

Legislative Assembly of Alberta

Title: **Wednesday, March 23, 1994**

1:30 p.m.

Date: 94/03/23

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Our Father, we thank You for Your abundant blessings to our province and ourselves.

We ask You to ensure to us Your guidance and the will to follow it.

Amen.

head: **Presenting Petitions**

MR. SPEAKER: The hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. I beg leave to present a petition from 72 Albertans urging "the Government not to alter the level of support for . . . benefits for Alberta's seniors."

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

DR. NICOL: Thanks, Mr. Speaker. I'd like to present a petition from 250 people in Lethbridge that are concerned about the equity that's coming about because of the cuts in the budget. The concern that they have is that this is going to cause problems for disadvantaged people of Alberta.

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

MR. HENRY: Thank you, Mr. Speaker. I would beg your leave to introduce a petition today signed by 122 residents of Calgary, primarily southwest Calgary, urging the government to put a moratorium on the planned restructuring of the education system.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I recently attended a meeting where 30 petitioners signed a petition expressing concern about the government's plan to restructure the educational system in Alberta. These signatures are from all around the city of Calgary.

head: **Reading and Receiving Petitions**

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

DR. MASSEY: Thank you, Mr. Speaker. I ask that the petition I presented on March 9 requesting that the Grey Nuns remain an active treatment hospital now be read and received.

CLERK:

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-Centre.

MR. HENRY: Thank you very much, Mr. Speaker. I would ask that the petition I presented on March 10 on behalf of residents of Ansgar Villa in my constituency calling for the stopping of any commercialization of seniors' residences be now read and received.

CLERK:

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

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, in keeping with this government's commitment to file in the Assembly and file with the public documents associated with government agreements, especially with the private sector, I am filing with the Assembly today four copies of complete sets of documents arising from the sale of assets from Gainers Inc. and Gainers Properties Inc. to Pride of Alberta Meat Processors Company. This is one copy of the material. The remaining three copies are in the office of the Clerk of the Assembly.

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

DR. L. TAYLOR: Thank you, Mr. Speaker. I'd like to file copies of four reports. One is the Alberta Research Council biotechnology review. One is a letter from the Ethics Commissioner and his recommendations. One is the policy and operational manual of the Alberta Research Council. The final one is the corporate safety requirements of the Alberta Research Council.

MR. SPEAKER: Hon. members, I'm tabling with the Assembly the Auditor General's report related to Gainers. A copy of the report was distributed to Members of the Legislative Assembly earlier today.

head: **Introduction of Guests**

MR. SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to the House a lady that plays a very important part in my life: Sharon Bilan, the manager of my constituency office. She calls herself fondly my gofer. I'd ask Sharon to rise and receive the warm welcome of this House.

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

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very honoured this afternoon to introduce to you and through you to the members of the Legislature a very hardworking pair of gentlemen. Mr. Richard Arcand was a founding executive director of the Yellowhead Tribal Council until recently. He held that for a good number of years. He is currently the special projects co-ordinator for Alexander First Nation. He is accompanied by his special assistant Herb Arcand. I'd ask the two of them to rise and receive the warm welcome of the Assembly.

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

MRS. FORSYTH: Thank you, Mr. Speaker. I would like to introduce to you and through you Les Nagy. Les is a university student in Edmonton taking economics and math, and he also works part-time. Les is a strong supporter of ours and believes that we aren't cutting enough. I'll ask Les to stand and receive the warm welcome from the House.

MR. SPEAKER: The hon. Member for Edmonton-Highlands-Beverly.

MS HANSON: Thank you, Mr. Speaker. I take great pleasure in introducing to you and through you to the members of the House 15 students from Sacred Heart school in the inner city in my constituency. They are taking the English as a Second Language program, and they come from 10 different countries. They're accompanied by their teacher Miss Orleen Pearson. Would you please rise and receive the warm welcome of the Assembly.

MR. KIRKLAND: Mr. Speaker, it's my pleasure this afternoon to introduce to you and through you to the members of the Legislature two very bright grade 6 classes from Caledonia Park school in the lovely city of Leduc. They're accompanied this afternoon by their teachers Mr. Murugan and Mrs. Foley. We have four helpers with the students this afternoon: Mr. Carter, Mrs. McKendry, Mrs. Barker, and Mrs. Boudreau. They were safely delivered here by their bus driver, Lynn Ohlmann. I would ask all of the Assembly to give them a very warm welcome this afternoon.

head:

Oral Question Period

Gainers Inc.

MR. DECORE: Mr. Speaker, in 1989 the Liberal opposition demanded an inquiry into Gainers. In 1993 the Liberal opposition demanded such an inquiry, and the Premier was agreeable, albeit kicking and screaming, to allowing such an inquiry to take place. Now the Auditor General has uncovered yet one more horror story for Alberta taxpayers. Mr. Premier, why did you say to Albertans that the loss on Gainers would be \$172 million when you knew, when you always knew that the loss was \$209 million or more?

MR. KLEIN: Well, Mr. Speaker, this is a very deliberate attempt to completely distort the facts. We have no disagreement whatsoever with the Auditor General about the numbers. The difference is primarily in the presentation. On November 18 of 1983 a note was attached to the table outlining the cost to Gainers operations. It clearly identified the \$32.4 million in interest. As a matter of fact – and I want to make this abundantly clear – that \$32.4 million was recorded the way it was on the advice then of the Auditor General. The Auditor General is now saying that it should have been reported differently, and in future . . .

1:40

MR. CHADI: Blame it on him.

MR. KLEIN: No. No. Mr. Speaker, this is quite the truth. This is the truth, and it can be documented.

MR. DALLA-LONGA: Misrepresentation.

MR. KLEIN: There is no misrepresentation here, Mr. Speaker. The \$32.4 million has been recorded and has been accounted for. The Auditor General now is saying that it should have been accounted for differently, although at that time he did participate with the Treasury Department in preparing the table which was deemed to be appropriate at that particular time.

MR. DECORE: Mr. Speaker, these are the same tricks that the Getty government used to play around with.

Mr. Premier, the Treasurer promised that there would be no more what he called booga-booga accounting. Why have you allowed booga-booga accounting to come out in this way?

MR. KLEIN: Mr. Speaker, there is a fundamental point here, a fundamental point of openness and honesty. I would like to quote. I would like to remind the hon. leader of the Liberal opposition that it was me on behalf of Executive Council who asked the Auditor General to provide precisely this kind of an accounting so that we could reveal to the public for all time the state of affairs relative to Gainers. They don't like it because it represents openness and it represents honesty, things that they've failed to come to grips with.

MR. DECORE: Mr. Premier, why don't you just admit and confess to Albertans that you didn't give them the facts? You knew four months ago that there was \$37 million more that would cost Alberta taxpayers. Why didn't you tell them the truth?

MR. KLEIN: Well, I would challenge the hon. member outside of this House to say that we lied, Mr. Speaker, because the \$32.4 million, which has been adjusted slightly upward to \$35 million . . . [interjections] Let them laugh like fools. You know, they're laughing like fools. It was openly and honestly recorded. It was there in all public documents for the public to see.

MR. DECORE: That's just like Don Getty: a little hiding here, a little hiding there.

When the Premier instructed the Auditor General to investigate Gainers, he tied the Auditor General's hands. Instead of allowing the Auditor General to look at everything that was going on at Gainers, he limited the investigation. The Auditor General's report calls on the Premier and his cabinet to take responsibility to release all other information about Gainers that the Auditor was prevented from looking at. Mr. Premier, you're showing that you're so magnanimous in allowing this investigation to go on. Why did you tie the Auditor General's hands?

MR. KLEIN: Well, first, Mr. Speaker, the hon. leader of the Liberal Party says that we're hiding things and that we're operating in secrecy. Then he acknowledges that we asked the Auditor General to look into these matters. We have a full and complete report relative to the operations of Gainers. There were some things, obviously, that the Auditor General could not go into because these things are all before the courts. There are nine separate actions now before the courts. If these people want to get the facts relative to these court actions, maybe they can spend their time in the courtroom and listen to the evidence as it comes out publicly. Much better them spending their time there than here. I'll tell you why. Because the time they're spending here is really quite useless.

MR. DECORE: Mr. Premier, it says in this report that you must release the rest of the information. Are you prepared to give Albertans the whole story on Gainers?

MR. KLEIN: Mr. Speaker, the whole story minus the evidence that will come out in court is all there. The documents were just tabled by the Provincial Treasurer. Maybe they can use that very generous research allowance that we gave the Liberals to start to pore through those documents. The whole story is there. The rest of the story will come out through the nine individual court actions that I mentioned.

MR. DECORE: Mr. Premier, the document says that you should release the information. Why are you hiding that information from Albertans? Why?

MR. KLEIN: Mr. Speaker, the Provincial Treasurer just filed about 10 pounds worth of information. It's all there for public consumption. I'm saying that it's now up to the Liberals to use that very generous research budget we gave them to go over it.

MR. CHADI: Mr. Speaker, the Auditor General's report makes reference to Executive Council, of which you were part, Mr. Premier, receiving in 1990 an internal report estimating taxpayers' exposure to losses in Gainers at \$143 million. The Premier knew back then that Gainers was hemorrhaging in red ink and did nothing. Now I'm going to table four copies of business plans dated March 1993 relating to an offer by Fletcher's to purchase Gainers for \$55 million. My question's to the Premier now. Mr. Premier, why did you ignore the Fletcher's offer when you knew Gainers was losing big money?

MR. KLEIN: Well, first of all, I think that there should be some clarification, and it's clearly in the Auditor General's report. It says:

It should be noted that as early as January 1990, in an internal report prepared for the members of the Executive Council responsible for monitoring the Province's involvement with Gainers, it was estimated [then] that the Province's exposure to loss was \$143 million.

Quite simply, it was the opinion, Mr. Speaker, of the government of the day that we would keep that plant open to keep people employed and to provide an opportunity for hog and cattle producing in northern Alberta.

MR. N. TAYLOR: Ralph, it's not a cattle plant.

MR. SPEAKER: Order. Hon. Member for Redwater, the Member for Edmonton-Roper has the floor. You do not.

The hon. Member for Edmonton-Roper. Supplemental question.

MR. CHADI: Thank you, Mr. Speaker. This has turned into a \$209 million nightmare. My question to the Premier is this: why didn't you accept this offer knowing that Fletcher's would invest a further \$65 million in new facilities? It was a good offer, and you knew it. Why didn't you do it?

MR. KLEIN: Well, Mr. Speaker, I can honestly say that I wasn't privy to that offer.

1:50

MR. CHADI: What a shame, Mr. Speaker. They paid \$22 million to take it away.

Mr. Speaker, my question to the Premier once again: why did you suck a further \$9 million out of taxpayers' pockets in March of 1993 when there were other offers on the table, and you knew of them?

MR. KLEIN: The hon. member is absolutely right, Mr. Speaker. We wanted to sustain the plant to consider - at that time I think there were about five different offers. I would like to remind the hon. member that while we were keeping people employed, while we were keeping that plant open to export hogs, especially to Japan, and while we were trying to sustain a vital part of the Edmonton economy, that member was out there saying: close the plant down, and throw the people out of work.

AN HON. MEMBER: You're lying. [interjections]

MR. SPEAKER: The hon. Member for Calgary-Varsity. [interjections] Order.

English as a Second Language Programs

MR. SMITH: Mr. Speaker, I can hardly hear you way back here. The government has demonstrated a commitment to providing a clear direction in priority to the teaching of English as a Second Language. Can the Minister of Education tell this House what funding will go directly to ESL education in Calgary and how it differs from 1993-94 levels?

MR. JONSON: Mr. Speaker, as I recall, the funding designated for English as a Second Language in Calgary this year would be about \$2.5 million for the public system, and I would have to look up the Catholic system's amount. That figure represents a 5 percent reduction from 1993-94, the current year. I was speaking initially about the 1994-95 school year.

MR. SPEAKER: Supplemental question.

MR. SMITH: Thank you, Mr. Speaker. The preliminary reduction overview of the Calgary public school board proposed budget indicated a reduction of \$4 million in ESL funding. Can the school board redirect provincial funds earmarked for ESL funding?

MR. JONSON: Mr. Speaker, since the funding that is provided provincially is under a federal/provincial agreement, the requirement is certainly there that the program be offered to new Canadians, the students of new Canadians, now referring to the parents. That assurance has to be there. The funds have to be accounted for at the end of the year, and if there was any problem, there would be follow-up taken. In terms of the provincial grants provided for English as a Second Language, we have to date not had any problem with being able to determine that the programs were delivered.

MR. SPEAKER: Final supplemental.

MR. SMITH: Thank you, Mr. Speaker. Will the Calgary public school board have any flexibility in directing enhanced opportunity funding to English as a Second Language training in special-needs schools?

MR. JONSON: I think, Mr. Speaker, the hon. member may be referring to our new proposed enhanced opportunity grant now being planned and put into place, which is directed at the specific needs of inner-city schools, and I'm using inner city in the generic sense. In the criteria for identifying . . .

MR. HENRY: Halvar, immigrants live anywhere, not just in the inner city.

MR. JONSON: I would ask the hon. member across the way, Mr. Speaker, to look up the term "generic." I realize that the schools may be in east or west Calgary rather than in the centre of Calgary, but we do have in education a term that now has been developed for inner-city type needs. Since the hon. member interrupted.

In any case, Mr. Speaker, a high number of students in a particular school's attendance area needing English as a Second

Language is certainly one of the top criterion for determining where grants of this type might be directed.

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

Gainers Inc.
(continued)

DR. PERCY: Thank you, Mr. Speaker. There are likely more losses to follow the \$209 million set out in the Auditor General's report. The province remains liable for the costs of the nine outstanding lawsuits and their potential liabilities. Also, the province remains on the hook for the environmental cleanup costs of the Edmonton Gainers plant. My question to the Premier: did the Premier undertake an environmental assessment of the Gainers site, or was the \$4 million plus cost of the environmental cleanup just pulled out of a hat?

MR. KLEIN: Mr. Speaker, no. No formal environmental assessment to my knowledge has taken place relative to the Gainers site, but certainly we know that some environmental mitigation will have to take place to restore that site. We really won't know the extent to which that environmental mitigation will take place until after and if the plant is ever closed. You must remember that the plant is still operating. It's being operated by Burns Foods at this particular time, and hopefully that operation will continue for many, many years to come.

MR. SPEAKER: Supplemental question.

DR. PERCY: Thank you, Mr. Speaker. Mr. Treasurer, when Burns walks away from at least \$49 million in tax loss carry-forwards, doesn't that tell you that there's a big price tag to come down the road in losses, environmental cleanup?

MR. DINNING: No, Mr. Speaker. That doesn't tell me that at all. What this agreement tells me is that 1,200 Edmontonians are working today. They're working for Gainers, which is owned by Burns Foods. The members across the way forget the fact that the government was faced with one decision: we could have gone with the bankruptcy, or we could have gone with Burns. We chose because it was right for Edmonton, it was right for Gainers employees, it was right for northern Albertans who produce hogs and at that time cattle to make sure that the Burns option was the one that we chose. If Burns chooses to exit the Gainers plant, then at that time that environmental cleanup will occur. The valuable real estate on which that plant now sits will be sold, and frankly we believe that the taxpayers will come out even.

DR. PERCY: It leaves a lot in the absence of an assessment.

My question is to the Premier. Since the government hid in a footnote the \$35 million in interest costs, on what basis did you come up with the \$4 million in cleanup costs and the estimate of no legal costs and no exposure in the lawsuits that are out there to say that \$209 million is the bottom line?

MR. KLEIN: We have given an open and honest accounting of the Gainers situation to date. I would suggest, Mr. Speaker, that if we had anything to hide, I wouldn't on behalf of Executive Council order the Auditor General to go into the books. I was not dragged kicking and screaming into this situation. As a matter of fact, this was an election promise, an election promise I gave, which is far more than they ever gave.

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

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. My question today is to the Minister of Education.

SOME HON. MEMBERS: Ask about Gainers. Ask about Gainers.

Speaker's Ruling
Decorum

MR. SPEAKER: Order. Order please. [interjections] Order please. Will the hon. members of the Official Opposition be quiet so the hon. Member for Calgary-Fish Creek can ask a question? It isn't up to the hon. members of the Official Opposition to tell the member what she should be asking about.

MR. BRUSEKER: She needs help.

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

2:00 **Special Education**

MRS. FORSYTH: Thank you, Mr. Speaker. Believe me; I don't need help. It's them.

My question today is to the Minister of Education. Last Friday I visited a high-needs school. The teachers and staff are worried that the special-needs funding will not be reaching the classroom. With the plus \$27 million that we are giving the school boards, how can we ensure that this money will reach the classrooms and get to the children who really need it?

MR. JONSON: Mr. Speaker, the funding for special education is provided from the provincial government in terms of our grants in two categories. The vast bulk of that money goes in the form of a block grant, which is calculated on the basis this year of \$169 per pupil for all pupils, or students, in the system. In addition to that, where there is a concentration of high-needs students, there is an additional grant called a high-incidence grant. That money, which in the case of Calgary public I believe would total about \$17 million, is left to school boards to allocate as they see fit. They are expected, of course, to provide for the needs of special-needs students, but it is a matter of local decision-making as to how they apply that money and assure that it's used as effectively as possible.

MR. SPEAKER: Supplemental question.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. To the Minister of Education again then: as concerns have been raised about the integration of special-needs children into regular classrooms, would the minister outline the government's policy on integration?

MR. JONSON: Mr. Speaker, some months ago after an extensive review the government approved and released a policy on the placement of students with special needs. In that policy, the overriding or main or very important message is that programs for our special-needs students should be appropriate and meet the educational needs of those students. Two parts to it, though, apply to the hon. member's question directly. The first option considered should be that of integration into a regular classroom setting. However, the policy also clearly indicates that where you have particularly high or unique needs and the educational needs of that student are best served by a special classroom setting, then

that is the goal and that is what should be considered to be provided.

MRS. FORSYTH: Then, Mr. Minister, is there some sort of a watchdog committee set up that can monitor that the special-needs funding reaches those who truly need it?

MR. JONSON: Mr. Speaker, no, we do not have any mechanism currently in place which could equate to a, quote, watchdog committee. School boards do report on the expenditures that they incur in the course of operating their system over the budget year. A short time ago – I believe it was about two years ago – we did do a study to see if school boards across the province were spending on special education and providing programs which had costs in proportion to our support being provided. At that particular point in time there was a close correspondence between the expenditure and our evaluation of the programs. That was up to the end of last year. But except for accounting at the end of the year for expenditure of money, this is now basically a matter, as far as the block grants are concerned, of school boards having the autonomy to follow the policy and to develop and provide programs as well as possible.

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

Gainers Inc.
(continued)

MR. GERMAIN: Thank you, Mr. Speaker. The Gainers report reveals that while this company was losing \$20 million a year, the executives, the top executives were paid salaries as high as \$350,000. My question is to the Premier. Mr. Premier, why did you not take steps to reduce these exorbitant salaries while they were occurring?

MR. KLEIN: Well, first of all, Mr. Speaker, I had nothing to do with negotiating those salaries, but in this day and age those salaries, in my mind, would be obscene.

MR. SPEAKER: Supplemental question.

MR. GERMAIN: Thank you, Mr. Speaker. Well, then, will the Premier tell me why he rewarded those obscene salaries with a \$650,000 golden parachute?

MR. KLEIN: Mr. Speaker, again, a good defence is the defence of not being involved in any way, shape, or form in that particular situation. [interjections] Ask the next question.

MR. GERMAIN: Well, all right then. All right then, Mr. Premier. Tell me why you allowed the Provincial Treasurer to pay an interim manager \$40,000 a month to clean the thing up.

MR. KLEIN: Well, Mr. Speaker, first of all, I would like to elaborate on the second answer, and the fact is that I was . . .

MR. DECORE: We're on the third one now.

MR. KLEIN: I know, but there was a comment from one of the noisy 32 over there: where was I? I would like to remind the Legislature that I absented myself from all cabinet activities during the leadership campaign, which began October 1 of 1992, and was effectively not a cabinet minister, had no responsibilities to cabinet, was not being paid as a cabinet minister, and was

absolutely prohibited from taking part in any cabinet or executive committee decisions. [interjections] They don't want to hear the truth, Mr. Speaker.

Now, what was the third question? I'll give it to the Provincial Treasurer.

MR. DINNING: Mr. Speaker, after September 1992, when the services of the former president were severed, Gainers sought the services of Ernst & Young to provide a chief executive officer. They did so in the name of Ian Strang, and as was stated in the material that was made public today, that payment for the period ending September 25, '93, to the company of Ernst & Young to provide the chief executive officer and to support the sale process was a sum of \$416,000. Since then, between September 25 and January 31, an additional sum of \$165,000 was paid to Ernst & Young to help with the sell-off, the sale of Gainers to Burns, and that also included the payment to Mr. Strang as the CEO.

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

Lander Treatment Centre

MR. COUTTS: Thank you very much, Mr. Speaker. The Lander Treatment Centre has been providing excellent inpatient addiction programs from its 48-bed facility in Claresholm, Alberta, a town in my riding. AADAC plans to relocate the program to Calgary, and that will be a big loss to that community, the town of Claresholm. To the Member for Calgary-Bow, chairman of AADAC: I would like to know on what basis this decision was made and what AADAC hopes to achieve by this major disruption of service out of the town of Claresholm.

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

MRS. LAING: Thank you, Mr. Speaker. I agree that this will be a major change, and I would like to acknowledge that the Lander centre has provided excellent service for 20 years. This proposed closure is part of the AADAC three-year business plan, which includes consolidation and restructuring to achieve the efficiencies and economies needed for today's fiscal realities.

Approximately 75 percent of the clients come from north of Claresholm and 57 percent come from Calgary, so relocating the program will make it more accessible to the majority of the clients. The full program and all 48 beds will be maintained and consolidated with three other detox beds in a single site in Calgary. We will provide a very comprehensive detox and rehab program with all 78 beds in Calgary, which will help to achieve administration and support efficiencies.

2:10

MR. SPEAKER: Supplemental question.

MR. COUTTS: Thank you, Mr. Speaker. My supplemental question to the Member for Calgary-Bow: what savings will be achieved by this move, and what provisions have been made for the staff and for the eventual use of the Claresholm facility?

MR. SPEAKER: The hon. member.

MRS. LAING: Thank you, Mr. Speaker. With the consolidation of services to Calgary we hope to achieve a minimum saving of \$150,000. The centre that we are using is a government-owned facility managed by Public Works, Supply and Services. Alternate plans are being explored right now, but it is too early of

course to see what will happen with the property. All permanent staff will be offered alternative positions in the province with AADAC wherever there's a possibility for relocation.

MR. SPEAKER: Final supplemental.

MR. COUTTS: Thank you, Mr. Speaker. What facility will AADAC be looking at in the greater Calgary area, and is it true that a new building will be constructed to accommodate the services needed there?

MR. SPEAKER: The hon. member.

MRS. LAING: Thank you. We will not be looking at construction of a new site. We'll be looking at existing structures, possibly something in the portfolio of Public Works, Supply and Services.

Thank you.

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

Alberta Research Council

DR. MASSEY: Thank you, Mr. Speaker. My constituents in Edmonton-Mill Woods are worried about safety at the Alberta Research Council biotech facility. The Kratz report issued today highlights significant concerns over safety practices. To the chair of the ARC: will the chair explain why in his report of March 16 he said that safety was not a concern, yet the Kratz report says that it is?

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

DR. L. TAYLOR: Thank you, Mr. Speaker. I would like to just refer to the Kratz report, item 12, Safety. The Kratz report says, "We encountered no evidence of such activity," referring to safety violations.

You should note that overall the strong consensus was that safety issues are a paramount concern to ARC and Biotech and that both ARC and Biotech take safety issues extremely seriously.

That's the results of the Kratz report.

MR. SPEAKER: Supplemental question.

DR. MASSEY: Thank you, Mr. Speaker. Then to the minister responsible for the ARC: why was the minister satisfied with an all-purpose safety officer when one of the recommendations of the Kratz report is that they should consider appointing a properly qualified biotech safety officer? That's what they had until two years ago.

MRS. MIROSH: Mr. Speaker, I was going by the word of the scientists who indicated that there were no dangerous organisms that were being dealt with in the Alberta Research Council facility. I am still quite satisfied that the safety officer we have in charge will consider safety of the public as his number one concern.

Mr. Speaker, I'd like to add to the member opposite that we have invited your constituents to the facility, an open-door policy that we have. They have come and they have been quite satisfied that the environment and the safety procedures are quite intact and that there has been absolutely no danger whatsoever to the public.

MR. SPEAKER: Final supplemental.

DR. MASSEY: Thank you, Mr. Speaker. The invitation came after the disclosure in the Legislature.

My question to the chair of the ARC: since Edmonton-Mill Woods' constituents only find out about leaks at the ARC through question period at the Legislature, why has there not been an ongoing communication plan with nearby residents?

DR. L. TAYLOR: Well, I would point out, Mr. Speaker, that the Liberals brought their allegations, only allegations, forward about 10 days after the president of the ARC had commissioned a report which was to cover five areas, number one being environmental matters. Ten days after the report was commissioned, then the Liberals brought it forward in the House.

We have an open-door policy, and we will be happy to meet. As chairman of the ARC in Mill Woods I'm more than prepared to go out to a town hall meeting with the member opposite, and I would challenge him to hold one and invite me to attend.

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

Agriculture Field Offices

DR. L. TAYLOR: I'm pleased to rise again, Mr. Speaker. My questions are addressed to the Minister of Agriculture. In southern Alberta a good portion of Alberta specialty crops are grown, including pulses. These services that were provided by the field officers in the Bow Island area were very valuable, yet the service in Bow Island, the district agriculturist, or DA, has been removed. Can the minister outline what services will be available to the crop producers in the Bow Island area?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly I'm proud to reiterate that agriculture is Alberta's future and not its past. As a result of that, we are going to stay in the forefront of the industry, and we're doing that through restructuring our offices. Through our consultative process with our agricultural community they had asked that we provide a more specialized type of service. As far as southern Alberta is concerned, region 1, we indeed are fulfilling that commitment. As far as the specialty crops are concerned, we have a specialist in specialty crops. He'll be located in Lethbridge. Approximately 16 percent of the pulse crops that are grown in Alberta are grown in region 1, so the specialists will be there. As well the agronomists will be there and trained to provide that specialty service. Indeed, the service will be at a higher level today than it was in the past.

DR. L. TAYLOR: I'm very concerned about lost services, in particular in my riding. I would like to know and ask the minister to tell me what steps are being taken to ensure that communities that have lost these field offices will still have access to the needed services.

MR. PASZKOWSKI: During the process of redesigning the delivery of service, one of the important elements that was used was the element of access. So criteria were put together that would allow for accessibility throughout the province, not just any one specific region. In that process a formula was used. Parts of that formula were the trade centres that are designated, the volume of business that was performed in the various offices, no more than a 30-minute drive for the majority of the agricultural community – and roughly 95 percent of the agricultural commu-

nity is within a 30-minute drive of those offices – as well as other types of information that are needed within those various offices. Indeed, that was all part of the criteria.

As far as administrative support, as far as agrologist support, indeed in Medicine Hat we're going to have two agrologists and an RDC. In Foremost we're going to have an agrologist. In Taber we're going to have . . . [interjections] It's unfortunate that the hon. Member from Edmonton-Whitemud may not be interested . . . [interjections]

MR. SPEAKER: Order. [interjections] Order please.
Final supplemental.

MR. N. TAYLOR: Are you any smarter?

DR. L. TAYLOR: I'm a lot smarter than you.

MR. SPEAKER: Order.

DR. L. TAYLOR: Can the minister advise us as to when staffing decisions regarding restructuring will be completed and when we can inform our communities as to the appropriate staffing?

MR. SPEAKER: The hon. minister.

MR. PASZKOWSKI: Thank you, and I appreciate the question. The restaffing of course is ongoing and is certainly moving as rapidly as we can. The agronomists or the specialists are going to be in place within the next month. The crop insurance portion, because of the applications that are coming forward, will indeed be finalized by the end of June, and by the end of June we'll have our entire regionalization as far as agricultural service offices in place.

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

2:20 Western Heritage Centre

MR. BRUSEKER: Thank you, Mr. Speaker. Fund-raising activities for the western heritage centre in Cochrane have been undertaken by Haines Elliott Marketing Services despite the fact that no licence has been issued for such activities. Now, given the fiascos that have occurred with professional fund-raisers in the past, I'd like to ask the minister responsible for consumer and corporate affairs what he intends to do about these activities?

DR. WEST: Mr. Speaker, that is under review at the present time by the department of corporate and consumer affairs.

MR. BRUSEKER: Given that there's no department, I guess there's no review. So I guess I'll go further on.

Further research shows that the society responsible hasn't even bothered to file an annual report for 1993. So my supplementary question is: how can the government support with a \$3.3 million grant a commitment to a group that operates outside the bounds of the law?

DR. WEST: I don't understand the relevance of that question to this. I said before that the division of corporate and consumer affairs within the Department of Municipal Affairs is looking into this very thing. This individual raised some half million dollars, and we are looking at the propriety of licensing in this area to see what association he has with the western heritage centre and whether he's breached any of the licensing requirements. That's under full investigation.

MR. BRUSEKER: Well, my final supplementary question then: is it a fact that the reason this individual is exempt from having to follow the rules that everyone else has followed is because Norm Haines was a former colleague of the Premier at CFCN and in fact did all the polling for the PC Party during the last election?

DR. WEST: Mr. Speaker, I understand the rules of this House. The individual asking the question should perhaps step out and make that accusation to the individual he's talking about. [interjections]

Speaker's Ruling Allegations against a Member

MR. SPEAKER: Order please. The Chair would remind the hon. Member for Calgary-North West that he should pay some attention to Standing Order 23 in the area of allegations.

MR. DECORE: It's true.

MR. SPEAKER: It's highly improper for the Leader of the Opposition to be getting involved in this discussion from his seat. The hon. Member for Bow Valley.

Interest Rates

DR. OBERG: Thank you, Mr. Speaker. The Toronto Stock Exchange 300 composite index dropped 43 points two days ago in anticipation of higher interest rates. On February 4 the U.S. central bank raised federal funds rates by 25 basis points, which was the first increase in four years. The Canadian central bank rate rose 78 points yesterday, marking the seventh straight increase. My question is for the Provincial Treasurer. How will rising interest rates affect our government's ability to eliminate the deficit by '96-97?

MR. DINNING: Well, Mr. Speaker, the hon. member is correct. It has a significant impact on our ability to balance our budget, because as those interest rates rise, our borrowing costs rise. Regrettably, following the Liberal budget on February 22, the marketplace has begun to erode its confidence in this country's ability to get its finances in order. [interjections]

MR. SPEAKER: Order.

MR. DINNING: As that happens, interest rates rise. We saw in the setting of the bank rate yesterday that rates rose almost eight-tenths of 1 percent to 5 percent. As those rates rise, about a 1 percent increase costs the provincial Treasury some \$78 million. [interjections] But fortunately there is an upside, because the revenue that we earn on our investments also goes up by about \$43 million, \$45 million, and it comes out as a net cost to us of some \$35 million.

Mr. Speaker, clearly, as the Liberal government in Ottawa fails to get its spending in line with its revenues, the confidence in the marketplace is unsettled, and we're forced to raise our bank rate because our dollar is under seige by American investors. [interjections]

Point of Order Decorum

MR. SPEAKER: Order. The Assembly is going to hear the answer to the question irrespective of what the Liberal opposition wants, and if the Liberal opposition wants to spend the rest of

question period making noise, they can do so, but we're going to continue with this question.

Supplemental question.

DR. OBERG: Thank you, Mr. Speaker.

MR. N. TAYLOR: Same question, same answer.

MR. SPEAKER: I guess the hon. Member for Redwater wishes to spend the rest of question period discussing . . .

MR. N. TAYLOR: Well, how many times do you want to hear it, Mr. Speaker?

MR. SPEAKER: That's enough out of the hon. Member for Redwater.

The hon. Member for Bow Valley.

Interest Rates

(continued)

DR. OBERG: Thank you, Mr. Speaker. The federal Liberal government has postulated a desirable inflation rate to be 1 to 3 percent up from .2 percent this month.

MR. SPEAKER: No preamble.

DR. OBERG: What will this do to our budget if this occurs?

MR. DINNING: Well, Mr. Speaker, it's a pretty conservative approach to establishing an inflation policy. The Bank of Canada has said that their target is the 1 to 3 percent range, and I can remind the hon. member that on page 122 of our budget book, we project the consumer price index to change by about 1.1 percent in '94-95, just as it changed last year by 1.2 percent or 1.4 percent the previous year. Clearly, if inflation is on the rise, it puts pressure on interest rates. We believe it's important for the Bank of Canada to continue to pursue a low inflation policy. Notwithstanding the serious economic impact it had on our economy to get us here, it would be tragic to give up all of that gained ground by allowing what Liberals have typically done, which is to allow inflation to run rampant.

MR. SPEAKER: Final supplemental.

DR. OBERG: Thank you, Mr. Speaker. I guess the Liberals across the way . . .

MR. SPEAKER: Question.

DR. OBERG: What contingency plan does the Provincial Treasurer have to battle against the potential snowball effect of rising interest rates and rising inflation?

MR. DINNING: Well, Mr. Speaker, clearly as provincial governments across this country, with Alberta taking a significant lead in getting its financial house in order – that is the best contingency policy that we as Canadian governments and this government can have because those interest rates are under seige. But I think a comment by an individual representing Standard and Poor's in a recent article that I read said that Alberta's responsible action is having an impact on keeping the Canadian credit rating high because of the responsible action that we are taking as a government in the province of Alberta.

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

Point of Order Abusive Language

MR. SPEAKER: The hon. Government House Leader has indicated that he wishes to raise a point of order.

MR. DAY: Thank you, Mr. Speaker. I'll be citing Standing Order 23(j), which refers to abusive and insulting language, and also *Beauchesne* 485(3), which cites that in a little more depth, and then moving on to *Beauchesne* 490 with some specific examples.

Mr. Speaker, you've already alluded to the disarray that happens in the Legislature, especially in question period, and I won't suggest that government members are entirely innocent of that. However, as you've observed today and as has been observed by neutral media sources on a number of occasions, the main source of the noise and the abuse does come from the Liberal opposition.

I think it's important that as we look at the specific examples here today, we understand what the backdrop and what the motivation is. It's plainly and simply been laid out that the Liberal opposition is still smarting under the provincewide accusations of being absolutely timid and ineffective in their last session. So they have said what their plan is. They've publicly said it, and I think this needs to be taken into account, Mr. Speaker. They've publicly said that they will be raucous in question period, that they will use abusive language, as I've just cited in Standing Orders and *Beauchesne*, and that their deliberate attempt is to cause turmoil.

Every time a member of theirs stands up, they beat the desk like trained seals; every time we try and answer a question, they shriek. Now, being very specific, when the Member for Calgary-Bow rose to her feet today to address the questions, the Member for Calgary-North West was particularly abusive, in the mind of the government, shouting across asking if she needed help and similar type of abuse, and on more than one occasion. So in that particular case I would ask the Member for Calgary-North West to simply rise and do the honourable thing and apologize for this sexist approach and very unparliamentary language and also conduct in the House. Actually, it's the Member for Calgary-Fish Creek that he was insulting, and in fact all members of the House, when he was pursuing that particular type of language.

2:30

Also, and maybe even more seriously, if I could cite *Beauchesne* 485 and then *Beauchesne* 490, specifically on page 148, the words "lie" and "liar" are listed extensively, variant forms of those, in terms of being unparliamentary. I notice that the Member for Edmonton-Roper has scurried from the House. I'm sorry; I'm not supposed to remark on that. I take that back. But very clearly, loudly enough that it could be heard not just in the Chamber but in the galleries and, I would suspect, on the radio and on the television, screaming the word "liar, liar, liar": I would think that to bring any kind of semblance of dignity back to the House, the only honourable thing for that member to do would be simply to rise and respectfully withdraw those comments with no other kinds of innuendo. I don't know if the scampering from the House was in fear of this coming about, but I would ask that that also be addressed, Mr. Speaker.

MR. BRUSEKER: Well, Mr. Speaker, I have some difficulty with the point raised by the hon. House leader across. The question that I have to ask, first of all, as he's making some kind of allegations about the members across the way – I think before

he casts those kinds of comments this way, he should look up and down his own bench and reflect upon some of the comments that he himself has made. With respect to the one reference that he made to me in particular, I'm not sure if he knows which member I was referring to when making my comments. The sentence that he partially correctly quoted, which is typical of that member, of course was not at all listed in *Beauchesne* 490 that he lists.

The fact of the matter is that we on this side of the House attempt to pose questions in good faith and look for honest responses from the government side, and the answers we get sometimes are shouted across by ministers who are seated in their place as another minister attempts to provide some kind of obfuscation. So the difficulty we have on this side is that the frustration that the Government House Leader suggests occurs on that side of the House equally occurs on this side of the House.

Quite frankly, I don't think the minister has any point of order whatsoever.

MR. SPEAKER: The hon. Government House Leader has raised a point of order, and the hon. Member for Calgary-North West has replied. Generally, this matter evolves around the use of loud and insulting language during question period. The Chair has commented on the fact that the opposition caucus has been trying to impose its views on what should take place in the Assembly during question period. The Chair has commented on that on two or three occasions. The Chair feels that that type of activity has produced a counteractivity on the government side, and neither activity brings very much credit to this Assembly. The Chair will reiterate that it commenced on the opposition side, and it is not acceptable.

The Chair did hear some of the words commented but could not identify where they were coming from or for sure whether they were said, but the Chair is going to be reviewing the Blues in particular with regard to the word "liar." All hon. members know that that should not be done. All it does is create a stormy atmosphere in here and brings shame, in the Chair's view, to all hon. members. Particularly it should bring some sense of something to those members who initiate this type of thing. The Chair is not prepared to make a ruling at this time until some hon. members can be identified from the record of the Assembly. This performance today shouldn't be anything anybody should be proud of.

Would the Assembly consider reverting to Introduction of Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.
The hon. Deputy Premier.

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

MR. KOWALSKI: Thank you very much, Mr. Speaker, and to colleagues in the Assembly, thank you very much for this opportunity.

Mr. Speaker, in your gallery today is a very distinguished visitor to our province. He is the Hon. Yun Hung Park, who is Minister of Environment in the republic of South Korea. Mr. Park is a graduate of the Korean University of Law, the graduate school of law. He owns a PhD in law and currently serves his nation and his government as the Minister of Environment.

Mr. Park arrived in Edmonton late yesterday afternoon after a previous night flight from Seoul to Los Angeles, and came to

Alberta via Salt Lake City. It was my privilege last evening to host a dinner in his honour at which we had some 70 entrepreneurs and leaders of the Korean community in this province of Alberta in attendance as well. This morning Mr. Park and his delegation flew to Swan Hills. He was very gracious in his remarks commenting on Alberta last evening when he indicated that Alberta is very, very world famous because it does have the Special Waste Management Corporation located in the province, in Swan Hills. I should point out as well, Mr. Speaker, that recently the Alberta Special Waste Management Corporation signed a memorandum of understanding with the Environmental Management Corporation of Korea. Korea is currently looking at building four hazardous or special waste management facilities. In addition to the presence of Mr. Park in our province today, several weeks from now Mr. Chang Ki Lee, chairman of the Environmental Management Corporation of Korea, will visit Alberta and will additionally tour Swan Hills.

We're really delighted to have our fifth most important trading partner, South Korea, present in the province today. I would ask the hon. Mr. Park and his delegation to rise and ask all members of the Assembly to give a good, warm, hospitable Alberta welcome.

head: **Orders of the Day**

head: **Written Questions**

MRS. BLACK: Mr. Speaker, I move that the written questions appearing on today's Order Paper stand and retain their places except for 174 and 180.

[Motion carried]

Loan Guarantees

Q174. Mr. Bruseker asked the government the following question:

What is the breakdown of the payments made under guarantee, by recipient, during the 1992-93 fiscal year for the export loan guarantee program, \$12.4 million, and the Alberta capital loan guarantee program, \$696,871, as contained in the 1992-93 public accounts, volume 2, statement 5.6?

MR. KOWALSKI: Mr. Speaker, Written Question 174 is not dissimilar to a motion for a return that's also listed. I believe it's 178, but today we're talking about Written Question 174, and the government unfortunately must reject the question.

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

MR. BRUSEKER: Thank you, Mr. Speaker. Soon we'll get this little procedure down pat; I'm sure.

This particular question again is simply along the line of what members on this side of the House have been pursuing for some years now, which is accountability on behalf of the government. The export loan guarantee program, according to the public accounts, volume 2, statement 5.6, have extended loans to a variety of corporations and individuals to a total of \$12.4 million, and the Alberta capital loan guarantee program, just under \$700,000. What we're looking for here is simply a list of who received the money. We're not asking for securities held, although that would be nice to have. We're not asking for repayment terms or any of those kinds of things. What we're simply saying is, which is what the written question asked: to whom were these given? From the government side, I would

suspect it would be a fairly simple process to hit the appropriate button on the computer and spit out a list of names and numbers. It could probably be dealt with fairly expeditiously, and probably they'd also take a very little amount of paper. So I certainly disagree and will vote against the motion to turn down this information.

2:40

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

MR. WICKMAN: Thank you, Mr. Speaker. I want to speak to the reference made to rejecting Written Question 174. I realize that some government members day after day question why we keep making reference to: where's the Bill – the long-promised Bill, I should add – dealing with the freedom of information? We do harp away at that Bill, and I guess we'll have to continue to harp away at it for some time because we simply do not have, are not given the opportunity, are not provided the information that should be provided to all Members of the Legislative Assembly.

At times the information that is requested is not that difficult for government to find. At times it doesn't appear that it would be that damaging, but of course until we see that information, it's difficult to ascertain that. The piles of documents that the Provincial Treasurer tabled in the House earlier today dealing with the Gainers fiasco I guess clearly point out how helpful it could have been had government been providing us openly with information that pertained to that particular matter during the last five or six years. Then it would have given the opportunity for members, like the Member for Edmonton-Roper, for example, who is an expert on many, many financial matters. He would be able to go through that documentation and assist the government and possibly prevent some of these multimillion dollar losses that taxpayers have been asked to pay in the past. I don't think it serves to benefit the government to show such little heed for taxpayers' money that they choose to hide behind information that they won't make available. Meanwhile, it's the taxpayers that have to foot the bill for errors that are made, errors that could have been prevented. I guess this is another example of a question being asked that could be answered quite readily if the government chose to answer it, but for whatever reason they choose not to, Mr. Speaker.

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

MR. CHADI: Thank you very much, Mr. Speaker. I do feel compelled to speak to this matter simply because I think it's a matter of great importance to Albertans. The question that's being asked today in the House is:

What is the breakdown of the payments made under guarantee, by recipient, during the 1992-93 fiscal year [within the program called] the export loan guarantee program?

We note that there is a \$12.4 million guarantee in that program, and the Alberta capital loan guarantee program of \$696,871. These were included in the public accounts of 1992-93.

I don't think that what the hon. Member for Calgary-North West is asking here is too much. I think when we look today in the Budget 1994 documents, we see loans, advances, and long-term investments on page 60. On page 61 it's quite clear that it says the guarantees, and all the loans by financial institutions – guarantees that are included in there, and there's a long list of them, and it goes on and on. Those amounts are included in there. I don't understand why the export loan guarantee program should just have that one line, export loan guarantee program, and \$12.4 million, when you look at other guarantee programs and

they're itemized. I mean, it says right clearly: Magnesium Company of Canada. It goes on to say: PWA Corporation. The story goes on all the way through. There's probably about 40 or 50 of them. That's all he's asking for: just a little bit more detail. What could be so wrong with that? I can't imagine the Deputy Premier standing up and saying: no, you can't have that. Well, you can't have it? Why? The only thing one can conclude when one says that one can't have something like that is that there's something to hide. Now, if there's something to hide, then perhaps maybe the hon. Deputy Premier ought to get up and say, "No, I can't let you have that, because I've got something to hide." So, Mr. Speaker, if there's nothing to hide, then I respectfully ask the Deputy Premier to bring out the information in the open and let us all see it.

Thank you.

MR. SPEAKER: The hon. Deputy Premier, to close debate on this question.

MR. KOWALSKI: Thank you very much. The question by itself talks about dollars and information that is located in the public accounts. Public accounts information is public, so the question basically is not talking about anybody wanting to hide anything or anything like that. The information is there, Mr. Speaker, but the position of the government has always been to maintain the commercial integrity of all parties concerned, being the borrowers and the lenders. These agreements were entered into by the government. These individuals who've signed gave us information in confidence. The release of that information would be a breach of the understanding that was put in place.

Now, in order to respond to the question, what the government would have to do is get a release of information from all of these people, consent of all the parties concerned; that being the borrowers, the shareholders, and the lenders. For the hon. gentlemen to suggest that there's only a handful, that's where the difficulty arises with respect to this. It costs a great deal of time, energy, and money to make all the necessary contacts. In the case of the Alberta capital loan guarantee program in essence there's 691 applications. I'd have to hire a number of people and put them on a full-time job to try and respond to just one portion of this question.

In terms of the export loan guarantee program, Mr. Speaker, we're dealing with 375 applications, so we're dealing with well over 1,000 – 1,100, in fact – portfolios, and when you ascertain the amount of money and time that it takes to ask somebody, "Is it okay to release it?" after they have signed an agreement for commercial confidentiality, it is on that basis that we reject the question. If you look at the question itself, most of the information is contained in public accounts. There's nothing devious about this. This is simply management in terms of: how much money must we spend responding to a question that in essence will simply sit in somebody's file and go no further?

I have tabled humongous amounts of paper in this Assembly in the years that I've had an opportunity and privilege to be a minister, and I daresay I don't ever recall anybody on the other side ever looking at it. I know that hundreds of thousands of dollars, taxpayers' money, have been wasted providing needless information that nobody does anything with. The whole game of this is to simply raise the question of the government, have the government reject it because we're being fiscally responsible, and then they can say that the government is hiding something. That is not the case, Mr. Speaker. We're here to protect the money of

the taxpayers of the province of Alberta, and that's why I ask all hon. members to in fact reject this question today.

[Question rejected]

Health Care Premiums

Q180. Mr. Mitchell asked the government the following question:

What is the annual amount spent by Alberta Health to administer the collection and processing of Alberta health care premiums?

MRS. McCLELLAN: Mr. Speaker, I will accept this question, but I would point out that the information requested in here is in the budget documents. In fact, to assist I would think most completely, there is an opportunity each year, usually in committee with the Department of Health, to pose these questions. I will be attending that committee on Thursday night for discussion on these issues. In this year's elements book, I think if one were to peruse page 45, they would find quite a bit of information. In keeping with our commitment to provide information, I will do it, but I would remind hon. members that it is a duplication of effort and requires time of staff in our departments to reconstruct this information. [interjection] It's accepted. We can't discuss it. [interjections]

MR. SPEAKER: Order please. Just for the information of the Assembly, there's a deemed motion to accept. All motions of this nature are debatable.

2:50

MRS. HEWES: Mr. Speaker, just a comment or two. I thank the minister for accepting this question, and I'm pleased. It is important for Albertans to have this kind of information.

MRS. McCLELLAN: It's in the budget.

MRS. HEWES: Yes, but for Albertans to have it in the sense that the question is answered as a separate question and a written answer.

Mr. Speaker, Alberta is one of the last provinces in the country to charge health care premiums. This question is often asked of members of this House on both sides: why are we still doing it? What's the rationale? We all know that Alberta health care premiums have been increased, and it is intended that they will be further increased. So we see a circumstance where this province is going in a direction that is quite different from other provinces in the country, and people want to know why, what the rationale for that is. As I've stated often in this House, I believe that the health care premium is a tax. I know that various ministers have indicated they don't consider it a tax, but I believe it to be a tax, and I believe it to be a regressive tax. This year we have seen the hue and cry as seniors over \$17,000 per annum are expected to start paying health care premiums, and the results that that will have for seniors in our province I think are demonstrable.

Mr. Speaker, it is important to Albertans that they not have to search it through the budget or that I send them a copy of a page in the budget but that there is a memo, a written answer from the minister, which I know will now be forthcoming because the minister has accepted this – and I'm grateful for that – so that I can circulate this to people and say, "This is the rationale; this is the amount of money that it costs to collect and to administer the Alberta health care insurance plan." Seniors in particular want this information.

[Question accepted]

head:

Motions for Returns

MRS. BLACK: Mr. Speaker, I move that motions for returns appearing on the Order Paper today stand and retain their places with the exception of motions for returns 175, 176, 188, and 189.

[Motion carried]

Redi Industries Inc.

M175. Mr. Bruseker moved that an order of the Assembly do issue for a return showing copies of the loan guarantee agreements pertaining to the extension of a \$100,000 loan guarantee by the government to Redi Industries Inc. during the 1992-93 fiscal year.

MR. KOWALSKI: Mr. Speaker, if the hon. members would have heard what I said in the previous written question, much of what I'm going to say now applies to Motion for a Return 175 as well: that in essence the position of the government has always been one to maintain the commercial integrity of all parties concerned, that being the borrowers and the lenders. Certain groups entered into agreements with the government given the understanding that things were given in confidence, and the release of this information would be a breach of that understanding.

Further, Mr. Speaker, any release of information would require the consent of all parties concerned, that being the borrowers, the shareholders, and the lenders. Now, in the case of Motion for a Return 175, because it was specific for one file – specific for one file, not the 1,100 that I talked about in terms of the written question – we took the initiative of contacting Redi Industries. Redi Industries is the Medicine Hat Rehabilitation Society. It is a volunteer self-help group that deals with disadvantaged people in the Medicine Hat community. They responded to me, to my department on March 3, 1994. I am very happy to table this letter. They write:

Further to discussion on the above, we would confirm the Board of Directors has determined that we are not prepared to consent to release of documents regarding the above, or otherwise to waive confidentiality with respect to the same.

It's signed yours truly.

Mr. Speaker, I must ask the Assembly to reject the motion for a return on the basis that this self-help volunteer group has basically said that it would not "consent to release of documents . . . or otherwise to waive confidentiality with respect to the same." We were able to do that and undertake that process because this is one file with respect to this. If the hon. gentleman and the hon. Assembly wish to know the contact person for the Medicine Hat Rehabilitation Society, its treasurer is a gentleman by the name of Rick Derbyshire. Their address is Medicine Hat, Alberta, and their phone number is 526-5742. They can fax as well to ask them why they have done that. The fax number is 529-0462.

I'd ask the Assembly to reject this motion for a return.

MR. WICKMAN: Mr. Speaker, I just want to speak on this one for a few minutes then. It becomes a very, very deep concern, the failure to provide the information. The Deputy Premier talks in terms of the integrity of an agreement with another party. One has to maintain or keep in mind the integrity that government has in its relationship with Alberta taxpayers. The direction that government has to follow has to be that direction given to it by Alberta taxpayers. It has to be guided by what's of benefit to the entire population of Alberta. To enter into agreements in a cloak of secrecy going back some time ago when this one was entered

into creates a problem for government, and the failure of the freedom of information creates a problem for the government. If government operated on the basis of openness, full accountability – not be in the loan guarantees to begin with, but putting that aside – government wouldn't find itself in that difficulty of not having to answer questions and having to write to industry asking for their permission to release information.

Now, the argument can be made that the work that is done by Redi Industries and their relationship to disadvantaged Albertans – and, yes, they do some good work, there is no question about that. Nevertheless, any party that has taxpayers' dollars cannot be exempted from any understanding that any activities have to be made public. I don't believe, quite frankly, that government has the right to deal in secrecy in any aspect when it comes to people's money. It doesn't come out of their own pocket. The dollars that government plays with are not from their own pocket; it's the taxpayers' money. So it simply is not acceptable. There are no excuses, absolutely no excuses why government could not approach it differently, why they could not approach the industry involved and just state: look, we have an obligation, a moral obligation, to release certain information, to make certain information available.

I don't think, Mr. Speaker, that the request being made by the Member for Calgary-North West is that sensitive. I guess the broader issue is that if this was one motion that was dealt with in isolation, and if this was the only instance where government said that we can't release that particular file, that would be one thing, but of course we see this happening too often. We see it happen time after time after time, and it is simply unacceptable. I would hope that the government would rethink their tendency, their philosophy of trying to hide behind the skirts of secrecy, because that's not getting them anywhere. Too often we have to read things and find things out from newspapers like the *Whitcourt Star*, for example, as to whether the hospital's on or off or off again or on, and that's not right. Government should provide that information openly, honestly, on the table.

[Motion lost]

3:00 Skimmer Oil Separators Ltd.

M176. Moved by Mr. Percy on behalf of Mr. Bruseker that an order of the Assembly do issue for a return showing copies of the loan guarantee agreements pertaining to the extension of a \$1.7 million guarantee by the government to Skimmer Oil Separators Ltd. during the 1992-93 fiscal year.

MRS. BLACK: Mr. Speaker, I believe the amendment has been circulated to all members.

Moved by Mrs. Black on behalf of Mr. Kowalski that Motion for a Return 176 be amended to read that an order of the Assembly do issue for a return showing copies of the loan guarantee agreements pertaining to the extension of a \$1.7 million guarantee by the government to Skimmer Oil Separators Ltd. during the 1992-93 fiscal year for which all parties to this agreement allow release.

[Motion on amendment carried]

MR. SPEAKER: On the motion as amended, the hon. Member for Edmonton-Whitemud.

MR. WICKMAN: Mr. Speaker, if he speaks now, does that close debate?

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

MR. GERMAIN: Thank you, Mr. Speaker. I must have been zigging when the House was zagging. I had thought that there was going to be a time to speak to the amendment proposed by the minister. Was I wrong on that?

MR. SPEAKER: There is time available, but hon. members must get to their feet with alacrity, and the Chair will recognize them.

MR. GERMAIN: Fine. If it is the Speaker's assessment that I wasn't up fast enough, I'll be a lot quicker next time.

I want to speak to this matter, and I want to speak to it from a sense of importance to all Albertans. Earlier today we had an example where perhaps if information had been revealed earlier and in a timely way, some of the angst and some of the concerns would have been dissipated, and explanations could have come forward in a responsible and organized way instead of a helter-skelter, jumping around way.

Now, we have here a legitimate request by an Official Opposition to allow the delivery and production of a contract that involves Her Majesty the Queen. Let me by reference and by analogy remind this Assembly what happens when some poor cabinetmaker in rural Alberta applies to the Alberta Opportunity corporation for a \$10,000 loan to buy a new saw. The government insists that there be full fanfare and public relations around that most intimate and very personal business of a government loan from a government lending institution.

Now, in a situation such as this, in this particular motion we have an extensive amount of money where the provincial government has made a commitment to guarantee loans and to provide financial backing. Why, Mr. Speaker, less than an hour ago in this Assembly the Premier said that we have open and honest government. Now, this motion and the amendment to it means in effect that if one party says no, there is no particular information that will be forthcoming. I do not know why the Assembly and the members opposite would bother filing such a motion. Why don't they just stand up and say: "No. Let's speak against the motion and defeat it"? Why put in a provision that says that if somebody says no, you don't get it? Is it just to get a token vote in this Assembly? Is it just to get a feeling that we're doing something useful? Or is it time that we came out of the twilight zone and into the light and said, "We have a government that signed a guarantee, whether rightly or wrongly."

Earlier today in public the Provincial Treasurer, in referring to other deals made by the government, used adjectives such as ludicrous. He used adjectives such as wouldn't happen today. He used adjectives such as bizarre. In fact, he used . . . [interjections]

MR. SPEAKER: Order.

MR. GERMAIN: Thank you.

I'm pointing out: why does the minister today use those phrases? Because in the light of day the agreements do not hold up well with the effluxion of time and the scrutiny of new ideas and new times. So come forward and file the agreement, and then we don't have to be sitting in this Assembly debating issues for genuine, legitimate information that the public has the right to know.

Now, just yesterday I believe it was, Mr. Speaker, the Premier also said that there will be freedom of information legislation. He

also said that it would be retroactive. We have seen an example where the minister in charge of municipal affairs has conducted a privatization of a registry system on circumstances which do not keep up to the legislation. I would ask the members of this House to say, "We don't have a freedom of information Bill yet, but this is a legitimate piece of information to distribute to the members of the Assembly, and, by gosh, you're going to get that information." I'd love to hear that. Then maybe – maybe, Mr. Speaker – you would get your wish and your desire that there be less frictional ruminations here in the Assembly.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Deputy Government House Leader on the motion as amended.

MRS. BLACK: Thank you, Mr. Speaker. On behalf of the hon. Minister of Economic Development and Tourism I quite clearly would like to move that the motion be accepted as amended.

MR. CHADI: Mr. Speaker, once again I find it appalling that information such as the hon. Member for Calgary-North West is requesting here is not acceptable as moved originally in this motion.

MR. DINNING: You voted for it.

MR. CHADI: The Provincial Treasurer, Mr. Speaker, says he voted for the motion.

SOME HON. MEMBERS: You did.

MR. CHADI: But he voted for this motion only with this amendment in place: the words "for which all parties to this agreement allow release." Now, that's not acceptable, Mr. Speaker. To me it's not acceptable. I may end up having to eat it because that's all we're going to get, but what I find unacceptable is the fact that we cannot get it without some sort of condition.

Now, we heard the Deputy Premier a few moments ago. He rose in the House and said: well, you know, there are – I think it was 650 applications with respect to the export loan guarantee. Then I think he said something about 350 different applications with the Alberta capital loan guarantee program. If we were to compile all that information, why, it just would take an awful lot of taxpayers' money and an awful lot of my time and his time and everybody else's time, and it was only going to gather dust on somebody's desk. Well, you know, Mr. Speaker, we're not asking for the applications. We weren't asking for that sort of thing in that last written request for that information.

Then he said something else that strikes me as being rather odd. He said: we couldn't possibly itemize all of them. We're not asking for applications; we're asking for the information pertaining to one certain loan guarantee, and that is it. Here in the budget documents we've got those guarantees itemized. They're all itemized in there, probably 30, 40 of them, maybe more, but these are the ones that we know of. What we're saying is that we would like that information so that we would be able to advise our constituents whether or not these were legitimate types of loan guarantees. Were they something that we ought to know? Is there something hidden in this loan guarantee?

What is the problem about bringing this information forward? If there isn't a problem, then bring it forward. To say something like "for which all parties to this agreement allow release" just means: sorry; we're not going to release it because the other

party won't allow it to be released. This is just another way for the government to say: we're not going to release it to you. It's a very, very nice, cute way of doing it, because we can imagine full well that Skimmer Oil in this case is going to say, "No, we're not in agreement to release this information." If there isn't anything to hide here, then I think that they ought to come forward and say: we'll give you that information regardless of whether Skimmer Oil says no to the release of it or not. I think that's what ought to happen, Mr. Speaker, and I look forward to that, because an open and accountable government – and I really believe that there is a move forward to that respect. Just prove it a little bit more, Provincial Treasurer. Show us a little bit more that you're going to release this information so that it would give us on this side of the House confidence. It would give members on that side of the House confidence, and most importantly it would give the people of Alberta the confidence that they so deserve from this Legislative Assembly.

Thank you.

3:10

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

MR. WICKMAN: Thank you, Mr. Speaker. Just to add a few words to the motion as amended, Motion for a Return 176 as presented by the Member for Calgary-North West and amended by the Member for Barrhead-Westlock – is it now called? – the Deputy Premier.

Mr. Speaker, if one looks at the amendment very carefully: "for which all parties to this agreement allow release" – "for which all parties." It would be nice if the Deputy Premier was in a position to be able to stand up and state that his reference to "all parties" is to be interpreted in such a fashion as to mean the government being one of those parties, because if it isn't interpreted that way – in other words, if the government is one of the parties that does not have to agree to the release. In other words, it's no different and in fact it's even worse than Motion 175, because on Motion 175 at least when the Deputy Premier got up and said that he wasn't prepared to answer that question, he said: because Redi Industries would not give their consent.

Now, here's an instance where it's not just a question. I guess the question I'm asking is: am I interpreting it correctly? To comply with Motion 176, if communication is made with Skimmer Oil Separators Ltd. and they say, "Yes, release it by all means. We're good Albertans. We believe in freedom of information, because we believe all Albertans should be entitled to that," does that mean that the government then is obligated to release that information? Or do they have that right, then, as one of the parties to say: "Well, even though they're willing to release it, we're not going to release it because we don't want those guys to get their hands on that information because we don't feel it's to our political advantage for them to have that information"?

Now, the most honourable, intelligent Member for Edmonton-Roper stood up and made the statement that on occasion we have to eat certain amendments because we've made a little step in that direction. This is one, Mr. Speaker, that maybe I have to do a little bit of eating too, because it does appear that it may be a step in the right direction – a little bit but not nearly as far as all as it should go. I don't know why we get into this little game playing, some foolish amendment here that really is just masking the whole intent. It's really, really foolish.

The member for Calgary, the Minister of Energy – Calgary what?

MRS. BLACK: Foothills.

MR. WICKMAN: Foothills, yeah. Calgary-Foothills distinguishes herself more so than to be a party to this type of amendment, and it's unfortunate that she's left in that position where she has to carry this ugly load for the Deputy Premier.

MR. SPEAKER: The hon. deputy House leader is rising on a point of order?

MRS. BLACK: Mr. Speaker, at least the Minister of Energy, the Member for Calgary-Foothills, knew what she was voting for.

MR. WICKMAN: Mr. Speaker, I don't know how to respond to that point of order because I don't know what the reference is being made to. I'm not certain that there's ever been any time that I haven't really fully known what I was doing.

On that note, Mr. Speaker, I think I've made my point. Others want to speak to this particular motion as well, so I'll conclude.

MR. SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan on Motion for a Return 176 as amended.

MRS. ABDURAHMAN: Mr. Speaker, I certainly will not compromise my ethics and vote in favour of this motion.

MR. DINNING: You voted for it.

MRS. ABDURAHMAN: I understood quite clearly that individual members have the right to vote in this House, and I wish the Provincial Treasurer would acknowledge that we have a democratic right as individuals. Let's cut out the cute comments coming from that side of the House. If this government is indeed open and wanting to be fiscally responsible and accountable to Albertans, I would suggest that that is indeed a cute amendment to get away from full accountability to Albertans. They seem to find great humour with amendments of this nature, thinking that they've outmanoeuvred the Official Opposition, but let's face the reality that every member in this House, irrespective of where you sit, represents Albertans. To this day, Mr. Speaker, I represent every constituent in Clover Bar-Fort Saskatchewan, irrespective of what their political philosophy is.

This type of amendment, there's no justice or democracy: "for which all parties to this agreement allow release." You would want one to vote in favour of this motion after that amendment? It's just one way of clearly stating to the public that you want to use any opportunity or any out so that you can't share full information with Albertans. We wouldn't be sitting in this House today if it hadn't been for the irresponsibility of previous Conservative governments in cover-ups that resulted in a \$30 billion debt. I still to this day find it incredible that you find humour over there about having to slash and burn so that we can get our fiscal house in order. Once again, when you should be fully accountable to Albertans, when you're loaning money, and when you're guaranteeing loans, you're still not prepared to share full information. It's not a cute amendment, because it does a disservice to Albertans.

The intent of the motion was a sound motion, and it clearly wouldn't be there if we'd had such a thing as freedom of information legislation in place, which we still see this government dragging its heels on. Anyone, Mr. Speaker, on the government side of the House who believes in fiscal responsibility and open and accountable government I can't believe would support the amendment that was passed. So it's tokenism at its worst, Mr. Speaker.

No, I won't compromise my ethics. I got elected on being fiscally responsible, on open and accountable government. When we go back to speak to our constituents across this province, I will certainly make it known that this government under the present Premier Klein is no different than the former Premier Getty's government. They're not open for business to be open and fiscally accountable.

MRS. HEWES: It's the same people.

MRS. ABDURAHMAN: Indeed, it's the same people. When you look across in the front row, there's only one new face.

So, Mr. Speaker, we look today and we see Gainers. They're still passing the buck. We look at MagCan: what's that going to cost the taxpayers?

Mr. Speaker, with those few comments, it's too cute to believe, and I certainly won't be compromising my ethics.

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

MR. BENIUK: Thank you, Mr. Speaker. It's obvious that if a person doesn't watch very carefully what is happening, a motion is passed in a split second, a motion that totally destroys the whole intent of the motion for a return. [interjections]

Mr. Speaker, I ask you: if you would like, I will be only too happy to continue to respond to the Member for Cypress-Medicine Hat the way he responds now to me. I would enjoy it immensely, but I give you the choice. I appeal to you to constrain him, for I will only enjoy myself too immensely to respond.

MR. WICKMAN: Restrain him? I'd throw him out.

MR. SPEAKER: Order.

MR. BENIUK: Mr. Speaker, the intent of the motion placed before this House by my colleague from Calgary-North West was one requesting information, information on \$1.7 million at risk, the money at risk being the taxpayers' money, for it is the taxpayers' guarantee to an oil company where a certain Conservative now is in a key position. The intent of the amendment that was passed in a split second virtually . . .

3:20

DR. L. TAYLOR: Too fast for you to think about it.

MR. SPEAKER: Order.

MR. BENIUK: I think it's the wind from the deep southeast. [interjection] I'm sorry, Mr. Speaker, I didn't hear. Did he talk about mutant Tories or something? I didn't quite hear what he said.

MR. SPEAKER: Hon. member, the Chair is in the same position as the hon. member. The Chair didn't hear either, but the Chair would urge hon. members to allow the hon. Member for Edmonton-Norwood to finish his remarks.

MR. BENIUK: I thank you, Mr. Speaker. The words that were added by way of amendment, "for which all parties to this agreement allow release," virtually makes the motion for a return redundant, for what we have done in this House in that split second was virtually make the motion meaningless. Now what we have said is that there will be no information coming until the minister is forced one day to rise in this House and say to the

taxpayers of this Province: "Guess what? We just lost \$1.7 million of your money plus interest." There will be no information coming. That's a forgone conclusion. I think Machiavelli would be extremely proud of how fast the hon. member who is the Deputy Premier pulled this off. I compliment him on his very astute manoeuvre here. I'm not pleased with the end results, but it was very effective. He achieved saying no but not having to say that word. [interjection] The wind keeps blowing from the southeast.

Mr. Speaker, when this side asks for information when taxpayers' money is at risk, it is a very serious question. We are not talking about \$10. We are talking about \$1.7 million, which in my riding would go quite a ways to help the children that are going to school hungry. I's a great deal of money.

The motion as it now stands basically says that copies of the loan agreement will be released when all parties agree. We know that that will not happen; therefore, the motion virtually says that no information will be released until the money is absolutely, totally lost. So we have to assume here that the money is as good as gone. Unless the minister is prepared to stand up and say at this present time that that \$1.7 million is still safe, one has to assume that it's gone. It's just a matter of what day the people of this province will be given the evidence that this government has lost another \$1.7 million, and we in this House will not know about it until the minister decides or some information is leaked.

Mr. Speaker, it is truly a sad day, a very sad day, for the democratic process for what has just happened here today.

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

MR. WOLOSHYN: Thank you very much, Mr. Speaker. I'll be brief, but I do have some difficulties here. I was listening in anticipation of what would come from this motion. An amendment was circulated in writing – in writing, I stress.

DR. PERCY: And we didn't rip it up, like that side does.

MR. WOLOSHYN: They actually left it on the desks in front of them. The hon. member claims he didn't rip it up, which causes me all the more concern, because he is a professor.

DR. PERCY: Yeah. We were talking about the hon. House leader, who ripped up the last amendment.

MR. WOLOSHYN: Mr. Speaker, this professor sitting in his place duly reading the amendment as presented – we had a unanimous yes vote, a voice vote. Not a single dissenting vote against this amendment, including the hon. professor over there. Then since that time, for almost the last hour every speaker from the Liberal opposition has stood up and spoken against the amendment.

Now, it only makes me wonder if (a) their researchers gave them the wrong set of notes, and they read them anyhow; (b) when it comes to motions for returns, they say yes to anything, assuming we will say no. So if we asked them their name, they would say yes, or whatever. I really don't understand what the debate is about.

Now the hon. Member for Edmonton-Norwood starts to send his children to school without lunches because of an amended Motion for a Return 176.

Point of Order Clarification

MR. SPEAKER: Is the hon. Member for Edmonton-Norwood, rising on a point of order?

AN HON. MEMBER: Citation.

MR. BENIUK: I could quote 23(h), (i), (j), et cetera. My question, Mr. Speaker, to the member . . . [interjections]

MR. SPEAKER: Order please. It's well known in the Assembly that hon. members can ask another hon. member whether they'll permit a question.

The hon. Member for Edmonton-Norwood.

MR. BENIUK: Yes. For the benefit of the Member for Cypress-Medicine Hat: 23(h), (i), (j).

My question, Mr. Speaker, and I would like a response from the Member for Stony Plain. I am a bachelor; has he just accused me of fathering children?

MR. SPEAKER: Is the hon. Member for Stony Plain prepared to accept the question?

MR. WOLOSHYN: Yes, I will. I must apologize to the member, because I really, really wasn't going to look at his marital status or whatever. If I didn't hear his words on the hungry children correctly, I will be glad to rephrase it that he sent children that really weren't his but perhaps were under his control to school without their lunches. I do appreciate his bringing me up to date.

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

MR. BENIUK: For the benefit of the Member for Stony Plain . . . [interjections] Mr. Speaker, 23 (h), (i), (j), for the benefit of the Member for Cypress-Medicine Hat. My comment was that there are children in the inner city that are going to school hungry. I made a general statement. The Member for Stony Plain . . .

MR. SPEAKER: Order. The Chair believes the hon. member has clarified his intent.

Does the hon. Member for Stony Plain wish to . . .

MR. BENIUK: Mr. Speaker, I would like the Member for Stony Plain – 23 (h), (i), (j) – to clarify his comment.

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

Debate Continued

MR. WOLOSHYN: Thank you, Mr. Speaker. On with Motion 176. I would strongly recommend to the members across the way that if for some reason they were not paying attention collectively in the House, they refrain from imputing motives to the minister who in good faith provided a written amendment, which again I must stress was accepted unanimously by all the speakers including Edmonton-Whitemud and Edmonton-Norwood and whatnot. Then when they stand up and start to suggest, not only suggest but accuse the minister of doing something unsavoury, I feel that it's just not acceptable conduct by our counterparts over there. I do make allowances for them sometimes not paying attention in the House. I do make all sorts of allowances for them, but as I was indicating before the hon. Member for Edmonton-Norwood wanted to ask me the questions, I do feel very strongly that if they have an issue with their researchers, or if they just are programmed so well to say yes to everything during a particular segment, they occasionally perhaps should look at their House leader, and she may indicate to them when it would be appropriate to say no. Or perhaps if they got together in their meetings beforehand and saw what was coming up on the Order

Paper, they'd have a more consistent approach. I think at this point they should accept Motion 176 as amended in good faith and wait for what may come out of this in answers to their motion that was put forth in good faith by the hon. Member for Calgary-North West. I'm sure that he'd be the one to move on to another subject and accept the motion as amended.

Thank you, Mr. Speaker.

3:30

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

Point of Order

Voting on Amendments

MR. WICKMAN: I'm sorry. Mr. Speaker, on a point of order. You didn't recognize my hand. [interjection] *Beauchesne*. To the Member for Stony Plain. There is nothing unusual about voting for an amendment but against the motion, in that you can see that a motion is very damaging . . .

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

The hon. Member for Edmonton-Whitemud.

Debate Continued

DR. PERCY: Thank you, Mr. Speaker. Clearly the amendment which was brought forward is almost in the form of a sting. It's brought forward for the purpose of rejection. It's brought forward clearly to delay further any additional information on this loan guarantee to Skimmer Oil.

I should put this in context, Mr. Speaker. This was one of six or seven loan guarantees that the Premier in September was going to tell us about but which we in fact brought forward and released to the public, that this in fact was a \$1.7 million guarantee undertaken by a government that was getting out of the business of being in business. It had on its board a former Minister of Energy. We felt then that it was an issue that should be brought to the fore, that there were issues here related to the conditions of the loan, when it was negotiated, the repayment schedule. Exactly how much were we on the hook for? Was there interest forgiven? What were the conditions under which it would be called? What were the financial characteristics of the firm involved? This is all legitimate data. We in fact raised this issue, as we ought to as members of the opposition, in question period, only to be stonewalled by the government saying that this is a financial dealing between the government . . .

Point of Order

Tape Recorders in the Chamber

MR. SPEAKER: The hon. Member for Edmonton-Norwood is rising with a question.

MR. BENIUK: Are tape recorders allowed in the House? I refer you to Cypress-Medicine Hat.

SOME HON. MEMBERS: What?

MR. SPEAKER: The question is whether tape recorders are allowed in the House, and tape recorders are not allowed in the House. If there's a tape recorder in the House, it should be removed.

The hon. Member for Edmonton-Whitemud.

Debate Continued

DR. PERCY: As I was saying, Mr. Speaker, we had brought this up in the House, as an opposition should, to try and get additional

information on the loan and its characteristics. We have now tried for a motion for a return. Again, at the time we raised this in the House, the company involved did not come forward and say, "Here's the information, and this will assuage your fears." No, they did not. Certainly the government didn't release it either. Now, at the time that we had raised the issue in the House, there was plenty of time in fact for the hon. Deputy Premier to write to the company and say: "We are going to address the issue that was raised by the opposition in the House, and we will request and obtain the information on the loan requirement." They did not do that. We've agreed to the amendment, as we ought to, because to argue against the amendment would just absorb time that we don't want to waste, because the time of this House is very valuable, and we're aware of that. But we know as well that this has been set up to fail. It's kind of like NovAtel; it's kind of like a number of other undertakings by the government. It's been there, set up to fail.

Along those lines, Mr. Speaker, on the issue of information. When the hon. Deputy Premier, with regards to Motion 175, said that the party involved rejected the waiver and that we would not then release the information, it's clear that there are always two or three sets of rules, depending on who you are in this society. If you're a nurse with a collective agreement, it doesn't matter. If you're a teacher, it really doesn't matter. Or if you're somebody in the public sector under an agreement, it doesn't really matter. Because after all, you're a special interest group and your views as to what is right or just are driven by the fact that you're a special interest group. On the other hand, when it comes to loan guarantees to business, well, no special interest groups there. A contract is sacrosanct, and what's good for that company is good for the taxpayers of Alberta.

Well, just this afternoon, Mr. Speaker, we heard what the costs of that type of attitude were when it came to Gainers; \$209 million dollars down the tubes.

MR. WICKMAN: How much?

DR. PERCY: Two hundred and nine million, and \$35 million hidden in a little footnote there, and who knows how much to come.

The Auditor General's report clearly identifies the fact that they're going to spend at least \$4 million to reclaim this site. At least is the term that's used there, Mr. Speaker. Had we been able to get the information on that, we wouldn't be counting up \$209 million. We wouldn't have the little ticker running as to how many millions more to come down. So this issue is important. We feel that at a stage like this it ought not be the case that a firm that feeds at the taxpayers' trough can say, "No, we don't want to tell Albertans how much we got. We don't want to tell Albertans the conditions by which we got that money. We just want the money, but we don't want any accountability. Just give us the boodle and trust us." Well, that certainly is not the job of the Official Opposition. What we would like to see is in fact the agreement. We would like to see when it was negotiated. We would like to see the conditions under which it was negotiated.

I'm quite willing to take bets with every member of the House; \$10 a head, Mr. Speaker. That's my offer. Anybody who will come over here, I'm betting \$10. It's open season on my wallet that in fact when Skimmer Oil gets the request, they're going to say no. I'm on *Hansard* as saying that. I invite any member on that side of the House to come over, sign up. I'm going to be out there waiting, because I'd like to take their money. I know, you know, they know that Skimmer Oil is going to say no, so \$10 a head.

Thank you, Mr. Speaker.

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

HON. MEMBERS: Yes, we're ready.

[Motion as amended carried]

CLERK ASSISTANT: Motion for a Return 188, Mr. Chadi.

MR. SPEAKER: The hon. Member for Fort McMurray on behalf of the hon. Member for Edmonton-Roper.

MR. GERMAIN: Thank you. The government earlier today filed some documents, and I would ask the Speaker to guide me through an application for the consent of this House to adjourn the debate on this motion until Mr. Chadi has had a chance to review the documents filed.

MR. SPEAKER: Well, the Chair interprets the hon. member's remarks as a motion to adjourn debate on this motion. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Motion fails.

MR. DINNING: Well, Mr. Speaker, I am delighted to let the sun shine in on this debate. It's quite apparent that the members across the way have come either ill prepared, unprepared, or not willing to contribute to the debate, and I think it's . . .

Point of Order Parliamentary Language

MR. SPEAKER: The hon. Member for Fort McMurray is rising on a point of order.

MR. GERMAIN: Yes, the citation is found in Standing Orders 23(h), (i), (j), and (k). Inflammatory language used in the Assembly. The minister well knows that that report of which he speaks and the information that he speaks of was 10 pounds in weight according to his Premier's testimony today, and secondly, how could you be prepared . . .

MR. DINNING: What's the point of order?

MR. GERMAIN: Inflammatory language. How could he be . . . [interjections]

Debate Continued

MR. SPEAKER: Order. [interjections] Order. The Chair is having difficulty with the point of order because the Chair is having difficulty relating the tabling that happened today with Motion for a Return 188, which was filed quite a long time ago without any knowledge that this material would be filed today.

MRS. HEWES: Mr. Speaker, it hasn't even been moved.

MR. SPEAKER: The hon. Member for Edmonton-Gold Bar has raised in the Chair's mind a legitimate point of order, and that is the status of Motion for a Return 188, which has not been moved as yet. The Chair thought that the hon. Member for Fort

McMurray was going to move that on behalf of the hon. Member for Edmonton-Roper but did not hear the hon. member do that. So at this point there is no motion for a return before the Assembly, and if it does not get moved, it will be dropped, I guess. It's been called.

3:40

MR. DINNING: Well, may I move it on his behalf, Mr. Speaker?

MR. SPEAKER: Any member can move a motion for a return on behalf of any other member.

MR. WICKMAN: Only with their permission.

MR. SPEAKER: That is another point. There should be a request.

Therefore, the question before the Assembly now: is someone prepared to move Motion for a Return 188 on behalf of the hon. Member for Edmonton-Roper? The motion has not been moved and therefore will disappear.

Next motion.

Gainers Inc.

M189. Moved by Mr. Germain on behalf of Mr. Chadi that an order of the Assembly do issue for a return showing copies of all business plans submitted by Burns Foods (1985) Limited to the government, between September 3, 1993, and March 7, 1994, with respect to the purchase of the assets of Gainers Inc. by Burns Foods.

MR. DINNING: Well, Mr. Speaker, you know how tempted I am to get into the debate on the matter between Burns Foods and Gainers Inc. and would remind in doing so and in responding to the motion that the hon. Member for Fort McMurray has brought forward for the Member for Edmonton-Roper that today we have filed in the Assembly and you have filed two important documents: one, the Auditor General's review of the matter between Burns and Gainers, and secondly, the documents themselves related to the agreement for the sale of Gainers and Gainers Properties to a partnership entitled Pride of Alberta Meat Processors Company. That's not regular practice until under the leadership of Premier Klein we have opened the books and shown this kind of openness and full disclosure so that Albertans have the facts.

What I found interesting about today was that the government accepted the Auditor General's report, accepted his description and statement of the loss to the province from its involvement in Gainers. In preparing our documentation for the November 18 release, we went to the staff of the Auditor General's office, and in preparing our presentation of a loss of costs incurred by the province, that was attached to the press release of that day, of some \$172.1 million and showing in the notes, not as booking it as part of the total loss but in the notes of the statement, we asked the Auditor General: is that the way we ought to do it? We asked his staff: is that the way we ought to do it, and will you assist us in preparing this financial description so that Albertans have the true, the real, the open, and all of the facts? They willingly complied back in November, Mr. Speaker. They're were happy. No. I could say that they participated, they assisted us in preparing this documentation so that all members of the Assembly, all members of the media, all Albertans would have the facts. So I must admit that it came as a bit of a surprise, his office having agreed to this display of the loss, that the Auditor

General saw fit this week to take the \$32.4 million or the effective \$35 million interest and guarantee fee payable cost from the notes to the bottom line.

The Member for Fort McMurray would probably, having moved this motion and knowing what an honourable man he is, acknowledge that had the Auditor General acknowledged the fact that the government would have complied, that had the staff of the Auditor General said, "Don't put it in the notes; put it above the line and put it on the bottom line," this government would have done just that. You know why, Mr. Speaker? Because I refer to documentation that is in the budget papers where we have received I think well-deserved recognition.

MR. GERMAIN: A point of order, Mr. Speaker.

MR. SPEAKER: The hon. Member for Fort McMurray is rising on a point of order.

MR. GERMAIN: Thank you. The citation is the relevance section in *Beauchesne*. [interjections] All right. I'll just continue talking.

MR. DINNING: This is important debate, Mr. Speaker. While he's looking for his reference . . .

MR. GERMAIN: No, but it is important debate.

MR. SPEAKER: The Chair believes the hon. Provincial Treasurer says that he will continue for a short time until the hon. member gets his references, and then he will . . .

MR. DINNING: Mr. Speaker, this is relevant because this relates to openness and providing information in response to the motion for a return that asks for information on business plans related to Burns Foods and the government.

Point of Order Relevance

MR. SPEAKER: The hon. Member for Fort McMurray is now rising on a point of order.

MR. GERMAIN: I thank the members opposite for hollering out the citation to me, Mr. Speaker. It gives me a chance in opening my point of order to discuss . . .

SOME HON. MEMBERS: What is it?

MR. GERMAIN: *Beauchesne* 459. It gives me a chance to point out and to remind the Assembly that earlier today, Mr. Speaker, you yourself experienced some exasperation with some members who knew that a member can rise and ask a question. Long-standing repetitive rulings in this Assembly – and it seems to me that there are some rulings and some points of order in this Assembly with respect to the Assembly and to any members opposite who would disagree that create more disruption and more delay in trying to find and lay out the citation numerically, when the point of order, which I identified in one word, "relevance," is well known.

Now, if I might, Mr. Speaker, I want to deal with that issue. This is a very narrow motion for a return. The Official Opposition has asked for some documents, some business plans. We have not asked the Provincial Treasurer to explain again to Albertans how there's a \$35 million – the Premier's words today, I believe, were restatement or readjustment. We didn't ask that.

I know that the Provincial Treasurer is sensitive right now to these losses and the magnitude of these losses, but what we asked for were the business plans, and that is what we would like him to deal with.

MR. SPEAKER: Well, the Chair would remind all hon. members that we are dealing with Motion for a Return 189. The hon. Member for Fort McMurray has stated what Motion for a Return 189 is all about, and the hon. Provincial Treasurer wants to respond, the Chair is sure, to what Motion 189 is asking for.

Debate Continued

MR. DINNING: Well, Mr. Speaker, you are absolutely correct, as you always are, sir, in that this motion for a return speaks "with respect of the purchase of the assets of Gainers Inc. by Burns Foods." Those are the specific words from the motion, and I'm surprised that the Member for Fort McMurray would want to squelch debate, oppress the expression of a point of view, and not put the facts into the record. I would have thought this member would have wanted this kind of openness and full disclosure, as I'm trying to bring to this Assembly today.

3:50

I would refer members of the Assembly to pages 133 and 134. Consistently this government is taking a lead from the hon. Premier, the Member for Calgary-Elbow, sir, that we are going to lay out all of the facts, and we have. And as a result we've received accolades that are expressed on page 133, especially as they relate to the Burns purchase of Gainers, where the CA magazine in the January-February '94 edition speaks, "Alberta has become one of the most progressive provinces in government accounting circles." Our own Institute of Chartered Accountants, Mr. Speaker, in their prebudget advice to the government said:

Albertans can feel confident that they have the full picture of the province's finances. Alberta is now viewed as a leader in financial reporting among governments.

In providing the information to respond to the motion for a return about the purchase of assets of Gainers Inc. by Burns Foods, I want that information on the record so that members will know that if the Auditor General had said to us back in November that we want this information better illustrated, better disclosed, better portrayed on the bottom line, we would have done just that. That's part of the business plans, I believe, that the hon. member, if he was searching for the right thing, would want to find and would want to have. So I wanted that on the record.

For the first time today to be able to do it uninterrupted – my wishes haven't quite come true, almost uninterrupted – a chance to put that on the Order Paper, I can advise the member that I would be quite prepared to recommend to this Assembly that this Motion for a Return 189 be accepted, but the Assembly should know that no such business plans exist, Mr. Speaker. So if the Assembly chooses to adopt this motion in the willingness of wanting to be agreeable – I know government members are willing to say yes. When you call all those in favour, they might say yeah. But I want to advise the Assembly that when the Assembly directs us to provide those

business plans submitted by Burns Foods . . . to the government, between September 3 . . . and March 7 . . . with respect to the purchase of the assets of Gainers Inc. by Burns Foods,

no such plans were submitted. Because this was an agreement that took place between Burns Foods and Gainers Inc., and the government was in receipt of no such business plans. But I will leave it to the Assembly to make that decision as to whether they would want a no return.

MR. WICKMAN: Mr. Speaker, this is a rather difficult one in the sense that the motion ironically happens to be in front of the

House today, up for a procedure on the same day that the Provincial Treasurer comes into the House earlier with 10 pounds of documentation that relate to the Gainers' situation. Now, of course, members of the opposition have not had the opportunity to go through the documents to see if any of those documents pertain specifically to the motion in front of us in terms of attempts by Burns Foods to reduce a financial impact on the government, in terms of a loss of Gainers by attempting to acquire, by attempting to merge, by attempting to do something that would in fact benefit the industry but at the same time lessen to a degree the impact on the financial liabilities that it's going to end up costing the taxpayers of this province, which clearly is going to be horrendous. It's probably going to make the equivalent of – what? – 200 riverboats. We know how provoked people became over one riverboat. We're talking a fleet.

Mr. Speaker, during the course of the last few months this opposition, this caucus has raised the question of any relationships with Burns, any attempts by Burns to acquire. From a procedural point of view I'm not sure as to what mechanism we now have that the motion has been duly moved and such but to follow through. The Provincial Treasurer has gotten up and stated that no business plans have been submitted previously by Burns. I guess it defines how he would interpret business plans. Are business plans like what came forward in the budget, the business plans for all the various departments? Because that to me is not my interpretation of a business plan. Obviously, the Provincial Treasurer interprets what a business plan is all about a little differently than many of us would.

Mr. Speaker, over the course of the years we've raised many questions about the whole Gainers fiasco, the involvement of Peter Pocklington and the cost to the taxpayers in terms of Peter Pocklington bailing out or the provincial government graciously taking over some of his commitments. We've raised a question repeatedly, and it was stated here in the House again today. Reference was made to the former CEO and the high salary and the golden handshake. We've raised in this House the question of two residences being kept, one in Toronto and one in Edmonton, being flown back and forth, perks, benefits, just tremendous abuse that there appeared to be in terms of taxpayers when it came to the operations of certain aspects of Gainers. Every little bit of documentation that allows the government to bare its soul and come clean, the government should readily do.

That 10 pounds of documentation that the Provincial Treasurer did table in this House earlier I would submit is probably just the tip of the iceberg. There are probably all kinds of documentation, sort of like NovAtel. It would have taken truckload upon truckload upon truckload to try and bring all that information that pertained to it to one central spot, because it was so widespread. I would venture to say, Mr. Speaker, that what the Provincial Treasurer tabled was only the tip of the iceberg, and we'll never see all the documentation. I'm convinced of that. We'll never see all the documentation unless there are subsidiaries in the United States so that we can exercise their freedom of information legislation to attempt to get information like this caucus did on the NovAtel situation, for example.

Because of the irony of this particular motion being dealt with today, with that documentation, complete or incomplete, being tabled today, it does kind of leave us in a bit of a bind. If the Provincial Treasurer stands up and says that there are no business plans by his definition submitted by Burns Foods, I guess we have no choice really but to accept that. We can't very well say that he's not presenting us the entire truth or the proper picture, because this caucus would never accuse a government member of

that type of conduct. So we have to assume that he is going to do the proper thing, Mr. Speaker.

MR. SPEAKER: The hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Thanks, Mr. Speaker. Just a couple of comments to pop in to this debate. There's one very curious thing. It seems to me that the Treasurer is trying to leave the impression in this House and with Albertans that your having tabled this document, sir, and the Treasurer having given to the House another 10 pounds of documents today in fact clears the government of the responsibility of this immense loss to Alberta taxpayers. Mr. Speaker, \$209 million has been squandered, and it is an immense loss, a huge loss. There is no way the taxpayer is going to be fooled into thinking that because the Premier invited the Auditor General to make a report on how the loss occurred – and that is now tabled – that that means that this government is not totally responsible for that loss and should be totally accountable to the taxpayers of Alberta and should explain to them.

The Treasurer squirms out of answering this particular motion with the idea that in fact there were no business plans submitted to the government, that it was a deal simply between Burns and Gainers. Well, of course, the Auditor General makes very clear in his report and states unequivocally that the province took over Gainers, and if the province had no notion of the business plans and whatever the deal was, then I say that they should have. That, too, is reprehensible. It adds to the whole notion that this province was out of control, that they are trying to convince us that they are getting out of business and that they are businesslike in their dealings. Well, Albertans know quite differently.

Mr. Speaker, this document is not any comfort to me. It does not help me to have any confidence that those people have a clue what they're doing. It certainly in no way clears them of the responsibility and the accountability to the Alberta taxpayer for the loss of \$209 million.

4:00

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

MR. BENIUK: Thank you, Mr. Speaker. I find it difficult, if this is what the Treasurer has said, that a company of the stature of Burns would acquire another company without having any business plans of what it would do with that company, how it would turn it around or, alternatively, close it or do something else to it. There has to be some sort of plan by one company taking over another company. So now the question is on the fact that the Treasurer now says that the government does not have any of these plans. Is it that they did not want these plans for a specific reason and said, "We don't want to see them; you just go and do what you're going to do," or did they see the plan and return it to Burns, so they don't have the physical, or on disk, plan itself? The significance is very important.

The people working at Gainers, which is now part of Burns, and the suppliers to Gainers here in Edmonton would like to know if the plant is going to continue to exist more than six months, a year, or two years. Was this a very, very tactful way of removing a major liability, an embarrassment for the government: by having a private company acquire Gainers and then within a short period of time close it down and move the operations to Calgary or Red Deer or wherever? There has to be some plan by a company acquiring another company. I doubt very much if any acquisitions take place in this country, in this province . . .

MR. DINNING: Andrew, what would you know about it?

MR. BENIUK: His response does indicate that he knows that a company does not acquire another company without a plan in place. Therefore, he has information which this House would like to have, and this motion for a return is asking for that information. Now, obviously the most knowledgeable Treasurer is fully aware of what has taken place. What we're asking is for him to tell the people of Alberta what the plans are that Burns has for Gainers over the next few years. The very fact that the minister is so sensitive to this issue that the minute I raised it he got emotional does tell me that there is a nerve that has been touched, and that nerve is: he will not provide information on this because it would be very embarrassing for him and his government, because the plan we're shown is a short-term plan. The workers, the suppliers are going to be paying a very high price.

**Point of Order
Imputing Motives**

DR. L. TAYLOR: Point of order, Mr. Speaker.

MR. SPEAKER: The hon. Member for Cypress-Medicine Hat, rising on a point of order.

DR. L. TAYLOR: Standing Order 23, *Beauchesne* 484, *Beauchesne* 69: imputing motives. He's suggesting that this would be very embarrassing for the government. He's putting motives to the government. It certainly would not be embarrassing. No businessman, certainly, would show that hon. member his business plan. He wouldn't understand it. [interjections]

MR. SPEAKER: Order please. The Chair understood the hon. member to be referring to the Provincial Treasurer and not to the government. I suppose if the Provincial Treasurer feels that there are false motives or allegations being made against him, he could maybe say something about it, but the Chair doesn't feel it should be coming from the hon. Member for Cypress-Medicine Hat.

The hon. Member for Edmonton-Norwood.

MR. BENIUK: Thank you. Mr. Speaker, I doubt very much if the Treasurer needs the Member for Cypress-Medicine Hat to defend him. I think the Treasurer is quite capable of defending himself.

Debate Continued

MR. BENIUK: Mr. Speaker, the issue is very serious. We have to know, the people of this province have to know what the plans are that Burns has for Gainers, and we ask that this motion be passed and that the Treasurer provide the important information.

Mr. Speaker, as I conclude, I'll be passing this on to you. You can check the source.

MRS. ABDURAHMAN: Mr. Speaker, in speaking in favour of this motion, I would put it to the Provincial Treasurer, as he's professing that he indeed is a businessman, that Burns Foods would want the impression left in this House that there was not some documentation, whether they be called business plans or whatever, that wasn't put before Gainers with regards to the negotiations. If that indeed did not happen, then the government of Alberta was negligent in their responsibility.

We have heard today from the opposite side the Provincial Treasurer profess that he is a successful businessman. Well, I would suggest to you, Mr. Speaker, that if the Provincial Treasurer has indeed the business ability that he's professing, why did he sit year after year seeing accounting practices that were not acceptable by any standards come before the Executive Council?

If indeed you are suggesting in your comments over the past number of days, weeks, and months that the only reason this fiasco of Gainers was drawn out was to keep people employed, I would say, "Where is your business sense, Provincial Treasurer?" Are you suggesting that to be in business today, when you're losing money, you keep your doors open irrespective of what the losses are to keep people employed? That's what I'm hearing from the government side of the House. If you're a smart businessman, you would take those losses to heart and say, "No more tax dollars going down the drain," and you would redirect where those Alberta dollars were being expended to ensure that we created meaningful jobs.

Mr. Speaker, when you hear government saying that they can create jobs, we know we're in trouble, because the reality is that government can't create jobs; it's people that create jobs. [interjections]

Now, it's interesting. They're suddenly beating on their desks and saying that they've been saying it for years. Well, where were you when you were saying it? You were putting money down the drain, whether it's MagCan, whether it's Gainers, whether it's NovAtel. He thinks it's hilarious. MagCan is still in existence. We're seeing taxpayers' money still going down the drain, and they're saying that they're smart businessmen? Give us a break. If you had learnt anything over the years, the smugness that I see across the way would have been long gone and you would have addressed Gainers in a meaningful way, you would be addressing MagCan in a meaningful way, so as we wouldn't be losing any more money.

So to suggest, Mr. Speaker, to the Provincial Treasurer, that there was nothing resembling business plans with regards to Burns and Gainers is an insult to anyone's intelligence. I would suggest to you, Mr. Provincial Treasurer, that you go back and tell Burns that when they're doing business, they don't have any business plans.

Thank you, Mr. Speaker.

**Point of Order
Questioning a Member**

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

MR. SPEAKER: The hon. Provincial Treasurer, rising on a point of order.

MR. DINNING: Would the hon. member take a question?

MRS. ABDURAHMAN: No, I won't.

4:10 Debate Continued

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

MR. JACQUES: Thank you, Mr. Speaker. I find this debate absolutely incredible. Absolutely incredible. The real world of business: you're in a negotiating mode. It's you and I. I have my cards and you have yours, and I don't play mine out to show to you. We make our deal. We keep our plans to ourselves. That's what this whole free enterprise system is all about.

AN HON. MEMBER: They don't understand that.

MR. JACQUES: I know they don't understand.

To ask by a motion – I mean, why don't they send a letter to Burns and ask them for their business plans? Burns would laugh all the way to the bank. They would laugh all the way to their offices. Ridiculous. Mr. Speaker, one would almost think this is

April 1. Is it April 1? Maybe we should call it April 1. We call it 5:30 at times. Let's call it April 1. Then the motion would make sense.

Thank you, Mr. Speaker.

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

DR. L. TAYLOR: Thank you, Mr. Speaker. Those are certainly some hard comments to follow.

I would just like to read this motion, just to make sure the hon. members over there know what they're speaking in favour of. I'm sure they don't know. I'm sure they do not know, Mr. Speaker. It's obvious to me. The mover of the motion isn't even here to listen to it or speak to it. That's how important the motion is to the members opposite, when the mover isn't here to listen to it and speak to it. I'll read this motion, just so the hon. members know what they're talking about.

That an order of the Assembly do issue for a return showing copies of all business plans submitted by Burns Foods (1985) Limited to the government, between September 3, 1993, and March 7, 1994, with respect to the purchase of the assets of Gainers Inc. by Burns Foods.

You know, it's just incredible that those members over there have the nerve and the naiveté, I suppose – I wouldn't want to say stupidity; naiveté is a better word – to ask a private company for its business plan. Now, I'm sure that the hon. member who proposed this motion wouldn't do that. It's certainly interesting to me, as I sit here and observe, that there doesn't appear to me to be anyone with business experience, at least if they're in favour of a motion like this, Mr. Speaker. Certainly no businessman or no one with any kind of business experience would ask a private company for its business plans. I mean, it's ludicrous. If somebody came and asked me for my business plans on developing a certain piece of property, I would just laugh at them and say: "What? You want my business plans? Do you have no common sense? Why would I give you my business plans so that you can then counteract and compete with me?" It certainly makes no sense.

Perhaps some of these members wanted the business plans so they could compete, so they would have inside information to compete with the Burns company. I don't know. Some of them are wealthy enough, reportedly, to be able to do that. Certainly the member that proposed this motion is reported to be able to compete with Burns, and perhaps that's why he wanted the business plans. I certainly can't speak, and I wouldn't want to impute motives.

We have to be very careful with this. We have to remember that this government is in the business of encouraging private industry. This government is in the business of creating jobs for Albertans through private industry. It is private business that creates jobs in this province, not government, not infrastructure programs like the federal Liberals have proposed. Those programs create temporary jobs, and it's these types of jobs that the members opposite seem to want to create. We are in the business of creating long-term jobs, and that happens through small business and business in general.

So, Mr. Speaker, we certainly would encourage Burns not to release their business plans to members of the opposition or anyone at all.

Thank you for this opportunity.

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

HON. MEMBERS: Question.

MR. SPEAKER: The hon. Member for Fort McMurray to close debate on this motion.

MR. GERMAIN: Thank you. I want to pick up, if I might, Mr. Speaker, several trains of thought. I hope the Assembly will not let me forget the commentaries made opposite by the member from Grande Prairie and other members on what constitutes the circumstances in which a business plan will be released.

Now, there was much frivolity and much humour and much chuckling about who is a businessman and who isn't a businessman. Well, that businessman there suffered a \$6 million payout penalty to pay out a loan; \$6 million that he could have saved if he had simply asked what the operation law is in Alberta about loans in default and payout penalties. There's a man over there that paid \$40 million a month to get some management services and other services. That's business.

Now, let's go back to the Provincial Treasurer, Mr. Speaker, when he was inflaming the Legislative Assembly on this issue earlier. His voice dropped way down low, and he said to this Assembly: we've disclosed everything.

MR. DINNING: We have.

MR. GERMAIN: "We have," he says again. Yet in the document he filed earlier today, on page 3 . . .

MR. PASZKOWSKI: What do you call what you're doing?

MR. GERMAIN: Minister of agriculture, on page 3 . . .

AN HON. MEMBER: Drop your voice, Adam.

MR. GERMAIN: I'll drop my voice way down low then too, Mr. Speaker. The members opposite are going to go home to their ridings on the weekend, and they're going to talk about the issues raised by the Provincial Treasurer and his disclosure. On page 3 of the document he filed today it says, "Certain documents or portions thereof have been excluded from the information released on the basis of confidentiality." Now, he did not put that wider. He did not put that . . . [interjections]

MR. SPEAKER: Order. [interjections] Order. Assembly, please come to order.

The hon. Member for Fort McMurray.

MR. GERMAIN: By golly, Mr. Speaker, the minister paid I think a million and a half in legal fees on this deal alone. I'm grateful, frankly, that they're now starting to ask for my legal advice.

MR. DINNING: Tell them why.

MR. GERMAIN: The point that I was making, Mr. Speaker, was not whether or not it was appropriate not to release all the information. The point that I was making is that the Treasurer – and, frankly, if we want to get into it, I would be interested to see whether all of that information that was excluded needs to be excluded. But we'll save that debate for another time, because I am speaking to this motion. Remember I'm speaking to this motion that's before us today, Motion 189, for the release of documentation.

So we move past the Provincial Treasurer's inflammatory commentaries, and we talk about what he said here earlier today. I'm frankly not sure on what basis he's concerned about this. He concluded his comments in a throw-away comment that there are

no business plans, but he says that the business plans would be between Gainers and Burns Foods.

MR. DINNING: Negotiations.

4:20

MR. GERMAIN: All right.

Well, if the Provincial Treasurer has business plans in the possession of the government, in my view it is appropriate for him to release those pursuant to this request for information rather than to simply try and find a technicality on which they are not released.

Now, if a hairdresser in the corner store in Drumheller, Mr. Speaker, wants to sell her business to another buyer, then obviously I agree with my friend from Grande Prairie that you might not ask the buyer to disclose what the buyer is going to do with the business.

But this is different. Listen to this part. This business is a heavily industry regulated business. This business is a business that the government has indicated they had wanted throughout to preserve jobs in Edmonton.

MRS. HEWES: The government owned it.

MR. GERMAIN: The government owned this business. They would be fundamentally interested in what exactly the purchaser was going to do and how the purchaser was going to operate. They would also be fundamentally interested if the purchaser was going to pay over time in any way, as in fact to some extent some of the present arrangement has some future development costs. The vendor might want to see if there was the resource, the wherewithal, the intellectual capacity to honour those future commitments and would certainly ask for that type of information.

This, Mr. Speaker, is not the sale of a hairdresser's shop on the corner of Main Street in Fort McMurray or Drumheller or Grande Prairie. This is a major industry with a major number of employees which has cost the government major money. There are union issues here. You bet your little booties that it takes it out of the humorous anecdotes that the member opposite from Grande Prairie said.

Now, this Assembly has two choices, Mr. Speaker, on all of these requests for motions for returns. They can either get into the situation where we have this kind of rhetorical debate, or the government members can simply stand up and say, "We will give you the information." All they have to do is say that motion after motion after motion. What we finally come down to in this particular situation is whether or not the government is prepared to be straight with Albertans and prepared to allow Albertans to see for themselves that which it is that the government will not hide.

Now, Mr. Speaker, many Members of the Legislative Assembly are parents, excluding my friend behind me who may not have fathered any children, and many Members of the Legislative Assembly through understanding rudimentary psychology and child psychology know that there is nothing more than suppression and secrecy to whet somebody's appetite to know and to learn and to see for themselves. The government on a daily basis when these motions are debated reaches a crossroad of confidentiality with the people of Alberta. They can build on that confidence with Albertans by simply saying, "We're giving you the information," or they can refuse to give out the information by allowing their voices to drop way down low and say that they've already given it to us.

Those are my comments, sir.

[Motion carried]

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

MR. SPEAKER: The hon. Member for Lacombe-Stettler.

**Bill 207
Adult Adoption Act**

[Debate adjourned March 22: Mrs. Gordon speaking]

MRS. GORDON: Thank you, Mr. Speaker. Petitioners should not be required to travel to Edmonton just to have a contractual agreement between two adults approved. This does nothing but increase the cost for the petitioner. If adult adoptions are approved by the Court of Queen's Bench, people wanting their adult adoptions considered will not have to travel out of their region. Ideally, adoptions would be allowed by a provincial court, such as family court, but as I mentioned earlier, we need to have the adult adoption process as consistent as possible with the child adoption process. Court of Queen's Bench is familiar with this adoption process. They have a mechanism in place, and a fee structure has been developed. It is unnecessary to create a second mechanism in a different court.

Although we need consistency and should keep all adoptions under the same jurisdiction, I don't think adult adoptions should be combined in the same process as child adoptions. An adult adoption is approval of a contractual agreement between two adults. The only reason that the court should refuse the adoption is if the adoption would contravene public policy, such as an adoption that tends to get around immigration laws. The courts must hold a greater amount of concern with child adoptions. When the court considers an application to adopt a child, they must take into account the current and future interests of that child, for they are acting as a guardian of the child. This concern is unnecessary for adult adoptions. A lawful agreement between two consenting adults should not be held up by the court system.

Mr. Speaker, Bill 207 outlines a simple process for the approval of an adoption, but it still has enough safeguards built in to protect the public interest. Any petition for adoption must be accompanied by an affidavit from both the petitioner and the person being adopted. The affidavits must outline the reason why the adoption petition is being presented and the relationship between the persons involved. This serves two purposes. First, it gives the judge all the information he or she should need to consider the merits of the adoption. It also reflects the serious nature of an adult adoption. This is a procedure that should not be taken lightly. By putting the information into a court document in writing, the partners to the adoption will be forced to reflect on whether they do indeed want to follow through with the adoption.

The petitioner must be a resident of Alberta. We want this process to serve Albertans, not people from other jurisdictions who wish to avoid the system in place in their province. But the person to be adopted must only be a Canadian citizen or a landed immigrant. This allows some flexibility. For example, if a mother remarries and wants her son to be adopted by her new husband, an adult adoption can be considered by the court even though her son may now live in another province or country. This flexibility is very important when dealing with two adults. This Bill will prevent using adult adoptions to avoid immigration laws. If section 5 was not included in Bill 207, any person in Alberta could adopt an adult person wishing to come to Canada. Because of the nature of adult adoptions, the adopter would have no responsibility or accountability for the person they have adopted.

[Mr. Deputy Speaker in the Chair]

The Bill also has safeguards to prevent marriages that are prohibited by the laws regarding the lawful solemnization of marriage even though the previous parental relationship is severed by the adoption order. This Bill prevents the marriage between the adopted person and former relatives; as an example, a sister.

To conclude, Mr. Speaker, I believe that Bill 207 deserves the support of all members of this Assembly. It is an initiative that creates a better system for dealing with adult adoptions but uses an existing process as much as possible. It allows flexibility for persons considering adult adoptions yet has safeguards in place to protect the public interest. Given these factors, Bill 207 is a useful and necessary initiative, one that deserves our support.

Thank you.

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

4:30

MR. BENIUK: Thank you, Mr. Speaker. I rise to speak in support of Bill 207 and also to give the Member for Cypress-Medicine Hat another opportunity to bellow. I would like to compliment the Member for Medicine Hat for presenting this Bill, which I regard as a very enlightened Bill. Bill 207 will allow . . .

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: Hon. member, sorry to interrupt you. Please do not invite others who would be so inclined to bellow or make unparliamentary noises or sounds in here. Some of them have an inclination, I know, but please don't invite it.

MR. BENIUK: Thank you for your advice, Mr. Speaker. But whether . . .

DR. L. TAYLOR: Can I talk to you, Andrew?

MR. DEPUTY SPEAKER: Order.

MR. BENIUK: Whether I invite it or not, the Member for Cypress-Medicine Hat comes forth, or I should say blows forth.

Debate Continued

MR. BENIUK: Mr. Speaker, as I was saying, I do compliment the Member for Medicine Hat for bringing forth this Bill. As the chair of the Private Bills Committee, he is the most appropriate person to have brought this forth, and I do compliment him once again. It will allow adult adoptions to take place outside this Legislature. I among many others here do not believe adult adoptions should require an Act of the Legislature to become valid. The courts are fully capable of carrying out that function.

This Bill should receive the support of all members of this House. My comments will be very brief. I just wish to go on record as fully endorsing this Bill, and once again I do compliment the Member for Medicine Hat for bringing it forth. I think it's long overdue.

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

MR. WOLOSHYN: Thank you, Mr. Speaker. I think we'd better perhaps focus on what the real issue is. The issue is not if adult adoptions should go ahead but who should be the approving body for the adoptions.

Now, I have a lot of respect for the mover of the Bill, the Member for Medicine Hat. However, I think there are a few

things that have perhaps been overlooked. I would have to, first of all, wonder why this Bill has come forth at this time. Now, I had the privilege of sitting on the Private Bills Committee a couple of years back when the Minister of Energy was the chairperson. Indeed, we did do some adoptions at that time. We did in fact reject some adoptions at that time. The benefit of having this process go through the Legislature is that that committee takes these matters very, very seriously. As I recall – and I perhaps could be wrong – I think even the Member for Edmonton-Gold Bar was on the committee at the same time, and I do believe that she was in support of rejecting the odd adoption, very rarely, I must point out, because we as a group looked at these adoptions with sincerity. I felt very, very comfortable with the adoptions that were in fact approved. I felt very comfortable when some of them were not approved. I think the biggest asset to the process was that all politics aside, I do believe, going back in the records, that I agreed with every position taken by the Member for Edmonton-Gold Bar, which is quite rare at the best of times and which would indicate to me that we were looking at the facts of the case. The fact that we could come to the same conclusion I think is extremely important. So having reflected back on those days, I began to wonder: why are we doing this?

The committee certainly is not overloaded with adoption cases. I believe in the last sitting there were about six. Yes, there may be an inordinate amount of time per adoption if you collect man-hours of the committee. However, this is a very, very serious matter and has all sorts of serious ramifications if not done properly. So when we get a committee that spends even a single hour but you have a number of members there that are participating in it, then I feel a lot more comfortable that the different avenues can be looked at and that if there are in fact problems, those would be identified. If there are concerns, those can be identified in answers.

We don't have an overload in the Private Bills Committee, so certainly it's not a matter that it can't be handled by this committee. Usually, although not always, there's no high degree of urgency for the adoptions to be done, so if for some reason they should fall off the Order Paper, they can be brought back. When occasionally that is a problem, the people on the eighth floor in the Leg. Annex have a very good track record of making whatever allowances are necessary to make sure that they do go through the system.

Then we look at where we're moving this to, because this is a very complex matter in many cases. I think this House can be proud of being one of only a few institutions or the last one left in the country that in fact has adult adoptions come through the Legislature. That's not a criticism; I think that's a big plus for this Legislature. What would we do with it? We currently hear how overloaded the court system is. So now we're going to take and plug into that court system some more work, albeit not that many unless there was a sudden influx, which would give me another concern, and I'll get to that in a moment or two.

Now, I think it's very important that members understand that if the matter appears before the Private Bills Committee, the principals involved come and they usually sit on that side of the House. It's a very relaxed atmosphere. The chairpersons usually do everything within their power to make these people comfortable. The questions and answers are not in a formal court setting; hence you get at all the good reasons for the adoption proceeding. Sometimes you find that the reasons aren't so good, and the adoption doesn't proceed.

We're now going to move this into a court setting, into one of the highest court levels, where it should be. This immediately would require the assistance of legal counsel. We immediately

would take and bind the process into the rule structure of the court itself. So then I would have to question if we are serving in the best way possible the applicants for these adoptions by forcing them into this higher court, by forcing them into a very formalized structure to have their wishes put forth or indeed rejected.

I don't take quarrel with the Bill as written. There would be, I'm sure, in committee some modifications, and if it were to pass second reading, I'm sure some of those would come up. I don't take issue with the Bill itself, and I must stress that I can't see any other advantage – if you can in fact call it an advantage, which I cannot – of moving the adoptions out of this Legislature other than to provide less work for the members of that committee. The members of the Private Bills Committee are here for a purpose, and we have to remember that it does not cost the taxpayer any more for this committee to function. It only sits during session. There is a very good structure to access it. Why are we changing it? We're going to change it into a court here, a court there, a set of rules over here, a different lawyer over there. Maybe we're losing our consistency in this. Maybe we're acting just a wee bit hasty in this matter. Once it's moved over into the court system, then we're going to be losing track very quickly of problems if in fact there are. We're going to be overloading an already overloaded court system. We'd have the potential – the potential – of significantly increasing the cost to the applicants.

4:40

DR. WEST: Better than the taxpayer.

MR. WOLOSHYN: The taxpayer is also, hon. Minister of Municipal Affairs, going to be exposed to higher costs, with larger amounts of court time paid for out of the Minister of Justice's budget being expended on adoptions, which are currently being done at no cost to this government. So there's the cost factor, and if we are looking at keeping costs down – and I do appreciate your bringing it up – then this is another reason for us to leave it where it is, because in fact it will increase costs. It will increase costs to the system. It has the potential of increasing costs to the individual almost immediately. For people who would be facing the drive up to Edmonton to appear in this Legislature, they may be closer to home in some of the other Courts of Queen's Bench, but they would immediately end up getting legal counsel to work them through the system. The rate of legal counsel these days would mean that two hours' work would be more than what it currently costs them out of their individual pockets in total now. That's not considering anything else.

So if we're looking at it from a cost measure, it also doesn't work, because the Bill itself does not have any safeguards on escalating costs. I would like again to caution the members to keep these points in mind, although again – and I keep stressing it – I'm not against the principle of adult adoptions. I don't have any difficulty with that, but the basis of my not being able to support this Bill is the fact that it is doing something that I think could inhibit what we have and what is a very workable process. It does not give any financial advantage either to the government or to the individuals involved, as what will currently happen. Now, perhaps the legal counsel to the Legislature would have a little bit less to do on this, but with all due respect, I'm sure that wouldn't change your lives overall.

So, Mr. Speaker, in conclusion, I would urge all hon. members, yes, to support the concept of adult adoptions – we don't have any difficulty with that at all – but to very, very seriously consider the implications of hastily moving the process. And I do say hastily, because we have to appreciate that under private Bills there's closure on second reading, there's closure on committee,

so we don't have all the opportunity – that's not a reflection on anybody. That's just the way the rules are set up in Standing Orders. So this won't get aired properly, and I would urge hon. members to defeat this Bill at this time. If in fact the concept still is valid later on, perhaps with some lobbying and petitioning the government could bring it through as government legislation and then have some of the wrinkles taken out of it, if there are any in there.

In conclusion, Mr. Speaker, I would submit to the Legislature to turn this Bill down, not on the merits of the Bill itself but on what we are doing by moving the adult adoptions out of the Legislature into the courts at this time.

Thank you very much, Mr. Speaker.

MR. GERMAIN: Well, I listened carefully to the member opposite speaking against this particular Bill. With respect to his viewpoint, I must disagree with it. At the appropriate time it's my intention to support this Bill, and I want to speak to it conceptually now with what I believe will be some value-added enhancements that might be of assistance to the mover of the Bill. He may indeed even come forward with some polished recommendations.

First of all, I want to deal a little bit with the present process, which is a private Bill drafted by the Legislative Assembly Counsel and debated at great lengths by an all-party committee. There is a tremendous value-added cost component to that particular approach, and it is, to my thinking – with respect, Mr. Speaker, to those who would hold a different view – somewhat perhaps sanctimonious to suggest that people elected to this Legislative Assembly from all walks of life, with different agendas, with little or no experience in many of the areas that they're asked to confront would be any better or more gifted at determining whether it is appropriate that somebody's life-style change through an adoption process.

Let us be clear about one other thing about the decision-making process. I think the Provincial Treasurer has acknowledged this many times. If you make decisions, it is inevitable that on occasion some of those decisions will be wrong. Judges recognize this.

DR. WEST: Courts never do that.

MR. GERMAIN: Courts recognize this. That's why there's an appeal process. Perhaps Legislatures should recognize it more often. So sitting around in a committee debating evidence that is not under oath to determine whether somebody should adopt seems to me to have no more safeguards than that proposed by the member.

Now, it is in fact the case that Legislatures are intended to make policy. Legislatures are intended to bring in laws. It is judges who are intended to sit in judgment and to make judicial decisions affecting individual rights. Surely this private adoption process, for however long it has been entrained in the legislative practice of this province and indeed others, is an anomaly. It is an interference into an individual, personalized relationship by a group of individuals who are gifted with no better judgemental skills to make that type of decision than the courts are. So with respect to the member opposite, I think freeing this very important committee from the adoption review process and surrendering it to the judiciary is a step in the right direction. I also believe it will reduce the time of the committee and may in fact have indirect benefits to the Legislative Assembly by bringing down the operational costs of the Assembly.

Now, the member opposite, however, in opposing the Bill did make one valid point, and that is that he wanted to strike a blow for cost saving indirectly. He wanted to suggest that maybe people would go to a lawyer and would have to pay some legal fees to do these adoptions. This process would be a reasonable one for the clerk of the court to handle much the same way, Mr. Speaker, as they handle small claims procedures in the province of Alberta. The Attorney General is not here today, so in his – I'm sorry. I apologize.

MR. WOLOSHYN: There is no Attorney General.

MR. GERMAIN: Yes. There is no Attorney General. That's why he can't be here.

Let me say that in the small claims procedure of this province, which is intended to be a do-it-yourself procedure, the counter staff at the courthouses across the width and breadth of Alberta have preprinted, self-carbonating forms, together with a guidance package, to proceed with this process. Anytime that a piece of legislation involves the courts, the courts in turn can make regulations enforcing it. This would be a useful way for the member who sponsored this Bill to follow through with the postpassing recommendations, if it goes that far: to ensure that there is that counter assistance so that people who want to do it themselves will be allowed to do so.

Now, the last comment I want to make is that I was startled by the member's suggestion that people coming into this Assembly would not be put off, compared to coming to their local courthouse. I would think for somebody to be asked to walk into this Assembly and sit on this side and face a committee of numerous Members of the Legislative Assembly opposite, it would be a very intimidating task, and I would suggest that there would be more social relief and comfort to the individual applicants if they appear in front of the Court of Queen's Bench.

4:50

The last comment I would like to make concerning the appropriate forum for who should decide this, Mr. Speaker, is that I suggest to you that if in this province we are prepared to trust the futures and the lives of underage infants to the good judgment of the Court of Queen's Bench, we should surely be able to trust their judgment for consenting adults who come before the court.

This Bill does something else, Mr. Speaker, that is important. It represents a very, very, very important directional change for this Legislative Assembly if it wishes to take it. The Premier has many times said that he has to get out from under the dome and we have to get out from this area. Well, Alberta is a very large province, and there are people that live all over Alberta. This Bill is one of two, there being another one, Bill 209, which will be before the Assembly shortly, that seeks to give people living in rural Alberta an easy opportunity to go get the social, legal justice that they require. Taking advantage of the 13 main judicial districts of the province, taking advantage of the numerous subjudicial districts where they have courthouses in rural Alberta where documents can be filed, and taking advantage of fax filing of documentation that can now occur in some circumstances – why, the mover of this Bill has in fact brought justice out from under the dome and has brought it right back to rural Alberta for the benefit of all Albertans. This Bill is a symbol of that movement out of the dome, and I commend the member.

So for those members who would vote against this piece of legislation when we vote later, when they vote against this piece of legislation they are voting against the confidence in the Court of Queen's Bench to do this job and they are voting against rural

Alberta, because this is an equalizer that brings this procedure out into the sticks – my word – out into rural Alberta. When it comes from someone from rural Alberta, Mr. Deputy Speaker, it's certainly a figure of speech.

All right. Now let me move on, Mr. Speaker. [interjection] Well, let me move on. Let me talk, first of all, about one potential risk concerning 18 year olds. It would seem to me that we should in this particular legislation ensure that the 18 year olds have mental capacity. I would suggest that it might be useful for the draftsman and the mover of the legislation to put that into the Bill and to give some thought as to whether there should be a mental capacity section in this particular Bill.

I also am curious about who it is intended would get notice of this proceeding. Even an adult must by definition, if I understand my basic biology, have biological parents. Whether the adult consents to be adopted by someone else or not, it seems to me that we have to deal with the question in the debate on this Bill as to whether it is appropriate for biological parents, irrespective of the age of the adoptee, to be informed of this particular adoption process. Now, other members speaking on this debate have nibbled at this issue and have talked about some kind of a postponement, some kind of a time before which the adoption becomes final. All of this is part of a package. There's no reason for any delay in making these adoptions final if there isn't some procedure whereby there is notice to somebody, there is a process for the somebody to object if they wish to, and there is a further opportunity for there to be some sober second thought. So the mover of this particular Bill might wish to consider whether there are to be circumstances where biological parents are to get notice of this particular proceeding and have an opportunity to at least be heard in the proceeding.

The other issue that I want to raise is the issue that has already been raised most eloquently by the Member for Calgary-Buffalo, and that is the two-point test in terms of an adoption. It seems to me that in the zeal of the Legislative Counsel to draft a perfect Bill, they may have opened an opportunity for adoptions to be refused for reasons which might in some retrospect not seem appropriate. As a result, there might be some room for the mover of this particular piece of legislation to consider the issue of the test that is set out in paragraph 4 of the Bill and also to consider whether an appeal procedure might be appropriate to be put into this particular legislation.

Now, I want to ensure, Mr. Deputy Speaker, that when I speak in favour of this legislation, I do not speak in favour of extracting from people who are adopted legal rights that they might otherwise have. One of the areas of concern that I have is touched on by the mover of the legislation and found in paragraph 9 of the Bill, in which it points out, to paraphrase, that if you are adopted into a family and the father of that adoptive family dies and leaves his estate to his children, you will inherit as if you are one of his natural children. That is common in adoptions, and that is rather straightforward.

However, you have the other situation, where perhaps the biological parents of the adoptee have also included that person in their estate, not by a specific name but by a reference to a set class: I leave all of my wealth to my biological children or my natural children. We would want to ensure that we did not upset the testamentary request of that deceased person by disinheriting an individual who has simply gone through an adoption with another person. Now, let's be clear, Mr. Deputy Speaker. I believe when infants are adopted, that legal result does in fact happen. But when you have the adoption of adults, one must question whether it is necessary to sever those prior testamentary rights if any of them have them. If the mover is moved by this

portion of my submission, he might want to look at whether or not paragraph 8 of the legislation in fact does already lead to the argument that you could not lose an asset given to you in an estate because it is a form of property. Legal critics will point out that the definition of "property" can sometimes not include testamentary future gifts because they are not something that you own and have control over right at that time. Paragraph 8 might be looked at if the mover's intention was to cover the disinheritance issue that I have just addressed in the Assembly.

Mr. Deputy Speaker, that concludes my comments on this particular piece of legislation, except that I would be remiss if I did not take a moment to commend the mover of this particular legislation in his handling of the legislation. He sought and he talked to many members of the Assembly on both sides. He attempted to seek a wide range of consensus. He saw a problem. He moved to correct the problem. For that, and in this Legislative Assembly, he should be commended, and I do so on the record today in *Hansard*.

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

MR. BRASSARD: Thank you, Mr. Speaker. Although I don't agree with the hon. Member for Fort McMurray that a vote against this Bill would be a vote against rural Alberta, I do wish to speak in favour of the motion brought forward by my hon. colleague from Medicine Hat.

Mr. Speaker, as other speakers have mentioned, Bill 207 creates a framework that will allow the adoption of adult persons to be considered and approved by the Court of Queen's Bench. The adult adoption process is relatively simple. It is a contract between two adults who are aware of the consequences of their actions. There is no need for the court or for the Private Bills Committee of this Legislature to consider the interests of either person asking for the adoption. The only consideration we should be concerned about is whether or not the approval of the adoption would be contrary to the general public interest.

5:00

I feel that this Bill has sufficient safeguards to protect the public interest. Section 9 of Bill 207 outlines the effect of the adoption order. It establishes the new parental relationship between the adopting person and the person being adopted. It also severs the relationship between the person being adopted and his or her previous parents.

Bill 207 has a mechanism whereby interested people who do not agree with the adoption order may appeal the decision within one year. This is indeed a suitable amount of time. It gives interested parties such as the former parents or relatives time to prepare their case to appeal the court decision. The one-year time limit is important for another reason. It places some finality on the adult adoption process. It is important that people realize that an adult adoption is not an issue that is being taken lightly. The one-year time limit prevents people from backing out and trying to change the adoption order because for some unknown reason the adoption did not live up to their expectations. The only exception to the one-year time limit is in the case where an adoption order was approved based on fraudulent information. I think this is an important exception that we must give the court.

Bill 207 also prevents the adult adoption process from being abused. Section 5 requires that the petitioner must be a resident of Alberta. Our adoption process is for the use of Albertans, and this limit will prevent people from other jurisdictions traveling to Alberta for adoptions because they want to get around the regulations in their own jurisdiction.

The person being adopted under Bill 207 must be a Canadian citizen or must have been "lawfully admitted to Canada for permanent residence." If we are going to put this process into law, we want to ensure that adult adoptions are not being used to get around Canada's immigration laws. This section accomplishes that but still gives the flexibility to the person being adopted. It is possible that a woman may remarry in Alberta and want her adult son to be adopted by the stepfather. If the son currently lives in another province or indeed in another country, the court may still grant the adoption order.

Mr. Speaker, one of the concerns I have heard about Bill 207 is that the Private Bills Committee will give more consideration to an adult adoption than the Court of Queen's Bench will. I don't think this is a correct assumption. A private Bill for an adult adoption is considered for about an hour throughout the entire committee process, but there are 21 members on the Private Bills Committee, meaning that the Bill will consume 20 hours of this Assembly's time. Under Court of Queen's Bench one justice will review the petition, and the petition will include all the information needed for the justice to come to a decision. The information includes an affidavit from the petitioner outlining the relationship with the person being adopted and the reasons why the petitioner wants to adopt the person. The person being adopted therefore must also provide an affidavit indicating consent to the adoption and outlining his reasons for wanting to be adopted. The petition must also include a copy of the birth certificate of the person being adopted and any change of name certificate that would apply. I believe this required information gives the justice enough information to consider the merits of the petition. There is no need for this Assembly to consider a private Bill.

In closing, therefore, Mr. Speaker, I would encourage all members of this Assembly to support Bill 207 in principle. It is a proposal that will streamline the operations of this Assembly without harming the public interest in any way. It will increase access to the adult adoption process by allowing people to stay within their regions to have an adult adoption petition considered. There will be no need for people from across the province to come all the way up to Edmonton to have a simple contract approved by this Legislature.

Bill 207 is a solid initiative, one that the hon. Member for Medicine Hat should be commended on. I am sure that both sides of this House will recognize the merits of this Bill and grant this Bill second reading so that we may debate its specifics in Committee of the Whole.

Thank you, Mr. Speaker.

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

MR. SEKULIC: Thank you, Mr. Speaker. I rise in support of Bill 207, the private Bill. The reason I support this Bill is that I am a member of the Private Bills Committee. That's one of the first committees I was on upon arriving at the Legislature, and it introduced me to one of the most difficult experiences I had here at the Legislature, and that was listening to people put their lives in front of 21 politicians. These politicians would ask a variety of questions. There was no consistency in those questions. There was no criteria for those questions. Granted we all had various backgrounds and different expertise, but certainly and from the committee that I sit on currently I don't think any of us have expertise in the areas of adoptions. Now, I found that to be a humiliating process for those that would come before us, and some of the questions I thought were inappropriate at best.

Now, this Bill, I believe, can lead to a consistent process, a process that will put in place guidelines and criteria, one that will be fair. I think it'll be a much more humane process than it currently is. I also believe it has financial benefits to the Legislature in reducing the cost, as the member previous to me stated, and I also believe that it'll be a lot less time-consuming. So I would urge unanimous support of this Bill.

I'm surprised that this Bill wasn't put forward as a government Bill, and perhaps at some point there will be an explanation as to why it is a private member's Bill. I'm concerned also that this Bill doesn't follow the same path as the Bill that was presented in the fall, Bill 208, which was introduced by the Member for Innisfail-Sylvan Lake. That Bill received unanimous support, as I recall, from this House. It was caught before third reading, and the process has apparently been stifled. I would encourage that this Bill be put forward as quickly as possible, put through, and that there be no similar process of stifling in place here.

I just want to concur with one of the comments made earlier by the Member for Calgary-Buffalo, and that was with regards to: even if this Bill is passed and the Court of Queen's Bench does take the responsibility for adult adoptions in the future, by way of an amendment to this Bill we ensure that guidelines and criteria are there and that the same form of responsibility isn't transferred merely from the Legislature into the Court of Queen's Bench but transferred to Court of Queen's Bench with guidelines and criteria so that fairness and consistency can be part of the process.

So I would once again urge all members to support this Bill, because I think it is a very positive Bill for Albertans in all the ways that I've described. I thank you for your time.

MRS. ABDURAHMAN: Mr. Speaker, I rise also to speak in favour of Bill 207, and I wish to commend the Member for Medicine Hat for bringing it forward. I, too, would ask the question why, indeed, it's not a government Bill. Like my colleague from Edmonton-Manning I've not had the opportunity to have firsthand experience as a member of the Private Bills Committee, so I can't say that I've experienced what it's like when we have individuals coming before that committee seeking adoption, but I would suggest that it must be the most demeaning forum to come before a group of politicians to justify why you as an adult should indeed be adopted.

The other aspect that concerns me is the fact that . . .

5:10

DR. WEST: You don't even understand democracy.

MRS. ABDURAHMAN: . . . when you're looking at it from a provincial perspective, we are asking people from the southern part of the province or the northern part of the province, east, and west to come to the Legislative Assembly at their cost, I would understand, to seek adult adoption. It seems totally inequitable. I would agree with the Member for Olds-Didsbury, with all the comments that he has made, that indeed it brings a fairness and makes democracy work within the province of Alberta, that other Albertans will be able within their own communities to seek adult adoption.

So for those few reasons, Mr. Speaker, I certainly would hope that we would support this Bill to see something that I would believe is long overdue happening in the province of Alberta.

I heard an hon. member from the other side of the House say that I don't understand democracy. I certainly do understand democracy, Mr. Speaker. To suggest that to appear before the Court of Queen's Bench would be less democratic than appearing

before the Private Bills Committee, I think I would suggest that someone else does not understand democracy.

So with those few comments I thank you, Mr. Speaker.

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

MR. DAY: Thank you, Mr. Speaker. I'll confess that I have mixed feelings about the Bill. I do want to congratulate the Member for Medicine Hat for his initiative and his very heartfelt desire to reach out and provide a method of improving on this process. I'm going to continue to listen to the debate on this, because I just, in all sincerity, have some mixed feelings. I'm not taking a firm stand either way.

I do think we just have to address it, and many people are addressing it. I appreciate the Member for Edmonton-Manning's comments, sincere comments, and I think that's the tone and the tenor we have to maintain. We don't need to talk about people having no confidence in the Court of Queen's Bench or what a demeaning process this committee drags people through. I did have the privilege of sitting on that committee for a couple of years, and I can tell you that that all-party committee was very sensitive and very respectful of the requests that came forward. I don't think any member of any party could ever be accused in any way of trying to belittle or demean anybody in that process. It was something that was very respectfully handled and sensitively handled at all times. Whether it was necessary, of course, that's what the debate is about today.

This process against rural Alberta, I think we've got to leave those kind of issues and discussions out of it, even if they are referring to rural Alberta as the sticks. This isn't a rural/urban issue; this is a people issue. This is to deal with people who are facing some - let's face it - life-changing decisions and life-changing requests, and we need to be sensitive of that and not get political in the arguments.

[Mr. Speaker in the Chair]

The thought that somehow it would be inappropriate for MLAs in the Legislature to deal with this because of their inexperience - if we follow that line of thinking, that really disqualifies us from every issue. For instance, there are some people in this Assembly that are teachers and so on. On issues regarding education should they be the only ones to speak? There are in this Legislature, I understand, either happily or unhappily, lawyers. Should they be the only ones to address legal issues? So the question of the appropriateness of experience I don't feel is substantive at all, especially when you take into account - whether there are 21 members or 19 addressing it, they all have life experience, and some have probably experienced adoption themselves, maybe adult or maybe child. I think there is much life and people experience in this Assembly under this dome, and that can be drawn from. So let's not disqualify it for that purpose and for that reason.

There was a suggestion about it being objectionable because somehow there's something not quite decent about this particular Chamber and somehow the Court of Queen's Bench brings more respect. I think that as members we need to remember that this is the highest court in the province right here. Though politicians unfortunately on a scale of how they're seen in the public eye - and I saw recently in a magazine some 20 different professions and occupations listed and how people perceive them, and politicians unfortunately were way down at the bottom with lawyers actually, so we're together in that.

In terms of the Chamber itself and the legislative process, I think we can reasonably say to people that it is respectful in terms of the fact that it really and truly is the highest court in the province, and that, then, is saying to the people who are coming: we give the highest respect to your request and the highest amount of recognition possible. That's the intended reflection there, and I believe that reflection is felt by those who come and present.

Now, I'm always intrigued when a lawyer is saying that the legal process is the only way to go. Far be it for me to . . .

AN HON. MEMBER: Self-interest.

MR. DAY: No. Far be it for me, member, to think there would be any self-interest. I won't presume that, but in fact I do have a concern. This is why I want to listen to some more debate on this. Right now the process, as I understand it, for the petitioner is - \$200: is that the application fee? I realize that not all cases would require a lawyer, but many people feel more confident. If they were going to Court of Queen's Bench with a lawyer, I find myself wondering if the costs in fact to the petitioner would not be in many cases far in excess of the cost that they face right now, the \$200 application fee that is incumbent upon them. So I would want to know if this change of process is going to bring about an increased financial burden on the petitioner.

Then there's the question of time. The last time I checked, the Court of Queen's Bench had a pretty long lineup of cases. For those who are obviously in a very heartfelt situation to press for an adoption, they can file now, and though the member obviously wants to see this process changed, we would have to ask that member: is there a long lineup now for people who want the adult adoption? I don't think there is. I think they have fairly ready access to this Private Bills Committee. I have another concern that people who come forward with this request are going to run into not only the possibility of increased expense but in fact increased time. If I recall some of these particular cases, there's even consideration of age and in fact how much longer the prospective adoptive parent is even going to live. I know that has been a factor in some of the cases that have come here. So here they have fairly ready access, which I don't know that they would have going through the Court of Queen's Bench.

The member mentioned the fact that there'd be 20 members here and then tried to extrapolate those costs. I think that in fairness you can do the same thing with the court. When the member mentioned that, and with his usual good judgment, he only mentioned the judge. I think there are other people who are involved in the court process, so that could probably also be factored out. If you wanted to do it on an hourly basis, those of the lawyers who are aspiring to be judges one day, when you look at their hourly rates, if you broke it down, plus the people involved in the courtroom, I don't know that there can be an economic argument made regarding that as opposed to 20-some MLAs operating at 5 percent less salary in a very efficient fashion. I don't know if there's an economic argument that can be made there for the taxpayer.

The question of evidence under oath: in fact, people who do petition this committee are sworn in. Evidence is given under oath in both cases, whether it would be in the courtroom situation or whether it would be here. I know there's a concern regarding confidentiality. That could easily be accommodated by that particular session going in camera. I can't recall if that is done as a matter of course or not right now. A member is indicating that it is not, but a simple request would accommodate that. Actually, that may lead to more privacy, if confidentiality is a factor, than if the person were to go through the court process,

where of course those court proceedings are made available to the public. So the concern about confidentiality I think could actually be better accommodated on sensitive issues right here in the Assembly by the request being made to go in camera.

5:20

I do agree with the Member for Edmonton-Manning in terms of the feeling, the sense of awkwardness. I did feel that also in being involved in that committee with people coming forward on very sensitive, very heartfelt issues. You somehow feel like you're sort of being judge and jury over their future life, as it were. There is some awkwardness with that; I agree.

Unless I'm wrong - this would be subject again to further debate, which I want to listen to - I don't know that we have received in the past from the petitioners complaints about the process. I don't think we have. No member has ever demeaned or caused anybody to feel demeaned, and I don't know that we've heard complaints about the process being insensitive and that type of thing. I haven't heard complaints about the time aspect. I have never heard complaints about the cost aspect. So in our rush to not be doing things we shouldn't be doing, we need to take these into consideration.

Now, it is an interesting reflection to go back on another family-type issue, and that's the whole issue of divorce. At one time, as members will recall, anybody wanting a divorce actually had to present a private Bill to the federal government. The Speaker would probably know even closer than I. That, I think, was only changed in the '60s. So in looking to the history of why we do this at all, that was the history. That's the way it was done, because there was no other vehicle. I don't know if there's any other historical reason for that, but that obviously was an awkward process. I would not want to be sitting as a legislator hearing a request or a Bill for a divorce, I can assure you.

However, on the adult adoption side, I do recall one case that we heard in which there was a considerable amount of feeling that the person involved was in fact trying to accommodate an immigration problem rather than a true family-related adoption situation. In that particular case, then, as legislators we had the ability to say no. I think it was appropriate in that particular case. I'd have to listen to some legal opinion in the upcoming debate as to whether a Court of Queen's Bench judge who has to look at only the technical and legal merits would be able to in fact say no in that type of situation. I realize that the Bill addresses this in terms of citizenship. The person has to be a citizen or landed immigrant, but I'm still not convinced that a person using that to get around some immigration difficulty would be stopped from doing it by going through the court process. Again, I need to listen to some more legal opinion on that.

So, Mr. Speaker, those are some of the concerns I have that I think we need to carefully take into consideration, realizing that this process that we're involved in right now, private members bringing Bills forward, can move pretty quickly. All of a sudden we have ourselves a law and a change of considerable magnitude. I commend the member, and I congratulate him. I think, again, he's trying to be sensitive and to approach this issue. He's researched it well. Those are some of the concerns I have.

I'm looking forward to increased debate on this. However, given the hour, I would now move that we adjourn debate.

MR. SPEAKER: The hon. Government House Leader has moved that debate be adjourned on this matter. All those in favour of the motion, please aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.
The hon. Government House Leader.

MR. DAY: Mr. Speaker, I move that the Assembly now adjourn, to reconvene tonight at 8 o'clock and find itself in Committee of Supply.

MR. SPEAKER: The hon. Government House Leader has moved that we call it 5:30 and that the Assembly do now adjourn until

the Committee of Supply rises and reports. All those in favour of this motion, please say aye.

HON. MEMBERS: Aye.

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

[The Assembly adjourned at 5:26 p.m.]

