

Legislative Assembly of Alberta

Title: **Monday, April 11, 1994**

1:30 p.m.

Date: 94/04/11

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

head: **Presenting Petitions**

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. I'd like to present two petitions this afternoon. The first one arrived at my constituency office this weekend. It's signed by 692 residents of the Leduc-Beaumont area concerned about keeping the Grey Nuns a full-service, active hospital.

The second petition, Mr. Speaker, also arrived at my office this weekend. It's signed by 34 residents of Leduc asking that the government "review the qualifying income levels for the Alberta Seniors Benefit."

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

MS LEIBOVICI: Thank you, Mr. Speaker. I have two petitions also to introduce. The first is with regards to the 400 hours of kindergarten instruction and requests that the government allow "each and every child . . . the opportunity to receive 400 hours" without user fees.

The second is a petition which urges

the Government not to alter the level of support for all benefits for Alberta's seniors until seniors have been consulted and have agreed.

There are about 500 signatures on this petition.

Thank you.

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

MS HANSON: Thank you, Mr. Speaker. I am pleased to present a petition signed by 512 Edmonton and area residents urging the government to keep the current system of family and social services intact.

Thank you.

MR. SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. LANGEVIN: Thank you, Mr. Speaker. I beg leave to present to the House today a petition from residents of the Fork Lake area opposing the proposed construction of an adolescent treatment centre at Fork Lake.

Thank you.

head: **Reading and Receiving Petitions**

MRS. HEWES: Mr. Speaker, may I request that the petition I presented on the 23rd of March be now read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government not to alter the level of support for all benefits for Alberta's seniors until seniors have been consulted and have agreed to any revisions.

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 23 regarding the government's plans to restructure our education system be now read and received.

CLERK:

We, the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to implement the plan to restructure the educational system in Alberta, as proposed by the Minister of Education.

We also request the Assembly to urge the Government of Alberta to ensure that every Albertan will have the opportunity for input and involvement in future plans to restructure the educational system in Alberta.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I would like to request that the petition I presented on March 24 containing 193 names of seniors concerned about seniors' housing be read and received at this time.

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: **Notices of Motions**

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

MR. CHADI: Thank you very much, Mr. Speaker. I'd like to give notice that following question period today I will seek unanimous consent of this Assembly to pass on congratulations to four young men from Edmonton who won the world junior curling championship last Saturday in Sofia, Bulgaria. Those four young men were Colin Davison, Kelly Mittelstadt, Scott Pfeifer, and Sean Morris.

Thank you.

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

MR. HENRY: Thank you, Mr. Speaker. I would like to give oral notice that after question period I will rise and seek your consent under Standing Order 30 to adjourn the regular business of the Assembly to discuss the urgent and pressing matter of the hodgepodge of ECS services that are being created around this province as a result of government policy initiatives.

head: **Tabling Returns and Reports**

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

MR. MITCHELL: Thank you, Mr. Speaker. I'd like to table four copies of the schedule of meetings that Dr. John Atkinson

undertook during his review of health care and hospital functions in Edmonton. It's interesting to note that he spent all of about four days here before he tabled with the government a very sweeping and comprehensive report about restructuring and even closing certain Edmonton hospitals.

MRS. McCLELLAN: Mr. Speaker, I am pleased to table with the Assembly today the annual reports of the Public Health Advisory and Appeal Board for the year ended July 31, 1993, the Mental Health Patient Advocate report, and the Health Facilities Review Committee report for the year ended December 31, 1993. Copies will be distributed to all members.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'd like to table today four copies of the reasons for judgment of the Hon. Mr. Justice J.B. Feehan in his decision on Opron Construction Co. Ltd. and Her Majesty the Queen in right of the province of Alberta. This is an historic decision of our courts in that it finds against the government of this province deceit, fraud, misrepresentation, and interference in contractual relations. I encourage all Albertans to read this document.

Thank you.

head: **Introduction of Guests**

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

MR. CHADI: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly this afternoon 51 students from St. Charles school in the constituency of Edmonton-Roper. They are accompanied here today by two teachers: Mrs. Zubko and Miss Koshman. I'd ask that they all rise and receive the traditional warm welcome of this Assembly.

MR. SPEAKER: The hon. Minister of Public Works, Supply and Services.

MR. THURBER: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce to you a very important constituent of the Calgary-Glenmore constituency, a young man who is a genuine hockey player who has played in Germany. He is now an assistant editor of Lonesome Dove, one of the burgeoning movie projects that's going on in this province. I would ask Trevor Mirosh to stand and receive the warm welcome of this House, please.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly two school groups that are visiting us today. The first group is 18 students from Archbishop Jordan high school in Sherwood Park, and they're accompanied today by their teacher Yolande Joly. This is a grade 10 French immersion social studies class. I'd ask that they rise and receive the warm welcome of the Assembly.

Mr. Speaker, the second group I'd like to introduce to you and through you to the Assembly is 43 students from Our Lady of Perpetual Help school in Sherwood Park. They are accompanied today by their teacher Mr. Rocque Richard and parents Mrs. O'Reilly and Mrs. Lord. They are also seated, I believe, in the

public gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

Thank you.

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

1:40

MS LEBOVICI: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Members of the Legislative Assembly two constituents of mine. They are Leo and Joan Connolly, and they are seated in the public gallery. If they'd please rise and receive the warm welcome of the House.

Thank you.

MR. MAR: Mr. Speaker, it's my pleasure to introduce to you and through you to members of this House one of the many people that I met who were before the Legislature Building earlier this afternoon. Mrs. French, who's sitting in the members' gallery, is one of the people who expressed herself and her concerns about seniors' programs, and I'd like to acknowledge her presence here today.

head:

Ministerial Statements

Oriented Strandboard Plant

MR. KOWALSKI: Mr. Speaker, this morning the government announced that Tolko Industries Ltd. was the successful candidate for the High Prairie timber development area. Tolko will be building a world-scale oriented strandboard mill in High Prairie with the total investment exceeding \$100 million. This announcement reflects the efforts of the Alberta government toward achieving the job-creation objectives outlined in our economic development strategy and demonstrates the confidence that the private sector is placing in the Alberta business environment.

This project will not – and I underline "not" – receive any government financial assistance. I would like to point out as well that the proponents of Tolko Industries Ltd. did not request any government financial assistance in any form.

The Tolko OSB mill project will have an annual capacity of 475 million square feet, creating 240 direct jobs and an estimated 360 indirect permanent jobs, 150 person-years of employment during construction, and numerous spin-off opportunities. OSB is extensively used in the housing industry. The economic impacts on the province in general and the High Prairie region in particular will be substantial. As well, this plant will have, and I quote the words of the president: the highest standard of environmental compliance found in such plants in Canada, end quote. It will be another leader for Alberta.

The OSB plant will add significant value to our deciduous resource, mainly aspen and balsam poplar, which has traditionally been underutilized. Apart from harvesting timber on Crown lands within the timber development area, the project will generate business opportunities for native groups such as the Metis trisettlements and private landowners through various timber supply arrangements.

Subject to the completion of the required environmental and regulatory reviews the OSB mill will commence construction in June of 1994 and is expected to be completed by the fall of 1995.

Mr. Speaker, in selecting the Tolko proposal, every effort was made to ensure that a sustainable timber supply from public and private sources is available for the project. As part of the total timber supply strategy Tolko will develop a substantial woodlot program, another first for Alberta, which includes an intensive forest management plan and co-operative ventures with private

landowners. Tolko is a highly regarded forest company based in Vernon, British Columbia. The company's financial strength and management and marketing expertise are critical for the success of the OSB mill project.

Mr. Speaker, we welcome Tolko to our forest industry family and look forward to the company's long-term contributions to the Alberta economy.

Thank you, sir.

MR. DECORE: Mr. Speaker, the Liberal caucus is pleased to note the initiative to create jobs for Albertans, we're pleased to note that native groups, particularly the Metis, will have an advantage in this project, and we're most pleased to note that there will be no government subsidy to this project. There are some concerns that we do have. A concern that has already been expressed to our caucus on the ministerial notice is: how is that an EIA was required by Polyboard but does not appear to be required by this new corporation?

There is concern in the forestry industry about the inventory in our province, the kind of timber that we have available for the pulp and paper and forestry industry. That concern has been expressed to me by entrepreneurs in the forestry industry and environmentalists who believe that we are overtaxing and not properly managing our forestry industry. My request on behalf of my caucus, Mr. Speaker, is that the government explain this in a better way if that inventory matter is under control.

The final concern, Mr. Speaker, that we have is the concern that one-fifth of the timber that will come in and be used for this particular project will come from private stands, private forest stands. We've seen the government be somewhat hamstrung in dealing with private timber concerns with respect to timber being sold to British Columbia. If that timber leaving Alberta hasn't been managed in the way that Albertans want, what assurance do we have, ministers and Premier, that one-fifth of the requirement of this plant will be in fact available? We ask the government to give that more serious consideration.

Thank you, sir.

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

National Wildlife Week

MR. EVANS: Thank you very much, Mr. Speaker. It's my privilege to announce that this week, April 10 through to 16, 1994, is National Wildlife Week. National Wildlife Week is celebrated annually across this nation to recognize the connection we all have to this valuable natural resource.

Albertans are no strangers to wildlife. Whether watching and feeding birds at home, encountering wildlife on a trip, or enjoying the many hunting and fishing opportunities we have across this province, we enjoy and indeed depend upon our wildlife to enhance our lives. A national survey in 1991 found that 95 percent of Albertans over the age of 15 participated in a wide variety of wildlife activities. This is the highest participation rate in the country. And no wonder. Alberta's variety and quality of wildlife experiences cannot be equaled anywhere else. Many people come from all over the world to experience what we have in our backyard.

The theme of this year's wildlife week is: biodiversity works for wildlife; you can too, an invitation for all Albertans to become more actively involved with their wildlife and the places where wildlife live.

Alberta fish and wildlife services has distributed 2,500 special National Wildlife Week kits to schoolteachers, to Project Wild

leaders, conservation and hunter education instructors, fishing education instructors, and those who have demonstrated an interest in our wildlife. School classes are focusing on wildlife issues this week. Fish and wildlife services is responding to the several hundred requests it's received for resource people to visit classrooms and to make presentations. Fifty Alberta communities have officially endorsed wildlife week and have scheduled events to celebrate how wildlife contributes to their quality of life.

Mr. Speaker, Alberta actually celebrates our wildlife week 52 weeks of the year because our citizens realize how important their wildlife heritage is to their lifestyle and to their well-being. It is through this special week that we highlight that importance and we remind ourselves that the future of our wildlife very much depends on our good judgment.

Thank you.

MR. DECORE: Mr. Speaker, on Friday last the deputy leader of our caucus and I had the opportunity of visiting with a member of parliament from Australia. The member of parliament traveled from Vancouver to Edmonton and during the course of going through Banff National Park observed a timber wolf. The member was awestruck and kept talking about that experience and the wildlife he expected to see in his travels as he went across Canada.

Last summer, Mr. Speaker, I had the opportunity of camping between the Banff and Jasper areas, and I ran into a number of campers, in fact, I couldn't believe the number of campers, that come from Germany. The tourism industry that is related to our wildlife is much more significant than I think all of us recognize. So it's important not only to protect it for our own use but to protect it for the use of our future generations and those many non-Albertans that will come to Alberta to see this incredible array of wildlife.

1:50

Mr. Speaker, there is a commercial component here. Many Albertans in their ownership of motels or hotels rely on guiding services and so on that are linked to this wildlife industry. But we should have some concerns here, the concerns being that when the minister talks about biodiversity, it means to ensure that there is enough space for species of animals to live and to continue living. There is a great push by Albertans to have the government implement the Special Places 2000 project to ensure that those species are protected. We must set aside tracts of land in our boreal forests to ensure that those species are maintained.

Another issue that keeps coming at our caucus from environmentalists and Albertans is the fact that poaching appears to be a continued problem for Alberta, poaching of bears, poaching of animal parts. We have to somehow change the attitude that Albertans and Canadians have to ensure that there is respect for this wildlife resource of ours and, Mr. Speaker, to ensure that Albertans continue to enjoy that tremendous resource that we have.

Thank you, sir.

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

National Soil Conservation Week

MR. PASZKOWSKI: Thank you, Mr. Speaker. From April 10 to 16, 1994, we mark the ninth annual National Soil Conservation Week. During the week governments and conservation groups across the country will be raising public awareness of soil conservation issues in an effort to educate the public about the causes of and the solutions to soil degradation. Misuse of our

fragile soils has profound implications for agriculture, the environment, and thus our quality of life.

The governments of Alberta and Canada have taken serious action on soil conservation. The governments of Alberta and Canada signed the Canada/Alberta soil conservation initiative, or CASCI, in 1989, channeling \$34.8 million toward conservation efforts. In 1992 the governments of Alberta and Canada continued the support of soil conservation by signing the \$44 million Canada/Alberta environmentally sustainable agriculture agreement.

Alberta's farmland is the legacy that we will leave our children. All of us as Albertans are responsible for protecting, maintaining, and enhancing our soil resources for the future generations. Soil conservation is in our hands. Together we can preserve today for tomorrow.

Thank you.

MR. DECORE: Mr. Speaker, the Liberal caucus agrees that agriculture will always continue to enjoy and have an important role in Alberta, and soil, therefore, is critical in the future and with the future of agriculture. As diverse as the agricultural products are that come out of Alberta, we have the same kind of diversity in the soil of Alberta. We have 1,200,000 acres in southeast Alberta that produce some 26 percent of the agricultural produce of Alberta coming off irrigated lands. Not many Albertans know that. Not many Albertans know that the whole corridor from Edmonton through to Calgary is a corridor of number 1 and number 2 soil, an important part of agriculture in Alberta.

Mr. Speaker, the most important aspect of government involvement in agriculture is to ensure that programs that are crafted don't in any way infringe or affect soil conservation. Soil conservation is critical to that future of Alberta agriculture. So, Mr. Minister and members of government, when you are embarking upon programs that are new programs for agriculture, the primary concern must be a concern over soil conservation.

The Liberal caucus is pleased with the initiatives that the minister has taken in pursuing and continuing to pursue a joint effort with the federal government in research and development with soils. We hope that the technology that's derived, Mr. Minister, will be somehow properly provided in terms of information to Alberta farmers so that we can be the best in Canada and the world.

Thank you, Mr. Speaker.

head:

Oral Question Period

Freedom of Information Legislation

MR. DECORE: Mr. Speaker, Albertans want information on NovAtel. Albertans want information on MagCan and Gainers and other stories or horror stories that we've gone through. The Premier's all-party panel that dealt with freedom of information recommended that Treasury Board documents be made available to Albertans so that they can see exactly what has happened, and you find out what happens in NovAtel when you look at those documents. The Premier has chosen now to ignore that all-party recommendation and hide from the public Treasury Board documents for a period of 15 years. Finally, all jurisdictions in Canada allow for a review of Treasury Board documents. Mr. Premier, I ask you to tell Albertans why you ignore the all-party recommendation that would allow Treasury Board documents to be subject to the same kind of normal rules of disclosure as everyone else.

MR. KLEIN: [applause] That's the sound of a hundred percent support.

Mr. Speaker, the Treasury Board is a committee of cabinet; it is part of cabinet. As the all-party committee knows, cabinet documents are to remain confidential. This legislation has now been tabled. We have adopted a large percentage of the all-party recommendations. That doesn't say that we have to accept them all. I'm sure that as the debate starts to take place, there will be pros and cons. There will be for and against. Those arguments will come out in this Legislature as they should come out during the course of debate and not in question period.

MR. DECORE: Mr. Premier, how can you justify a 15-year dome of secrecy on something as critical as decisions about public money?

MR. KLEIN: Well, I stand to be corrected, and I'll certainly have the hon. Justice minister correct me if I'm wrong, but it seems to me that it was the all-party committee that recommended the 15-year period.

MR. DECORE: Mr. Speaker, the Premier does need to do his homework because the Treasury Board recommendation was that there should be complete disclosure, period.

Mr. Premier, inasmuch as there is a 15-year freeze on that information, how can you explain that it's okay to give that information in the year 2007 but not in the year 1994?

MR. KLEIN: Mr. Speaker, again it's obvious the hon. leader of the Liberal Party has absolutely no patience whatsoever. The Bill has been brought in so members of his caucus can debate it. That's what legislation is all about. That's what this Legislature is all about. That is what debate and democracy are all about. Now, if they want to make any changes, I would suggest that they propose amendments.

MR. DECORE: Well, Mr. Speaker, if I have no patience, that Premier has broken his promise, because the Premier promised to implement the all-party recommendations.

MR. DINNING: Don't change the script.

2:00

MR. DECORE: No, I won't change my script, Mr. Treasurer. This is a breach of the promise the Premier made.

The second breach, Mr. Premier, that you've made in your Act is this one. Your all-party panel recommended that there be no appeal from decisions made by the information commissioner. That's done so that the government can't manipulate this process through delay and forcing Albertans to pay money to get information from the government. Mr. Premier, why are you stalling yet another unanimous decision of that all-party panel?

MR. KLEIN: Mr. Speaker, it seems to me that the commissioner will have absolute authority. If any member or if any department head or official refuses to release information and an appeal is then made to the commissioner and the commissioner says, "You must release that," then that must be done. It's in there. You'd better read the Bill.

MR. ROSTAD: If I can supplement that too. The Premier is absolutely correct that the commissioner does have adjudicative powers, that he can mandate a ruling, and in fact there is appeal to the Court of Appeal or Queen's Bench only when the commissioner is head of a particular department himself, which happens to be the information and privacy department or section. As head

of that body how could he rule on his own? The citizen then should have the right to appeal. That is the only way there's an appeal. I'd refer the hon. leader of the Liberal Party to section 70 of Bill 18. It clearly spells that out.

MR. DECORE: Mr. Speaker, we always have appeals on issues of natural justice, and the minister knows that. This is quite different. This is a breach of the all-party recommendation. Mr. Premier, why are you doing that? Why cost Albertans money and time?

MR. KLEIN: As I said before, there is going to be ample time – and I'm sure they're going to take as much time as they possibly need – to debate this situation. Let's get it clear. I'm going to read the all-party recommendation. It says:

Treasury Board confidences and records should not be exempt, but rather be subject to the exemptions provided for Cabinet confidences and records.

The all-party committee then recommended that these records should be exempt from disclosure until a period of 15 years from the date of creation has elapsed. That's what it says in the all-party committee report. So read it.

MR. DECORE: Mr. Speaker, I think the Premier is aware that this Treasury Board group sometimes includes noncabinet members. It is not part of cabinet like other committees.

My final question, Mr. Premier, is why in two instances when you told Albertans that the all-party committee recommendations would be put into your piece of legislation haven't you lived up to that commitment?

MR. KLEIN: Obviously the hon. leader of the Liberal Party has had a very frustrating week and obviously has had to attend to other matters because he sure has not read the report, Mr. Speaker. As a matter of fact, we have done exactly as it wants us to do.

Hospital Services in Edmonton

MR. MITCHELL: Mr. Speaker, 15,000 people sent the Premier a very clear message about the Grey Nuns hospital on Thursday evening while the Premier was preparing a weekend of playing games, drinking yet another kind of beer, and listening to his friends tell him that they're really not feeling the cuts. Isn't it interesting that all those Tories . . . [interjections]

MR. SPEAKER: Order. [interjections] Order. Perhaps we could have a preamble that is not as provocative. Preambles are not to provoke debate.

MR. MITCHELL: They printed the labels on the beer bottles, Mr. Speaker.

Mr. Speaker, it's very interesting that all those Tories are not feeling the cuts. My question is to the Premier. How can the Premier keep insisting that he has consulted Albertans about their health care when 15,000 of them have to go to the streets to get his attention because they know very well that they haven't been consulted by this Premier?

MR. KLEIN: I really do find the hon. member's remarks highly insulting and totally and absolutely inaccurate. Mr. Speaker, I was very, very proud of the Progressive Conservative convention, a convention, by the way, that drew about three times the number that the Liberals could muster, and when I put the question to the people at the convention relative to my leadership, I got a hundred percent.

Mr. Speaker, yes, I was well aware of the protests at the Grey Nuns hospital. I haven't read the Atkinson report. I understand that the minister now has that report. I understand that that report will now go to the chairmen of all the hospitals to examine in detail the Atkinson recommendations, understanding that it was the Edmonton hospitals themselves that asked for that report and asked for Dr. Atkinson to be the facilitator. In due course that report will come back to the minister, and we will take all the comments into consideration, including those expressed by the people who want to keep the hospital open.

MR. MITCHELL: Why would the Premier waste his time reviewing a report where the author himself says, and I quote, that "the report does not include the depth of analysis which would [be required to] support a review of this nature" and where he says that it is statistically suspect "because of missing time and [missing] data"? What kind of planning process is this that the Premier's put into place?

MR. KLEIN: Mr. Speaker, I'm going to have the hon. Minister of Health supplement, because obviously . . .

SOME HON. MEMBERS: You don't know the answer.

MR. KLEIN: Yes, I know the answer.

I'll have the minister give a more detailed answer for this very reason: the hon. member over there has a hard time, a very difficult time understanding anything unless it's really slowly and painfully spelled out to him.

While we're on the issue of closing hospitals, Mr. Speaker, I think we should also be on the issue of hypocrisy, because the honourable . . . [interjections] I haven't called anyone a hypocrite. I have alluded to hypocrisy because here's a headline attributed to the hon. leader of the Liberal Party: close hospitals, says Decore. This is what it says, Mr. Speaker. I quote: yes, it means closures in some centres; this rationalization and regionalization applies to urban centres and rural . . . [interjections]

MR. SPEAKER: Order. The hon. Minister of Health. [interjections] Order. Order. The hon. Minister of Health.

2:10

MRS. McCLELLAN: Mr. Speaker, I want to make one thing very clear. The Atkinson report was presented to the respective board chairs in Edmonton and was presented to the minister. I would only comment to this point that the hon. member has used selective reading of selective portions of documents before. I would ask that the Legislature respect the request of the board chairs that comment on that report, which was given to them in confidence for their perusal, be held until they have an opportunity to respond. I'm sure the 15,000 people who came out and made their views known are making their views known to the Caritas board, who are the operators. I look forward to receiving the response from the Caritas board, and when I have received that response as well as from all of the other boards involved, I will comment. Until then, I will respect their request.

MR. MITCHELL: I wonder whether the Premier could tell us what kind of credibility a report of this nature could have when the author spent four days – four days; count them, Mr. Speaker – talking to hospital officials in Edmonton and no days talking to any hospital officials or anybody outside of the Edmonton area in rural Alberta northeast of this city who depend upon the Grey Nuns hospital.

MR. KLEIN: Again, I'm going to have the hon. minister supplement, Mr. Speaker, but I have to remind the hon. member that it was not this government that brought in Dr. Atkinson.

MR. SAPERS: It was too.

MR. KLEIN: It was not. [interjections] Listen. [interjections] Do you want to get into a debate? Can I be allowed to please . . .

MR. SPEAKER: Order. Order please. That is why the Chair is intervening: so the Premier has the opportunity of replying. It does not have to have the hon. Member for Edmonton-Glenora saying the comments he said.

The hon. the Premier.

MR. KLEIN: Mr. Speaker, Dr. Atkinson was brought in by the chairmen of the various hospital boards in the city of Edmonton. I'll have the hon. minister supplement.

MRS. McCLELLAN: Mr. Speaker, indeed the board chairs of the acute care hospitals in Edmonton in discussion also with the Edmonton regional planning council made the decision to request that a person be brought in to review all of the work that had been done and to assist them with the process. I was notified of that decision by letter from the board chair, and I concurred fully with their decision.

I would be remiss if I didn't add to that that I think it's really unfortunate that the trust has been broken in the process and that the people are not having the opportunity to have the full details. I am assured by the board chairs that they will prepare their responses to the report as quickly as possible – in fact I will have them in the next day or two – and that they will respond publicly at that time.

MR. SPEAKER: The hon. Member for Lesser Slave Lake.

Oriented Strandboard Plant

MS CALAHASEN: Thank you, Mr. Speaker. Today was truly an exciting day for the citizens of High Prairie and region with the announcements by Deputy Premier Ken Kowalski . . .

MR. SPEAKER: Order. The hon. member knows better. Please describe the minister by his portfolio.

MS CALAHASEN: Pardon me. By the Minister of Economic Development and Tourism along with my colleagues the minister of agriculture and the Member for Dunvegan and myself that Tolko Industries will be constructing an oriented strandboard plant in the vicinity of High Prairie, a long-awaited announcement, Mr. Speaker . . .

AN HON. MEMBER: Question.

MS CALAHASEN: Would you mind, please. He had seven.

MR. SPEAKER: Order. Order.

MS CALAHASEN: Thank you. This plant will contribute to the economic well-being of the people in the region, Mr. Speaker. It is truly a positive message for such a depressed area. I'd ask the Deputy Premier to outline the process used to determine the proponents chosen and why.

MR. KOWALSKI: Mr. Speaker, in the summertime of 1993 the government in essence put out a request for proposal for a timber mill in the High Prairie area and advertised locally, nationally, and internationally. Basically a number of proponents came forward, and hand in hand with the government a process was set up whereby a community review committee was set up with representatives of all the various communities in the High Prairie region, including the mayors of all the communities, including representatives from McLennan, Valleyview, all of the Metis settlements, the improvement districts, local governments, and the like. They were asked to interview in fact all of the proponents, who came forward to the High Prairie area to outline what it is they wanted to do.

The result of all the analysis, Mr. Speaker, came forward with the recommendation from the local advisory committee, from officials in both the Department of Economic Development and Tourism and very good people in the Department of Environmental Protection, and after a review of the timber inventory in the area the conclusion was that Tolko Industries Ltd. out of British Columbia was the best proponent.

I repeat something I said in the ministerial statement a little earlier: one of the conditions was that there was to be no government assistance, direct or indirect, by way of dollars, grants, subsidies, and the like. Tolko asked for none, and it was as a result of that that the decision was made, Mr. Speaker.

MR. SPEAKER: Supplemental question.

MS CALAHASEN: Thank you, Mr. Speaker. To prevent any innuendos and misinformation, could the minister explain the proposal and the environmental impact this projected project will have on the region, please?

MR. KOWALSKI: Mr. Speaker, because of the process that was set in place, with local people involved and their opportunity to interview the people who were coming forward with applications, one of the key series of questions that was asked of the three or four proponents that did come forward was what steps they would be taking with respect to environmental mitigation. Hand in hand with the very stringent policies the Minister of Environmental Protection has implemented in the province of Alberta for forestry development came also a recognition by this particular firm that in a changing world they were prepared to come forward with the highest environmental compliance standards in Canada.

Now, that's a risk for Tolko Industries because it basically means that they're spending more dollars than is required by the standards in Canada today for oriented strandboard plants, but they want to go into the future recognizing that there is an international marketplace and that there are groups in various countries of the world that in fact have started to petition against various firms who are operating in Canada who they believe are not dealing with the highest standards of environmental protection. So Tolko wants to be ahead of this. They voluntarily came forward to in fact implement in their plan the highest environmental compliance standards we've found anywhere in the world, and we're kind of happy with that, Mr. Speaker.

MS CALAHASEN: Could the minister explain what relationship Tolko will have with the regional groups and the aboriginal community in and around High Prairie, especially dealing with the purchase woods?

MR. KOWALSKI: Mr. Speaker, there was a variance with previous approaches taken, in the way some of these developments had occurred in the past. With this one this time we have not

given Tolko Industries Ltd. the full amount of wood they would have originally requested, and we didn't do that for two reasons. First of all, we want to make sure that there's maximum efficiency with respect to the operation of a very valued wood resource in the province of Alberta. Secondly, we wanted to ensure that two other things would happen; first of all, that opportunities would be made available to local private owners of land that do have a resource called poplar today. Three years ago and four years ago poplar in the province of Alberta was simply cut down, matched, torched, burnt; it was destroyed. But in recent years because of research done in this province, it has become a new industry. So number one: the availability of the purchase of that particular material from private operators.

Secondly, we want the development of a woodlot industry in the province of Alberta. Tolko has come forward, the same way the proponents who come forward in the Grande Prairie timber development area are going to be having to, with a woodlot philosophy. Mr. Speaker, doing that will ensure that we will now have a competitive situation in Alberta for this raw resource owned by private landowners and will also satisfy the concern raised by the Leader of the Opposition when he responded to the ministerial statement.

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

2:20 Catholic School System

MR. HENRY: Thank you, Mr. Speaker. Catholic school supporters in this province must now choose between full funding for their children's education and the rights that they were given under the 1988 School Act revisions. Pure and simple, this is blackmail. I'd like to ask the Premier: why is he reneging on the promise the Progressive Conservative government made to Catholic school supporters in 1988? Why are you changing your mind at this point?

MR. KLEIN: Well, I wasn't the Premier in 1988. As a matter of fact, I was the mayor of Calgary and doing a pretty good job there too.

Mr. Speaker, the constitutional rights of Catholics with respect to separate schools are being honoured, and they are being maintained. Amendments provide for a school-based management system with more parental involvement and authority, and we believe that there is absolutely no constitutional violation whatsoever relative to the rights of Catholics in this province.

MR. HENRY: Mr. Speaker, several Catholic school boards and members of the Catholic community disagree with this Premier, and he should listen to them.

My question, following up on a question a week and a half ago to the Premier, is: has he made a decision with regard to referring Bill 19 to the Court of Appeal so that we can avoid lengthy constitutional battles in our courts? Yes or no.

MR. KLEIN: Mr. Speaker, in all honesty I haven't given that matter any further thought. I will, however, undertake to discuss this with the Minister of Education and the Justice minister. Clearly we feel at this point that we are on very safe constitutional ground. I'll have the hon. Minister of Education and perhaps the Justice minister supplement.

MR. JONSON: Mr. Speaker, I have indicated previously in this House that in the plan we have for funding of education in this province, we are in no way prejudicing the opportunity for

Catholic separate school systems in this province to have fair and equitable funding, and we are respecting their constitutional rights. I think the thing that we have to focus on here, which the hon. member across the way does not seem to acknowledge, is that in the funding mechanism that we are proposing, every student – I hope we care about that – in this province will have access to fair and equitable funding, the Catholic separate, the separate Protestant, the public system. That is, I think, what should be in the minds of people and what should be important; that is, equal fiscal support for every student in this province.

MR. HENRY: A week and a half ago the Premier said that he was thinking about it. I guess he thinks pretty slowly.

I'd like to ask the Minister of Education why he and 12 of his colleagues in the front bench just a few years ago, six years ago, gave Catholics the right to undeclared taxes and are now going to pull it away if they want to run their own school system. Why did you change your mind?

MR. JONSON: Mr. Speaker, what the hon. member across the way seems to not recognize is that in the funding plan we are putting forward, the Catholic separate school system of this province will be able to not only access the amount of money that they were able to obtain before but more through the whole concept of pooling. There will be many advantages here for the Catholic separate school system in this province.

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

Alberta Economic Development Authority

MRS. LAING: Thank you, Mr. Speaker. My question is for the hon. Premier. The Premier recently announced a new vehicle for economic development in this great province of Alberta with the formation of the Alberta economic development authority. Would the Premier please tell this Assembly what role the Department of Economic Development and Tourism will have in this new strategy?

MR. KLEIN: Well, Mr. Speaker, it will have a very, very significant role. As a matter of fact, the hon. Deputy Premier and Minister of Economic Development and Tourism, along with the minister without portfolio responsible for economic development and trade, will be very involved in this authority and in providing the resources to the authority. Basically this is an attempt to form a partnership between government and the private sector to identify our strengths, to use the resources in the private sector, to identify companies that can feed into those strengths and feed off those strengths, to participate with the private sector certainly in trade missions, and also to bring together the various authorities from municipalities to facilitate in co-ordinating some of the activities that take place there.

MR. SPEAKER: Supplemental question.

MRS. LAING: Thank you, Mr. Speaker. To the Premier again: what will be the role that local economic development authorities will play in this economic development strategy, such as the Calgary Economic Development Authority?

MR. KLEIN: Well, the Calgary Economic Development Authority and Economic Development Edmonton and various other authorities and committees to stimulate economic development throughout the province will go on doing pretty much as

they're doing right now, along with tourism councils and so on. Basically the authority will be set up to work with the government to develop policy, to develop strategies, and to identify areas locally and abroad where we can take our strengths and build on those strengths in conjunction with the private sector.

MR. SPEAKER: Final supplemental.

MRS. LAING: Thank you, Mr. Speaker. Again to the Premier: is the proposed location for the three levels of government trade offices in Calgary one of the first steps in this economic development plan?

MR. KLEIN: It could be. Again these are the kinds of strategies that we really need to work out. There are many, many documents relative to economic development that the authority will first be required to go through. We have Seizing Opportunity. We have the Toward 2000 Together report. We have the Tax Reform Commission, for instance, that recommends in the area of tourism that we do something with the room tax, that perhaps this room tax should be returned to the tourism industry to stimulate economic growth. So basically the authority can work with the government in terms of developing these kinds of policies.

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

Regional Health Authorities Act

MR. SAPERS: Thank you very much, Mr. Speaker. The tax appetite of this government gang continues to be out of control. This Premier has just created another tax hole for Albertans to fall into. The proposed Regional Health Authorities Act gives municipalities now an increased responsibility to levy taxes for health care. How can the Premier guarantee that municipal taxes won't go up as the province abandons full funding for basic health care?

MRS. McCLELLAN: Again, Mr. Speaker, this Bill will be before the House, and I'm sure we'll have full debate. If there's any need for clarification on any of the areas, I would be happy to do it, and I know that the hon. Member for Rocky Mountain House, who is very knowledgeable about municipal taxation and is also carrying the Bill, will be happy to answer questions. But today if the hon. member would care to read the very interesting Hospitals Act, he will find – and I believe it is section 18, but if he needs some help, I could flag it for him – that there is an opportunity for hospitals to requisition for certain items and only those. That is what is in the Act. As I say, if there is a need for clarification in that area, we will be happy to deal with that in second reading or particularly in committee reading of the Act.

I do think that the hon. member has some responsibility to be a little bit more accurate, and I'm very concerned about the amount of wrong information that is being bandied about about health. I think it's very unfair to people who take this very seriously. This is taken directly from the Hospitals Act, which has been in place for some time. There is no consideration of anything further than that, and I look forward to the hon. member's very, I'm sure, intelligent and well-researched debate of the Bill.

2:30

MR. SAPERS: Mr. Speaker, I will table a copy of the relevant section from the Hospitals Act, 15, and section 13 from proposed Bill 20 so all Albertans can see that there is a dramatic difference

in the wording and it's the Minister of Health that is misleading the Assembly. [interjections]

MR. SPEAKER: Order please. [interjections] Order please. The hon. Member for Edmonton-Glenora can resume his seat so he can regain some of his composure, which he seems to have lost. Perhaps he can ask a properly crafted supplemental question instead of going on in a tirade.

MR. SAPERS: I'm sorry, Mr. Speaker.

What limits, then, Mr. Premier, will you put on the regional authorities to requisition new taxes?

MRS. McCLELLAN: Mr. Speaker, I am sure the hon. member is frustrated. I have to say that we spent some four hours in committee debating our business plan and our budget. The chairman of that committee was very fair in offering a lot of latitude to ensure that we gave all hon. members that cared to attend as much information as we could. However, I would ask the hon. member to just read my earlier comments on that section when the Blues or *Hansard* is available. I said that it was entirely intended in the same way. If there is any need for clarification of that section, we will be happy to deal with that at the appropriate time, in amendments.

MR. SAPERS: Mr. Speaker, maybe the Premier can answer this. What guarantee do we have that the Alberta Health budget won't be lowered simply at the expense of higher municipal taxes?

MRS. McCLELLAN: Mr. Speaker, they have a script, and they have to follow it.

I clearly pointed out, I think, in my first, and I clarified again in the second that if there is a concern on that section, it is completely to deal in the same way that we have under the Hospitals Act. If we have to clarify that wording, Mr. Speaker, we will be most pleased. The hon. member who is carrying the Bill is listening carefully, which he can do, and he will be prepared to respond to that at that time. I have no intention of lowering the Health budget at the expense of municipalities. The Department of Health and the hospitals who have requisitioned under the Hospitals Act have a very good relationship with the municipalities, and we have no intention of changing that.

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

Senior Citizens' Programs

MR. AMERY: Thank you, Mr. Speaker. My question is to the Minister of Community Development. The minister, his staff, and other MLAs held close to 150 meetings with our senior citizens. These meetings were designed to get more information and consultation as to how senior programs can be restructured. I have attended seven of these meetings in my constituency. While seniors indicated that they want to be a part of the solution, however, the consistent message was that the threshold was too low. Will the minister assure the House and the seniors that the threshold level will be determined by the feedback received from seniors rather than an arbitrary decision of the department?

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

MR. MAR: Thank you, Mr. Speaker. The hon. member is correct that as we've gone throughout the province of Alberta and conducted scores of meetings and spoken with tens of thousands

of seniors, indeed the first issue that people raise is that of the income thresholds. Certainly that input will be taken into account.

MR. SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. Can the minister explain to the House and to the seniors: why were some fixed-income seniors asked to take a cut of 8.38 percent while Alberta public servants were asked to accept a 5 percent rollback in their salaries?

MR. MAR: Again, Mr. Speaker, factually the hon. member is correct that there is a small number of people who have changes in their incomes of up to 8.38 percent. I'd point out that 35 percent of seniors, or 79,000, will get the same or slightly higher incomes; 110,000, or about 48 percent, will see less than a 5 percent reduction. There are approximately 34,000 seniors who will have a change of between 5 and 7 percent and about 5,000 seniors who will have a change between 7 and 8.4 percent. So it's those people that we're most gravely concerned about. Certainly one of the suggestions that has been made by seniors as they come forward is that some form of mechanism needs to be put in place to ensure that we deal with people who fall through the cracks.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. This weekend the Premier stated that the worst is over. Seniors in this province disagree. Seniors are very worried that the information they have received so far is only the beginning. To the Minister of Community Development: on the basis of what you have heard from seniors thus far, will you now agree to scrap the whole plan and start all over again?

MR. MAR: Well, Mr. Speaker, the hon. member, as have many Liberals, has again missed the boat here. I suppose the only boat that they fail to get onto is when it's a port of call at Grand Cayman islands.

However, there have been wide suggestions and wide support for the principles involved in the Alberta seniors' benefit program. Certainly, Mr. Speaker, seniors have said overwhelmingly that a priority of this program is protecting low-income seniors. The seniors have clearly said that streamlining administration and moving towards a one-window approach for seniors' programs is a good idea. They do support the principle that we will continue to monitor the cumulative impact of changes. They want further consultation on the proposed changes. Those that can afford to pay should pay. Seniors do support the principle of sliding income scales. They like the fact that there is no means test that assesses the value of a person's assets. So there's a great deal about this program that people support. There are, of course, concerns, as I've said earlier, particularly with respect to the income thresholds. That information will be taken into account.

MR. SPEAKER: Supplemental question.

MR. YANKOWSKY: Thank you, Mr. Speaker. How soon after the consultation report is released will you tell seniors the full story about the changes to their benefits?

MR. MAR: Mr. Speaker, the process is that the consultation meetings will be ending this week, and then the matter will go before a group of seniors who will make recommendations based on the summary reports. I expect that the summary reports will

be released sometime next week, and I expect that the recommendations from that group of seniors will come sometime towards the early part of May.

MR. SPEAKER: Final supplemental.

MR. YANKOWSKY: Thank you, Mr. Speaker. Once again to the Minister of Community Development. You went out to the steps of the Legislature today. Why didn't you bring the Premier with you?

MR. SPEAKER: Order.

The hon. Member for Three Hills-Airdrie.

Health Region Boundaries

MS HALEY: Thank you, Mr. Speaker. My question is for the Minister of Health with regard to the regional health authority boundary maps that were issued approximately 10 days ago. My question is: could the minister please advise us as to the process used to determine where those boundaries were drawn on that map?

MRS. McCLELLAN: Mr. Speaker, the proposed boundaries that were released about 10 days ago by the Minister of Health were the proposed boundaries which I received from the health plan project steering committee on that area. They are exactly as they were handed to me; they have not been altered in any way. The steering committee received virtually hundreds of submissions on boundaries. They met with many of the health providers and municipalities in the communities and received a number of written submissions. From those they devised the boundary map that is in people's hands today that we released 10 days ago.

MR. SPEAKER: Supplemental question?

MS HALEY: Yes. Thank you, Mr. Speaker. Could the minister advise us if there's any flexibility right now for those groups that feel they've been placed in the wrong region?

MRS. McCLELLAN: Mr. Speaker, one of the reasons we were most anxious to release the proposed boundaries before the Easter break was to ensure that the people did have an opportunity to look at them, and certainly the steering committee wanted that to occur. I have asked by way of letter – and a package has been sent to all municipalities and health groups – that if they have a concern or if they see some area that needs to be revised somewhat, to please let me know as soon as possible. Well, in fact sooner than that, right away, because we would like to announce the final boundaries by April 15, which was our targeted date.

2:40

MS HALEY: On a longer term time line is there an opting in or opting out area in the regional health authorities for those people that want to move, say, a year from now?

MRS. McCLELLAN: Mr. Speaker, this year will be a very important year. We will be announcing the final boundaries about April 15, and the regional health authorities, the new boards, will be in place for that function by June 1. One of the first tasks they will have will be to develop a health plan, a three-year business plan for delivering health services to the people in their region. They will have till about September 15 to do that. I would consider that over the course of that development and the work

they do they may come to us and say that it might be better to change some area slightly. Certainly in the spirit of listening to people and working with them that we have carried through this whole process I would consider any such requests very seriously.

Oriented Strandboard Plant

(continued)

MR. VAN BINSBERGEN: Mr. Speaker, the government has once again demonstrated that forestry development overrides forestry conservation. The government has fast-tracked approval for the Tolko plant in High Prairie even though there are very serious concerns about the volume of timber in the area and the long-term supply of private timber. So I have a question to the Minister of Environmental Protection. Why was an environmental impact assessment required for two previous bids for this timber but not for Tolko?

MR. SPEAKER: The Minister of Environmental Protection.

MR. EVANS: Thank you, Mr. Speaker. I'm really happy to have an opportunity to answer this because I heard from the Liberal leader in his response to the ministerial statement by the minister responsible for Economic Development and Tourism the same kind of a concern. Let's be very, very clear. Under the environmental impact assessment process which is now legislated under the Environmental Protection and Enhancement Act, we will now get into a review process to determine what in fact are the implications of the proposal by Tolko, what the impacts on the environment may be, and we will decide whether or not a full environmental impact assessment process is required. We want to be sure that that development, which does have very significant economic and social benefits for the people living in that High Prairie area, is sustainable development. We will not approve that through my Department of Environmental Protection unless we are assured that that indeed is the case.

MR. SPEAKER: Supplemental question?

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. Will the minister also use his discretionary powers, then, to require an NRCB review, as the volume of timber and the scale is similar to Grande Alberta Paper, and they had those particular reviews? Thanks.

MR. EVANS: Well, Mr. Speaker, let's be clear that the Grande Alberta Paper proposal is a pulp mill. That is a mandatory review project under the NRCB. What we are talking about here is an oriented strandboard proposal. Historically in this province – we already have a couple of these mills – we've found that the environmental impact is not significant. Of course, we will review this very, very carefully. There may be, in fact, a review at the NRCB level, but looking at the history that has led up to today's world and our view on oriented strandboard plants, I doubt very seriously if there would be concerns raised about the environmental impact that would justify an NRCB review.

MR. VAN BINSBERGEN: I'd like to ask the minister the final question as well. The company, Tolko, is required to initiate a woodlot development program, I understand. For private land, that is. Now, what assurances has Tolko given? Can they in fact give those assurances that the timber from private lands will be a renewable supply, will continue to be there?

MR. EVANS: Certainly on private land they can't give that assurance; it's up to the private landholder. Certainly with respect to any private lands that they would utilize to supplement the secure wood source that they have in the High Prairie area, they I am sure will join with the other members of the forest industry in the forest care proposal, in the forest care strategy for this province. The Alberta Forest Products Association is very, very clear that we must have sustainable yield, sustainable reforestation to ensure that we have an industry for today's children and tomorrow's children and that we have industry in the north that will continue to provide job opportunities and, most importantly, will continue to provide a renewable wood source. So indeed, hon. member, it's an important question. I have no doubt that Tolko, by the communications that we've had with them, the concerns that have been raised by my hon. colleague in terms of the economic development scenario with respect to this proposal – these are very, very well researched, very diligent, and very honourable partners with Alberta, and they will be very diligent in living up to the standards of forest care that we have in this province.

MR. KOWALSKI: Mr. Speaker, may I supplement just to answer very specifically about the commitment from Tolko. In the agreement that was signed by Tolko and insisted upon by the government is the following statement:

Tolko commits to negotiate to purchase wood at competitive market prices from East Prairie Metis Settlement, Peavine Metis Settlement and Gift Lake Metis Settlement. To the extent possible this commitment will be in the form of a long-term supply agreement, which means sustainable economic development and renewable resource, not just one-shot extraction from the land.

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

The hon. Government House Leader has a point of order?

Point of Order Inflammatory Remarks

MR. DAY: Actually, Mr. Speaker, I rose on two distinct occasions. I'm in some difficulty because I can't comment on absences in the House. Anyway, I'll just proceed.

The first one I would refer you to . . .

AN HON. MEMBER: Here he comes.

MR. DAY: Oh, I can withdraw my remark about absences.

. . . 23 (j) and (l). When the Opposition House Leader was prefacing remarks in regards to his first question, clearly there were statements made that would be abusive or seen as insulting or "likely to create disorder." Also, "introduces any matter in debate which offends the practices and precedents" of the House. So in reference to the Premier I would hope that the member would simply do the honourable thing, realize that the preface to his question had absolutely nothing whatsoever to do with the question. I would hope that he would see that that type of preamble does nothing to promote order and good government and that he would withdraw that.

MR. MITCHELL: You know, I really don't accept the House leader's point. I described merely what was occurring at the convention on the weekend. The Conservative Party was very, very interested in having public relations about what was occurring at the convention on the weekend. It was clear that they were playing hockey; I mentioned "playing games." I think that they were derisive in the way that they structured that hockey

game. Laughing about Mr. Klein the slasher: he should look at the people who are being slashed and see whether they're laughing. Laughing about the Deficit Devils: he should talk to the people who are being affected by the Deficit Devils and see whether they're laughing. In fact, Mr. Speaker, I think the Premier and his caucus should stand up in this Legislature and apologize to us and to the people of Alberta for being so frivolous for what they did on the weekend.

MR. SPEAKER: Well, in addition to the Standing Orders that have been referred to, the Chair would also refer to *Beauchesne* 409(7), which says:

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

The Chair is inclined to agree with the complaint of the hon. Government House Leader with reference to that preamble.

Was there a second point of order?

2:50

MR. DAY: Yes. I appreciate your ruling on that, Mr. Speaker. It's too bad the member opposite couldn't do the honourable thing.

Point of Order Parliamentary Language

MR. DAY: I'd also refer to a statement made by the Member for Edmonton-McClung, whose . . . [interjections] The Member for Edmonton-McClung is getting some last-minute coaching there from his boss.

There was a direct reference to "misleading." The quote was: misleading the public. We simply quote the offending terms which are unparliamentary and clearly recorded in *Beauchesne* about using the word "misleading." I believe the member and other members have been brought to task on this in the past. It's an obvious practice of theirs to go ahead with the offensive language anyway and maybe retract it later or just laugh it off, but I would appreciate a reference out of *Beauchesne* 489, which says that "misleading" is clearly unparliamentary.

MR. DINNING: That was Edmonton-Glenora.

MR. DAY: I'm sorry; that was Edmonton-Glenora. Thank you.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I appreciate the partial reading from *Hansard* that the Government House Leader has given us. I would simply draw his attention to *Beauchesne* 490, that says, "Since 1958, it has been ruled parliamentary to use the following expressions," and the word which he cites is included. I don't think the hon. Member for Edmonton-Glenora intended any offence. He was simply stating a position.

MR. SPEAKER: Well, hon. members, "misleading" does appear on both of those classifications in *Beauchesne*. The Chair feels that the only thing that's perfectly clear is that intentionally misleading is unparliamentary, but in addition to *Beauchesne* there are also the precedents of this Chamber, where "misleading Albertans," "misleading statements," "misleading the House," "misled" have all on occasion been ruled unparliamentary. The Chair will take the position that it depends on the context in which the words are used. The Chair did not intervene on the specific instance of the use of the word "misleading"; the Chair intervened because the member was generally intemperate and provocative in

his preamble, which is totally unacceptable, as he well knows. I trust that he will have a better memory about the proprieties of the House in the future.

Now we have a notice under Standing Order 30.

SOME HON. MEMBERS: Forty.

MR. SPEAKER: Well, I believe Standing Order 30 comes before Standing Order 40.

head: Request for Emergency Debate Kindergarten Programs

MR. HENRY: Thank you very much, Mr. Speaker. I rise under Standing Order 30, having given you notice at least two hours prior to the commencement this afternoon that I would like to move that the Assembly adjourn the ordinary business to discuss the urgent matter of early childhood education, early childhood services, and the move towards a two-tiered ECS system in Alberta.

Mr. Speaker, I'd like to put this in context very briefly. The provincial government in its announcement earlier this year indicated that funding for early childhood services would be reduced from 400 hours to 200 hours, with an additional 5 percent reduction on top of that, so in essence a 55 percent reduction in funding. The point here is that there is a funding limit of X number of hours, that being 200. What this has led to is a variation of different kinds of programs and different levels of programming being offered to different communities and different individuals within those communities across Alberta.

I don't want to get into the merits of ECS, as I understand I am just to speak to the urgency of the matter now. Suffice it to say that I believe there is a consensus in Alberta that we want to provide an equal opportunity in education for every child in Alberta. However, when you get one school system saying, "We will offer 200 hours and that's it; there is no other opportunity," another school system in Alberta, even a neighbouring school jurisdiction will say, "We will pay for 200 hours, and the parent will have the option of paying for 200 hours," and you have another school system saying, "We will pay for the full 400 hours," very clearly you have a patchwork system that, depending on the resources available to the community and the resources available to the individual family, will result in a different level of preparation for grade 1 depending on where the child is and which family that child happens to be born into. So very clearly we are leading to a non-universal system of early childhood services.

Speaking very specifically to the issue, Mr. Speaker, one might ask why this issue cannot be raised tomorrow night, perhaps, when we may be debating Bill 19, the School Amendment Act. Well, the School Amendment Act that's being proposed does not deal specifically with early childhood services, as this is not a statutory requirement and is just a policy initiative of the government, so very clearly it would not be appropriate to specifically debate this particular policy move when it in fact is not a matter of legislative change but simply of policy change.

The other suggestion might be that this be raised in estimates, Mr. Speaker. We have dealt in subcommittee of supply with the estimates, and approximately two weeks ago the vote for Education estimates was taken by committee. Therefore, we no longer have an opportunity to bring back that department so we can debate the budget measures anymore. One would ask, "Why didn't you bring the issue up then specifically?" It was brought up in a general sense then, but in the last two weeks since that

final vote was taken on the Education estimates, there have been a number of decisions by boards of education in our province that have actually, given the facts that we have in front of us today – that being a different level of ECS provision depending again on where you live in the province and depending on the resources available to your family. That information was not available two weeks ago when we could only talk in terms of principle and in general terms about what might happen in terms of ECS because of the government policy change and the budgetary change. So now that we are not able to bring back the budget for debate – and we did not have the information at that time; boards had not made the decisions at that time – this is our first opportunity to raise the matter.

Mr. Speaker, there not only are discrepancies between school divisions, but some school divisions, we have since learned in the last week, have actually decided to allow the decision to be made school by school. So you could have one community and two different schools having two very different levels of ECS programming.

Mr. Speaker, whenever we get into a policy decision by the government or a legislative change, we look for the kinds of evidence and experience that can guide us. I waited with bated breath when the Minister of Education said approximately three weeks ago that he had empirical evidence that supported this decision. Then he said that he wasn't sure he had that empirical evidence. Then the Premier said he was sure that he had that empirical evidence. Then the minister said that, well, perhaps we don't have it. In fact, we've been waiting over the last three weeks for the minister to produce that evidence. It isn't here. We have decisions being made by boards purely on a financial directive given by the government, not on what's best for our children. That is the most urgent matter facing this Legislature: the future of our children's education and the fact that decisions are being made on a monetary basis only, without any view to what the child needs and without any view to providing equal opportunity for education in our province.

I will close, Mr. Speaker, and ask you to rule that this is in fact a very urgent and pressing matter. There has been evidence arise in the last 10 days that was not available before. In fact, for the remainder of this year there is no other opportunity for a debate given that it is not included in the School Act, it is a policy decision, not a legislative or statutory decision, and estimates are not able to be recalled.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The hon. the Provincial Treasurer on the matter of urgency.

3:00

MR. DINNING: Mr. Speaker, I rise to speak against the motion of the member across the way that the House adjourn its ordinary business to discuss this matter. The member has raised a number of points, one with respect to the creation of differential programs across the province of Alberta to deliver early childhood services, or, as most of us think of it, kindergarten. Right since 1972 when funding was specifically provided by the province of Alberta, by the government of Alberta, for early childhood services, there has been that flexibility and different delivery of ECS, from that very day some 22 years ago. You yourself, Mr. Speaker, could probably advise the hon. Member for Edmonton-Centre that in rural Alberta ECS programs run full days, sometimes two days a week, sometimes three days a week, while I could advise the member that in most parts of my constituency of Calgary-

Lougheed the program is delivered half days and today is delivered half days five days a week.

Mr. Speaker, school boards offer early childhood services programs, but so do community-based ECS boards deliver those services. So do private ECS operators. In fact, there are cases where families and parents deliver this program, to only underscore the flexibility of the current arrangements that have been in place for some 22 years. So when I hear the hon. member talking about differential or perhaps a patchwork, a quilt of different colours, of different patches making up a beautiful tapestry of kindergarten services delivered across the province, that is something that we in this province have cherished. [interjections] While the hon. member may want to be derisive or unsupportive of it, it is something that we in this province value.

I may add that there are school boards – as much as the hon. member would like to stand here and discuss and debate and talk about an issue, there are people outside of this Chamber, including the government but most assuredly other school boards around this province, who don't want to talk about it anymore. They want to get on with the job, and that is exactly what they are doing. I think of the Camrose school district No. 1315, who advised us the latter part of last week that they have decided to offer a traditional 400-hour program for kindergarten children and their parents for the '94-95 school year. So there is a school board – the hon. Member for Wetaskiwin-Camrose, the hon. Attorney General, Minister of Justice, could perhaps elaborate on that at length.

There is another school board in this province, two of them, to be specific, that have made a decision. They've stopped talking about it. They have now made a decision to offer in the city of Edmonton to participants in the Edmonton Catholic and Edmonton public school systems a 224-hour program to kindergarten recipients, with no fee applied. In the case of Calgary – Calgary public, Calgary Catholic – those two school boards have decided that they will offer a traditional 400-hour program. They have chosen to do so by ensuring that those people who are unable to pay will have unrestricted access to the receipt of those important programs, while other parents who can afford to pay will be asked to do so. Again, Mr. Speaker, here I'm speaking about urgency, because the member across the way is suggesting that no action is being taken. He'd prefer to talk about it. While he wants to talk about it, we on the government side and school boards across this province are acting.

I would simply say in closing, Mr. Speaker, that those differential programs have always existed, and we relish, we cherish those different programs. While school boards are acting, even though the hon. member would prefer to talk – if he would prefer to pursue this further, I know that when you are in the Chair in the next 24 or 28 hours entertaining debate, hearing and adjudicating debate on Bill 19, the School Amendment Act, the member across the way would have an opportunity at that time to express his point of view. Of course, as we've always said on this side of the House, we would listen, and where there is a need to act, we would do so. I would respectfully suggest to you, sir, that there is no urgency on this matter as there are alternative courses of action, various courses of action that are being taken by school boards, by communities, by parents across this province to ensure that their children receive an adequate level of early childhood services education.

MR. SPEAKER: The hon. Member for Edmonton-Meadowlark wishes to contribute to the debate on urgency?

MS LEBOVICI: Definitely, Mr. Speaker.

MR. SPEAKER: The Chair will make the ruling, then, that the hon. Member for Edmonton-Meadowlark may proceed. There can be one further participant against, if it's so desired, if it's deemed necessary. There'll be two more possible speakers.

The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. The words of the hon. minister of finance have brought me to my feet, especially with regards to the issue of urgency. He indicated that there are various courses of action that are currently taking place in terms of ensuring that there is adequate education for kindergarten children that will occur in September. Well, I'd like to submit the argument that based on what that minister has said, there is indeed a need for urgency in this Legislative Assembly to discuss this issue immediately. The fact of the matter is that decisions are being made by the various school boards, and what we are seeing as a result of those decisions is a patchwork, as the hon. Member for Edmonton-Centre indicated, of kindergarten services across this province.

Now, what's needed immediately is some action from the government that indicates that there are minimum standards that are required in kindergarten. Those minimum standards are 400 hours, nothing less and perhaps more if there's a desire on behalf of parents and of school boards who can afford it or communities or whoever is providing early childhood services, as it's known. So my point is that in terms of urgency, it is definitely an urgent matter because of the decisions that are being made on a continual basis with regards to the actions that this government has forced on the school boards. In terms of adequacy and decisions based on adequate knowledge of what the impact is of less than 400 hours of kindergarten, we do not have those studies available. Those studies have not, to my knowledge, been done, and therefore I think the government has moved from a position of the status quo to something that will be less than the status quo that indeed requires immediate action to ensure that the status quo remains; in other words, the 400 hours. There are petitions that have been submitted to this Legislative Assembly that talk about the fact that the 400 hours should be considered as a minimum and that there should be no fees for those 400 hours.

Again this is something that school boards are required to act on now because of the fact that they're planning for September. It's a matter of natural order of events that the plans need to be made now and the decisions made now for December. So there is urgency to this debate. This debate cannot be prolonged. It cannot be put off because of the fact that the school boards need to make decisions now. The school boards need to make those decisions with regards to teachers' contracts, with regards to knowing what their funding arrangements are. There is a whole host of issues.

By listening to what the hon. minister was arguing against in terms of the urgency, it seemed to be: well, if we don't talk about it today, we can talk about it tomorrow, and we can talk about it next week in debate. This is not really an issue for debate. This is an issue for decision-making on behalf of the government to make it loud and clear to the school boards across the province that 400 hours is the minimum requirement for kindergarten children.

I don't think we can beat around the bush about it anymore. It's nice to say that there are community groups that can provide it or that there are private agencies that can provide it. The bottom line is that this is something that should be provided through the school boards and by this government's standards that I would hope they would say is 400 hours in this province. With those remarks I close my debate.

Thank you.

3:10

MR. DAY: Mr. Speaker, I would suggest there's some tremendous shortfall in the arguments being presented across the way in terms of urgency, because really all we've heard is that this will create, quote, a two-tiered system. I guess that means that in some cases some people pay something and some people won't have the opportunity to pay something. Then we hear that it would create a so-called patchwork. I'd suggest that if those two qualifiers become precedent to allow emergency debate, we would be here doing nothing but emergency debate at the whim of whoever wanted to raise it, be it an opposition member or a government member. We feel on this side that the items that we're bringing forward on the government Order Paper are quite urgent and must move along and that this represents a delay. For instance, around the province we have asked that teachers consider a voluntary 5 percent reduction in their salary. In fact what we're seeing happen: in some areas teachers are agreeing to that, and in some they are not. In other words, a patchwork is developing. [interjections] We were quiet and listened respectfully to their debate, and I would simply ask that we be afforded the same very basic level of politeness, not rudeness.

So I'll continue, Mr. Speaker. That creates a patchwork. Then if we accept the precedent that a creation of a so-called patchwork is grounds for urgency debate, we could almost every day be here talking about employees around the province who are taking 5 percent and some who are not. In the area of safety codes, municipalities will have the option of moving into administering the system of safety standards or not doing it, creating a patchwork. Also, what would be created is a form of two-tiered system, where some in those municipalities will pay for the service and others will not. So if we accept this precedent, again, we'd be here discussing that type of thing. The Minister of Justice has in his budget indicated that in some areas certain services will continue to be delivered, some will not, and if you want those services, they will have to be paid for. Again it's just showing there are many areas and many issues that are going to result in local autonomy and local decision-making, resulting in what's called a patchwork.

Well, we don't happen to feel that Albertans are a mindless, monolithic body. We think that around the province on a local basis . . .

MR. SPEAKER: Order please. The Chair feels that the hon. Government House Leader is straying into the merits of the motion and away from the question of urgency of debate.

The hon. Member for Edmonton-Centre has given the Chair the proper notice of his intention to seek permission to present this motion under Standing Order 30. He has stated succinctly the reasons why he feels that it should be presented at this time: basically, on the basis, as was pointed out by himself as well as the hon. Member for Edmonton-Meadowlark, that there is a patchwork or different levels of early childhood services developing within the province as a result of different circumstances that have developed recently by the actions of different school boards around the province.

The Chair has some difficulty with this application for a special debate, because according to the argument put forward the need for the debate is because of the prospective difference of levels in early childhood services in the province. The situation in the province of Alberta is that early childhood services is not mandated. It is a voluntary system that is partially funded, or funded to some extent, by the province and has been since 1972. As the Chair understands it, Alberta is the only province in

Canada where ECS is not mandated. It appears to the Chair that the argument proposed by the hon. Member for Edmonton-Centre is that there should be a mandated system that provides for a standard level across the province. That is a call for legislation in that regard.

The Chair finds some sympathy with the argument proposed by the hon. Government House Leader that there are many areas in this province where many people feel there is a need for legislation to set standards or to mandate a service. The government recognizes some of them and doesn't recognize others. The private members in this Assembly try to respond to those desires by proposing motions other than government motions or private members' public Bills, but the Chair feels that what is at issue before the Assembly today is a call for new legislation. There are methods to respond to that call contained in our Standing Orders, and therefore this is not the type of situation that the framers of our Standing Orders had in mind when providing for an application under Standing Order 30.

head: **Motions under Standing Order 40**
World Junior Men's Curling Championship

MR. SPEAKER: The hon. Member for Edmonton-Roper, under Standing Order 40.

MR. CHADI: Thank you very much, Mr. Speaker. I bring forward this motion because it's been and has become a tradition of this House to congratulate those Albertans who not only have put Alberta in international focus but have put themselves in a position where they have excelled on the international sports stage. These four young Albertans have certainly achieved that, and they deserve our congratulations. I would urge this Assembly to give its unanimous consent.

Thank you.

MR. SPEAKER: Is there consent in the Assembly for the hon. Member for Edmonton-Roper to propose the motion under Standing Order 40 that he has suggested?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.
 The hon. Member for Edmonton-Roper.

Moved by Mr. Chadi:

Be it resolved that the Legislative Assembly of Alberta send congratulations to Edmonton's world junior curling champions, who won the title last Saturday in Bulgaria. The Edmonton rink was led by Colin Davison and included team members Kelly Mittelstadt, Scott Pfeifer, and Sean Morris.

MR. CHADI: Thank you very much, Mr. Speaker. Curling has become quite a very popular sport in Canada and in Alberta in particular. I imagine there isn't an individual in this room and perhaps many, many Albertans that haven't taken part in a curling game at one time or another. I note that where I was originally from the oilmen's bonspiels and the different bonspiels that took place throughout the area were quite an event, an event that would gather all the communities together and bring them to the curling rink, and it would be one joyous occasion.

Mr. Speaker, the four young men that I speak of and ask that they be congratulated – namely, Colin Davison, who led the Edmonton rink, and members Kelly Mittelstadt, Scott Pfeifer, and Sean Morris – have certainly achieved a tremendous goal. They

have and will be bringing home another record; that is, the world junior curling championship. I understand this is the first time in six years that this has been achieved, and I think it has been six years since this competition has been in progress. So it's quite an accomplishment for these young teenagers from Edmonton to bring this honour back to our home community.

The sport itself, Mr. Speaker, has provided the competitive spirit that can drive a person to be their absolute best, and it is very, very important for young people growing up today to be included within that competitive arena because it only enhances their abilities in the future in whatever goals they may have placed for themselves. I think that these young fellows have done a marvelous job of achieving their absolute best.

Mr. Speaker, this is the world junior curling championships, and throughout the whole world these fellows have come number 1. They are the first. In Edmonton and Alberta that reputation of being leaders in sports has gone a long way. In Alberta we have the Edmonton Oilers and the Calgary Flames in hockey; in football, the Stampeders in Calgary and the Eskimos in Edmonton. We've had major world achievements in boxing and in skiing, and the story goes on.

These people are very, very deserving of our congratulations today, and I would just like to as well thank everybody here today for allowing us to give them congratulations.

Thank you.

3:20

MR. DUNFORD: Mr. Speaker, I want to of course join the Member for Edmonton-Roper in congratulating these people, but I would like to bring it to the attention of the members of the House who may not have had an opportunity to have viewed the Canadian championships that there is another story behind the winning of the world championship.

It goes back to the Canadian championships. It goes back to the last end of this game between the young men from Alberta and the young men from the Northwest Territories, and it actually goes back to the last rock that was thrown. TV showed clearly that the rock that had been thrown by the Northwest Territories skip had been successful in a takeout attempt. However, the second on the Northwest Territories rink inadvertently managed somehow to kick the Alberta rock that had been moved backward in the house. Now, clearly television showed that even with the kicked Alberta stone, the Northwest Territories still had shot rock. However, officials in this tournament took clear and decisive action under the rules and ruled of course then that the Northwest Territories' rock thrown by the skip had to be burned or, in other words, taken out, leaving then in fact the shot rock to Alberta.

I think this was an excellent example for young people that there are rules and procedures to be followed. I'm just so thankful on behalf of those officials that the Alberta team was able to go forward and win the championship. Because if Alberta had not carried our colours through, can you imagine the second-guessing there would have been certainly on behalf of those poor young fellows from the Northwest Territories?

So there are two sets of people to be congratulated here today. One, of course, is the people that have been recognized by Edmonton-Roper. The other, of course, is tournament officials who live by the rules, and we see the benefit from it.

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

DR. OBERG: Thank you, Mr. Speaker. It's with great pleasure that I rise to support the Standing Order 40 today. I first started curling when I was 10 years old and took part in the schoolboys'

playdowns on four separate occasions. As I soon learned on the weekend, my time was much better spent on a curling rink than on an ice hockey rink. Curling is one of the best sports that I've ever been involved in. I find it extremely invigorating from both a competitive point of view and a physical point of view, and I know the level of expertise that these people have put forward to represent our province around the world. I think it's extremely wonderful that they've won it, and it's a much harder task than is first seen by people who have followed curling.

**Point of Order
Questioning a Member**

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

MR. SPEAKER: The hon. Government House Leader is rising on a point of order.

MR. DAY: I wonder if the member would entertain a brief question.

DR. OBERG: Yes, Mr. Speaker.

MR. DAY: Is there any truth to what we have heard, that the member himself in fact was on a winning team just very recently?

DR. OBERG: Yes, Mr. Speaker. I happened to be on the Canadian medical curling championship team this year.

Debate Continued

DR. OBERG: With that, I would just like to add my congratulations to the hon. member opposite for putting forward the Standing Order 40.

Thank you.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. I take pleasure, too, in standing to congratulate the young men that were involved in this particular championship. Leduc has been fortunate to host the Canadian high school championships in the last little while as well as the Canadian mixed curling championships, and as the youths that participated in Bulgaria focused the world on Alberta, I think it is a very positive undertaking. I think that when we're looking at the politics of today – and the hon. Member for Bow Valley indicated that he curled when he was in school – it's one of those programs that is often questioned, whether it should be part of the curriculum, whether in fact there is some benefit to be gained from it, I can see clearly that it is a very, very positive undertaking.

**Point of Order
Questioning a Member**

DR. OBERG: Point of order, Mr. Speaker.

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

DR. OBERG: Would the hon. member entertain a question?

MR. KIRKLAND: Sure.

DR. OBERG: The question has to do with the schoolboys' curling. In the area that I was from, schoolboys' curling was outside of the high school curriculum, and I was wondering if it was the same in your area.

MR. KIRKLAND: No. Since that time, Mr. Speaker, we've progressed somewhat in the schools, in their good instructors, and the philosophy that they bring to the sport has included it in it.

Debate Continued

MR. KIRKLAND: We were fortunate to host that in Leduc.

Let's not lose sight of the fact that we're here today to congratulate those that in fact were over there and brought the focus on Alberta. Certainly, I think that is a tremendous asset that Alberta has, and I think it brings a very positive look at Alberta today when some of the people in this province are living with uncertainty.

So I offer my congratulations to them, and I say: don't lose sight of where most of these young men started.

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

HON. MEMBERS: Question.

MR. SPEAKER: All those in favour of the motion proposed by the hon. Member for Edmonton-Roper, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed, please say no. Carried, let the record show unanimously.

head:

Orders of the Day

head:

Government Bills and Orders

head:

Third Reading

Bill 3

Natural Gas Marketing Amendment Act, 1994

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

MR. COUTTS: Thank you very much, Mr. Speaker. It's been a great delight to present this Bill on behalf of the government of the province of Alberta and participate in the debate at second reading and Committee of the Whole. Therefore, it gives me great pleasure to move third reading of the Natural Gas Marketing Amendment Act, 1994.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. Well, we've had a lot of debate on this Bill, and it's with pleasure that I stand to support this Bill notwithstanding that we pushed for a reduction of the 36-month open period for review of fences under this Act. But after serious thought and after an invigorating debate I stand to support this Bill.

Thank you.

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

HON. MEMBERS: Question.

[Motion carried; Bill 3 read a third time]

Bill 4

Employment Standards Code Amendment Act, 1994

MR. DAY: Well, Mr. Speaker, with this Bill also there's been a lot of debate and some good suggestions, some of which I've

tried to incorporate in fact in the Bill itself with amendments based on some concerns that were raised notably by the Member for Edmonton-Meadowlark and also some other members. I trust and hope that people will see that the intent of these amendments is to in fact make the whole process of application and filing and investigation of complaints a smoother one for everybody, one that can be more rapidly expedited so that the needs of employees are served in the most efficient way possible.

I would move third reading of Bill 4.

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

MS LEBOVICI: Thank you, Mr. Speaker. We have had, indeed, much debate on Bill 4, because Bill 4 is a very important Bill in terms of the new directions that the government is taking in areas where the government formerly acted in the public interest. I think because of that it is vital that the proposed Bill in conjunction with the budgetary plans of the government be looked at hand in hand. When one sees things in the budget of '94 that talk about premiums, fees, and charges, and under Labour lists an extensive array of fees under headings such as employment standards fees, building safety fees, occupational health and safety fees, fire safety fees, the question arises as to what the real intent is of this proposed legislation. Is it, as the minister suggested, that in terms of application filing, the various processes that employees need to go through in order to try and achieve justice, the intent of the Bill is to make it smoother? Or is the bottom line of the Bill the intent to charge fees? We have had, as I indicated, much discussion with regards to this Bill. The minister has on a number of occasions indicated that the primary purpose of the Bill is to not charge fees for employees who have legitimate complaints to be made.

3:30

The Employment Standards Code, just to refresh everyone's memory – sometimes some members are slower than others, it seems, in this Legislative Assembly – is to provide non-unionized employees with an avenue to lodge complaints, and therefore there is a fear that people will be not able to lodge complaints if they are going to be charged for certain services. These are complaints that we all have been, I'm sure, approached on with regards to our constituency offices. They're complaints that deal with the payment of wages, with perhaps the noncompliance of the minimum wage, with vacation and the payment of vacation pay, general holidays, otherwise known as statutory pay, stat holidays, a fair number of complaints with regards to termination of employment and not receiving adequate notice or adequate payment as per the legislation, and of course payment with regards to overtime payments. These are all areas that are of significant importance to individuals who are not unionized or do not have an association that looks after their rights. Therefore, the Employment Standards Code is set up to ensure that those rights are in fact protected and that there is an avenue that an employee can go through without cost. This is extremely, extremely important in order to ensure that there is a level playing field between employers and employees in this province, especially given the economy as we see it now, especially given the trend towards part-time workers that we're seeing and the potential abuse of workers in the workplace.

We are already seeing that there are certain areas in Alberta Labour that are charging user fees, and those are services with regards to employer lost time, claim rate records, collective bargaining statistics, reports and related information, and any occasional or custom-made statistical reports and pamphlets. This is something that the department has set itself on a course. Again,

with regards to the kinds of fees that are charged, I think it is extremely important that the department recognize the extreme concerns with regards to the area.

We have indeed put forward a number of amendments to this particular Act, and the minister has listened on a couple of occasions to our concerns, specifically with regards to the filing of complaints, as well as to the ability to have perhaps input into the draft regulations. This is an area that the code addresses in terms of the fact that there is an outline of the various areas where fees can be charged. The minister has, however, indicated on a number of occasions that the regulations will prove that the fears of myself and my colleagues and the constituents who are interested and who may have to access this particular Act will prove to be unfounded, and I look forward to being made aware of the draft regulations. I would urge that the minister make those regulations available as quickly as possible as well to provide for a full consultative process in order to ensure that the public has the ability to input on important Bills such as this one.

As I started my comments, I started with the fact that this is an important Bill because of the new directions that the government is taking in areas that formerly required or that formerly were areas that the government acted in for a reason, and that was for the public interest or the public good. Now, the members on the government side may feel that there is no such thing as a public good, that there is no reason for the government to be involved in anything unless there is a payment or some kind of fee received at the end of the day. I would vehemently argue with that particular trend of thought. In fact, there is a role of government in the public good. There is a role of government to ensure that there are level playing fields, especially in areas such as labour where we are currently witnessing a number of strikes or at least two strikes across the province, one that has had some violence within it, and I would like to commend the government on the role of the mediator within that particular strike up to this point in time.

There are I think a number of issues that need to be looked at in terms of the broader whole. If it's okay to charge for an area such as employment standards, well, then it's okay to charge for an area such as environmental protection; it's okay to charge for areas such as the provision of health care; it's okay to charge for, as we're seeing right now, the provision of kindergarten services to children. The list goes on ad infinitum, and the question then really comes to play – and again I have not heard the government's version of what their role is, but I would dearly like to at one point in time hear what the role of government is with regards to areas that definitely talk to public good. Specifically, those are areas such as labour, education, health care, and social services. I think there is a role, and again I have been assured by the minister that they are not retreating from that role with regards to the application of fees, that this will not be an issue unless it is in cases of malicious complaints, and I look forward to seeing the regulations.

I cannot, however, vote in favour of this Bill because of the fact that I feel there are certain items in here in which the government is shirking its responsibilities. Thank you.

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

HON. MEMBERS: Question.

[Motion carried; Bill 4 read a third time]

[On motion, the Assembly resolved itself into Committee of the Whole]

head: Government Bills and Orders
head: Committee of the Whole
3:40

[Mr. Tannas in the Chair]

MR. CHAIRMAN: I'd like to call the Committee of the Whole to order.

Bill 1
Labour Boards Amalgamation Act

MR. CHAIRMAN: The hon. Government House Leader.

MR. DAY: Thank you, Mr. Chairman. As was indicated at second reading, this truly is an example of what the government has stated as its policy and as wanting to do. It's an example of times where you can take some existing bodies, amalgamate them, make administrative savings that result not just in increased efficiencies but in fact result in the saving of dollars, in this case considerable dollars. It's not saying that previous to this the systems didn't work or weren't working. It's just that we've looked at and have been able to see new ways of doing business yet still provide the service and still protect those who need the protection that is provided by these two boards. So in committee I hope that would be recognized. Of all the Bills on the Order Paper this one reflects a paradigm, and that new paradigm, that new pattern of doing things being one of blending of efficiencies. I would hope that members opposite would see it as that: a Bill which amalgamates, which gets rid of duplication and redundancy, which saves dollars, and which makes for more effective and more expeditious rulings for everyone involved.

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

MS LEIBOVICI: Thank you. This Bill has a number of sections to it, some of which are in fact what the Minister of Labour has indicated, some of which are not. What I would like to perhaps do is first give a brief overview. We have a number of amendments. Can the Chair please advise me in terms of the handing out of the amendments what the appropriate time would be?

MR. CHAIRMAN: Normally they've been approved and signed off by Parliamentary Counsel as well as by the member proposing them. I can't make comment on the sequence of them because I haven't got a copy, but you can put them all together, if you wish, and have them voted as one, or you can put them out one at a time and we can discuss each amendment.

MS LEIBOVICI: Just to clarify. With Parliamentary Counsel, in order to save on paper, what we've done is we've placed all the amendments onto a number of sheets, but I will be moving them one at a time. I guess, in terms of the putting forward of the amendments, I'm asking what's the best sequence. Do I do that now, or do I do that after we've had a chance to talk to the general Bill?

MR. CHAIRMAN: Oh, that's a matter of your party strategy on the issue.

MS LEIBOVICI: Okay; all right. I just don't want to get caught like I did last time, so that's why I'm asking.

MR. CHAIRMAN: Okay. But remember we are in Committee of the Whole, not in second reading. In second reading you can

only speak the once, but in Committee of the Whole you can speak, with certain limitations, endlessly, at 20-minute bites.

MS LEIBOVICI: Okay. Thank you.

As I indicated, there are some areas in this particular Bill that do in fact address what the Minister of Labour indicated, and that's with regards to bringing together the Public Service Employee Relations Board as well as the Labour Relations Board. The interesting thing about that is that this has in fact already occurred. This is not something that will occur in the future or is in the process of occurring, but in fact occurred I believe some time last year. So in fact what this legislation is doing is retroactively saying that this is an okay thing to happen.

There are a number of interesting items with regards to the legislation that's put forward, and it does make changes to the Public Service Employee Relations Act. To give a bit of an overview for perhaps those members that aren't that aware of what we are discussing, Bill 1, the Labour Boards Amalgamation Act, purports to amalgamate some items within the Labour Relations Code and the Public Service Employee Relations Act, to amalgamate some sections of those two Acts in order to allow for the boards to be amalgamated. In fact, what has happened in terms of the rewrite of these two Acts is that there has been some drafting that is questionable as to why particular clauses have been included or excluded from inclusion into this Labour Boards Amalgamation Act. There is some question in terms of the wording that's used. There are questions with regards to the fact that there now appears to be the ability to charge for mediation services as well as for services the boards are providing. In essence, what is happening is that we are looking perhaps at the movement towards one code, and the government has indicated that that is what they are looking at, amalgamating these two Acts, which is not in itself a bad thing. However, what we have seen happen is there seems to be some kind of a rush to do this because of the fact that the boards were amalgamated last year, and therefore some other things have been thrown in and some things left out which need full debate.

One of the issues that I would like to put forward for the minister to think about is that in effect the whole Bill would be better off deferred and that changes in the labour legislation that are being looked at with regards to a variety of items be addressed at one time. However, that's not one of the amendments that I'm putting forward at this point in time, but that is a suggestion that I would like the minister to consider.

In talking with the areas or the groups that will be directly affected by some of these changes, there does not seem to have been any consultation specifically in terms of the charging of the fees with regards to mediation. So this is an area that we need to really address.

3:50

Now, again as a piece of information, the employment standards Act, which we dealt with just previously, dealt with the non-unionized sector. This particular code deals with the unionized sector and deals with those employees who are covered by either the Public Service Employee Relations Act or the Labour Relations Code. The Public Service Employee Relations Act applies to the employees that are specifically defined within that Act and generally are employees that are within the jurisdiction of the provincial government, with the exception of former ALCB employees and some hospitals in the province.

Now, what I'd like to do at this point in time is to hand out the amendments to Bill 1 that we're proposing.

Okay. The first amendment that I'll be, I guess, moving – is that the correct terminology? – is amendment A which is to amend section 1(2) by adding to 8(2) "and approved by the Legislative Assembly" after "the Lieutenant Governor in Council." Again, this is an amendment that we had proposed with regards to the employment standards Act. What it basically says is that the appointments that are made with regards to individuals appointed to the board should be approved by the Legislative Assembly. The reason for that is quite simple. What we would like to see is that the appointment processes are done in an open and equitable manner and that there is input as to the individuals who are appointed to the board. That is our first amendment.

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

MR. BENIUK: Thank you, Mr. Chairman.

MR. CHAIRMAN: On the amendment, amendment A.

MR. BENIUK: I beg your pardon?

MR. CHAIRMAN: You're on the amendment, amendment A.

MR. BENIUK: Oh, yes. The one that reads amend section 1(2) by adding to 8(2) "and approved by the Legislative Assembly" after "the Lieutenant Governor in Council." That's the one; right? Thank you.

Yes, there is a fundamental principle, there is a fundamental issue here. Is the power in the House, in this Legislature, or is it in the cabinet? [interjections] Obviously, the ministers that are the cabinet believe they should have the final say, judging by the comments that came flying across the aisle. We, on the other hand, those who serve all the people of this province, believe it should be in the Legislature. If I had *Hansard* present at this exact second and could find the quotes of the Deputy Premier when he answered certain questions in this House, he kept referring to the fact that it is this House that should make the decisions on many issues. One can fall back on that and point out to the members opposite that their Deputy Premier's words should be followed. Now, if I had *Hansard*, I'd quote exactly, but I'm sure all members opposite as well as on this side of the House remember those words that he used. The people were elected to this House to represent the people, and that means they should have the power to appoint.

Here you have a board that's going to be appointed by a handful of people, probably by the minister in question with the approval of the Premier or maybe one other person in the cabinet. This power should come from the Legislature, and the Legislature should do the appointing after having an opportunity of reviewing the qualifications of the people about to be named to the board. I'd like to point out to you, Mr. Chairman, and to everybody else in this House that Americans do this in their congressional hearings. In many cases they have people come forth to take a good hard look at them before they're named to key positions in government, and it's not only to the cabinet but to other key positions in many cases. It's a great procedure. Just to have one or two people name the boards, we end up with boards that don't represent the people of this province. They represent the interests of the government, and that does not serve all of the people in this province.

This amendment is a very basic, fundamental amendment that reflects the rights of the people of this province through their elected representatives to appoint people to a board that has a major impact on a lot of people in this province. As we will be

going through other amendments, I will not at this time go into what this Bill will be doing. I will have ample opportunity. I do believe it is crucial, absolutely crucial, that the principle be established that the Legislature, not the cabinet, should appoint people.

MR. CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I stand to speak in favour of the amendment. It captures something that's been very important to me in my limited political life, and that is openness and honesty, and that's all that's being asked in this particular amendment here. It suggests that we should have above-the-table appointments. If in fact the board or the divisions or the branches that are being suggested to or alluded to here are quality organizations, we have a lot of quality Albertans that should have the opportunity to submit a résumé for those particular positions, and they should be appointed regardless of political stripe. I'm sure the side opposite realizes that they cannot appoint enough friends to all the positions in Alberta that would guarantee them re-election, so I think that as you have the odd several good ideas come from this side of the House on a frequent basis, you must also realize that those that are appointed from outside the circle of government friends certainly also will bring a positive indication and thought to the challenge that sits before them when they sit on these boards. It is openness, and I would suggest that it's long time in this province that we went more to that openness.

I would take the opportunity to remind the members in the House that the Auditor General indicated particularly in the case of NovAtel and other situations – and I could quote Principal and I could quote Gainers – that it was appointment of perhaps not qualified people but people that had an alignment with the sitting government that became appointed to these boards without adequate knowledge, and it put us in a very bad financial situation in this province. I would like to think, Mr. Chairman, that we have learned from those experiences. I would like to think that we would progress in our thoughts in this particular situation. The ultimate power lies within this House itself, so one cannot be too concerned about who was appointed to the boards. It can be squashed or shut down at any time if in fact it's not to the favour of the government, but they have to be open-minded enough to realize that the thoughts that comes forth from some of Alberta's citizens are quality, regardless of what their political stripe is in this province. So I would certainly ask members opposite to give serious thought to this.

We have heard much about the openness of government coming forth in this 23rd Legislature, and Mr. Chairman, I would suggest this is one small area where we can capture more of that openness and we can eliminate some of that suspicion that permeates every appointment within this particular province. If they're true and firm believers in their policies and true and firm believers in the path that they have chosen and the course they intend to stay, there is no concern whatsoever in fact if we opened the policy or we opened the process up whereby everyone has the opportunity to participate in it.

So with those comments, I would turn the floor over to one of my other colleagues here to add further.

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

4:00

MR. BRACKO: Thank you, Mr. Chairman. I rise to speak in favour of the amendment. I believe it's a very important step that this government, that this Legislative Assembly must take.

I was at a seniors' meeting on Saturday in St. Albert, and one of the things that came up was the strong opposition to patronage, to appointment of friends of the government. They and many other Albertans look at this as a reward system, not choosing the best people but rewarding your friends who may have helped you in a campaign or in the election process. The seniors and all Albertans want people who are chosen to be the best, the very best, so that when they do make decisions they're done in the best interest of all Albertans. It is difficult to see, if this is not an open process where everyone has equal opportunity to be on the board that is selected, how this can happen.

We are in a process of change at this time throughout our province, throughout our municipalities, throughout our country, world changes. We want again to bring back integrity and honesty to government so that people, our citizens, can know when they elect somebody that they will represent their constituents instead of the viewpoint of the government or favour certain people. A lot of money has been lost, a lot of bad decisions. We hear of the NovAtels and so on, but there are many decisions made by board members appointed that have cost Albertans additional millions, perhaps even billions of dollars because they were made to support the government, to cover the objectives of the government without revealing the mismanagement, the incompetence. Instead of having the best solutions, they just supported the government position.

This, Mr. Chairman, has to end. Albertans aren't willing to put up with this. Albertans want to see action on this. They want leadership from both sides of the House in this area so that the best possible people are appointed. I've been in municipal government, and I've seen some of the committees and results of political appointments. You wonder how in the world they ever got them, and then you realize how. Some of these people were not concerned about making good decisions, making appropriate decisions, not looking at the financial impact or the overall picture that would affect our province. They made them so they would get another appointment to another board by this government.

I believe this is a very important amendment. It will show Albertans that this government means business when they're cleaning up their act and the actions of the past. With that, I urge all members to support it to bring integrity and honesty back to this House.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. DAY: Mr. Chairman, I appreciate these many amendments that have come forward. I'm looking forward to giving them some time for study. At this point I would move that we adjourn discussion in committee on Bill 1.

MR. CHAIRMAN: All right. The Deputy Government House Leader has moved that we adjourn debate on Bill 1. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: All right.

Hon. members, before we go forward with a new piece of material, I would like you to take this piece of material and secure it in some place in your desk because we will be back to it. The hon. Member for Edmonton-Meadowlark has saved many trees by having these all on two sheets, so if you'd please take care of that.

Bill 6

Mines and Minerals Amendment Act, 1994

MR. N. TAYLOR: Mr. Chairman, I just learned never to listen to my own caucus. I was out there and they said: "Don't worry. Bill 6 won't be up this afternoon. You can go back." But the shifting, fast feet of the Member for Red Deer-North changed that around.

Speaking to Bill 6, I'd like to introduce an amendment also. It's already been signed and sealed. Just one amendment, a very simple one.

MR. CHAIRMAN: Hon. Member for Redwater, would you just give us a moment so that we may confer?

MR. N. TAYLOR: I'd be glad to. I've got to get my thoughts together too.

MR. CHAIRMAN: Hon. Member for Redwater, the amendment is not signed by yourself nor do we have the approval of Parliamentary Counsel. Perhaps we could have someone speak while these niceties are tidied up. Oh, we're now getting the signature here.

The Chair thanks the committee for its patience, and we'd again invite Redwater to continue on with his proposed amendment to Bill 6.

MR. N. TAYLOR: Sorry for the delay, Mr. Chairman, but it was one of those amendments that we prepared a couple of weeks ago and put away in my desk, and we never got back to it. So it hasn't turned yellow with age, but the subject is still as important as it was then.

It's rather a simple amendment, Mr. Chairman. What it is intended to do, if I may back up for the members of the House – I don't know how interested they are because they've probably already been told how they should vote. Mines and minerals do not come under the Energy Resources Conservation Board. Mines and minerals are administered directly out of the minister's hand. So the ERCB or the normal environmental steps that should take place I think were inadvertently left out actually, and all I'm asking is that prior to making a decision, the minister should refer the matter to the Energy Resources Conservation Board for recommendation.

4:10

The Bill, Mr. Chairman, calls for the right for companies to create cavities in the ground and pump gasoline or pump liquid gases or gas into these cavities for storage. It's a cheap way of storing. Mother Nature provides it. Some of our formations underneath the prairies here are soluble by water and can be washed out to great big caverns. Now, the only problem, the only reason – and I think nine times out of 10 it's quite all right because most people are not going to put something of value down into a cavern if it has a chance to leak away. They're probably going to test it pretty thoroughly. In general, private enterprise is going to be smart enough not to put things into caverns and lose them. That's the whole idea of storage. Nevertheless, now and again they may not think the process through as well as they

should, and what we could get is poisonous materials that would be stored underground or materials if not poisonous at least deleterious to the water table or even sort of shallow natural gas wells in the area.

Consequently, all I'm asking here, as an old pro in this racket for years . . . You have a very well-recognized and well-known body called the Energy Resources Conservation Board – mind you, it's going through a name change now – that is recognized all over the world, particularly in safety matters and in matters where pollution can occur. I'm just suggesting in the amendment that I've put forward to section 2(b) that

prior to making a decision under section (1.1) . . .

In other words, whether to create or store material or not.

. . . the Minister will refer the matter to the Energy Resources Conservation Board for recommendation.

In other words, let's use the government facilities we have. Let's make sure that we're doing the right thing. It's not public hearings or anything else. It's just getting a recommendation from a very well-thought-of, well-educated board, because, as I mentioned earlier, mines and minerals do not fall under the oil and gas Act and this Act would be storing oil and gas materials. I think it's an oversight, and I would just respectfully suggest that the government adopt the amendment. The purpose of the Act doesn't change the fact that things will still occur. It just says that the conservation board would have a chance to make a recommendation on it.

Thank you.

MR. CHAIRMAN: The hon. Member for Leduc on the amendment to Bill 6.

MR. KIRKLAND: Thank you, Mr. Chairman. I stand to speak in favour of the amendment. I would suggest that a minister should wisely remove him or herself from the political pressures that would come to bear in some of these situations. I fail to understand why we would want to collect the ultimate authority or power or decision-making in these instances when we can hand it off to such a board as the Energy Resources Conservation Board. They, as I see it, are rightfully the people that should deal with these matters.

I'll give you an example of some of the pressure that could come to bear in this instance. I've not heard it clarified in the House here. Look very clearly at the definition of a "fluid mineral substance," which means "a fluid substance consisting of a mineral or of a product obtained from a mineral by processing or otherwise." That comes on page 1 of the Bill itself. I think of the large toxic lake that Syncrude has out its backdoor which, as I see that definition, suggests that in fact that is a product of oil. Thereby, as I read this, it would suggest to me that they would have the ability to store that underground. Now, that is going to be an

intense pressure, Mr. Chairman, and that intense pressure, I would suggest, probably until those sorts of products are clearly defined certainly shouldn't fall on the onus or the decision-making power of only one individual to say yea or nay in that instance. We are all aware that in fact that is a very controversial body of waste that Syncrude deals with there. I would suggest that they would very much like to dispose of it, but they today have no idea of how to do that. This would give them that out, and it would put intense pressure, as I see it, on the minister.

So it would be my suggestion that if you took the collective intelligence of the Energy Resources Conservation Board, we'd be much more apt to have a very learned and experienced voice deal with that sort of activity. Therefore, I suggest in all sincerity that

this is a much more objective board. It is a board that I would suggest would not succumb to the pressures that one individual, minister or otherwise, would be subjected to, and I think it gives that cushion to the minister to objectively sit back and watch that activity and listen to the debates come forth. The Energy Resources Conservation Board would serve very well as a sounding board enabling the minister to gather some time to look very clearly at whether or not the discussion that's brought forth to bear is a quality one. I think it would give her the benefit of having her staff or his staff, as the case may be, explore those potential implications. I deal specifically with that Suncor situation because it's very large and looms in my mind, and if the minister could give me assurance that that didn't qualify, I would be much more apt to be at ease with this situation.

I think the proposal is a basic one. I think it's a quality one. It removes the pressure and intensity from the minister's office. I think that's desirable. It provides the stalling for time when we get into the decision-making process, and when we're dealing with some of these materials, time is of essence. We need a lot of time to consider it and ensure that in fact we're moving along the right direction.

So I would urge all members to press the minister to determine whether that Syncrude lake that I identified qualifies. If it does, it will have a very large implication in this province, and I think it will open the door to a tremendous number of industries that are dealing with a waste problem that do not have a solution for it. I'm sure no one in this province wants to see us pump all our toxic waste below the earth so it's out of sight, out of mind. I would caution all, because there's still a lot of research to be done on underground aquifers and the likes of these underground storage tanks. It's very difficult to guarantee that it won't actually contaminate some of those particular sources of water, and they of course impact on our streams and our lakes and the likes thereof, Mr. Chairman.

So with those comments, as I indicated earlier, I would certainly urge all to support it. It just brings a collective mind to the decision-making process. On that Energy Resources Conservation Board we have some very knowledgeable people appointed. Their expertise, I would suggest, would be very useful in identifying and rendering a decision that would be in the best interests of all Albertans. It does provide that cushion or that benefit or that space for the minister to look at it objectively from the outside. That time would serve her very well or him very well, if that might be the case.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. CHAIRMAN: Further comments on Bill 6? If not, are you ready for the question?

HON. MEMBERS: Question.

[The sections of Bill 6 agreed to]

[Title and preamble agreed to]

MR. COUTTS: Mr. Chairman, I move that Bill 6, the Mines and Minerals Amendment Act, 1994, be reported.

[Motion carried]

4:20

MR. EVANS: Mr. Chairman, I believe you have a list of Bills, and we'd just continue moving along. [interjection] All right. I know this information has been passed on from our House leader over to the House leader on the Liberal side. We would now move on to Committee of the Whole on Bill 12, the Brand Amendment Act, 1994.

**Point of Order
Sequence of Business**

MR. MITCHELL: Point of order.

MR. CHAIRMAN: The hon. Member for Edmonton-McClung is rising on a point of order.

MR. MITCHELL: Under 7(5). I will say that, yes, it has been passed along by the House leader, but we're disconcerted here. We came in. We were told last week that we would be doing Bills 1, 2, 5, 6, and 11 in that order, and of course what we get is 1, we jump 2, we go to 6, we jump 5, we go to 12. Now we're being told 12 and then 11. Why we'd go in that order I don't know. [interjection] Well, no. The fact is, Mr. Chairman, that we're jumping around because the government can't get its members lined up, the Minister of Community Development responsible for seniors for example. There comes a time where we have to be accorded the same courtesy. We're getting a little frustrated.

MR. CHAIRMAN: The hon. Deputy Government House Leader, rising on this point of order.

MR. EVANS: On this point of order, Mr. Chairman. If you refer to Votes and Proceedings, the routine from Thursday, March 31, it is very clear that we were talking about Committee of the Whole as per the Order Paper and nothing beyond that, no indication of order when the hon. House leader spoke to this matter in response to the question from the Liberal House leader opposite.

Now, I would refer the hon. member opposite to Standing Order 9(2), and I will read this into *Hansard*, into the record:

Whenever Government business has precedence, Government Bills and Orders may be called in such sequence as the Government may think fit.

That's why when we indicate the order of business for the following week, we're very clear to indicate that it will be as per the Order Paper, but it is very difficult to indicate the exact order that the Bills would take.

As the hon. member opposite has indicated, he has been advised by our House leader as to the order that we will be proceeding in. Again to have it on record, I'd just like to indicate that the order for this afternoon and this evening, if we get through Committee of Supply, will be Bill 12, followed by Bill 11, then Bill 14, and then Bill 13. I believe it's quite within the authority of the government to make that kind of a decision. We try to give that information to the members opposite through their House leader as promptly as we can, and we are trying to be as flexible as possible. But clearly the authority is there to proceed.

MR. CHAIRMAN: Further debate on the point of order? Okay. Go ahead, then, Calgary-West.

MR. DALLA-LONGA: Mr. Chairman, not two minutes before the Government House Leader announced that we were going to Bill 2, he told me by way of a note that we were going to go to Bill 1 first. That was promptly just before we started, and this

only compounds the confusion that we're having here. I mean, we're bouncing around with no order. I think there's some common courtesy involved here. I mean, maybe this is part of an overall plot to try to confuse things more than they already are. I just had asked the Government House Leader not moments before we went to Bill 1. Fine; we're happy to play the game if that's what the intent is. I'm not sure I know what's going on. I'm not sure any of us know what's going on.

MR. CHAIRMAN: Okay. Well, the Chair is aware of the Orders of the Day, which are placed on each member's desk unless requested not to. There under Committee of the Whole we have Bills 1, 2, 5, 6, 11, 12, 13, and 14, and the Chair knows of no particular order. It would sound, for instance, that if you have an assumption that they must go in sequence, then that's not something that I'm given to understand. Even when the Deputy Government House Leader said that something or other was there, we did not have that particular sequence. We certainly do have in the Order Paper those Bills that can be dealt with at this time in Committee of the Whole, and so far we have not dealt with any Bill that was not properly noted on the Order Paper.

Again, if you look at 9(2), as drawn to our attention,

Whenever Government business has precedence, Government Bills and Orders may be called in such sequence as the Government may think fit.

If we have an agreement between House leaders, then it must be clear, and if you remember even our agreement on how the subcommittees met, I verified it each time. If you wish to do that, then that's another matter, but I really can't rule on the agreement and the sequence that the hon. members may or may not have, to my knowledge, reached.

So I don't find there's a point of order. I think it sounds to me like there's a point of disagreement between House leaders, and I would invite them to settle that as best they can. In the meantime, we're looking for direction as to the next Bill.

MR. EVANS: Thank you again, Mr. Chairman, for that decision.

We would now move on to the Brand Amendment Act, 1994, Bill 12.

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

MR. JACQUES: Thank you, Mr. Chairman.

**Point of Order
Explanation of Chairman's Ruling**

MR. BENIUK: Point of order.

MR. CHAIRMAN: Edmonton-Norwood is rising on a point of order.

MR. BENIUK: Just a clarification on the point of order. When the government side says we're on Bill 1 and immediately switches to another Bill and then another Bill within minutes, within seconds, is there a precedent that they can go through a thousand Bills like that in one afternoon? Is there some logic to all this?

MR. CHAIRMAN: All right. For clarification – I thought, hon. member, that I had clarified it – the Orders of the Day are shown in the Order Paper, any of those Bills that are listed there on the one that we have dated Monday, April 11, 1994, day 29, to your attention. On the second page it shows Government Motions, Government Bills and Orders, and on that same page it begins

Committee of the Whole. All of those Bills that I listed – to repeat, Bills 1, 2, 5, 6, 11, 12, 13, and 14 – may be addressed in Committee of the Whole on this day. In addition to that, we may go on to third reading and so on. The precedent for how you move those around has already been cited by both the Deputy Government House Leader under Standing Order 9(2) as well as myself as Chair. That, I think, explains that issue. It doesn't? Okay.

Edmonton-Norwood.

MR. BENIUK: Thank you. When Bill 1 is dealt with and we go to another Bill, can the government suddenly go back to Bill 1 again?

MR. CHAIRMAN: Yes, hon. member, you've got it.

MR. BENIUK: In the same afternoon?

MR. CHAIRMAN: Okay. I don't think we need to go on at any length on what the process is. I think it's clearly there. It's been explained twice now in the last little while. Okay?

MR. N. TAYLOR: Mr. Chairman . . .

MR. CHAIRMAN: Is this on the same point of order?

MR. N. TAYLOR: Yes.

MR. CHAIRMAN: I never did get a citation other than just a clarification.

MR. N. TAYLOR: No. I'm staying on the same point of order. [interjections]

MR. CHAIRMAN: Whoa, whoa. Order.
Redwater, sorry; I was unable to hear you.

MR. N. TAYLOR: Okay. I just wanted to say that I agreed with your interpretation of the point of order. But being a member of the government caucus I was hoping you would be able to take back to them when they meet that when they do this, all they do is cause the opposition to stall and stall until the next one comes along. It isn't the orderly business of the House to start jumping all over the place. We have people that we assume know what they're doing. Maybe you don't; maybe you want to change.

4:30

The point is this: I've been in the House a long time, and if one side starts jumping around, the opposition's only recourse – you were quite correct, Mr. Chairman, when you ruled that government can do what they want. But then the opposition can do what they're best at, which is delay, delay, go on and on and on, and we get nothing done. So I would just suggest, Mr. Chairman, that being a part of that caucus, you suggest to whoever is training to be a House leader over there – and it appears to be quite a bull pen; just when we think we're pitching against a left-hander, we get a right-hander, and after that we get no hands and so on and so forth – that they try to put it in order, because it makes for a lot speedier House. I mean, we in the opposition, if we think number 58 is coming up number 2 on the agenda, we will have somebody here to talk to it. But if they jump all over the place, what you get is stalling and stalling and stalling, like I'm doing now, and it'll go on. So I'd just suggest you take that message back to the caucus.

MR. LUND: Aren't we all here to work?

MR. N. TAYLOR: Yes. We're here to work. That's exactly it. We're here to work, but if we don't have the people here to work, when you call the tune, we can't.

MR. CHAIRMAN: Thank you, hon. Member for Redwater. [interjection] The Chair would comment first.

I'm not certain that the point of order has any substance either in Standing Orders or in *Beauchesne*, but the wisdom is there for good advice, and we will certainly take that under advisement. I do have a . . . [interjection] Sure. Are we still on this same point of order which I . . . [interjection] Okay. The Deputy Government House Leader has declined. The Opposition House Leader?

Okay. I think we can close that and ask Grande Prairie-Wapiti to continue on with his comments.

Bill 12 Brand Amendment Act, 1994

MR. JACQUES: Thank you, Mr. Chairman. When the Bill was in Committee of the Whole on March 14, the hon. Member for Lethbridge-East asked some very relevant questions on several issues. Subsequent to that date I've had an opportunity to have some consultation with the minister and with his people.

One of the issues I did want to comment on is that the livestock marketing services branch has started a review with the industry. This was started last month with a twofold intention. One is to work with the industry in terms of identifying any issues that need to be dealt with by regulation as a result of amendments to the Act. Secondly, there have been some other issues that have been identified by the industry that really have no relevance to this particular amendment but indeed are being asked to be looked at by the minister. Particularly the issue, going back to the first scenario for example, that you indicated with regard to the prorating of the fee for people that are approaching retirement age is a very legitimate point. It's intended that that be addressed, be discussed, and some recommendations formulated with the industry with the intention that those would be reflected pursuant to regulation.

Other issues that also have been prompted include the market value of the brand, the process for the disposition, and also the operating procedures. Another issue that has come up again is: what happens upon the death of a brand holder, and should there indeed be some type of pro rata refund or something along those lines? The issues are very relevant, Mr. Chairman, and indeed will be looked at as subsequent regulations are brought forward.

I'm not going to comment, Mr. Chairman, with regard to the debate, if you can call it that, with regard to the issues that were raised by the members for Edmonton-Whitemud and Calgary-Buffalo, because obviously it was simply a filibustering process at that point.

With that, Mr. Chairman, that really concludes my remarks, and I would suggest that the question be called on Bill 12.

DR. NICOL: I'd just like to address one more issue on the Bill, and I don't think it's such that we need to have an amendment on it or that. I'd just like to encourage the minister and his staff at the time the regulations are drawn up to be sure to look at what happens, you know, with brands that aren't used. The previous speaker from Grande Prairie mentioned the prorating if a person dies and wants to take out the brand, but what if they just stop using it and then it stays on the books? Under the current process there's a mechanism that if they don't renew it in four years, it's

dropped. We could end up with an enumerable number of brands on the books just because people never took the initiative to take them off. So I would just ask that the minister pass that on to his staff when they start to develop the regulations and make sure that there's some method of occasionally making sure that, say, if they don't show up at a stockyard for sale in 20 years, then it be dropped or something like that. That's all I would ask.

Thank you, Mr. Chairman.

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

MR. BRACKO: Thank you, Mr. Chairman. Looking into the Brand Act here, perhaps if someone's close to retirement, there could be some provision so they wouldn't have to pay the \$200. It might be \$20 again to renew, if it's four years or so. As we know, with the cuts to seniors it will have an effect on them, and they are watching every cent they have. If you would consider that, thank you.

MR. CHAIRMAN: Edmonton-Norwood.

MR. BENIUK: Thank you. Originally I wasn't going to speak, but I got inspired by the Deputy Government House Leader opposite.

Mr. Chairman, as I look here, there now appears to be some provision for people having these brands for the rest of their lives. I was wondering: is the government trying to create a market now for brands the way there is for player cards, et cetera? Is this an attempt to raise money in another way? Instead of having user fees, we're going to have brand fees for people having a number of different types of brands: the funnier the brand, the more interesting the brand. The cost of \$200 up front for four years and then \$20 a year thereafter is a concern, as has been raised by others. I was just looking at this, and I find that every single Bill that the government seems to be bringing forth right now has increased fees in it, either user fees or increased registration fees. I just find that to be a very interesting trend.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 12 agreed to]

MR. JACQUES: Mr. Chairman, I would move the reporting of Bill 12 when the committee rises.

[Motion carried]

Bill 11 Dairy Industry Amendment Act, 1994

MR. CHAIRMAN: Are there any comments?

The hon. Minister of Agriculture, Food and Rural Development.

MR. PASZKOWSKI: Thank you, Mr. Chairman. I'd like to respond to the hon. Member for Lethbridge-East. First of all, I'm glad to see that the Liberal caucus supports this Bill. This amendment to the Dairy Industry Act removes the Alberta public from the liability of payment to the producers in the event of a processor's bankruptcy. This amendment is to accommodate an industry-initiated security system to be set up that is agreeable to

both producers and processors so that they both come together and develop a structure for their own security.

To answer the hon. Member for Lethbridge-East, this legislative amendment has been discussed in producer meetings chaired by the chairman of the Alberta Milk Producers' Society, Bruce Beattie, and the chairman of the Alberta Dairy Control Board, James Heron. The producers are satisfied with the amendment, which provides them with an opportunity to set up an acceptable system for security. They agreed that the previous legislation in the Dairy Industry Act gave a false sense of security which was not acceptable to the producers of the province of Alberta.

In response to the hon. member's concerns regarding redirecting the liabilities to the processors and potentially to the producers, he should be aware that 80 percent of the milk producers in Alberta are members of the producer-owned Agrifoods International Cooperative. One of the major concerns of the co-op has been the previous legislation requirement for the co-op to file security. It was unnecessary since the producers/owners would only be protecting themselves, and this cost of security was looked upon as an additional cost to the industry. This amendment will allow the dairy industry to provide the security that they deem necessary and acceptable for both producers and processors. The industry itself would therefore become responsible, not having a third party trying to impose certain regulations upon the industry.

4:40

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

DR. NICOL: Thank you, Mr. Chairman. I thank the minister for addressing the issues that came up in our debate on second reading. In talking to probably a different group of producers than the minister, I still feel very strongly that there is a lot of concern among the individual producers, maybe not at their association level, about the downloading of risk from the processing plants to the producers. They feel that there is an issue here that addresses the need for security. They recognize the legitimacy of concern about the payments due to the producers, but they feel the responsibility should fall with the group that has that mandate within their structure within the industry. It's important that the groups be recognized.

The minister has spoken about Agrifoods International being a co-op and it doesn't really matter where you pay your bill as long as it's handled in the end. If it gets to a point where they are going to keep this consistent in the sense that the receipts payable by Agrifoods would only have to be covered by the members of that particular co-op, this would be acceptable, but when the management of that co-op then can put an obligation onto producers who are supplying their milk to private industry that is not co-op based, they feel that this is an added burden on their opportunity. This basically then creates a situation where they are going to have to address the bad management and the debt obligations of other producers. So they're very concerned about this and the potential that their management, their relationship with the private industry processor that they're delivering to, could cause some distortion in the industry.

In light of that, Mr. Chairman, I'd like to submit an amendment to Bill 11. I'll give you time to have this passed out, if the Chair concurs with that, please.

MR. CHAIRMAN: The amendment is in order, so we would invite Lethbridge-East to continue the debate on the amendment.

DR. NICOL: Thank you, Mr. Chairman. It's a simple amendment to Bill 11, that we amend section 3(b) by striking out clauses (i), (ii), and (iii). This is the clause that adds the producers to the

list of institutions or businesses that could be asked to pay into the fund. This goes along with the idea, as I addressed prior to submitting the amendment, that we don't want to have to have the producers assume the risk of bad management within the processing sector and the idea that we can have processors dealing with private industry being in a different position than producers who deal within the co-operative aspects of the majority section of our industry. Financially, I think the minister has already recognized that it's much more difficult for a co-op to provide the backing that they need. If they want to set up this structure within their own delivery, within their own organization, they should be given that liberty. But to have it cross over and impact on producers who deal with other private industry, non co-op processors, this is basically an extension of risk that's not acceptable in the industry when you deal with the producers who are involved in that side of it. So I would just like to have this amendment considered by the Legislature.

MR. PASZKOWSKI: Well, certainly I have to speak against the amendment. As a matter of fact, this goes against the whole Bill. In our discussions with the industry one of the concerns was that the industry be able to be flexible to work out their own structure, and that's what (i), (ii), and (iii) would do.

The item that I find more interesting is the concept that indeed it appears the opposition party would have us staying in the business of being in business, because it's government today that's guaranteeing this. It's the government that's providing the security. Now, if the producer is not going to be involved, the processor is not going to be involved, who's going to do it? That's really the question: who's going to do it? In the grain business the producers and the companies come together. In all commodities that are out there with the exception of the dairy industry, the industry looks after itself, it polices itself, but for some reason we're to be involved in this particular commodity. The industry basically has said: look, give us the opportunity of doing it ourselves. That's exactly what Bill 11 is going to provide. By removing (i), (ii), and (iii), it means that government will be the agency that's going to be providing the security, and that's exactly what people have asked us to get out of.

DR. NICOL: I take issue with that. Basically, the idea that Bill 11 is addressing here is that it's extending the initial liability from the processors to the processors and the producers. I would suggest that effectively if we leave it at the processors - the current Bill says that the processors are liable, and that's the way it should be.

MR. CHAIRMAN: Okay. Are you ready for the question on the amendment?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 11 agreed to]

MR. PASZKOWSKI: I move that the Bill be reported.

[Motion carried]

Bill 14
Agriculture Statutes Repeal Act, 1994

MR. PASZKOWSKI: Mr. Chairman, I have no additional comments to make on Bill 14. I think it's straightforward. The issues are basically issues that are no longer being dealt with. We're simply trying to clean off the slate with pieces of legislation that have been nonperforming for, in some cases, at least 25 years or more.

DR. NICOL: I concur with that, Mr. Chairman. I would agree with the minister.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 14 agreed to]

MR. PASZKOWSKI: Mr. Chairman, I move that the Bill be reported.

[Motion carried]

4:50 **Bill 13**
Livestock Identification and Brand Inspection
Amendment Act, 1994

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

MR. PASZKOWSKI: Thank you, Mr. Chairman. The Livestock Identification and Brand Inspection Amendment Act, 1994, is basically designed to streamline the whole process that we have today. It's an agreement that we have come together on with British Columbia and Saskatchewan whereby rather than rebranding, the manifest would be used, and that would be the process that would be used in the movement of animals. It's basically a streamlining process, one that the industry has been asking for for many years, and I'm really pleased that we're able to bring forward this piece of legislation this year.

MR. CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I certainly stand in support of the Bill. There's one clarification that I think is important to be made here, and I can't recall it being discussed in a previous debate. That is the problem of jurisdiction. When a problem is discovered at an inspected market outside the province of Alberta, whose legislation kicks in? If we're transporting cattle to B.C. from Alberta, I have some difficulty understanding exactly how we go about ensuring where the problem originated or existed and how we address it in that particular case. I don't think it's been addressed up to this point. That problem of jurisdiction may be something very simple. Maybe this simply gives us the opportunity to discuss exactly how we resolve those issues. I'm not sure, but I would like to see that spoken to.

MR. PASZKOWSKI: The brand in the province where the brand has been administered is the brand of use. After that, it's the manifest that will be used. So it's wherever the brand was originally issued; that's the brand of use. After that it's the manifest that will be used.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 13 agreed to]

MR. PASZKOWSKI: I move that Bill 13 be reported.

[Motion carried]

Bill 1
Labour Boards Amalgamation Act
(continued)

MR. CHAIRMAN: The committee has under consideration Bill 1. We had under consideration amendment B.

The hon. Member for Edmonton-Meadowlark.

MS LEBOVICI: It's so good to be back again. The second amendment that we put forward is to amend section 1(5) by deleting section 11(2)(g)(iii). Now, just to make it clear, because it is pretty confusing in terms of going back and forth from Bill 1 to the Labour Relations Code to the Public Service Employee Relations Act – if I can just back up a little bit so we're all clear as to what particular section we're talking about and what kind of amendment we're talking about, we're looking at amending the Labour Relations Code, so that's this particular Act. By section (5) – or I'm not sure what this is called here, but let's say clause (5). It's on page 3 in Bill 1, Labour Boards Amalgamation Act. It says:

Section 11(2)(g) . . .

So 11(2)(g) of the Labour Relations Code.

. . . is repealed and the following is substituted:

(2) The Board may for the purposes of this Act
(g) make rules

And this is the new section.

(i) of procedure for the conduct of its business, including inquiries and hearings,

(ii) for the giving of notice and the service of documents,

This is actually where the major change has occurred.

(iii) for the charging of fees . . .

Of course, this is no surprise in terms of the direction this government is taking.

. . . for services or materials provided by or at the direction of the Board in a proceeding before it or in an application under section 18(2), and

(iv) for any other matters it considers necessary.

Now, if you look at what the original wording said, there was no reference to the charging of fees for services or materials, and that is the major amendment that we've put forward to indicate that this section should be deleted.

Now, the rationale for the deletion is very simple. It is that there are currently no provisions in the Labour Relations Code for the board to charge fees, so when taken with this amendment, in fact what ends up happening is that all matters under this section become exempt from the Regulations Act.

As well, there's some question in terms of the institution of fees for mediation services. Now, we have been informed that

mediation services within the government are being privatized and that in fact there will be charges for mediation within this Act and within the other Act. There is some difficulty in terms of whether this is the section that's actually going to provide for that, because what happens right now is that the chair of the board needs to be or would need to be named the director of mediation services and mediation moved to the board's jurisdiction from that of Alberta Labour, where it now sits, in order to be able to charge the mediation fee. So there has to be some other restructuring going on that isn't quite clear in terms of this particular Act. It would be helpful if the minister could provide us with some indication as to what the potential direction is that the department is taking with regards to the charging for mediation services specifically.

The other question is in terms of what kinds of fees for services are then being contemplated. If mediation is not one of those services, what are the other services that are being contemplated with regards to fees, and what are the materials that are being provided by the board or at the direction of the board that will need to be paid for?

[Mr. Herard in the Chair]

Now, mediation is an extremely important service that the government provides to employers and employee groups alike. One of the things that is particularly important with regards to mediation is the impartiality of those mediators. In the past there has been a fair amount of mediators who have been appointed by Alberta Labour, and in some cases those appointments have either managed to avert strike situations or have managed to resolve in a quicker fashion situations where strikes are occurring. Mediators can be appointed through the minister as well as requested by the parties, and therefore it is a service that again is one that relates to the provision of a public good or a public service by the government. Mediation is not a policing activity, but it is definitely an activity that helps to ensure that there is an avenue where disgruntled parties can manage to work in conjunction with each other to come to a settlement.

5:00

So for all of those reasons this amendment has been put forward to delete section 11(2)(g)(iii), and it is with those comments that I urge government members to look at the rationale behind the proposal of this amendment, the fact that in terms of the fees that potentially could be charged, it may well cost Albertans and the larger society a lot more in terms of work stoppages, time absent from work as opposed to being able to access mediation services on a free basis.

The other is again in terms of the "fees for services or materials provided." If in fact those materials would help to alleviate a situation where there is misinformation, again by the charging of fees it may well occur that either an employee association or employer could not access those services or materials. There is a misconception perhaps on both sides of the Legislative Assembly that employers are necessarily rich and employee groups are necessarily rich as well. This in fact, as we all, I would hope, can appreciate, is not the case. There are employers and employee associations, especially the smaller groups, that would not be able to afford some of the fees that would come with paying for either services such as mediation or potentially materials as well.

It is noteworthy that in second reading of the Labour Boards Amalgamation Act the minister did not address the issue of mediation. Again, it is our information that that appears to be occurring and will in fact be a fait accompli by next year, and therefore we need to look at what the model is that the govern-

ment is proposing with regards to this. Will they keep a hand in terms of ensuring that there is impartiality amongst the mediators that are being assigned and, most importantly, that nobody will be denied access to mediation services? Again, if it's a fee for service with regards to mediation services, that of course begs the question that there may be some groups that would not be able to apply for those services or would hesitate when in fact there's a need to do that.

Preventative mediation is another area that is not really discussed but is an issue that has been noted in some of the statistics that I have received with regards to mediation, the kinds of mediation, et cetera, that Alberta Labour has been engaged in. Again this appears to be an area that we need to potentially reinforce as opposed to dismantle.

The other issue that would be noteworthy is that we would then be the only province and perhaps the only jurisdiction in North America that would look at charging for mediation services. Now, if this is indeed to be the fact – and I know that this government prides itself on being trailblazers with regards to the charging of fees for various services the government has in the past provided for free – I think the implications are so broad that there does indeed need to be more public discussion in terms of what this would mean and how this would affect the labour relations climate within this province.

I have read that at the recent convention that was held – and I'm not sure if it's true not being there myself; perhaps the hon. members on the other side of the Assembly could tell me whether this is in fact the truth – one member of the Conservative Party felt that organization of a health council would be quite useful because then they could kill the union and that there was much applause with regards to that. I know that there have been questions in the past within this Assembly with regards to the role of ATA.

SOME HON. MEMBERS: It was a delegate.

MS LEIBOVICI: It was a delegate? And there was sporadic applause or . . . [interjections] Uh huh.

MR. ACTING CHAIRMAN: Order please. Through the Chair.

MS LEIBOVICI: In other words, the members on the opposite side of the Assembly are not quite in concurrence with the statement by one of these delegates. Is that what I'm hearing? That's quite good to hear, that there's no . . .

AN HON. MEMBER: We're just asking you to get your information right.

MS LEIBOVICI: Well, that's what I said. I'm asking whether it's correct or not.

MR. ACTING CHAIRMAN: Through the Chair, please. Thank you.

MS LEIBOVICI: Mr. Chairman, I must admit that I'm quite pleased to be reassured by the members on the opposite side that in fact there was no concurrence in terms of killing the union and that this was a delegate that had put this forward. I was putting it forward as a point of clarification in terms of trying to quite understand what perhaps some of the motivation is that we are seeing in some of the Bills and some of the questions in question period and some of the private members' statements with regards

to the role of the union, particularly the ATA, and the role of unionization within this province.

It wasn't on the Order Paper in this particular session, but in other sessions we have seen legislation with regards to right to work, which basically indicates that there is very little respect for the role of the union and unionization by certain members in this Legislative Assembly. So I'm quite pleased, Mr. Chairman, to hear that in fact this is not the case and that there is no underlying malevolent feelings towards unions and unionization within this province. I'm sure that the members on the opposite side of this Assembly went up to that delegate and just put that delegate on the right track.

MR. HAVELOCK: We don't tell people what to say.

MS LEIBOVICI: Well, Mr. Chairman – I realize I have to address through the Chair – I would never, never indicate that we should be in any kind of position to tell anyone else how to think, but what we perhaps can do in our role as legislators is ensure that there is full knowledge amongst our constituents so that they can make informed decisions, and I'm sure that's what you all did.

5:10

In terms of this particular amendment, if I can just reiterate, again there is the concern with regard to the role of the board; the charging of fees for services and materials provided, specifically with regards to the role of mediators through Alberta Labour; whether those mediators will then in turn be directed by the chair of the Labour Relations Board, which in fact impacts on their perceived neutrality; whether there will be any assessing of fees; and if there will be assessing of fees, what that fee schedule will be and if that fee schedule will in fact be processed through the Legislative Assembly. These are a few of the issues with regards to this particular amendment, and I would urge all members to look at the implications of this, of the Act as provided, and recognize that in fact it can well be detrimental to the labour relations climate in this province.

Thank you.

MR. ACTING CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I stand to speak in favour of the amendment to section 1(5). I think the hon. Member for Edmonton-Meadowlark has covered most of the area very clearly and the reason why we should be supporting this. I do have to reiterate some of her comments.

Mediation, Mr. Chairman, has in many situations defused some rather volatile situations. I have a concern that if there's a fee – and it's an unknown fee at this particular point – it would be a deterrent to entering into mediation on occasion. I would predict that we're into a very unsettled provincial labour scene. We can expect to see more confrontation over the next three or four years. So I think that if we're going to cause a barrier for people to enter into a mediation process, it really is not satisfactory.

If the Bill addressed things such as, when we speak about fees, if the party filed a complaint or entered into mediation and the dispute was found in their favour, I would suggest that the fee structure should indicate that the complainant in this case should receive some sort of retribution to ensure that the fairness of their position has been heard. It's fairness of position that really causes me the largest concern here. If we put up any sort of roadblocks that prevent groups, individuals, or people from seeking justice in the province – and cost will do that on occasion, Mr. Chairman – I think it's a move in the wrong direction. Overall our eco-

conomic climate depends very much on a reasonable relationship with labour and a reasonable relationship with access to fairness. I have a concern that those fees will cause, as I say, a deterrent to the fairness.

The point made by the hon. Member for Edmonton-Meadowlark in regards to preventative mediation and its obvious lack of being addressed in this Bill I think is a very large omission. Certainly when we look at preventative anything, whether it be health care or mediation, we know that the long-term costs, generally speaking, are saved tremendously in this situation.

So when we look at the amendment, Mr. Chairman, I would suggest and urge all members of the House to support it. We are moving into some economic times where our standard of living, I would suggest, is not what we once enjoyed. The expendable dollars are not there to seek redress or to seek fairness. I consider this to be a roadblock that comes at a particularly inopportune time. I think we can look at the Engine Rebuilders strike out in west Edmonton. If there's a large cost associated with that, that organization or those people on that line certainly don't have the financial wherewithal to undertake expensive mediation being that they have not worked for some time. Mediation, if we look at it with all due respect to the lawyers of the world, can become extremely expensive. I'm not convinced that it will give us that opportunity and that road to fairness that we need in this province. We'll need more of it in the future as the unsettling aspect of our economic pursuits today by this government will cause more uncertainty and more unsettling through the labour groups.

So I certainly will support the amendment, and I would ask all to give due consideration to supporting the amendment, Mr. Chairman.

[Mr. Tannas in the Chair]

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

MR. BENIUK: Thank you. I have been inspired by the Deputy Government House Leader to keep rising today.

Mr. Chairman, I rise in support of the amendment, and as you were concerned last time about making sure I was speaking to the right amendment, just so there's no misunderstanding, my understanding is that it deals with the board being able to make rules in part (iii), and I quote,

for the charging of fees for services or materials provided by or at the direction of the Board in a proceeding before it or in an application under section 18(2).

Before I proceed, I just would like to note, Mr. Chairman, that since the government changed its House leader, there has been a major shift. Under the new House leader the Bills coming forth have this thing about fees, user fees for service and user fees galore, hidden taxation and totally unlimited. This is virtually unlimited in the amount of money that a government board can take from the people. This is a major shift, and I for one would love to see the former Government House Leader back so maybe these things might stop coming forth in this fashion.

As we look at this section (g), in parts (i) and (ii), prior to the part (iii) that we're asking be deleted, the board is given the power to decide the procedure for how its business will be conducted: how its inquiries will be conducted, how its hearings will be conducted. All of these could be very expensive. Who pays the bill? Part (iii) says who pays the bill. We have here in part (ii) "the giving of notice and the service of documents." This, too, can be very expensive. There is no control over how the user fees are going to be charged. [interjections] It must be Banff fever. [interjections]

MR. CHAIRMAN: Order.

Edmonton-Norwood, continuing on the amendment.

MR. BENIUK: Thank you, Mr. Chairman. As I was saying, it must have been Banff fever striking across the way. [interjections]

MR. CHAIRMAN: Through the Chair, please.
Proceed, Edmonton-Norwood.

MR. BENIUK: I never made a comment opposite. All my comments were directed to the Chair, Mr. Chairman. I can't speak for the people opposite who are having a private conversation.

Section (iii) deals with the charging of fees, as all the other Bills that the present Government House Leader has brought forth under his guidance deal with fees being charged, but we don't know the amount of those fees. It's a wide-open, blank cheque that the government is asking the people requiring this service in the future to pay to the government.

Now, if we look, Mr. Chairman, at the Alberta Labour annual report for '91-92, there has been an increase from the previous year in disputes involving mediators. In 1990-91 there were 234 such disputes. Then in '91-92 this went up to 242 disputes. This can become a very lucrative business for the government but is totally inappropriate for the task at hand. It is to mediate. This section (iii) allows the board appointed by the government to charge whatever it wants, and it should be totally deleted. Keep in mind that it is a board appointed by the cabinet, for the previous amendment was defeated that would have given a committee of this Legislature the right to appoint the board.

5:20

There were 28 grievance mediations in '91-92. There were two labour/management committees. There are a lot of people, especially the 242 that had disputes involving mediators, that require this service, a service that could become very expensive. Now, if a service becomes very expensive, the odds are that people will stop using it, and if people stop using it, you're going to end up with massive strikes that could become quite uncomfortable for the general public as well as the participants in the strike. To prevent social disorder during the course of a strike, to prevent tempers flaring, possible violence as happened with Gainers, as happened with Zeidler, with other strikes – a fee should not be charged for a service to prevent this from happening. We in this Legislature have a moral as well as a legal obligation to make sure the laws that are passed help maintain law and order in our country, in our province, and ease conflicts by providing a mechanism where the people in a dispute on a labour contract would be able to resolve it in a very peaceful and in a very timely manner. When fees are charged, especially fees which could become very exorbitant, this is a very unfortunate situation.

Mr. Chairman, in a previous Bill that was debated in this House, Bill 4, user fees were raised, and at that time the Minister of Labour assured this House that he would have regulations. There are many issues that arise out of the fact that user fees are charged which do create very serious situations, situations that can compound strikes from being peacefully resolved to becoming violent. To charge a fee for a service that actually should be provided free for the benefit of society is a most unfortunate situation and could be very, very detrimental to the whole negotiation and mediation process when a strike takes place.

So there is no misunderstanding, I would like to once again – the two previous parts of section (g) give the board the right to determine how it's going to conduct its business, how it's going to conduct its inquiries and hearings. It could be a very, very

expensive operation, and the people that seek this service virtually have no control over the Bill they're going to get. I suggest to you, Mr. Chairman, that the people who will be seeking this service in the vast majority of cases will not have the financial capability to just go out and pay whatever a board appointed by the cabinet or possibly by the minister himself would be able to pay.

Should I continue?

MR. CHAIRMAN: I would entertain a motion by the hon. member that we rise and report progress.

MR. BENIUK: You really would like me to do that, to end the proceedings? Okay. I will make the motion that we rise and report progress.

[Motion carried]

[Mr. Herard in the Chair]

MR. TANNAS: The Committee of the Whole has had under consideration certain Bills. The committee reports Bills 6, 12, 11, 14, and 13. The committee also reports progress on Bill 1. Mr. Speaker, I wish to table copies of all amendments considered by

the Committee of the Whole on this date for the official records of the Assembly.

MR. ACTING SPEAKER: Having heard the report, do the members concur with the report? All in favour?

HON. MEMBERS: Aye.

MR. ACTING SPEAKER: Opposed? So ordered.
Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. I would now move that we call it 5:30 and that the Assembly accordingly adjourn and that when we do reconvene this evening at 8 p.m., we do so as Committee of Supply to review the budgets of the Department of Justice and Attorney General.

MR. ACTING SPEAKER: Having heard the motion, are the members in agreement? All in favour?

HON. MEMBERS: Aye.

MR. ACTING SPEAKER: Opposed? Carried.

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