to the hon. member's question: yes, the hon. member can be assured that special needs funding will continue. It is part of our three-year business plan. We've recognized it as a priority.

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

Gainers Inc.

MR. CHADI: Thank you, Mr. Speaker. This government blew over \$172 million on Gainers, and this government promised Albertans that once the Gainers sale to Burns was signed, they would release full details. My question is to the Provincial Treasurer. Why are you breaking your promise in not releasing this information?

MR. DINNING: Mr. Speaker, we will be filing those documents in the House in the next few days.

MR. CHADI: Thank you very much. We're getting somewhere, Mr. Speaker.

Again to the Provincial Treasurer: the Premier promised that the Auditor General will immediately provide Albertans with a full investigation into this huge fiasco. Why are you scuttling this Auditor General's investigation now?

MR. DINNING: Mr. Speaker, the Auditor General has advised that he will be reporting by March 31.

MR. CHADI: Thank you. I look forward to those details. Thank you very much, Mr. Speaker.

MR. DINNING: Well, Mr. Speaker, I was hoping he was going to ask me a further question. [interjections]

MR. SPEAKER: Order. Order please. Apparently the questions got away on the hon. Provincial Treasurer.

The hon. Member for Vegreville-Viking.

School Board Finances

MR. STELMACH: Thank you, Mr. Speaker. I wish to ask the Minister of Education a question on behalf of the four public boards and one separate board that are pursuing an amalgamation agreement in my constituency. If a board has a capital reserve dedicated to a specific project, what options does the board have available to protect its capital reserve?

MR. JONSON: Mr. Speaker, with respect to the capital reserve dedicated to a specific project which is in the system in terms of approval in principle, awaiting approval in full, we expect that that amount of money that has been set aside and has been raised from local taxpayers in that area will be dedicated to the costs supported with that project including the servicing of the unsupported debt. I hope I understood the hon. member's question correctly, but that money would flow through, and we expect it to go to servicing that particular project.

MR. SPEAKER: Supplemental question.

MR. STELMACH: Thank you, Mr. Speaker. What options are available to those boards that have an operating surplus entering into the agreement?

MR. JONSON: Mr. Speaker, we do recognize that there are operating surpluses, and as corporate entities entering into regionalization or amalgamation agreements, we expect – and I think there's actually very good progress being made across this province in terms of bringing about amalgamation and regionalization – that that would be part of the overall agreement which would lead to these boards joining together. They may choose to retain this money. It could be applied specifically within the jurisdiction, or it might become money for the overall benefit of the new jurisdiction.

MR. SPEAKER: Final supplemental.

MR. STELMACH: Thank you, Mr. Speaker. In a situation where a board may have an accumulated operating debt entering into the agreement, is there protection for those boards entering into the same agreement that are debt free?

MR. JONSON: Mr. Speaker, with respect to an accumulated obligation to service a capital debt, if I understand the member's question correctly, certainly the province will be taking over the responsibility for the unsupported debt and will be providing in

the provincial grant structure a means for servicing that debt or some other alternative. I do have to comment, however, that except for certain emergency circumstances school boards in this province do not have an operating debt or an operating deficit.

MR. SPEAKER: The time for question period has expired. Before proceeding to Members' Statements, because of time constraints could we briefly revert to Introduction of Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed?

The hon. Member for Lacombe-Stettler.

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

2:40

MRS. GORDON: Thank you, Mr. Speaker. I would like to introduce to you and through you and to members of the Assembly 35 young, eager students from the Clive school, located in my constituency. They are accompanied by Mr. Robert MacKinnon, teacher, and bus driver Mr. Lloyd Stephenson, as well as parent helpers Mrs. Knight, Mrs. Grose, Mrs. Tees, Mrs. Krochak, Mrs. Giesbrecht, Mr. Bushman, Mrs. Shackleton, Mr. Law, and Mrs. McClelland. They are seated in the members' gallery. I would ask them to rise and receive the warm welcome of this House.

head: **Members' Statements**

MR. SPEAKER: The hon. Member for Leduc.

Tire Recycling Management Board

MR. KIRKLAND: Thank you, Mr. Speaker. Thank you for the opportunity to address a management model of our present government that belies their claim to search for fiscal efficiencies. This mismanagement model is the Tire Recycling Management Board.

As a quick background, the provincial government recently awarded a contract to Alberta environmental products to collect truck tires in Alberta. The contract pays \$250 per tonne. This means that the Alberta taxpayer pays \$12 to \$13 for the pickup of each tire. Factor the \$4 recycling tax into the cost, and the Alberta taxpayer pays between \$16 and \$17 for a used truck tire. This is simply to store the tires, Mr. Speaker. If we follow the government's past practice, as with Inland Cement and Lafarge cement, the taxpayer will pay another \$2 to \$3 for each tire to be incinerated. Or if we put that in another light, the taxpayer will pay \$2 to \$3 to subsidize the fuel costs of two large, profitable cement companies.

The travesty of this mismanagement model is that it absolutely discourages all real efforts to encourage true tire recycling, thereby depriving Albertans of the opportunity for jobs. The used tires in most other jurisdictions, Mr. Speaker, in Canada and the United States create revenue and jobs. There's an obvious stench surrounding the Tire Recycling Management Board. In the best interests of Albertans, I respectfully submit that a public inquiry be convened to ensure that the best interests of Albertans are safeguarded.

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

Economic Strategy

MR. AMERY: Thank you, Mr. Speaker. Today I would like to tell the members of this Assembly about some good news, which is a refreshing change from the doom and gloom from the other

side of the House. Last month I had the honour of presenting a plaque on behalf of the province at the official opening of the new Greenfield Plastics plant in my constituency. This plant when completed will employ close to 75 full-time employees, and it is presently occupying 300,000 square feet of warehouse space. No funding from this government was given. Only Alberta advantages attracted Greenfield Plastics to this province. One of these advantages is our versatile pool of labour. With two-thirds of our population under the age of 40, our work force is young and energetic.

Another good news item is the opening of the Bodum Co. of Switzerland store in Calgary. This demonstrates Alberta's ability to attract world investment. These are just two examples of many, Mr. Speaker. This is due to what they call Ralph's revolution and the government's efforts to build a bright and more prosperous future for Albertans. Attacking the deficit and the debt is crucial if we are to meet this goal. Balancing the budget today will mean more money for building the future rather than digging ourselves out of the past. Indeed, if given the choice between the past and the future, Albertans will choose the future every time. Lower taxes and deregulation will not only help sustain existing businesses; they will also be catalysts for attracting new ventures like Greenfield Plastics and Bodum to the province.

Mr. Speaker, this week's cover story in *Maclean's* magazine illustrates this. As one Alberta Member of Parliament put it, "What Alberta is doing today . . . Canada must eventually do as a nation." I am positive it will not be long before other governments in Canada and perhaps the rest of the world will look to our own Alberta-made solution, the Alberta advantage, as a means of enhancing their own economic prosperity and fiscal responsibility.

Thank you.

Point of Order Parliamentary Language

MR. SPEAKER: Next is points of order. The Chair has had indication that the hon. Government House Leader wishes to raise a point of order, and also the Member for Calgary-Shaw.

MR. DAY: Mr. Speaker, my citations will be *Beauchesne* 485, 486, 487, 488, and 489. In 489 there's a reference specifically to use of unparliamentary language. You know that I for one am a strong proponent of free speech, and even in the Assembly I rarely get upset with language that is hurled in either direction. However, in this particular case, during the question period today the Member for Spruce Grove-Sturgeon-St. Albert referred to the Premier, prefixed his name with the name "Adolf" in reference to his leadership. From a person who professes to be so concerned about abusive language and even sexist language and other things, I was quite appalled to hear that reference. I don't think I have to go into any detail to say the depth of concern that would be registered by somebody who uses a reference of that nature. The word "Nazi" is specifically used in *Beauchesne* 489 as being unparliamentary. I would suggest that something tied to that in terms of the leader of that particular party in the '30s and '40s should be withdrawn. If it was correct that the member said that, I would request that she respectfully withdraw that remark.

MR. SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. I'll withdraw my remark.

MR. SPEAKER: Thank you.

Point of Order Imputing Motives

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

MR. HAVELOCK: Thank you, Mr. Speaker. I rise with respect to Standing Order 23(i), imputing false or unavowed motives. It was during question period, I believe, that the Leader of the Opposition asserted that I had stated that I want plays approved before they receive government grants. I can only assume the Leader of the Opposition was relying upon his keen research staff in referring to my comments which appeared in today's edition of Calgary's preferred paper, the *Calgary Sun*. I want it absolutely clear: I said no such thing. I simply suggested that boards charged with the responsibility of distributing public funds to arts groups should apply reasonable community standards to such funding. I feel that if such boards cannot reflect such standards or choose to ignore them, then the boards should not be entrusted with those dollars.

Mr. Speaker, certainly if the Leader of the Opposition wishes to attend a slam dancing festival or even a lesbian sex show, so be it. That's his choice. I don't believe we should expect Albertans to subsidize those types of shows. In my view, I would certainly like to have those comments withdrawn. I'm at a bit of a disadvantage because the Leader of the Opposition certainly isn't here.

MR. MITCHELL: Mr. Speaker, first of all, it's difficult for us to determine exactly what the member's point of order is. A point of order isn't used to clarify a statement. It can be used to suggest that somebody's impugning somebody's motives, but we didn't see that in that particular point of order.

Secondly, now that the member wants to shade what it is that he may have been saying, the consequence of his remarks remains the same; that is, that he wants to intervene in a process of cultural and artistic freedom in this society. While that in isolation might not have been such a - well, while it is a very, very serious initiative to see emerging from any government caucus, it is particularly serious when it's on the heels of what we saw said about a piece of literature of the quality, of the magnitude, of the impact of Mr. Steinbeck's *Of Mice and Men*. What we see, then, are two very, very disconcerting instances of government private members - who are not without influence, we would assume, and not without impact in their caucus and amongst society, who are opinion leaders - who are beginning to tread, and not all that lightly, down a very, very slippery slope. If the Leader of the Opposition cannot stand and defend a society on the basis of that kind of issue without being subjected to a trumped up point of order, then I would say that we have difficulty in this Legislature. [interjections]

2:50

MR. SPEAKER: Order. Order please. The Chair really feels that it has to say a word or two in defence of private members in this House. The question period is to question the government on its policies, not to question the points of view of private members, who are elected to this Assembly to speak on behalf of their constituents. The Chair does not feel that the preamble to the hon. Leader of the Opposition's question was proper because it was making comments on people who are not members of the government. The Chair will review the Blues and the *Hansard* report of the question period in this connection, but after what the hon. Opposition House Leader has said about private government members, the Chair feels that it must make some defence of their

position in this House. They are not here to be questioned. Their motives or their attitudes or their policies are not to be questioned by anybody else. Those things will have to stand on their own, and their constituents will have something to say about that, provided those attitudes and comments and things are within the ordinary libel laws and decency.

MR. MITCHELL: Mr. Speaker, if I could rise under Standing Order 13 to just pursue the reasoning. I think that what a private member says can be of tremendous consequence, and there's a very fine line here between whether they're speaking for themselves, whether they're speaking for the constituency, or whether they're in fact endorsed by government. We saw earlier today, for example, that the Member for Grande Prairie-Wapiti stood up and introduced a Bill called the brand name Bill, and moments later the Government House Leader stood up and accepted that as a government-sponsored Bill. Therefore, we see a private member who starts out presenting something on behalf of a private member which immediately after becomes government policy. This is a very, very fine line. When I see the Member for Red Deer-South saying let's censor *Of Mice and Men* and I see another member from Calgary hot on the heels saying let's be discerning or make choices about what plays we'll fund, what I see is . . .

MR. SPEAKER: Order. [interjections] Order please. The Chair has made a ruling. The Chair is not going to debate this further with the hon. Opposition House Leader. The Chair has said what it's going to do, and if there is something further that's required after examining the record, the Chair will say something about it.

The Chair regrets that it skipped the next order of business, which is Projected Government Business.

head: **Projected Government Business**

MR. MITCHELL: I'd like to know what's going on next week, Mr. Speaker, please.

MR. DAY: Mr. Speaker, I'm happy to report that we know what's going on. Monday, March 7, in the afternoon under Government Bills and Orders we will be in Committee of the Whole dealing with Bills 2, 3, 4, and 6. In the evening it will be the Committee of Supply, looking at the estimates of the Department of Labour. Tuesday, March 8, at 4:30 p.m. in Government Motions we will be looking at and considering the budget debate. In the evening it will be Committee of Supply, Environmental Protection estimates being considered. Wednesday, March 9, in the evening Committee of Supply, Transportation and Utilities. Thursday, March 10, in Committee of Supply – and we thank the Opposition House Leader for some accommodation here – we will be looking at the estimates of the Department of Community Development.

head: **Motions under Standing Order 40**
Kurt Browning

MR. SPEAKER: The hon. Member for Rocky Mountain House has given notice of a motion to be made under Standing Order 40. Would the hon. member like to present the reasons for the urgency for this motion?

MR. LUND: Thank you, Mr. Speaker. I rise under Standing Order 40 to present this motion. The urgency of the matter is such that yesterday Mr. Kurt Browning announced that he was going to retire from competitive skating. We all recognize what

a tremendous honour and the contribution this gentleman has brought to his sport, to his community, to his province, and indeed to his country. On that note, I would urge all members of this Assembly to give us unanimous consent to proceed with this motion at this time.

MR. SPEAKER: Order please. Is there agreement that the hon. Member for Rocky Mountain House can present his motion?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

The hon. Member for Rocky Mountain House.

Moved by Mr. Lund:

Be it resolved that the Legislative Assembly of Alberta recognize Mr. Kurt Browning of Caroline, Alberta, for his career achievements and contributions to the sport of competitive figure skating, and be it further resolved that the Speaker of the Legislative Assembly convey this congratulatory message in the usual manner.

MR. LUND: Well, thank you, Mr. Speaker. As I mentioned earlier, yesterday Mr. Kurt Browning made it official that he was going to retire from competitive skating. Much has been written about Kurt's exemplary achievements in his craft and his sportsmanlike attitude that he brings to his profession. It is my privilege to know Kurt as a constituent and indeed as a personal friend, so today I would like to just share for a moment with you his humble beginnings.

Kurt was born on a farm about five miles west of Caroline and at a very young age learned to skate on the frozen ponds on his farm and later, in fact, used natural ice in Caroline, Alberta, to hone his skills. Even then he was testing his limits. He was constantly reaching for a greater horizon and always challenging himself as he was performing. Many folks have said that he has a tremendous natural talent, but I would suggest, Mr. Speaker, that the magnitude of Kurt's talents are not just natural. They have required a tremendous personal sacrifice. It would be impossible to total the hundreds of thousands of hours that have been required of him in practice and his total commitment. All of his formative years were dedicated to the perfection of his ability, and I'm sure that at times he must have felt that it would be better to leave this goal and live a normal life of a young teenager.

There was a tremendous commitment on behalf of his parents, Neva and Dewey Browning, as they for many years had to have Kurt in Rocky Mountain House by 6 o'clock in the morning so that he could practise. As his talents developed, the 16-year-old moved to Edmonton to acquire some professional training. Kurt lived here for 10 years, then moved to Toronto to further his skills. He never did sever his tie with this province, returning often to lend his support to various worthy causes in the province, and he has never lost his dedication to the small town of Caroline.

Mr. Speaker, this 27-year-old man is the four-time world men's figure skating champion and a four-time Canadian men's figure skating champion. He is a recipient of the Order of Canada, the country's most prestigious civilian award. He is a two-time winner of the Sport Federation of Canada. That's for the top male athlete in the country. He is a two-time winner of the Lionel Conacher award. That one is the Canadian Press male athlete of the year. He is the recipient of the Lou Marsh award for Canada's outstanding athlete. In addition, Kurt has the distinction of being the first athlete in the history of figure skating competition to successfully complete a quadruple jump in world competition, and he did that in the championships at Budapest, Hungary, in March of 1988.

Every time he stepped out on the ice, people were spellbound, but what Kurt Browning does on ice is only a small part of the real man. It is the strength of his character that has always shone through. He has never lost his humility or his respect for us. Even in times of great professional disappointment he has always had time for us. This came through very loud and clear as he shared his feelings after the first competition in Lillehammer. Kurt felt that he had let us down, but, Mr. Speaker, I can assure you and wish to assure Kurt that he has never let us down on or off the ice.

Off the ice he is a very humble, caring individual untouched by the glitz of his international fame. As Kurt leaves one arena for the challenge of another, there is a sense that his potential has not even been tapped. Mr. Speaker, it is with tremendous pride that I ask this Legislative Assembly to acknowledge the achievements of Mr. Kurt Browning of Caroline, Alberta, a true Albertan, a true Canadian, a true champion, and a true Olympian.

As he closes this chapter of his book, we extend him a rating of a perfect 6 and our best wishes for the future.

Thank you, Mr. Speaker.

3:00

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I want to follow on the heels of my colleague from Rocky Mountain House on behalf of the Official Opposition, the Liberal caucus, to support the motion and to boast a bit about someone who never boasts about himself.

Kurt Browning is truly one of the greatest examples we have of what we're capable of in this province if we protect the type of infrastructures we have, including those in sports. Here we have a shining example, not only to other Albertans but to other Canadians as well as to other young people from around the world who have seen this very talented and dedicated young man set incredible records that may never be rivaled. His efforts have helped focus the attention of millions of people on this province, on this country, on his hometown, and on rural Alberta.

I've been at Kurt's shows. I've been in his training rooms and dressing rooms in his moments of joy, and I've been at his dinner table. He's a good personal friend, who has responded very well, not only to me but to many others, Mr. Speaker, whenever there has been a need to do more than just stand in front of the camera or skate on whatever world ice he may have been asked to.

His attributes of honesty and integrity, dedication and commitment, self-discipline, drive, and determination to making the world a better place for others need to be mentioned here as well. He has taken an active part by donating his time to the kids' help phone line, assisting those young people who may have been distressed. He has followed that up with being an honorary spokesperson for the Muscular Dystrophy Association. I personally worked with him on a special project to help the YESS, or what we call the Youth Emergency Shelter Society, a couple of years ago here in Edmonton. He is not only first in the world; he's also first in the hearts of many, many young people that he has helped through this kind of effective and persuasive action.

My colleague from Rocky Mountain House has highlighted many of the accomplishments that he has attained, and I need not recite them over again other than to highlight in addition to those the fact that he is also an inaugural recipient of the Great Canadian award, a project that was coined here in Alberta six years ago, recognizing Kurt for having brought international attention, recognition, and acclaim to Canada and specifically to Alberta. He is truly one of our greatest ambassadors, both on the ice and

off the ice. He has heightened the awareness by dazzling everyone, by inspiring so many others, and now, Mr. Speaker, he will continue, I am sure, to do the same at another level.

We thank him for the tremendous excitement, the enjoyment, and the entertainment he has provided as an amateur world-class champion, and we extend our gratitude as he completes this phase of an impeccable, shining, illustrious career and wish him every possible success and happiness in his newly chosen career path as a professional. He is joining others, Mr. Speaker, as he does this, including another world-class figure skater from Edmonton, also another friend, Mr. Michael Slipchuk. I know that Kurt will continue to always follow in the great tradition that he himself has set in showing the pride he feels for his sport, his friends and family, and, in particular, for this great province of Alberta.

Well done, Kurt. Congratulations. Thank you. We know that no matter where you go, no matter whose ice you're skating on or what the purpose is, you are always there with us, and we are there with you. To paraphrase a familiar quote: we'll be looking right at you, Kurt. Thank you and congratulations.

MR. SPEAKER: Is the Assembly ready for the question on the motion proposed by the hon. Member for Rocky Mountain House?

HON. MEMBERS: Question.

MR. SPEAKER: All those in favour of this motion, please say aye.

HON. MEMBERS: Aye.

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

head: **Orders of the Day**

head: **Government Motions**

Chief Electoral Officer Search Committee

15. Moved by Mr. Day:

Be it resolved that

- (1) A select special Chief Electoral Officer search committee of the Legislative Assembly of Alberta be appointed, consisting of the following members, namely Mr. Hierath, chairman, Mr. Brassard, Mr. Dickson, Mr. Doerksen, Dr. Massey, and Mr. Sohal, for the purpose of inviting applications for the position of Chief Electoral Officer and to recommend to the Assembly the applicant it considers most suitable for appointment to that position.
- (2) The chairman and members of the committee shall be paid in accordance with the schedule of category A committees provided in the Members' Services Committee Allowances Order c. M-2 of the revised Members' Services Committee orders.
- (3) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid subject to the approval of the chairman.
- (4) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department or of the staff employed by the Assembly.

- (5) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned.
- (6) When its work has been completed, the committee shall report to the Assembly if it is then sitting. During a period when the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

[Motion carried]

head: **Committee of Supply**

[Mr. Tannas in the Chair]

MR. CHAIRMAN: Hon. members are reminded that this is not a standing committee.

I'd call the committee to order. For the benefit of the people in the gallery, this is the committee stage of the Legislature. It's a less formal stage. People are allowed informal dress, to bring in coffee. We no longer allow them smokes in here, but they are allowed juice and to move from place to place. The only requirement is that they keep quiet, whisper in low tones, and when they wish to speak, stand in their places.

We're here today to consider the estimates of the Department of Justice, but first I'd like to call on the Government House Leader for a matter.

3:10 **Designated Supply Subcommittees**

Moved by Mr. Day:

Be it resolved that Mrs. Laing be appointed to the designated supply subcommittee dealing with the estimates of the Department of Education to replace Mr. Jacques and further that Mr. Renner be appointed to the designated supply subcommittee dealing with the estimates of the Department of Advanced Education and Career Development to replace Mr. Jacques and further that Mrs. Gordon be appointed to the designated supply subcommittee dealing with the estimates of the Department of Municipal Affairs to replace Mr. Tannas.

[Motion carried]

head: **Main Estimates 1994-95**

Justice

MR. CHAIRMAN: We'd call on the Minister of Justice to begin this afternoon.

MR. ROSTAD: Thank you, Mr. Chairman. I'd much rather stand and off the cuff make remarks, but we have made some fairly numerous and substantial cuts to our department this year and, from that focus, would like to read my comments so I don't miss any particular highlight.

Mr. Chairman, the Speech from the Throne focused upon the very significant challenge facing our government to get its fiscal house in order. Needless to say, this task is of extreme importance, particularly to our young and future Albertans. In turn, the Provincial Treasurer's budget speech provided a very clear message indicating this government's determination to achieve the goals set out in the Deficit Elimination Act. In giving this message, the Treasurer acknowledged that the path would not be an easy one, that hard choices would have to be made in order to ensure that we do not bequeath a legacy of debt to the generation

that follows us. As the Minister of Justice and Attorney General my obligation is to ensure equality and fairness in the administration of justice and to see that the justice system is administered effectively, providing maximum value for the public funds expended.

The department's '94-95 net expenditure estimates to be voted total \$335.9 million, which represents a decrease of \$46.1 million from the comparable '93-94 estimates. In addition to these voted estimates, statutory appropriation is being established to provide for the net expenditure requirements of the motor vehicle accident claims fund. These requirements were previously met out of a regulated fund into which motor vehicle accident claim fees, that are collected with vehicle registrations, were deposited.

I want to provide some background about the department so that members of the committee might have a better context in which to appreciate the challenges the department faces in making the required reductions. The administration of justice is one of the fundamental responsibilities of government. This fact was recognized by the Treasurer in his Budget Address, in which "law, order and good government" was identified as one of the core business areas of the government. Accordingly, we have approached our business planning from the point of view of preserving those elements of the justice system that are serving us well while being innovative to reduce costs and improve services wherever possible. This will be a formidable task, Mr. Chairman, since change in a system so fundamentally important as justice could have consequences and in some instances serious ones for all Albertans. I am confident, however, that we can achieve this objective and retain the quality of life for our citizens while meeting government fiscal targets. We will, in short, be doing our part, contributing to the Alberta advantage.

In reviewing the budget, it's important for all members to understand just what the administration of justice involves. My department is responsible for a wide variety of activities. We're responsible for public security in provincial policing, the investigation of fatalities, and prosecution of criminal offences. Our department shares in the responsibility of funding criminal and civil legal aid to those individuals who are unable to afford legal counsel. We operate correctional facilities and programs for the incarceration and rehabilitation of adult and young offenders. We provide access to civil remedies through our courts and sheriffs and provide advice and representation to all government departments in legal matters pertaining to the province's interests. We also administer the estates of deceased and dependent persons and protect the assets and financial interests of children requiring guardianship. We enforce family maintenance payments ordered by the courts and provide support to victims of crime and organizations serving victims. I believe these responsibilities are an essential part of our democratic tradition.

In Alberta the public has insisted that our system of justice and legal administration be a priority, and previous governments have responded to this demand. At the same time, new demands are emerging, such as addressing the disproportionate number of aboriginals appearing before the courts or facing criminal sanctions. We are well aware of the need to make changes in how the justice system deals with native citizens. We will require innovative approaches to encourage the greater involvement of natives in the administration of justice. We must respond to these needs and public expectations in ways that are innovative and practical. At the same time, we must be mindful of the resourcing levels that have been allocated to the administration of justice to discharge these important responsibilities.

My department has approached the planning process leading up to this budget in a spirit of co-operation with fiscal objectives

while also having the objective of minimizing any disruption of services. This has required a thorough examination of how we do business and the outcomes we wish to achieve. Throughout our dialogue with the standing policy committee on community services and, subsequently, Treasury Board, we've tried to reiterate one central theme. The system of justice is large, complex, and interconnected. Changes to any one part of it have consequences for the entire system. To explain, the justice system is separated into three major functions: policing, prosecution and trial, and sanctions, as identified in the business plan. As a simplification of the system, criminal offences can lead to police investigations, the laying of charges, apprehension and arrest, remands into custody, bail hearings, followed by appearances in court with prosecution by the Crown and often defence counsel provided by legal aid and could culminate in incarceration, fines, or other sanctions.

The highly interconnected nature of these functions can be demonstrated by examining the department's efforts to combat family violence. The department approached the issue by establishing a uniform policy for handling family violence cases. General guidelines re-emphasizing the criminal nature of family violence were released to law enforcement agencies and Crown prosecutors across Alberta. As a result, the charging rate in family violence cases increased. The growth in charges coming into the system in turn results in a heavier demand for Crown prosecutors, judges, and court sittings. Offenders convicted of family violence offences then enter the final segment of the criminal justice system: sanctions. Some offenders may receive sentences calling for incarceration. Thus, the correctional system also feels the effects of the increased rate of charging family violence offenders. This is just one example of the ripple effect that follows a shift in society's social priorities. Changes in other areas such as young offenders or aboriginals would also influence the entire system. I believe that it is important to remember that cuts must be considered in terms of the entire system rather than the individual functions. All services provided by the department are fundamental to the safety and best interests of Albertans, and many are mandated by legislation. This means that we have very limited flexibility when we need to alter our services.

To continue with our previous example of family violence, both the Alberta courts and the federal government have recently made decisions that could limit our choices in terms of spending reductions. For example, sentencing guidelines for spousal abuse have been released by the Alberta Court of Appeal. In light of these guidelines, the department will be expected to incarcerate more wife abusers for a longer period of time. As well, the federal government has made legislative changes in the area of family violence. The family violence Bill, also known as the stalking Bill, includes new offences, conditions, and provisions that will likely increase the number of family cases dealt with by the Alberta Department of Justice. While the department willingly accepts the responsibility of providing the policing, prosecution and trial, and sanctions for these cases, we're forced to recognize that options for expenditure reductions are influenced by independent bodies. We may not have a lot of flexibility in changing the demands on a department, but we do have some flexibility to change the level of services and how they are delivered. The challenge, Mr. Chairman, is to create the best justice system possible within our budgetary constraints.

3:20

In this regard, I'd now like to present some innovations that are included in the business plan, although they may not have been mentioned explicitly. In the area of law enforcement, the public

security division administers provincial policing. Funds previously provided out of the department's budget to assist in municipal policing were transferred to the Municipal Affairs department and will form part of that department's unconditional grant program in support of municipalities. I'd like to note, however, that even though these grants will be cut by about 50 percent over the three remaining years of the plan, the effect of these cuts on the budgets of local police forces will be on a much smaller scale. In fact, the cuts will average only 1.6 percent, 2.8 percent, and 1.4 percent for each of the next three years, for a total of 5.8 percent of total municipal policing budgets. I'm confident that these modest reductions will not compromise police services in Alberta. They may, in fact, serve as an incentive for police forces to become more innovative and improve services through restructuring, application of new methods, and so on. Also in the public security program, a study is planned to determine whether the establishment of a provincial police force will reduce the cost of rural policing. As well, the department has had discussions with the RCMP regarding the cost of delivering police services in Alberta as they relate to our present and future fiscal restraints.

In the area of prosecution and trial a number of innovations have been implemented, and others have been proposed. Firstly, representations have been made to the federal government to remove preliminary hearings from the Criminal Code. This is not an innovation that can be implemented unilaterally by Alberta as it requires changes to the Criminal Code, which is federal legislation. Nevertheless, we have implemented a policy whereby the Crown and defence counsel discuss a case to see if a preliminary hearing can be waived.

Secondly, increased use is already being made of traffic commissioners in Calgary and Edmonton to hear traffic trials, and consideration is being given to the use of commissioners to hear small claims cases. As well, the department is always seeking new ways to resolve disputes. A very successful process for mediation in family disputes has been implemented, and a diversion program similar to the alternative measures program for young offenders is being considered for adult offenders. We're also proposing amendments to the Provincial Offences Procedure Act during this session of the Legislature. All of these amendments deal with minor offences where there's a maximum fine of \$400 and no provision for imprisonment. These changes will expedite and streamline the process of handling minor cases while maintaining the rights of accused persons.

Another departmental initiative reflected in our '94-95 estimates is the presentation of the maintenance enforcement program's budget on the basis of expenditures net of dedicated revenues. This program presently collects substantial funds on behalf of creditors. In situations where a creditor spouse or family is in receipt of social assistance payments, moneys collected accrue to the Crown and are paid into the province's general revenue fund. This new form of budgeting will provide the program with much-needed flexibility, allowing for additional enforcement officers or other collection resources required to pursue payments on difficult accounts. This is expected to result in increased payments to private creditors as well as new revenues to the province which will exceed the added costs. A further benefit expected through this initiative is that fewer private creditors should ultimately require social assistance.

Another initiative I'd like to mention is the pilot project being operated by the Legal Aid Society of Alberta in co-operation with the Alberta Law Society. The purpose of this study is to determine the effectiveness of using staff counsel rather than lawyers on a fee-for-service basis to represent young offenders in Calgary and Edmonton.

Unfortunately, innovations alone could not provide all of the required expenditure reductions. For this reason, our budget also provides for a number of reductions in areas such as the funding of grants and subsidies, closures of courtrooms and correctional facilities, and streamlining of social programs. To meet the challenge to reduce expenditures in the court services program, we have re-examined the extent of our service delivery. Provincial Court, Criminal Division currently sits in 100 locations in this province. This requires that a court party, consisting of a judge, clerk, and prosecutor, travel to a number of locations on the court circuit. We think there's a better way to do business. We believe we can considerably reduce the number of locations where court sits, with little impact on the public. Our plan to reduce sittings is based on a review by court service officials of court locations, an examination of caseload volumes, court sitting days and times, number of trials scheduled, and proximity to a nearby court where cases can be shifted. This was reviewed today with the chief judge and assistant chief judges of the Provincial Court, and a recommendation from them will be made to the officials and by the officials to me. Once I've had an opportunity to review their recommendations, I'll advise the affected MLAs, police, and municipalities so that they will have an opportunity to comment. We're aiming to commence implementation of court closures on September 1, 1994, and have all closures concluded by April of 1995. I can assure you of two things: first, closures will be on a businesslike, nonpartisan basis; second, we will do everything possible to minimize the impact on the public, the police, and our staff.

You may ask how you can close courts without increasing trial delay. The concept, quite simply, is to realize economies of scale. For example, instead of a court group traveling to three court locations which are close to each other and sitting for one and a half hours a day on three separate days, the court party can go to one location, hear all matters in one day, and only sit for four and a half hours. This will provide for manpower and travel savings and will allow for a reduction in the number of judges, prosecutors, and clerks. There will be some extra distances to travel for some people, but in most cases that will not be very significant.

In the correctional services program, our plans provide for the closure of the Belmont Correctional Centre in Edmonton in '94-95 and the closure of the Grande Cache Correctional Centre in '95-96. One of the - I guess it's in the eye of the beholder - unfortunate things about putting out business plans, which make it very transparent as to what your plan to meet your budget is, is that although Grande Cache is not a part of this year's budget, it is a part of the business plan and it is a signal to that institution and the people in Grande Cache that in fact it will be closed next year. That has its down side. Any correctional centre is obviously an important economic generator for a particular community and, in this case, a major one for Grande Cache. We are in that particular instance bound to put it in our plan even though it isn't, as I said, in this year's budget but with the assurances that we are working very closely with the federal government to see if they can take this institution from us and utilize it in their system, as they have a shortage of beds. We have ongoing discussions on that.

In that context as well, when you make such an announcement or you make comments on such a prospective venture, you're bound to distress the employees that are currently working in the institution. As I said, that's one of the regrets that we have, but I guess it's better to be transparent, up front, and honest about the possible down side. It in no way reflects on the quality of service or the dedication of those employees to our system. In fact, I can say a great deal of good things about the people that work in our

correction system, and our rationalization of our system reflects not on their contribution.

Strategies for the management of offenders who would normally be incarcerated in these correctional centres reflect a cost-effective and progressive approach to corrections while ensuring the protection of the public and the deterrent effect of sentencing. Low-risk offenders will be transferred down through the correctional system and placed in the community under the temporary absence program, and in the community their behaviour and activities will be closely monitored and supervised by probation officers. Offenders serving intermittent sentences now live in the community five days per week and report to a correctional centre for the other two days. Under a new house arrest program these offenders will remain in the community all week but will perform community service work and be under surveillance for the days that they normally would be incarcerated.

3:30

Another initiative being considered for the corrections program is a possible feasibility study or pilot project to outsource - I'd rather use that word than privatize - a correctional centre. The purpose of this would be to determine if there would be cost savings or other benefits compared to traditional government-run operations. In that respect I'd also like to mention in a somewhat formal but maybe more informal way that that proposal has also been made to the union. If AUPE cares to make a bid on outsourcing an institution, they would be as welcome as anyone else in making that particular bid.

I close, Mr. Chairman, on a reflective note. The task before us is arduous. The department has endeavoured to come to grips with the daunting challenge of restructuring one of the government's primary reasons for existing; that is, the administration of justice. However, we have attempted to deal with this challenge through a proactive and, I believe, visionary plan to evolve a smaller, more efficient Department of Justice consistent with the levels of spending the public is telling our government they'd like to see and yet consistent with the wish for the public to be protected.

On that note, I'd welcome any questions that members of the committee may have. If the information requested is not immediately at hand, I'll be sure to give a prompt written response.

Thank you.

MR. CHAIRMAN: Thank you.
Calgary-Buffalo.

MR. DICKSON: Thank you very much, Mr. Chairman. I'm delighted to join in the debate on the Justice estimates. I just preface my observation by saying once again that I take some comfort and I think all members should take some comfort that we have the Member for Wetaskiwin-Camrose occupying this important portfolio in terms of the Department of Justice. It is a department, particularly when we're talking about public safety issues, where it's easy to trade in stereotypes and it's easy to speak in terms of simplistic solutions. It's clear from the observations made by the minister in both his public statements and what he said just in the last few moments that he recognizes that we're talking about a system with a lot of interconnecting components. It does take a thoughtful and a balanced sort of perspective to be able to not only deal with the Justice department and its mandate but the component parts of it.

[Mr. Clegg in the Chair]

I also think that some congratulations are in order, that the Minister of Justice has been able to prevail on the Treasury and

the minister of finance to ensure that the cuts in this department are certainly, I think, less than many Albertans anticipated, certainly less than I anticipated. I assume that reflects a good deal of industry on the part of the hon. minister and people in his department to demonstrate to cabinet just how important the Department of Justice is and how important the programs provided by the Department of Justice are.

The other point I make is that I continue to appreciate the accessibility of this Minister of Justice. It certainly makes my job much easier, and I appreciate the degree of co-operation he's shown me and my researchers.

I think I'll start at the top. We are talking about the Justice department, and I wanted to ask some questions, make some observations relative to the appointment of judges. We have on our provincial Judicial Council currently two vacancies. One I think was Mrs. Belzberg, who had resigned in the fall of 1993, and then Wilbur Bowker, the esteemed former dean of the law school, has been very ill for some time and, I understand, unable to participate in the work of the Judicial Council. I'm asking the minister when he is going to fill those two vacancies on the Judicial Council.

I think the Judicial Council and these two appointments are uniquely important, because all of the other appointees, all of the other members of the Alberta Judicial Council are judges or lawyers, and they're there in a representative capacity as well as in that professional capacity. I think when we look at the absolutely critical role played by the judiciary in 1994 in this province in so many aspects of our lives, it's important that we get within reason as broad a perspective and as broad a selection process as possible. I'm not advocating an American Senate, public scrutiny type process, but I think that not only do we need those two lay representatives on the Alberta Judicial Council immediately, but some thought should be given to even expanding the membership of that Judicial Council and seeing if there isn't a way of getting even more input in the selection of suitable candidates. I guess my other question to the minister would be: what criteria will he apply in terms of identifying and determining who is going to sit on the Judicial Council in one of those two lay positions, the two vacancies?

In question period some days ago I'd raised the question of the appointment of judges, and I had tabled in the House, I think a number of weeks ago, a copy of the November 1993 report of the Canadian Bar Association, the recommendation on the appointment of judges. I appreciated the candour of the hon. minister the other day in question period acknowledging that although the report was written specifically focused on the appointment of federal judges by the federal Department of Justice, many of those recommendations, virtually all of the recommendations, also have application in terms of provincial appointments.

The process we have now – and I say this with all due respect to all current members of the court in Alberta at either the federal or provincial level. The difficulty we have is that we have a system that screens out people that are clearly unsuitable for judicial appointment. We do have a process that screens out people that are clearly incompetent, but what we're left with is a process where we have a pool of applicants which must be in the order of 150, 170 names. It may go up and down, but it's a large number of people, and the system as it is now allows the Minister of Justice to basically go and pick anybody in that pool of screened applicants.

I tried to make the point the other day in question period, and I attempt to make it again now. I think what we should be striving to do is what the Canadian Bar Association recommended. We should be striving for absolutely the most excellent candidates

we can find. My view and my question to the minister is: will he consider changing the process so that he's presented with a list of maybe 10 applicants or a dozen applicants, people who are clearly the very best men and women that have gone through the screening process? And will he agree to choose from that list of most excellent candidates? I just say again that that's the way that I think we are able to achieve in a way we can't now some assurance, the best assurance that any human appointment process can that the men and women sitting in provincial court are the best candidates we can find. I'd like a reaction from the minister with respect to that.

3:40

The other point I raise, speaking of appointments – and I'm mindful of it as a result of a dinner I attended in Calgary last evening dealing with Queen's Counsel appointments. I'm going to ask – and I'm reflecting here a sentiment I've heard from many members of the bar – whether the minister would consider revising the Queen's Counsel Act. I go back to the amendment that was brought in in 1984, I think, section 3.1, which allows the government to ignore the 10-year rule that otherwise would apply if we're dealing with a Member of the Legislative Assembly or a Member of Parliament. I approach this from a basis of first principle, and it seems to me that with that provision in the Queen's Counsel Act in effect what we're doing is – and I'm not suggesting that we don't have plenty of hardworking lawyers that end up in this Chamber – sending an important message to Albertans that says: "It doesn't matter what kind of volunteer work people do, what kind of involvement lawyers have in the larger community. If you become elected as a member, then somehow we're going to treat your service as a member of this House on a salary as more important than the kind of work that many lawyers do." I think lawyers as a profession provide a lot of leadership in a host of community agencies and not-for-profit organizations as well as in professional capacities. I just suggest to the minister and ask him if he will consider changing that amendment and basically repealing the '84 amendment so that we have the 10-year process.

I want to make a general observation. Looking at the work plans, looking at the goals and the business plan for this department, I am disappointed, and in fact I'd go further and say that I think the report taken in its totality is vacuous and very weak. I think what I see is really quite at variance with the observations made by the hon. minister in introducing his budget plan.

He told us just a few moments ago how interconnected things are. He touched on the complexity of the system, particularly in the criminal justice system, yet when I look at the business plan for this department, it strikes me that it's been prepared by individuals who have little or no understanding of the way the justice system works. I don't minimize the importance of a justice system that's accountable to nonlawyers and people who aren't intimate with the justice system, but the issues are so important I would have expected that there would not be so many large gaps. When I look through this three-year plan, I see objectives that really don't fit. Sometimes they're inconsistent with results and measures and strategies. I'll come back to it later, but I'm disappointed with the business plan. This is not the kind of product that I would expect to see for a department as important as Justice, in terms of charting where we're going to go as a province and what we're going to do and how we're going to do it differently.

One specific point I wanted to raise before I deal with some other general observations. I have a concern, Mr. Minister, and it comes from the baby boy M case. Although I mention the case,

I understand that there's a leave application pending to the Supreme Court of Canada, so I don't intend to deal with the merits of the case. I don't think that's appropriate. But it's of concern to me that in the baby boy M case – it's reported in 10 Alberta Law Reports, third edition, page 395. Mr. Justice Mason of the Court of Queen's Bench made the observation at page 432 of the report. Mr. Chairman, I've found it now and I quote:

There are benefits to private adoption placement. But situations such as this point out that some legislative safeguards and guidelines appear necessary from my perspective based on this case. I would urge an immediate government study to assess the current situation and, if necessary, legislative action to prevent abuse.

Now, I recognize that one might say that this is a question that should be directed more properly to the Minister of Family and Social Services, but it's the agent of the Department of Justice who appears in the courtroom on behalf of the Crown. It's this department that provides the legal service to all the other departments of government. I am particularly concerned that this decision from June of 1993 still has not been addressed by this government. The minister may think I'm picking on him, when it should be his colleague I should be directing this at. He's here. He understands how unusual it is for a member of our Court of Queen's Bench to make a specific recommendation for legislative change. As I attempted to suggest earlier in this House, we've got the same kind of recommendation from the child advocate on page 178 of his report. I'm asking the minister to advise me whether in fact he's followed up with the Minister of Family and Social Services to effect some change.

I have a specific concern with respect to mental health services that I want to flag, Mr. Chairman. In July of 1993 an agreement was entered into between the Department of Justice and the department of psychiatry at the Calgary General hospital. This was to provide mental health services for the Calgary institutions being the Remand Centre, Bow River, Calgary Correctional Centre, Calgary Young Offender Centre, and Bedford House. I have a concern that there are all kinds of changes taking place in terms of acute care health care facilities in the city of Calgary in particular.

I've read the report from the accounting firm that looked at Calgary acute care facilities, and I'm concerned. I can't remember the name of the accounting firm now, but I'm sure the minister knows what I'm talking about. It was a study of Calgary health care facilities, and I didn't see a lot of consideration or treatment or even recognition of the fact that the Calgary General hospital provides the only secure forensic assessment program in the country by a psychiatric department. I want to know if that is going to survive despite whatever is done in terms of health care rationalization in the city of Calgary. Is that being protected? Is that the responsibility of this minister? Is it the responsibility of the Minister of Health? Is it being done jointly between the two ministries, the two departments? I would like some assurance from the minister that this is being flagged as an important issue and that there's going to be a process to ensure that while we're rationalizing health care facilities there's special treatment of forensic facilities. I mention this one. I have colleagues who I think can speak more knowledgeably about other mental health facilities, but that's of particular importance to me.

I want to turn specifically to youth justice committees under section 69 of the Young Offenders Act. I want to compliment the minister. Since we last talked about youth justice committees, I understand we're making considerable progress, that there are more sentencing panels, more youth justice committees that have been approved. What I'd like is an update from the minister. How many youth justice committees currently have been approved by your department? How many applications are pending?

Finally, the question that's important to me and that I first raised with this minister, certainly in the last go-round in terms of estimates, and I think his predecessor before that: have we yet got to a point where the Department of Justice has provided an information kit to every municipal police force and every police commission in the province? Because I've never accepted the proposition that the Minister of Justice and his department sit back and wait until a community comes forward and expresses an interest and then they provide the information. I still find when I travel around the province, Mr. Minister, an awful lot of concerned Albertans – people who serve on police commissions, people on municipal councils – that have never heard of a community sentencing panel. They don't know what it is. They don't know how to set it up. Considering how long the statute has been in force, I think that isn't acceptable anymore in Alberta. When there is so much concern about, firstly, the impotence of citizens when it comes to crime and youth crime and so much focus on the Young Offenders Act, there's absolutely no reason why we're not at least taking full advantage of those measures that in this province have been proven to work, as we've found in Athabasca and Slave Lake and Fort Chipewyan.

3:50

Moving on from that, Mr. Chairman, dealing with court services. I had the opportunity to see a memorandum dated February 24, 1994, from one of the people in your department, Mr. Minister. It talks about privatization of the sheriff's office. Now, I think most people recognize that we've had private service agents for a very long time serving a process, but I have got a particular concern when it comes to service of distress warrants, whether it's replevin, seizure under a writ of execution. I have a lot of concern in terms of that being contracted out. There is a tremendous potential for abuse, I think, in terms of having private operators going around and effecting seizures for banks and finance companies and creditors. If in fact this is going to be contracted out, what assurance do Albertans have that the people that undertake effecting seizures are going to be as skilled, as sensitive, and as experienced as the bailiffs that we've had working in this province for a very long time? I'm concerned. I mean, I'm familiar with American jurisdictions where there is considerable and extensive abuse of the power of seizure when it's been wholly privatized. That's not been part of our culture, that's not been part of our legal system, and before we walk down that road in the name of cost saving, I want some assurance that the rights of debtors are going to be adequately protected.

Thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Thank you, hon. member.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. I'd like to pursue some issues that I find in the business plans tabled by the Minister of Justice. I was curious to note when I was going through the business plans that the expected results don't seem to really flow naturally from the goals. I thought I could take a few minutes and point out to the minister some of the ones that I have particular concern about, and I'd really look forward to his answer in helping me understand what the real intent is of these business plans, in fact.

The first business function listed is policing, and the first goal is "to provide high quality cost effective programs to prevent and control crime." Then the expected result says a reduction of some \$35 million. I don't understand how that can be an expected result. In fact, the reduction of \$35 million in policing

can be an expected result flowing from that goal. I noted that the minister in his opening remarks mentioned that the 50 percent cut in support to municipal police grants was really only going to be about a 5 percent cut, and I'd like to know how a 50 percent cut over three years becomes a 5 percent cut. That doesn't make a lot of sense.

The other thing about policing, right off the bat, is I'd like to know how it was determined that policing grants could be cut at all. Mr. Chairman, we live in a climate where people have a very real and logical concern about community safety, and certainly policing agencies in this province are demonstrating some considerable leadership in finding innovative ways of delivering policing services. But in order for them to do that, they of course need to attract the best quality people that they can and maintain them on strength.

Also in the move towards community policing, which of course Edmonton is a leader in nationally, the policing agencies are noting that there are many start-up costs. There are many onetime only costs which have to be borne as police departments make this transition from patrol-based response policing to community-based proactive problem-solving policing. For example, they need to be able to obtain office space, storefront space around the cities, around their jurisdictions. They need to be able to lease this space or purchase it. They need to put in improvements. They need to furnish it. They need to perhaps hire some civilian members. They need to set up volunteer training and recruiting programs. They need to do a number of things as they move back towards really the beginnings of policing, which was good, solid, old-fashioned beat community-based policing. So I'd like to know at this point in time, when policing agencies are trying to make this transition where they really need the assistance to help front these onetime only costs, on what basis was it made that their financing could be pulled away from them, that they could be cast adrift by the provincial government and left to fend for themselves?

Now we have police agencies speculating that they're going to have to set up more speed traps, that they're going to have to charge user fees for various things that of course all Albertans have come to expect in terms of service from their police.

Now, I also notice that the second expected result under that goal is a "permanent reduction in crime." The measure for this, I note, will be the "crime rate for Criminal Code, Provincial Statute and Municipal By-law offences." This immediately led me to think of two things, Mr. Chairman. Number one, it led me to think of one of the Rockefeller reforms in New York state a number of years back where they decided they wanted to see a marked decrease in the number of prostitution-related offences in New York City. In fact, what the government instructed the police and the prosecution to do was to stop proceeding with prostitution-related charges and prosecutions. Miraculously we saw a drop in the official crime rate of those types of offences. I'd like to have the assurance from the minister that if he's simply basing this result on reported crime – Criminal Code, provincial statute, and bylaw offences – we're not going to see a similar sort of manipulation of statistics so that we can have an artificial satisfaction of that goal.

The other thing it made me think of, Mr. Chairman, is that any police manager knows that policing functions and police productivity are not best measured simply by clearance rates or by the number of criminal offences. In fact, the majority of police functions, probably 70 or 80 percent, are service related and not, strictly speaking, law enforcement related. So again I'd like to know on what basis was it determined that the measure of crime rate based on Criminal Code offences or in fact the next expected result, which talks about "to maintain or improve the clearance

rate of crimes" – why were these selected as measurement criteria when they so clearly are insufficient determinants of police productivity? Most policing now is being defined in terms of problem solving. Policing is being seen as a community resource, and certainly we should be looking at some very innovative measures of police productivity that elevate the role of policing from simply response-based, clearance rate, crime-busting policing. In fact, I note that the Canadian average is that only 2 percent of all police calls result in at-the-scene crime stopping or criminal apprehension. So it seems to me that if these are the sole measures that the minister is looking at in terms of measuring policing effectiveness, he's setting the police up in fact for failure, because they only deal with 2 percent in that matter.

I'd like now to turn to the business functions listed under sanctions. I found that in itself to be somewhat curious, that it would simply be based on sanctions. It says "to provide cost-effective and efficient correctional programs." Now, a criminal sentence has to accomplish many things, Mr. Chairman. It has to accomplish deterrents. It has to be denunciatory. It has to provide some measure of safety. It has to perhaps separate an offender from that offender's community. It has to do many things but not strictly all defined as just punishment. It has to do so much more. We see that the very first goal simply says that we want them to be cost effective. So I'd like to know if the minister has in fact redefined what sanctions is: if it is now a single measure or single element of sanction and if all we're looking at is the most cost-effective way to impose a punishment. If that's in fact the case, I think it would be good for us all in this Assembly, in fact all Albertans, to know that that's the role that the minister now sees for the criminal justice system in this province.

4:00

We notice that we're going to see a number of closures, a number of changes in the way that correctional services are in fact delivered. I note in the budget it says that there's going to be about a 10 percent reduction in budget. Now, if my reading of the figures is correct, most of the staff positions in the minister's department are in fact in corrections, so it would follow that most of the staff layoffs would also be in corrections. Now, I'd like to know what specifically the plans are for the 10 percent reduction in staffing. How many of the 425 and a half full-time equivalent positions are in fact from institutional corrections, are from community corrections? How will this impact on jail staffing patterns? How will this impact on the hiring of relief workers? How will this impact on community corrections caseloads? How will this impact on the training that correctional officers receive? How will this impact on the ability of the correctional service to attract and maintain highly trained, competent, long-standing, and loyal employees?

I'd also like to ask the minister where exactly the Cawsey recommendations stand in terms of these business plans. I note that it's absent in this discussion of sanctions. Where specifically are the Cawsey recommendations budgeted for? Which specific recommendations from that very important task force have been accepted by this government for implementation in this budget year, the next budget year, and the third budget year of this business plan?

Now, I'm particularly concerned when the minister talks about court closures. We notice in the Cawsey task force report that one of the very strong recommendations was that local courts have to be established, that access to justice for aboriginal Albertans depended on them being able to access their courts both as witnesses, as victims, and as offenders. I'd like to know: on what basis is it going to be decided that courts, particularly rural

courts, will be closed? Is the minister still sensitive to those very emotional concerns that were brought forward by aboriginal Albertans who said that they can't afford to go to court, that they can't afford to travel as it is now? If you're going to make these courts even more distant, more remote, all you're doing, I would suggest, is setting them up for failure as well. They're not going to be able to attend court; they're going to be in breach. They're going to then be further enmeshed in the criminal justice system. I'm sure that's not the minister's intent, but I'd like to know how he plans on addressing that problem.

I'd also like to know what the future of the exchange of service agreements is. Of course, we're familiar that there are two major exchanges of service agreements in place in this province: one on the institutional side, one on the community corrections side. Is it in fact part of the business plan for the parole exchange of service agreement currently in place with the government of Canada to be canceled? If it will be canceled, when will it be canceled, and what impact will that have on community corrections caseloads?

Secondly, I'd like to know, particularly in relationship to the proposed closure of Grande Cache, what the future is of the institutional exchange of service agreement. Will it be maintained? Will the number of guaranteed beds be lowered? Will it be raised? What will we be doing with the excess capacity that is currently in Alberta correctional centres if the federal exchange of service institutional agreement is canceled, or do we no longer have that excess capacity? What are in fact the population projections for inmate housing in this province this year, next year, and the third year of this business plan?

Another question is really left dangling, Mr. Chairman. It's a series of questions, actually, around house arrest. The minister talks about the potential of house arrest. I am familiar that in this jurisdiction house arrest and electronic surveillance, electronic monitoring have all been looked at before. It's always been rejected because of in fact the strength and the quality of the temporary absence program that is currently in place in this province. I'd like to know: on what basis was it determined that house arrest could be a helpful addition to the correctional programming in this province? What safeguards will be put into place to see that house arrest won't be used as a way to expand the network of social control in a way that we wouldn't be happy with? In fact, what safeguards have been put into place to protect families of those under sanction from the kinds of incidents that we've seen in the United States, where house arrest has been used? I speak specifically of increased family violence, domestic violence, and in fact suicides by those under sanction. We know these are real implications of house arrest program schemes in other jurisdictions, and I'd like to know what's been done in this province to make sure that if we move towards this form of sanction, those won't be the results here as well.

Also under sanctions, the business plan says that an expected result of the plan is to maintain Alberta "as one of the three least costly provinces in which to incarcerate an offender." Well, I'm not sure that cost is, again, the best way to measure the effectiveness of a correctional sanction. A correctional sanction has to be based on three principles. It has to be based on certainty, on swiftness, and on severity. Those three elements of any criminal sanction have to be in balance. I'd like to know where this balance is in terms of this business plan. If we're simply looking at the least cost, Mr. Chairman, then certainly there are things we can do to minimize cost, but will those things do anything to maximize return on investment? In other words, will it decrease recidivism? Will it increase the effectiveness of the correctional sanction so that the person under sanction will be somehow better

for the experience of being under sanction? I'm not sure that we should look at that strictly as a cost but rather as an investment, because of course what we all want are safe communities, and I'd like to know what kind of price tag is being put on that safety. What is the bottom line? What's the lowest common denominator?

Goal 2 says, "To provide offenders with opportunities for rehabilitation," but the first expected result again, Mr. Chairman, is a very puzzling one. It says, "increased productivity of offenders." Increased productivity. It doesn't say anything about lowered recidivism. It seems to me that the reason why you want to increase opportunities for rehabilitation is to lower recidivism. Why isn't that the expected goal? Why isn't that what we're measuring this against? Instead, we're looking at productivity as though offenders in this province are simply another commodity to exploit. Why isn't there mention in this goal of treatment, of counseling, of correctional programming effectiveness, of some of the innovations that we see in the correctional service of Canada when they talk about cognitive development and cognitive skills training programs? Why aren't those the strategies talked about? Instead, we look at things like "involvement in work crews." This is not future looking. This is going backwards in time. I would suggest to the minister that he instruct his officials to look at some very honest measures of the effectiveness of sanctions and not this business jargon of productivity.

Now, when we go to the business function of social programs – and I thought that again was a very interesting title – we see to ensure fairness and equity in the administration of justice through the delivery of cost effective social programs to the Alberta public as the first stated goal. "To ensure fairness and equity in the administration of justice," Mr. Chairman. Do you know how this minister plans on doing that? He plans on doing it by reducing social programs, by reducing grant reductions, by associated administrative reductions. Why doesn't this goal just say "to cut costs," because that's really all that it is. There's nothing here that operationalizes the words "fairness" and "equity". This is nothing but cost cutting. I'd like to know which study on legal aid said we can cut money. Of every study of the legal aid scheme in this province that I'm familiar with – and I believe I've read them all – not one of them says we can afford to cut funding to legal aid. Every one of them talks about a crisis in legal aid funding. In fact, I recall the minister stating in this Assembly that legal aid funding would be adjusted to pay for the new higher court fees that he himself imposed last year. Where is that reflected in this business plan?

Now, to administer the business function of support, "to provide cost-effective administrative support to [programs in] the Department of Justice." Where in here are in fact the evaluative mechanisms? Where in here is the ability to study, to reflect, to look at the impact of these massive changes?

4:10

Mr. Chairman, we're talking about privatizing jails. We're talking about privatizing social control. We're talking about perhaps even privatizing the use of deadly force. Nowhere in this business plan do we see anything that talks about an evaluative structure, a mechanism to see whether or not these proposed changes (a) have any validity, and two, if they go ahead, did they have the desired impact? Everything that I know about privatization says that you have to first put into place a series of standards, then you have to determine on what basis contracts will be tendered, then you have to put into place a process of reviewing and scrutinizing those contracts as they are put into operation, and then finally you have to make sure that there is a third-party

accreditation scheme that you have some faith in. Nowhere in this business plan do I see any of those very basic elements of privatizing services. I would like to know if the minister intends to simply allow privatization to happen the way we saw it in ALCB or whether or not in fact we have a plan to privatize these services, whether it'll be carefully considered, whether or not these standards will be in place, whether the contracts will be reviewed on an ongoing basis, and whether or not a third-party accreditation process will be a feature of that privatization.

Now, if the minister really wants to see the expected results of a decrease in crime, an increase in public satisfaction with policing, an increase in correctional effectiveness, and more cost efficiency, then I would suggest that what he has to do is make sure that within his own department he has in place the personnel and the budget to do the kind of study and evaluation and reflection that I'm suggesting. I think it is a major weakness of these business plans that that kind of expense isn't even contemplated. I know that the minister wouldn't want to see us just charge ahead and do this kind of social experimentation in this province without that kind of study and evaluation.

Thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Thank you, hon. member.

The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you, Mr. Chairman. I'd like to once again congratulate the hon. minister for being accessible and, I believe, fair when he deals with the Official Opposition.

My opening comments would be related to the business plan. Yes, there are hard choices that have got to be made. Quality and fairness are admirable goals. We've got to maximize the value for moneys and preserve what indeed is working well. But one thing strikes me, and it's not just the Justice business plan. What I see a difficulty with is that they're top-down documents. I think when you're looking at Justice – well, I don't just think; I know – I would suggest that to really have a very meaningful business plan, you should actually be consulting with the grass roots, the people who are on the front lines, whether it be within the correctional system, whether it be in family and community support services, municipal governments. These are just a few of the examples. It would become a living document that you would certainly see amendments to over the next three to four years. My sense after reading this business plan is that that certainly did not come into consideration when it was developed.

Why would I say that? Because clearly when you look at it – and my hon. colleagues the members for Calgary-Buffalo and Edmonton-Glenora have touched on it – it's sadly lacking in what I would call outcome measurements. The hon. Member for Edmonton-Glenora certainly touched on that. When you're looking at reductions in budget and the closure of the Grande Cache and Belmont remand centres, one of the questions that comes to your mind then is: what quality of programming is going to take place in the then existing facilities? I may be assuming wrongly, but I would assume that you will not be able to accommodate everyone from those facilities that are going to be closed out in the community. We're probably looking at increased numbers, for example, in the Fort correctional system.

[Mr. Tannas in the Chair]

Now, if that's going to happen, are we going to see some of the things that have happened in the federal system taking place, where cells that were built for one will suddenly have to be made to house two inmates? We're looking at a reduction, possibly, in

correctional officers. So what does this do to safety not only for the inmates from fellow inmates but also for our correctional officers, who indeed, I would suggest, would be working in a very pressured environment? We're hearing some of these comments coming back from that community already, Mr. Chairman, to the hon. minister. That I think has to be a concern of us all.

The other is that when we move in this direction and we don't have the adequate community support systems – and I certainly don't see where the dollars have been made available to ensure that we have community support systems, which the hon. Member for Edmonton-Glenora was talking about with regards to house arrest – what does that do to our safe communities that Albertans so desire? In fact, I would suggest that probably every second to third door that I knocked on during the campaign, the thing they were most concerned about was safety in their communities. So without the adequate community resources to indeed do the things that are being suggested in this business plan, I would say that I'd have great concern about security of community.

The other aspect is when we're talking about whether it be the young offenders or adult offenders doing community work. I don't see any identification within the community where you would have significant work programs. We know, for example, in the community of Fort Saskatchewan that when we indeed tried to implement a lot of those work programs with inmates from our correctional centre, we ran into difficulties with our union contracts. You know, it looks good on paper, but the reality is: have we worked out what programs within Alberta can actually use our inmates in a productive manner and in essence just not end up being meaningless work?

The other area that I have to ask – and it's still not laid out in the business plan. We talk about programs, and I have a concern. We built a beautiful new facility in Fort Saskatchewan, and I certainly didn't disagree with the fact that we needed to replace the old correctional centre. But when I looked at the facility and saw the beautiful industrial arts and beautician areas that were for training people – I want to see in a business plan something more than education work in industries. I want to know what the end product is for that inmate in the Fort Saskatchewan Correctional Centre or any other facility. What are they going to come out with in the way of training that hopefully will result in a positive life-style and will not result in recidivism? Because that's what's happening. So I can't just accept, hon. minister, the list of programs offered in correctional centres without clearly showing what they are and what the job opportunities are. Mr. Chairman, in our questions to the advanced education minister we were trying to get at: what programs can people access through funding? Now I'm saying the same question to the hon. minister. There's no point in training people in correctional centres unless we know there's going to be an end product, an end job to it. So I'd like to see some well-thought-out planning in that area. I'd also suggest that in the young offender area that's essential as well.

4:20

The other question I have to ask is with regards to recidivism. Have we got a system in place, whether it's in our psychiatric care facilities, specifically in forensic services, in the Fort Saskatchewan Correctional Centre or Grande Cache or any other facility, that can show us clearly how many people continue to offend and are being readmitted? Without that information a business plan is meaningless. This has been asked for many, many years.

I think also what we have to look at – and I addressed this in my budget speech – is the co-ordination within the health system. I don't see that. The forensic program in the Calgary General

hospital, which the Member for Calgary-Buffalo talked about, and the concern: is it going to be there? If it's not going to be there, what's going to happen to these forensic patients? Are they coming to Alberta Hospital Edmonton? What are the implications of that?

We have to take it one step further. We know from Alberta Health and also from public works that there's no guarantee that the replacement of buildings 9 and 5 is going to happen at Alberta Hospital Edmonton. So once again let's use some common sense. When you have programs being delivered on one side and you've got the clinical expertise there, you have a degree of efficiency that should not be displaced.

What I would say is that we have the Helen Hunley pavilion that houses forensics. Before you make any decisions with regards to the active treatment and rehabilitation, let's take into account the forensic services in the province of Alberta. We know we get an asset from the Yukon and to a lesser degree Northwest Territories for psychiatric care and for forensic services. So if you're looking at efficiency and effectiveness, please, public works, and please, Alberta Health and Justice, get together and make sure we make the right decisions.

Now, moving on to the young offenders area, I get increasingly concerned. I'd like to know: what capacity was the young offender centre in Edmonton built for, and how many young offenders are presently being housed there? What kind of budget, if any increase, has been made to accommodate what I understand are substantially increased numbers? If we're getting into this level of numbers, whether it be in the Fort correctional system a year from now or two years from now or in our young offenders centre, what kind of problems are we building in the future for our communities? I think that has to be addressed.

Taking it to the next step is policing. If we don't have full involvement, whether it be Edmonton or Calgary or the RCMP, in the planning of a business plan for our correctional services, once again we're not being effective. What we're seeing through the provincial/federal contract with the RCMP is once again an increase. I'd refer you, hon. minister, through the Chair, to the correspondence that you got from one of the communities that I represent, specifically Fort Saskatchewan. I only have two pieces of correspondence, so I don't have the total picture. The one letter is dated February 4. It's addressed to the hon. minister, Mr. Chairman, asking that the hon. minister deal with what was contained in the hon. Mr. Gray's letter regarding the contract between the federal and provincial governments and how we can ensure that we've got some fairness in how it's being charged back to the municipalities. Also on behalf of Strathcona county, particularly the rural portion that I represent, is the concern that both Fort Saskatchewan and Strathcona county have that anything that's a little bit specialized under the RCMP contract is now being charged as a user fee, that it's not covered within the contractual agreements. In other words, if you want to use the police dogs, you're having to pay for them to come out to Strathcona county or the city of Fort Saskatchewan.

I'd like to go one step further, then, looking at the increased costs to municipalities for the RCMP. I'm a great admirer of the Royal Canadian Mounted Police. I think it's one of the finest institutions we have in Canada, and I would loathe to see them not policing my constituency. But I think we've got to get a handle on these ongoing increased costs that are happening through the federal/provincial agreement. So please, Mr. Minister, I'd like to see that addressed.

Another area that is increasingly concerning me since I've gotten more involved in the provincial scene is the lack of appropriate care for our young Albertans who, through no fault of

the family and through no fault of themselves, become part of the social welfare system. I'll use an example. Clinical people are loathe to label young children, and to this day we don't know indeed whether some of the things that we see in young Albertans is psychiatric illness. In later years clinical people will label it, whether it be schizophrenia or manic depressive.

When a parent goes to look for clinical help for these young Albertans, it's not there. I can use one example. A mother is so desperate to get care for her 11-year-old son that she finally goes to the social welfare system. Fortunately she gets assistance, and the child gets a program. But under the legislation it's not governed by the clinical outcome; it's governed as if this child has come from an abusive home. So when the time runs out through the social welfare system, the parent is put in the position that unless they take the child back home and give up that clinical program and move into the next stage of the social welfare system, the parent will have to give up custody. I can't imagine something more horrifying to a parent who's looking for care for their child than to have to be asked to give up custody as if they've been an abusive parent. When you're going through that process, when that child becomes 12, the way our system is set up, that child has to be notified. Now, in one case that I have become aware of, if that child had been served with notice, the result could have been suicide, because this child was threatening suicide.

So once again I would beg the Minister of Justice and the minister of social services – and I have brought it to the ministers' attention – that we get together and make the appropriate amendments within our social welfare system so that parents who desperately need assistance can get that assistance without having to give up custody of their child. Now, this parent could get the care, but the only problem is that they would have to pay for that care. To get that psychiatric help or psychological help, you can be looking at anywhere from \$10,000 to \$15,000, \$20,000. There are very few parents that can afford that kind of expenditure to get clinical help, and yet this child – it's no different than a biological illness – is desperately needing that care. So I would say that we need to quickly change that within our system.

The other – and I've said this in the House before, and I'll continue to say it – is that our mental health system is so lacking for young Albertans that it's tragic. We have to do something about it. It can't just be lip service. I want to say that I was more secure when I spoke to the estimates in the last session about psychiatric care for our adult Albertans, but I don't have that security anymore. I'm not seeing the kinds of community dollars that are needed to ensure that the transitional period between the downsizing in a psychiatric facility takes place. I would suggest that if we're going to use our money effectively, let's get the community programs and the appropriate housing in place. Tell agencies like the Canadian mental health services and others to do the job that needs to be done in the community and gradually get down to where we should be in acute care beds. We're doing it backside foremost.

4:30

I'd suggest also to the minister, Mr. Chairman, that when you're looking at support systems for the psychiatrically ill, so that we don't see the recidivism within our jail system, our correctional system happening, we also have to work closely with Alberta Health through the home care program, Aids to Daily Living, and family and community support services to ensure that through home care and family and community support services the psychiatrically ill can stay out in the community if those effective programs indeed continue to grow. I think there's a real fear with

the way we've moved family and community support services into Municipal Affairs that the priority won't be there for it. I think it would have been more effective, Mr. Minister, if you had used the co-ordination to ensure that it moved into the health/social services area.

With those comments, I would thank you once again, Mr. Minister, and allow my colleagues to bring other points to your attention.

Thank you.

MR. CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I'm pleased to have the opportunity to speak to the Justice budget. I'm particularly pleased in light of the fact that the minister I approach is my neighbour, and he comes with the highest respect, in my eyes, for his sincerity.

I do, however, have a concern when we look at the budget itself and the reduction. From my view and from my angle, all the societal indicators indicate that in fact we will struggle more so in the next few years, and I have difficulty rationalizing in my mind how we can possibly reduce Justice costs when in fact the likelihood of crime and the likes will increase. When I say that, by the Treasurer's own admission he stated in his recently tabled budget speech that in fact job projections would be some 10,000 jobs short. I don't think there's a person in this House that doesn't realize that there's a direct relative link between the unemployment figures, societal stress, and crime.

Presently we have about a 10 percent unemployment rate in the province of Alberta. Today Albertans are struggling more so to maintain a standard of living they have grown accustomed to, and I would suggest that the overriding point here is that we will be running into more stress in the years to come. More stress results in more dysfunctional families, higher crime, higher dropout rates, higher rates of violence, yet the budget itself has been reduced. That reduction, as I indicated, tied to the societal indicators that I see, is somewhat contradictory. Simply reducing the Justice budget does not, in my mind, bring the good behaviour of Albertans to the point where it will permeate one and all and crime itself will be reduced, Mr. Chairman.

I want to start with a couple of general comments and then move into some of the votes in a more specific manner. One of the areas I spoke about last time in Justice estimates and that I would like to touch base on again – I believe it bears repeating – is the documentation which indicates that it is far more fiscally efficient to keep someone in open custody as opposed to closed custody. The figures that are generally acceptable in the field are that it costs about \$9,000 per year to keep a client in open custody in the youth system, and in closed custody that comparable figure is about \$30,000.

Last year the government closed three youth open-custody facilities. I wonder if the minister can show us clearly that a savings resulted from those closures. Further to this question – and I heard the hon. Member for Clover Bar-Fort Saskatchewan allude to this – the Edmonton Young Offender Centre today has about 40 clients waiting for open-custody placements. Not only does this pose a strain on the EYOC, but if we were to apply that \$9,000 figure that I identified earlier and weigh that against the \$30,000 closed-custody cost, my math tells me that in fact it will cost the Alberta taxpayers approximately an extra \$800,000 per year if we were to keep those 40 young offenders in the Edmonton Young Offender Centre for that year. I would ask the minister how we intend to achieve that savings that I've identified if my figures are correct. I think the hon. minister would also

realize that open custody gives those that are incarcerated a far greater chance of integrating back into the community. It ensures that they can continue to receive their education, treatments for any addictions they might have, psychological or psychiatric care. Successful integration back into the system realizes millions of dollars in long-term savings. So the figure identified earlier, the \$800,000 or thereabouts, I would suggest has a much larger long-term savings factor associated with it.

I'll move over to a couple of votes at this point, and again it pertains more to the young offenders or the youth factor of the province. When we look at vote 2.2.5, the family and the youth court operations, in Calgary and in Edmonton family and youth court costs have diminished according to those. This in my view means that in fact we will have a lengthier time between the charges laid and the actual sentencing. That delay will cause a loss of link between crime and accountability, in my mind. I understand the hon. minister did indicate there was a move afoot to amalgamate or I guess centralize court dates in hope of achieving more efficiency and running through court cases on a more efficient basis. I certainly hope that the hon. minister is correct in those assumptions. I know there are lengthy delays today, and I know we are all entitled to a very fair and expeditious trial in this country. I wonder if the hon. minister has a contingency plan in place to ensure that the expeditious trial aspect is captured or retained if the proposal to centralize the court sittings is not successful.

I would like to pursue a line that was addressed by Calgary-Buffalo, and the hon. minister himself addressed it. That was the community-based justice system, such as the youth justice committees that have been in place for some time in Alberta now. Has this alternative to the court system been successful? When I looked at the three-year plans and I heard the hon. minister indicate there was an intention to expand those programs, I would compliment him for that. Have they proven to be cost-effective, and have they reduced the court backlog we presently deal with?

Before I move on to a different level, I'd just like to leave the young offenders area with a plea to the hon. minister not to sacrifice such programs as the tough-on-crime preventative campaign that the John Howard Society has undertaken. I would like to offer a plea that we look very seriously at ensuring that the ongoing education and preventative aspect of the young offenders program remains intact or is pursued aggressively.

I want to stop at the municipal police assistance grant for a brief discussion there. I will use the city of Leduc as a case in point. By 1996 the city of Leduc will lose approximately \$58,000 in municipal police assistance grants, and in light of the limited avenues that municipal governments have to raise funds, I wonder if the hon. minister could offer some suggestions as to how the city will raise those funds. I would follow that with a question as to whether the minister would permit the city of Leduc to access some of the increased court costs that are to be levied. I would ask the hon. minister if his department, in looking at these police costs, explored the levying of policing costs to the rural areas. Now having said that, I recall that the hon. minister indicated we were going to look at provincial policing for the rural areas. I would ask him to expound upon the implementation or the reality of that happening. If it does come to be, who would bear the cost? Would that provide some relief to the municipalities that are now labouring under the added cost that they will have to bear? Just as a matter of interest, in the city of Leduc that loss or reduction would add at least \$10 to every residential property tax bill in the city.

4:40

I want to move over to some votes in a more specific way. Under court operations – I will use the northern region specifically – I look at the Wetaskiwin example, where court costs come down, and High Prairie, where court costs or, more correctly, court operation costs are reduced. There are many that are. I look at the city of Leduc, where court costs are actually increasing about \$60,000. I wonder if the minister could offer explanation or whether he is aware that Leduc is in for a crime wave that in fact we do not yet know about.

I want to spend a minute on the maintenance enforcement program. I was encouraged by the hon. minister's comments in regards to beefing up the collection enforcement and adding in that area. We undertook this discussion a couple of days ago about some other models that are in existence in Canada and other countries that have proven to be very successful in recovering costs associated with it. I would ask the hon. minister if there is a thought or an intention to not only attempt to improve the existing system that is presently in place in Alberta, but if in fact we would not pursue some of the models that have proven to be so effective in Ontario and Australia and maybe look at a bit of an amalgamation of several of those programs.

Moving over to vote 8, correctional services, I notice that the Edmonton Young Offender Centre receives a reduction of about \$150,000. I identified the fact that there are 40 open-custody cases waiting for placement in that facility. I'm aware that the facility presently is at its maximum. I look at that and compare it to the Calgary Young Offender Centre, where the reduction is \$32,000. I would ask the minister if he could explain those large differences.

Moving over to vote 9. In light of the fact that we have closed two facilities in the province, Grande Cache being one of the more remote ones, I'm looking at the reduction of costs associated with prisoner transportation. Initially, on the surface it does not appear – the relativity should be there as far as the reduction is concerned. I wonder if the minister would revisit that to find out if in fact I'm overlooking something or that he's not overlooking something.

In closing, I will relate back to my opening comments, the societal indicators that I see, some of the issues that the hon. minister identified, such as in his presentation indicating there would be more charges laid in cases of wife abuse and imprisonment resulting from those. I think this week we have seen our first conviction as far as the stalking Bill is concerned. Those further, I would suggest, substantiate my claim that we will be into an increased need for more justice dollars as opposed to less. There were some innovative ideas put forth by the hon. minister. I wish I could offer the utmost of confidence that they will all be captured and that we can operate the system for less. Unfortunately, I don't think that would be the case.

So with those thoughts and those questions I will close, Mr. Chairman, and I await the hon. minister's answers to those questions.

MR. CHAIRMAN: Calgary-Buffalo.

MR. DICKSON: Thank you very much, Mr. Chairman. Following where we left off before, we talked about the question of service of writs and seizures and so on. What I'm curious on is whether the department has done an estimate as to what the cost to the government will be of hiring somebody else if we lose the bailiff service. What's going to be the cost to serve family court summons, matters under the Maintenance Enforcement Act, and

Alberta social services documents? I presume it has been costed out, and I'd like that information.

Moving on from that, electronic monitoring has been referred to by the minister. I'd like to know if that's going to be restricted to those people currently in Belmont or whether it's going to be more pervasive throughout the system. I want to know: when Belmont closes, where will the people go who currently serve intermittent sentences and serve them at Belmont? With respect to Grande Cache I want to ask the minister: what discussions have taken place with the federal government? My understanding had been that over a year ago there had been an overture from the province of Alberta to the federal government to have the federal correctional service take over Grande Cache. That proposal was declined, and I want to be clear in terms of whether there has been some further interest by the federal government or whether this is in fact simply something that the government is putting out unfairly to raise expectations on the part of those people who are dependent on this in Grande Cache.

With respect to the privatization of jails, Mr. Minister, I have to say that we can call it outsource correctional centre service, but what I want to know: what are the values and the criteria that are going to be applied in terms of privatizing a correctional institution? It's one of the reasons why I think Bill 205, the Information on Privatization Act, is important. It sets out a number of criteria that the government will have to have, against which we can measure these proposals.

I'd like to know why there is still \$2.2 million in the 1994-95 operating costs in terms of Belmont. Given the fact that Belmont is slated for early closure, why the amount of money that's set aside in that area?

Now, with respect to conditional release, the minister had been asked a question by the Member for Edmonton-Glenora on September 20 about what the impact was on caseloads of probation officers. The response at that time was that there had been a restructuring of probation services to deal with increased caseloads. Now, that was before the closure of the two institutions that are now part of this plan. So then I want to come back and ask the minister: surely there will be some impact on caseloads now as a result of these two institutions closing. I'd like his advice on that.

Mr. Chairman, I understand that there's a move afoot to combine crimes compensation and the victim surcharge program, to consolidate those two funds. I'm concerned about that. Firstly, I guess I'm asking the minister to confirm or deny that information I've received. Secondly, I need some assurance that if in fact this is the case, that there'll be a combining of those two funds – the crimes compensation fund of course represents moneys from general revenue. The victim surcharge program in fact is money collected from accused persons. I want to make sure that the province isn't attempting to get out of its responsibility to the victims of crime and pass that entire matter on to the victim surcharge program, so I need that kind of assurance from the minister.

It was September of 1993 when court fees doubled, and I want to know what tracking is being done by the minister and his department to determine to what extent, if any, that has curtailed access of Albertans to the courts.

4:50

I'm concerned that it looks like there's to be a reduction of one judge in family and youth court in the Calgary judicial district. Well, if there is any provincial court in this province that frankly is having trouble coping with the caseload right now, it's the Calgary family and youth court. There may be some possibility

of movement in the criminal side, but I want to get some assurance from the minister that we're not going to be cutting back in terms of judges, because this looks to be approximately the salary of a judge. I want to make sure we're not cutting back and reducing, even by one, a family and youth court judge in Calgary.

In Edmonton on the civil side there's a reduction of \$267,000, and I want to know how that is going to impact on access to small claims court in that jurisdiction.

I want to ask the minister with respect to the three-year plan, page 8, and the declaration that there'll be a "prioritization of legal work." Is this to minimize the cost of legal services? Are we to take it from that, Mr. Minister, that you don't currently and have not in the past prioritized legal work?

I'd like a progress report on the pilot project in terms of youth courts in Edmonton and Calgary, which have now been operating for a number of months. I want to know if the government has some intention of expanding that in other centres.

I want to know whether the Auditor General's report and the concerns raised by the Auditor General, firstly in terms of computer systems, have been addressed and how. I want to know whether the concerns that the Auditor General found in his report dealing with the motor vehicle accident claims fund have been addressed.

The other matter is the Public Trustee office. We're looking at a reduction in 5.0.1 of \$425,000. This is going to be a major cut to this office. Mr. Minister, through the Chairman: is there going to be an appointment of a Public Trustee or a continuation of the acting Public Trustee?

In terms of the Crimes Compensation Board, has there been consideration given to expanding the mandate so that in terms of seeking general damages, compensation for pain and suffering, it's not restricted, Mr. Minister, only to those people involved in – not just police officers, but anyone else? I guess the other thing is that there are vacancies on the Crimes Compensation Board. When are those vacancies going to be filled? What criteria are you going to use to fill them?

There is still a concern with respect to custody facilities for females. There's no closed-custody facility for females. I want to know from the minister what the plans are in terms of dealing with that.

The Nordegg centre for young offenders does not appear in the detailed estimates, and I want to know what the status is of the Nordegg centre.

There are some other questions that I have. When I sit down, I don't want the minister to think I've exhausted my inquiries, but I know there are some other members that wish to speak.

Thank you very much.

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

MR. COLLINGWOOD: Thank you, Mr. Chairman. Just a few comments this afternoon, and then I'll certainly give the minister ample opportunity to respond to comments and questions raised by members in these estimates.

First of all, Mr. Chairman, congratulations to the minister for having the responsibility for this very important portfolio and for taking on what is surely one of the most difficult jobs in cabinet at this point.

There have been some criticisms presented this afternoon on the business plan and some of the deficiencies with the business plan. Perhaps to take just a bit of a different tack on this, I can understand why there are problems with the business plan: because it goes back to and it reinforces that governments aren't businesses. I can understand why in a portfolio such as Justice a

business plan just doesn't work. We are dealing with issues that affect human lives; we're not dealing with issues that just affect dollar bills. We all recognize the need for fiscal responsibility, and we also recognize the balancing act that has to take place between what affects people's lives and the dollars that are available to assist those individuals.

It strikes me, Mr. Chairman, that what we have is a situation where the minister is attempting in his business plan to solve problems and is probably well aware that what in fact is happening with a number of the initiatives that he has to take is that he's creating more problems than he's solving. I look at some of the initiatives that have been undertaken, and I see them very clearly as compromises. Closing or privatizing jails, moving to a house-arrest system: I don't think there's any question it's going to create more problems than it's going to solve, and I think it's a compromise.

Closing courts. Yes, it's a rationalization of the court system. I appreciate the minister's comments that he will stay in touch with MLAs who will be affected within their constituencies. I appreciate that. Sherwood Park and Fort Saskatchewan within the county of Strathcona are within the northern region, and I hope the minister will in fact stay in touch with us if indeed those are affected by his rationalization. The concern, Mr. Chairman, is that if Albertans are going to be forced to go any distance to be part of the administration of justice, if they lose contact with the administration of justice, they're going to lose respect for the system as well. I think another hon. member did allude to the point that if you can't get to a court date and there's a bench warrant issued, how much have we actually saved in the system?

I'm very concerned that the minister is talking about reducing funding for legal aid. I think the minister would probably agree that within our democratic society that is probably the most fundamental aspect of a society that is free and democratic. I know there are not endless resources. I know it's difficult to confine legal aid to a business plan, but as the hon. Member for Leduc said: legal aid is in a crisis. To suggest that funding will be reduced is, in my estimation, contrary to everything that's being said about funding legal aid.

I also want to just mention to the minister that in terms of policing we have now seen the first step having been taken with the elimination of the municipal assistance grants to police. Of course, that doesn't affect my particular constituency in Sherwood Park, which is still under contract with the RCMP, but obviously there's some concern that policing services will be restricted for communities such as Sherwood Park and the county of Strathcona. I expect, Mr. Chairman, that there is probably some overlap right now between the constables and the service which is to be providing that service to the rural county of Strathcona and in fact probably having to find some time and resources to be policing Sherwood Park. Our community does have a very serious concern about – well, there's always lots of talk about things like youth gangs and so on, but there's a very apparent perception in the community that policing and safety is vitally important to them. I would really hate to see funding with the RCMP, or any changes to that, drastically affected. I hope again the minister will stay in touch with us and keep us informed about that.

The last point I want to make, Mr. Chairman, is in relation to the motor vehicle accident fund. The Member for Calgary-Buffalo did mention it just briefly. The reason I want to talk about it is that I have a constituent who has just had no end of trouble dealing with the fund. We did make contact. Of course, it is difficult when it's a sub judice situation. We don't want to interfere in those situations, but I would ask the minister if he would take some time to come back to us with why it can be a

very slow response time, why there seems to be so many difficulties with the motor vehicle accident fund, how we can help people get through the system better, who through no fault of their own find themselves having to deal with the fund. And can the minister provide some specific information on policy or legislation that's going to help streamline that process and make it a better situation for people who find they have to deal with the fund? People who have to deal with that fund, Mr. Chairman, are injured Albertans, and it's no picnic and it's no fun for them to have to do it. Let's see if we can find a better way to deal with that.

Those are my comments. Thank you.

5:00

MR. CHAIRMAN: The hon. Minister of Justice.

MR. ROSTAD: Mr. Chairman, thank you for the opportunity to respond to some of the questions on a kind of hit-and-miss basis. As I mentioned, we will provide written answers for any that I don't get to quickly.

The hon. Member for Calgary-Buffalo has raised the issue of provincial court judge appointments and the vacancies that exist on the Judicial Council. The two vacancies on the Judicial Council – and I accept the comments in the sense of the type of people that should be appointed as lay members on that, the qualities they should have because they are the nonlawyer perspective. Those are, as I mentioned the other day in question period, under way and should in very short order be before us.

The CBA report does in fact, I think, apply to provincial court as well as federal court appointments. As I mentioned, other than the issue that I do not agree with, the fact that because a person has been a politician – why that should be a prejudice to them in the sense that have to stand aside for two years is beyond me if they are qualified in every other way and are an exemplary candidate. In fact, when my former colleague Dick Fowler was recently appointed, he went to the commissioner and said that there is no way that kind of a position would be prejudiced because he had served as Attorney General or in any other capacity in the government under our Conflicts of Interest Act. Aside from that, I cannot see, other than maybe the imputed thing, that we're favouring somebody because it happens to be a colleague that is selected.

I prefaced my comments on the basis that the person that would be selected is as good as, if not better than, anybody else that's in the pot. Everybody that sits in this Assembly – it doesn't matter on which side – has a tremendous experience and contact with society that no one else has the opportunity or the privilege to obtain without in fact being here. I think that brings something to the courts that perhaps is lacking by somebody who has sat as a practitioner within the cloistered area of law and then wants to go out and say that they're really aware of what's going on in the community. I frankly think that people from this milieu bring more to the court than the others.

In terms of Queen's Counsel appointments, frankly this is the first representation requesting the amendment from 1984 be repealed. I'll take that under consideration. I will share that the CBA and the Law Society have made representations that we should change our system of selection of appointees, nominees for Queen's Counsel. I have committed to sitting down with them and formulating a different selection. It will always be within the hands of the government to in fact make the appointment, but the process we go through for selection is under consideration.

Everybody, I think, that spoke brought up the issue of the business plans. I think the Treasurer, the Premier, and I certainly will say that the business plan – and I can speak for my department and no one else's – is not perfect. This is a first for

absolutely any government. We've tried to lay out where we're going, what kind of measures we'll use, what our objectives are on a three-year basis. I'm the first to stand up and say that if I had another six months or another year, I would produce a different business plan than I have got before us. This is going to be an evolving process where one year drops off and another year goes on to a business plan. I think – and again I speak for my department, not others – that you will see a transformation in our business plan that will perhaps be more informative and more inclusive than this one is. So I appreciate the representations in that respect. We didn't think by any means that it was perfect.

With respect to the baby boy M issue, although I'm aware of the general thrust of that case, we will certainly consult with Family and Social Services to find out where that is going.

We've also had mentioned from numerous members mental health services in terms of the forensic unit in the Calgary General hospital and most certainly Alberta Hospital Edmonton. Without a doubt this is one of the more serious issues, not only in the sense of forensic. We had representations at a standing policy committee the other night, public presentations, by two gentlemen from the Schizophrenia Society who I thought put a case forward that we have to look at, ways that we can treat mental health in mental health facilities and under treatment programs rather than having them put into prison, where perhaps we should augment our treatment. Their behaviour is more criminalized than it is recognized as a mental health problem. I think as a government we definitely need to co-ordinate our services, whether it's through Health, Justice, or Family and Social Services. My commitment is to work towards that type of facility.

Specifically on the Calgary General hospital, that unit is there. We think it should maintain itself there. Perhaps there are things we can change in sense of the program. But I have to work with the Minister of Health in the sense of what the plan is, because I frankly don't know, although the minister is not directing the rationalization of health care in Calgary. That's being done by the Calgary planning board. It's an item that has to be focused and brought to the fore.

Youth justice committees were mentioned by a number of people. I don't have the stats right off my head as to how many are approved or pending. I'll provide that. That's easily obtainable. There is an information kit that we do send out, and I can't again answer as to whether we've sent it out to every municipal police force. I will ensure that we do after this. But I do know that we do send it to anybody in a community that has indicated any interest in this kind of program. It's a voluntary program, and it's got to be a community program. Although the police force can certainly be instrumental in getting one started, we have found in the past that it's actually the judiciary that has been more involved in lighting a spark in the community to get it going than the actual police force. We will undertake to look that up.

In terms of the bailiffs and the privatization of the sheriff's office, this is something that is being looked at and studied in depth to forestall the potential problems that the hon. Member for Calgary-Buffalo has mentioned. We are hoping to bring forward this session a Bill under which this provision – and it's not just specifically taking the sheriffs and privatizing them. It is part of a much larger Bill that will change the procedures there, which I think will allay some of your fears as to how and why they may be. I don't want to sound anticipatory, but we hope to have it come forward.

5:10

I might switch to the hon. Member for Edmonton-Glenora and some of his questions. The first one relates to policing: how does a 50 percent cut relate to a 5.8 percent cut? There is

definitely over the three years a 50 percent cut in the municipal police grants, but the effect of that 50 percent cut over the three years will be at a maximum for any municipal police force 5.8 percent of their total policing budget. In this particular budget year that we're addressing right now, the maximum will be 1.6 percent of the total police budget that is affected by the grant reduction.

Now, by no means do I think that every municipality is going to be standing up and clapping and saying, "Oh, we can easily absorb that." But I do think that any police force that is alert, creative has the ability to change the way they're structured, to change the way they're operating and in fact institute other ways of raising money. I'm not saying, to use the piece that was in the paper recently in terms of the fire department and the use of jaws of life, that they'd put a user fee on anything like that, but there are certain things that perhaps people should be charged for. As an example, the chief from Edmonton says that perhaps people who have private security on their house and a policeman has to go out there – if in fact there's been a break-in, there shouldn't be a user fee. That's what police are for. But if in fact it's a false alarm, why shouldn't somebody pay for it if their system has been faulty? That's one way.

I don't want to set up as a precedent that the police could come back and say, "Hey, I told them so," but the Edmonton Police Service through the use of the multinova camera this year got \$1 million-plus in brand new revenue that can be used for things. I give the Edmonton Police Service and particularly retired superintendent Chris Braiden absolute full marks for design of community policing. Whether it's the Minister of Family and Social Services that's causing the crime to go down or whether in fact it's the community policing – I don't know who should get the credit, but I certainly know that the community policing model is having a significant effect.

With that, Mr. Chairman, I'd move that the committee rise and report.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

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

MR. CLEGG: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions of the

Department of Justice, reports progress thereon, and requests leave to sit again.

Mr. Speaker, I wish to file copies of the motion passed by the Committee of Supply this day.

MR. DEPUTY SPEAKER: Does the committee concur in this report?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? Carried.

I must now interrupt the members. Under Standing Order 19(1)(c), I must now put the question on the motion for consideration of His Honour the Lieutenant Governor's speech as moved by the hon. Member for Peace River and seconded by the hon. Member for Taber-Warner.

head: **Consideration of His Honour
the Lieutenant Governor's Speech**

Moved by Mr. Friedel:

That an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows:

To His Honour the Honourable Gordon Towers, Lieutenant Governor of the province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Motion carried]

head: **Government Motions**

Address in Reply to Throne Speech

14. Moved by Mr. Day on behalf of Mr. Klein:

Be it resolved that the address in reply to the Speech from the Throne be engrossed and presented to His Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

[Motion carried]

[At 5:17 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

