

Legislative Assembly of Alberta

Title: **Monday, April 18, 1994**

1:30 p.m.

Date: 94/04/18

[Mr. Speaker in the Chair]

head: Prayers

MR. SPEAKER: Let us pray.

Our Father, we confidently ask You for Your strength and encouragement in our service of You through our service of others.

We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta.

Amen.

head: Presenting Petitions

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. I beg your leave to present a form of a petition. It's 500 coupons that express concerns with the impending cuts to education and ask that the matter be revisited.

MRS. HEWES: Mr. Speaker, I beg leave to present a petition signed by 108 seniors from the St. Andrew's Centre requesting that the government not "alter the level of support for all benefits for . . . seniors until [they've] been consulted and have agreed to any revisions."

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

MR. HENRY: Thank you, Mr. Speaker. I would like, too, to present a petition to the Legislature today. The petition is signed by members of the west Edmonton senior citizens group in my riding, and it specifically urges the government of Alberta not to make any changes in the benefit level for seniors until seniors have been consulted and agreed to those changes.

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

MR. ZARIWNY: Thank you, Mr. Speaker. I have three petitions here that I'd like to table today. One is from Strathcona Place residence seniors lodge in my constituency with 51 signatures; the second is Bateman Manor seniors' lodge, 38 signatures; and the third is Trinity Hall seniors' lodge, 31 signatures. All ask that the government reconsider its cuts to seniors.

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

MR. BRACKO: Thank you, Mr. Speaker. I beg leave to present a petition signed by 63 seniors in St. Albert who were not consulted beforehand and are worried about government action. They

urge the Government not to alter funding arrangements for Alberta's Seniors Lodges and Seniors Subsidized apartments until changes to funding arrangements have been confirmed and agreed to by seniors. Thank you.

head: Reading and Receiving Petitions

MR. DECORE: Mr. Speaker, I wonder if I could have the Clerk read the petition I presented on March 29 to the Assembly.

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 Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I would ask that the petition I presented on March 22 regarding the restructuring of education 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.

head: Introduction of Bills

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

Bill 15

Alberta Energy and Utilities Board Act

MR. SMITH: Thank you, Mr. Speaker. I request leave to introduce Bill 15, the Alberta Energy and Utilities Board Act.

This Bill establishes a new board comprising the members of the ERCB and the PUB, that being the Energy Resources Conservation Board and the Public Utilities Board. It allows the new Alberta energy and utilities board to begin functioning with all the powers and responsibilities of the ERCB and the PUB.

[Leave granted; Bill 15 read a first time]

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

MR. EVANS: Thank you, Mr. Speaker. I'm actually rising as the Deputy Government House Leader to move that Bill 15 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

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

MR. THURBER: Thank you, Mr. Speaker. In accordance with section 6(4) of the Architects Act it is my pleasure today to table with the Assembly the 1993 annual report of the Alberta Association of Architects.

MR. SPEAKER: The hon. Minister of Justice.

MR. ROSTAD: Thank you, Mr. Speaker. I'd like to file with the House answers to the questions from estimates one week ago today for the Department of Justice.

head: Introduction of Guests

MR. DOERKSEN: Mr. Speaker, it is my privilege today to introduce to you and to the members of this Assembly 17 wonderful students from Red Deer Christian school, who are seated in the members' gallery. Accompanying them is the teacher Mrs. Michele Darnell and three parents: Mr. Dick

Heinen, Mrs. Kathy Mullin, and Mrs. Vickie Collins. I would ask them to rise and please receive the traditional greeting of this Assembly.

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

MR. HENRY: Thank you very much, Mr. Speaker. It's a pleasure and an honour for me today to introduce to you and through you to members of the Assembly seven Edmonton residents. These are parents who are concerned about the future of education and are concerned about some of the changes that are happening in our education system today. They are seated in the public gallery, I believe. They're Cheryl Hasker-Ewatski, Cheryl Romaniuk, Monica Kalynchuk, Cathy Hunt,* Anne Hill, Cynthia Joines, and Cathy Staring Parrish. If they would stand and receive the warm welcome of the House. Thank you very much.

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

MRS. HEWES: Thank you, Mr. Speaker. I'm pleased today to introduce a number of students from King's University College in Edmonton-Gold Bar. I should tell you that the Member for Stony Plain and I attended a forum at the college last week and were struck by the participation and the involvement and the helpful dialogue with the students and others. They are joined by their professor Dr. John Hiemstra. They're seated in the public gallery. I'd ask them to rise and receive the welcome of the Legislature.

MR. DECORE: Mr. Speaker, I would like to introduce to you and to members of the Assembly a woman who has been very active in the Elizabeth Fry organization in Alberta for many years as its executive director, a woman who has been active in the location of a new women's jail in Alberta and the Edmonton area, a woman who has actively participated in the Safer Cities initiative: Shirley Lewis, whose birthday it is today, who is now, I think, 25 years of age. I would like her to stand and be welcomed by the Assembly.

head: Oral Question Period
Senior Citizens' Programs

MR. DECORE: Mr. Speaker, seniors' groups that represent 125,000 seniors in Alberta have now come up with what they think is a fair way of dealing with seniors in Alberta. Twenty-one issues are dealt with in this document that has just been released. Unfortunately, the minister responsible for seniors in his budget plan deals with only five areas that concern seniors. What is also unfortunate is that what the seniors suggest in their document and what the minister is suggesting in the five-part plan are miles apart. My first question to the minister then. Mr. Minister, we need specifics. How will the minister close the gap between the government's position - that is, your position, Mr. Minister - in the budget and those five areas and the 21 issues that are identified by the seniors themselves?

1:40

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

MR. MAR: Thank you, Mr. Speaker. As the Leader of the Opposition well knows, we've been conducting consultations throughout the province of Alberta. We've been to dozens of communities. We've conducted approximately 150 meetings. Thousands of seniors have taken part in those consultations, and through our telephone lines thousands more seniors have had input

into the structure of the Alberta seniors' benefit program. The Leader of the Opposition has put forward a document that has been forwarded to me, and we'll certainly be taking that into consideration among other things.

MR. DECORE: Well, Mr. Minister, the issue is one where you deal with five areas; the document deals with 21. If the minister could give seniors some sort of indication of how he is going to deal with 21 areas when he's only been dealing with five: how are you going to deal with these other areas to satisfy the seniors in Alberta?

MR. MAR: Well, of course, Mr. Speaker, it depends on how you categorize the issues. Yes, there are 21 matters raised in that document. Certainly we'll take a look at them. They can be categorized into fewer numbers of categories, but certainly those 21 issues are all issues that we're prepared to consider.

MR. DECORE: Well, will the minister give his assurance, because this is one of the issues dealt with in the document, that the issue relating to deregulation of seniors' housing, greater costs for home care, greater costs for dental care and eye care are going to be issues that you deal with and aren't just simply sloughed off somewhere else?

MR. MAR: They are issues which will be considered, Mr. Speaker.

MR. DECORE: Well, I'm sure every senior in Alberta is assured by that answer, Mr. Speaker.

Children's Hospital

MR. DECORE: My second question, Mr. Speaker, is this. I was in Lethbridge this last week, and I met people there and other people in southern Alberta who were worried that their children won't get the kind of special care and attention that they need by not having access to a children's hospital in Alberta. The Alberta Children's hospital in Calgary provides a critical mass of doctors and nurses and specialists that are able to deal with the most difficult of health care issues that affect children, and the other thing that is important is that this particular hospital is world renowned. Will the minister tell us how you can maintain this critical mass of doctors and nurses and so on when the Hyndman report talks of closing it and the Premier talks of spinning off programs to other institutions?

MRS. McCLELLAN: Well, Mr. Speaker, the Minister of Health has not talked about closing it or anything else. I think we should get this back into perspective. The five acute care hospitals in Calgary have commissioned a further study on rationalization of services. In that study there is a recommendation to move the Children's hospital from its present site to a site at the Foothills hospital. The minister has read that. I have received some comments from the board chairs in a written form, and I have asked that we meet to discuss their comments. I am sure that the discussion of the Children's hospital and its possible relocation, not closure, will occur at that time. I repeat that this is not the government's report, and it is not a recommendation to government at this point. I think the hon. member should consider the process. I think it's incumbent that I meet with the board chairs tomorrow and hear their comments on all aspects of that report.

*This spelling could not be verified at the time of publication.

MR. DECORE: Mr. Speaker, 4,000 southern Albertans have now signed a petition asking that that hospital remain open. I'd like the minister to tell us, because critical mass is the key to the success of a hospital like this: what's the minister's criteria – your criteria, Madam Minister – on whether it stays open or it's shut down?

MRS. McCLELLAN: First of all, Mr. Speaker, I have not had a recommendation to close the Children's hospital or to relocate it. I recall a debate in Edmonton as to whether there should be a freestanding hospital, and I would ask the hon. member to consider their thoughts and recommendations at that time and remind them that we do deliver a full range of pediatric services in the city of Edmonton in an integrated form by a number of hospitals in this city co-operating to provide those services.

There has been no decision made in Calgary as to whether to relocate the Children's hospital, and I do not read the report in the same way the hon. member does. It is not suggesting closure of the Children's hospital in Calgary; it is recommending that that hospital, the Children's hospital, be relocated. The reasons given are for a fuller range of services available to children. When I receive a recommendation, I will consider it. I have not received that, Mr. Speaker, and I will discuss those recommendations with the boards tomorrow. [interjections]

MR. SPEAKER: Hon. Member for Edmonton-Roper, order.

MR. DECORE: Mr. Speaker, all I asked was for the criteria the minister uses to tell us what the closure or opening would be. That's all I wanted her to answer.

Will the minister tell us, then, that this whole process isn't some sort of cruel setup on Albertans, particularly southern Albertans, to allow the Premier to come back and say, "Oh, we're going to leave the Children's hospital open" and make him and the government look like heroes?

MRS. McCLELLAN: Mr. Speaker, I take great exception to that comment certainly on behalf of the boards of the hospitals in Calgary that have undergone a very extensive process of reviewing how they deliver services. I do not believe that any of those people on those boards have any ulterior motive. I would remind the hon. member one more time that this is not a government report; it is not the minister's report. It is a report commissioned by the Calgary group in the best interests of delivering services to all citizens in this province.

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

Catholic School System

MR. HENRY: Thank you, Mr. Speaker. Thousands of Catholic school supporters in this province rallied last Thursday to save their Catholic education. At the rally I attended, people told me that they felt they were being blackmailed by this government by having to choose between full funding for their children's education and control of Catholic education. Not only are they having to make this choice; they're having to do it in the next two weeks. I'd like to ask the Minister of Education: why when the constitutional questions are still undecided has the deputy minister sent a letter to Catholic boards telling them that they have to make their choice between full funding and taking their rights by April 27? Why now?

MR. JONSON: Mr. Speaker, I think it's important to note that in the overall funding plan that is being proposed, we are

proposing a plan which provides fair and equitable funding for all students in this province no matter what school board they are in the jurisdiction of or what school they go to. This is fair and equitable to Catholic separate school boards, to separate Protestant school boards, and to the public school boards of this province. I think that must be kept in mind.

Secondly, Mr. Speaker, the provisions are currently in the legislation and have been for some time, and there is a requirement to ascertain the position of school boards across the province with respect to the levying of supplementary requisitions.

1:50

MR. HENRY: Regardless of the rhetoric, Mr. Speaker, this is blackmail, and the minister knows it.

My question to the minister is: since we've just started debating Bill 19 and the deputy minister has told Catholics to make up their mind, isn't he essentially saying that there will be no substantive amendments to that portion of Bill 19? Is that what you're saying?

MR. JONSON: Mr. Speaker, in terms of the member's introductory remarks, I think they are cause for a reply, and that is: the provisions that are proposed in Bill 19 are designed to provide for a fair and equitable system of funding of education across the province, and in fact with respect to the overall Catholic separate school system of the province it provides an enhanced equity position and improved equity position as far as the funding of education is concerned. Secondly, I am quite aware that the Legislative Assembly will deal with Bill 19 as the Assembly sees fit, and I understand that to be the process.

MR. HENRY: Mr. Speaker, nonetheless Catholics have to make a choice.

I'd like to ask the minister: why did he allow his deputy minister to create this artificial deadline that has no relation to anything in the world? [interjections]

MR. DINNING: They've got to set the mill rate, you dingdong.

MR. SPEAKER: Order. [interjections] Order. We were making fairly good progress until there was a heckle from the government side.

MR. JONSON: Mr. Speaker, the communication that I understand the hon. member opposite is referring to is a memo or a letter that goes out at this time of year traditionally in keeping with current legislation, and it is a communication that was done with my full knowledge and approval.

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

National Social Policy

MR. McFARLAND: Thank you, Mr. Speaker. I understand that the Minister of Advanced Education and Career Development and the Minister of Family and Social Services were expected to meet the federal Minister of Human Resources Development today in Ottawa. I believe that reform of the social safety net in this country is a high priority for all members of this Assembly, and my question to the Minister of Advanced Education and Career Development is this: as the lead minister of this initiative why was this meeting not held today?

MR. ADY: Mr. Speaker, the hon. member is quite right: a joint federal/provincial meeting of the ministers of labour market issues and social services was scheduled to take place in the east today.

The ministers were to discuss the status of the national social security reform process initiated earlier this year by the federal government. The Hon. Lloyd Axworthy made the decision to cancel the meeting on April 14, which was just last Thursday, after the Quebec government voiced their dissatisfaction with the process that had been put in place. Their main argument was that the provincial ministers had not received any advance documentation as the basis for the discussion, and frankly I had met earlier that day with our Premier, and we were certainly concerned about that same issue and shared that with Quebec. In essence, we weren't sure as to what role we were being asked to play during the course of the meetings, and we had no clear idea of what was going to be discussed there.

MR. SPEAKER: Supplemental question.

MR. McFARLAND: Thank you, Mr. Speaker. The Liberal government of Quebec has taken the position that jurisdiction and responsibility for labour market training . . .

SOME HON. MEMBERS: Question. Question.

MR. McFARLAND: If you don't know what I'm going to ask, how can you . . . [interjections]

MR. SPEAKER: Order. There's no preamble to supplemental questions. Order. Order. [interjections] Order. The Chair will interpret the rules, not the opposition caucus.

The hon. Member for Little Bow.

MR. McFARLAND: Thank you. I'll try again, Mr. Speaker. What is Alberta's position in the area of labour market training and employment development being under provincial authority?

MR. ADY: Well, Mr. Speaker, the federal government has made it very clear that they would not transfer resources, staff, or responsibility to provinces in this reform process. While we support the position of Quebec, who has been asking for sole jurisdiction on that, we do see a role for the federal government, which may come as a surprise for the members opposite. For example, our government's position has recognized the federal government's key responsibilities in providing a national unemployment insurance program. We should remember that following the defeat of the Charlottetown accord, we reached an agreement that future bilateral labour market arrangements should be based on the following principles: first of all improved client service, elimination of duplication and waste, improved co-operation between both orders of government – just two more, Mr. Speaker – increased role of the private sector, and removal of barriers to labour market mobility. On these terms, we stand firmly behind our sister province of Quebec.

MR. McFARLAND: Mr. Speaker, the final supplemental is to the Minister of Family and Social Services. Will the minister be working with federal authorities to harmonize our highly successful welfare reform plan with the federal government initiative?

MR. SPEAKER: The hon. Minister of Family and Social Services.

MR. CARDINAL: Thank you, Mr. Speaker. Yes, this minister of course looks forward to going to Ottawa within the next couple of weeks no doubt to attend this meeting. As you're aware, in this province we've reduced the welfare caseload by over 34

percent in the past year, which allowed us to redirect close to a hundred million dollars to job training and placement.

In addition to that, Mr. Speaker, a very interesting area and an area that the federal government is interested in is the collocation of some of our offices, which is not really a process that's utilized in other jurisdictions. An example of that is the collocation between Family and Social Services, Advanced Education and Career Development, and the department of human resources, where we do provide one-stop service for clientele in the area of career counseling, career planning, placement, and follow-up assistance to support people who move from depending on government to independence. I know the federal government and the federal minister are very interested in this process.

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

North West Trust Company

MR. CHADI: Thank you very much, Mr. Speaker. Since 1987 this government has been trying to unload North West Trust to the private sector. The Premier has confirmed that one of the potential purchasers is Laurentian Trust. We know of this government's willingness to offer golden handshakes to its friends like Gainers and Bancorp. My question is to the Provincial Treasurer. Will the Treasurer confirm that the government is prepared to offer the chairman of North West Trust, who incidentally is the former chief financial officer of the PC Party of Alberta, a severance package as part of any sale of North West Trust?

MR. DINNING: Mr. Speaker, I would have to get that information for the hon. member, as I know he's interested in it, in that the board of directors of that corporation have set the remuneration for its directors and its chairman and its president. So I would have to get that information for the hon. member. I would remind the hon. member, as he started off his comments, that the province has since 1987 and with greater vigour in the last 16 months tried to put North West Trust in a position where it would be an attractive firm to purchase. But remember why we got into North West Trust in 1987. It was not by choice. Would we prefer not to have gotten involved? No. We should never have had to get involved, but because of the Liberal-inspired national energy program, North West Trust had problems, and we had to step in.

MR. SPEAKER: Supplemental question.

2:00

MR. CHADI: Thank you very much, Mr. Speaker. It's absolutely amazing. They create the . . .

MR. SPEAKER: Supplemental.

MR. CHADI: Will the Treasurer confirm that the pending sale of North West Trust includes an \$850,000 severance package to this current chairman?

MR. DINNING: Mr. Speaker, I would have to get the information as to what the board of directors of North West Trust has provided for in the way of a severance allowance.

MR. CHADI: Mr. Speaker, since the Provincial Treasurer called the \$650,000 golden handshake to the Gainers CEO obscene, what adjective like obscene will you use when you approve the golden handshake to this CEO?

MR. DINNING: Mr. Speaker, obscener.

Social Assistance

MR. SOHAL: Mr. Speaker, the Minister of Family and Social Services recently announced a welfare caseload reduction of over 34 percent in the first year. I would like to ask the minister: how does that dramatic drop impact on the direction of the minister's three-year business plan as it relates to his proposed budget?

MR. CARDINAL: Mr. Speaker, 68,100 was the projected average caseload per month for the '94-95 fiscal year, and the '95-96 fiscal year was projected at 65,100. Of course, as you are aware, at the end of March of this year we have achieved 62,394, down about 32,000 since a year ago. So the welfare reforms are working, and actually we're ahead of target in our plan.

MR. SOHAL: Mr. Speaker, what impact has the caseload had on activities; for example, the cost sharing under the Canada assistance plan?

MR. CARDINAL: Mr. Speaker, of course, as you are aware, the requests for cost-shared dollars under the Canada assistance plan will be less in the next three years. In fact, there will be over \$100 million less spent in Alberta and also \$100 million less requested for cost sharing under the Canada assistance plan.

MR. SOHAL: Mr. Speaker, what impact has the caseload reduction had in other areas, such as Treasury Department activities?

MR. CARDINAL: Mr. Speaker, the Treasury Department's workload consists of about 30 percent in processing vouchers and transactions in relation to my department. Since the reduction in caseload in the past year we've reduced their caseload also by 10 percent. So it's a real benefit beyond only the Department of Family and Social Services.

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

Bancorp Mortgage Limited

DR. PERCY: Thank you, Mr. Speaker. There's definitely something fishy about the sale of Bancorp Mortgage Limited by North West Trust. Bancorp had been part of the defunct Prenor Financial group, portions of which were taken over by the Laurentian Bank. Now a subsidiary of Laurentian is negotiating for the purchase of North West Trust, and we see this sudden sale of Bancorp. My questions are to the Provincial Treasurer. First, why did the Provincial Treasurer agree to the sale of Bancorp for a buck and at a loss of \$1.3 million to Albertans rather than sell it as part and parcel of North West Trust?

MR. DINNING: Well, Mr. Speaker, just as I mentioned in the question asked of me previously, North West Trust received its directions from the provincial government after the Premier became the Premier that we were going to get out of the business of being in business and that we wanted not to be involved any longer in the ownership of North West Trust through the taxpayers. It isn't properly a business that we should be in. As a result, the board of directors began to take action to get the company in a position where it could be attractive to any number of interested purchasers. In doing so, they took an arm of the company, in this case, Bancorp, which they'd gotten into in early 1992, and realizing that there wasn't a future in that part of the

business, they sold it off. They got rid of it. They shut it down because it was no longer a feature or a part of North West Trust that would enhance its salability.

DR. PERCY: Mr. Speaker, why did the Treasurer approve \$1 million in golden handshakes to 22 employees, including Bancorp's ex-president, when the same employees are now being hired by the same ex-president to work for the same company? That's not severance in any man's language.

MR. DINNING: Well, Mr. Speaker, North West Trust is run by a board of directors, and they are appointed . . . [interjections] Yes, they are appointed by the provincial government, but it is incumbent upon them as the corporate board of directors representing both the minority shareholders as well as the provincial government as the majority shareholder to run the company in a manner that under these directions from the provincial government would enhance its salability.

Mr. Speaker, I don't believe that the government should get involved in the day-to-day transactions or the day-to-day decisions of a company like North West Trust. Regrettably, what it only underscores again and again is that government should not be in the business of business. That's why the private-sector model of a board of directors is in place, and that's why the provincial government is getting out of these kinds of businesses. The member across the way, properly using public-sector standards, will not be able to apply them to private-sector operations, because the government, the taxpayers will no longer be involved.

MR. SPEAKER: Final supplemental.

DR. PERCY: Thank you, Mr. Speaker. Can the Provincial Treasurer confirm that Albertans will be eating an additional \$275,000 on deferred payments outstanding on the original purchase of Bancorp by North West Trust?

MR. DINNING: Well, clearly, Mr. Speaker, with the purchase of Bancorp by North West Trust board of directors back in 1992 for some \$200,000 – as I understand, that clearly is part of the write-off. That investment no longer has a value because the board of directors took the decision to get out of that business to make it a more salable commodity to the private sector. This was a board of directors' decision to make sure North West Trust was ready to be sold into the private sector. With those kinds of decisions, I think that's an appropriate thing to do given that it is the government's clear and stated intention, has been for the last 16 months, for the government and taxpayers to get out of the business of business.

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

Health Services Restructuring

MR. PHAM: Thank you, Mr. Speaker. Over the weekend I had a chance to review the Hyndman report with some of my constituents. Even though it is not a government report, it does generate some public concerns. My question to the Minister of Health today is: Madam Minister, how many jobs will be lost if we actually implement the recommendations in this report?

MRS. McCLELLAN: Mr. Speaker, I have not done an evaluation on the total number of jobs that would be lost if we enacted the Hyndman report, because I have not received the recommendation to enact that report. Indeed I should make it very clear

that my concern as Minister of Health and this government's concern is that access to services is provided in a very efficient and cost-effective way. That will be the point that we use for making a decision on recommendations of rationalization of services. Certainly there may be a change in the role of a good number of health providers in the future quite apart from the Hyndman report.

MR. PHAM: My second question is also to the Minister of Health. Are we planning to do a full cost/benefit analysis of these recommendations?

MRS. McCLELLAN: Mr. Speaker, when I receive a recommendation from the acute care planning group, I will do not only a cost/benefit analysis of it but maybe most importantly an analysis to ensure that quality health care services are available in that cost-efficient, -effective manner.

2:10

MR. PHAM: My last question is: can Madam Minister assure the House that those who lose their jobs because of this health restructuring will have access to retraining and new employment opportunities?

MRS. McCLELLAN: Mr. Speaker, one of the very important parts of our business plan and of the announcements on the restructuring of health was the inclusion of a work force adjustment strategy. Members would recall that we set aside \$20 million to be used for work force adjustment. Also, members should be very conscious of the fact that while we are taking a significant number of dollars out of the acute system because we no longer need that size of a system, we are reallocating 110 million of those dollars to the community health support side. There are a good many opportunities there for people to work, and we want to ensure that they have the opportunity for training, for upgrading. I am sure that the tripartite group that is working on the work force adjustment strategy is taking those matters into their considerations.

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

Commercial Timber Permits

MR. COLLINGWOOD: Thank you, Mr. Speaker. Last week cabinet approved a change in regulation that will allow the government to sell commercial timber permits directly through private deals without putting them out for public tender. The government will now be able to sell timber permits to whomever it chooses, and the government seems indifferent to small-scale operators who have relied on the public bid process for their timber. My question is to the Minister of Environmental Protection. How can this government, that claims to support small business, potentially jeopardize the livelihood of Alberta's small sawmill operators?

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

MR. EVANS: Thank you very much, Mr. Speaker. One of the main reasons that we moved ahead with the order in council to make a change to our timber management regulation was to give an opportunity to areas of this province where employment is a problem, where small operators, because of wood supply shortfalls, are having a difficult time in continuing their operations, and where we have problems with the wood resource because of disease or anything of this nature. This type of regulation would

only be used in very limited circumstances because we recognize that it is without competition. The same kind of opportunity does exist in terms of quotas. The change that we made is with respect to commercial timber permits. With respect to quotas it's worked quite well, and I believe that we can expect the same kind of success with respect to commercial timber permits. Again this is in very limited circumstances and to act as an assistance to small industry in this province.

MR. SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. On that, then, how can the minister assure the small operators that he's not going to make large-scale direct sales to the larger operators and freeze out the small operators, specifically what assurances?

MR. EVANS: Well, as the hon. member across the way is probably aware, commercial timber permits are a restricted type of permit. They are intended to supplement quota holders if there is a problem. More particularly – and this is quite clear if the hon. member will review the successful purchasers of commercial timber permits in this province – the vast majority of those sales do in fact go to the smaller operators. I think that the larger operators in this province are well aware of the reason for setting up the commercial timber permits.

We have an industry in this province that we work very closely with through the Alberta Forest Products Association. They have taken the initiative to begin a Forest Care process. They recognize how important it is that small operators in this province are maintained and are encouraged to grow because it creates jobs and provides employment in northern Alberta. So I have every faith, hon. member, that the current status and the very good communications between all parts of our forest industry in this province will continue and that the changes we have made to commercial timber permits by allowing sales without competition will only enhance that relationship.

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the minister: why would you move now to these private deals when the Alberta forest service and the Northern Alberta Development Council have just this month started a review of the policies for timber permitting in northern Alberta?

MR. EVANS: Well, in point of fact, Mr. Speaker, it's incumbent upon us as government to continue on an on-going basis to review our timber harvesting processes, to review the forest industry generally on a regular basis. This required change – and I say required because I think it is required to be consistent with the other regulatory processes that we have in this province – is to meet the needs of the north in particular in this province and totally consistent with a continuing review process for other forest issues in this province.

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

Agricultural Trade

MR. BRASSARD: Thank you, Mr. Speaker. Under the provisions of the GATT agreement that was signed last winter, countries have been negotiating bilateral agreements covering specific points of trade. With respect to negotiations with the Americans on agriculture there has yet to be an agreement signed,

which gives some of my constituents and at least our farm community at large some cause for concern. Could the Minister of Agriculture, Food and Rural Development update this House on what the current status of negotiations is and whether any agreement is forthcoming?

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

MR. PASZKOWSKI: Thank you, and thank you to the hon. Member for Olds-Didsbury for the question. It's certainly a very timely question and one very important to the agricultural community in Alberta. The GATT agreement was originally signed on December 15 with a scheduled date for completion of the signing of bilaterals of April 15. Unfortunately, we have not been able to come forward with an agreement regarding the bilateral with the United States as of April 15. It is my understanding that the Americans had asked that very low caps be placed on such items as wheat and barley, that low quotas should be placed on sugar, and that indeed the whole area of tariffication of supply management should again be reinvestigated. With those types of claims by the Americans, it would have been very difficult for Canada to accept those terms.

MR. BRASSARD: Could the minister indicate Alberta's position on the positions taken by the Americans and the responses to date from the federal government?

MR. PASZKOWSKI: Alberta's position basically is that no deal is better than a poor deal, and certainly that's the premise the federal government has been working from as well. Further to that, Alberta would support the position that Senator Max Baucus presented to the trade representative Mickey Kantor in his April 4 letter to Mr. Kantor, where he had indicated that overall goals in the negotiations with Canada should be eliminating unfair trade practices rather than negotiating a permanent quota. Certainly that would also be Alberta's position.

MR. BRASSARD: While we would agree that no deal is better than a poor deal, could the minister indicate if there have been any time lines established for resumption of negotiations and a deadline for completing the agreement?

MR. PASZKOWSKI: The self-imposed deadline that the Americans have placed on this is April 22, which of course is the end of this week. Now, it is our hope that indeed there will be some intensive negotiations, but again from Alberta's perspective it has to be fair. It has to be fair to both parties, but certainly posturing and trying to take positions that are untenable would put Canada in a very difficult position to come to any agreement.

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

2:20

Arbokem Inc.

MS CARLSON: Thank you, Mr. Speaker. Arbokem recently announced that they will be opening a plant in Vulcan that will try to process wheat fibre so that it can be used in food products. This company receives \$300,000 in loans from this government at a time when valued programs that would help small business create thousands of jobs have been axed from the budget. To the Deputy Premier: why did your government spend this money on this project when even if the technology works, it will only create a grand sum of 12 jobs?

MR. KOWALSKI: Mr. Speaker, I'm unaware of any such loan. I don't know if it's through some lending institution associated with the province, but I'll attempt to look into it and get back to the hon. colleague with a response.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. The loan that's alluded to is a loan through ADC. The Agricultural Development Corporation, of course, works with the agricultural community in the development of all aspects of agriculture and in future processing as well as primary agriculture. In this particular case, the proponent is bringing forward a proposal that will establish many such processing plants, not just one that will employ 12 people. So in order to be fair, this is a proponent that's bringing forward a brand-new technology that will be used in the manufacture of food processing that will engage many communities in Alberta.

MS CARLSON: Mr. Speaker, why would the Deputy Premier back this project when commercial banks and the government of B.C. both turned it down?

MR. KOWALSKI: Mr. Speaker, as this, I now find out, is a loan provided by the Agricultural Development Corporation, which is a hands-off and distinct entity from the provincial government and as I was totally unaware of it and it's not my job nor is it the job of any minister other than the one responsible for agriculture to be aware of these, I can't respond to it. It truly is unfortunate that the hon. member didn't hear the response I gave to the first question and proceeded to read from the script provided to her by some researcher in the Liberal caucus, probably a worthy time to point out to all taxpayers in the province of Alberta that the Liberal opposition gets nearly \$2 million a year for research.

MS CARLSON: It's still taxpayers' dollars.

Is the minister aware, then, that the ownership of the patent technology for this company is under a court challenge? Do we have another MagCan here?

MR. KOWALSKI: Mr. Speaker, I want to assure the hon. member and all citizens of the province of Alberta that the dollars provided to the Liberal opposition for research are taxpayer dollars. The nearly \$2 million a year is taxpayers' dollars.

I'll ask the minister of agriculture and rural development to provide the specifics to the important part of the question.

MR. PASZKOWSKI: Mr. Speaker, first of all, I think it's important to note that this indeed is a million dollar project of which the loan from ADC is \$300,000. ADC has first claim on this proposal. This is a new proposal that has been brought forward, new technology that is being developed to enhance the manufacturing of breads. This is one that is unique to this province, one that fits very well with the primary production of this province. Certainly it's an important opportunity for the primary producers of this province to expand their diversification and one that fits well.

MR. SPEAKER: The hon. Member for Three Hills-Airdrie.

Lottery Funds

MS HALEY: Thank you, Mr. Speaker. Many of my constituents have expressed concern that lottery dollars are being used to fund community projects while at the same time we're reducing funding

to health care, education, and social services. To the minister of economic development: could he assure the Assembly that these community projects are not proceeding at the expense of essential services?

MR. KOWALSKI: Mr. Speaker, the 1994-95 estimates of the lottery fund, which should be before the House in a matter of days, will clearly point out the amount of dollars that are being allocated this year for the general revenue fund. They are rather substantial. Clearly nearly 70 percent of all the dollars located in the Alberta lottery fund now go to pay for required programs in education and health. A couple of years ago that basically was zero dollars, but this year it'll be upwards of \$250 million, which is rather substantial when you consider the total education budget in the province of Alberta is approximately \$2 billion. Now 10, 11, 12 percent of that total funding comes out of the Alberta lottery fund, such programs as the school equity funding program, \$30 million, that the Minister of Education announced some time ago. Cheques recently have gone out with respect to the 1994-95 portion. In addition to that, nearly three-quarters of a million dollars is allocated to the Science Alberta Foundation, which conducts seminars and classroom activity. Of course we have dollars under the Alberta Foundation for the Arts and for education, and just recently we wrapped up a program of hazardous waste collection.

MR. SPEAKER: Supplemental question.

MS HALEY: Yes, Mr. Speaker. I wonder if the minister could explain to the House whether there's any intention to continue with things like the CFEP program or the ag society grants.

MR. KOWALSKI: There most certainly is. Again, the lottery fund estimates that will be before the Assembly in a matter of days, Mr. Speaker, will show that approximately 30 percent of dollars located in the Alberta lottery fund will go to a large variety of volunteer-based groupings in the province of Alberta.

This is volunteer week in the province of Alberta, by the way, Mr. Speaker, and this province was built by volunteers and will continue to be built by volunteers. The thousands and thousands of volunteer groups that we have in the province of Alberta receive dollars on a dollar-for-dollar basis from the province, but unfortunately less than half of 1 percent of the total provincial budget goes to sponsor on a cost-sharing basis the volunteer initiatives in this province. As we go into the next millennium, those volunteers will be as important as they have been in the last millennium.

MR. SPEAKER: Final supplemental?

The hon. Member for Lethbridge-East.

Agriculture Regional Offices

DR. NICOL: Thank you, Mr. Speaker. Alberta agriculture is in the process of reorganizing their district offices across the province. They're changing the location of some of these and also replacing the district agriculturalists with agricultural specialists. My question is to the minister of agriculture. Why is the minister creating public servant specialists across the province that will enter into direct competition with private industry specialists?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. I certainly appreciate the question from the hon. Member for Lethbridge-East, because it's a very timely question and a very important question. This goes back to the discussions that took place when we met with the grassroots producers through a series of roundtables starting in '92, followed up in November, December of '93. The farmers at that time basically said that indeed the generalist positions that the district agriculturalists and the home economists have been providing in the past are no longer useful to them. What they've asked is that we provide a higher level of information, and that indeed is what we are fulfilling. In the past we've provided that higher level of information, but we did it only through six regional offices. Now our intention is to provide that higher level of information through 52 offices strategically located throughout the province. From our perspective we're fulfilling the wishes of the grassroots producers who asked for this type of a format.

MR. SPEAKER: Supplemental question.

DR. NICOL: Thank you, Mr. Speaker. In staffing these specialist positions, many of them are being filled by the people who previously were in the district agriculturalist's office. Is it the Alberta farmers' belief that these people will now be specialists just because their name has been changed?

MR. PASZKOWSKI: The process that's going to be used is that indeed they are going to be elevated to specialist positions, and they are going to become specialists. We already have some specialists because they were servicing regional offices. Those people will remain with their qualifications. However, for those who are being upgraded, they will be receiving additional education, additional training in order to be able to achieve that. So, indeed, those who have not been qualified in the past will be upgraded to meet those qualifications.

MR. SPEAKER: Final supplemental.

DR. NICOL: Thank you, Mr. Speaker. I'd like to ask the minister again if he has a program in place to help farmers with depressed incomes to pay for these specialist services once the minister puts them on a cost recovery basis?

2:30

MR. PASZKOWSKI: An excellent question, Mr. Speaker, because this is the route of the developments that we feel agriculture in Alberta and in Canada, for that matter, must address. We indeed are working together with the grass roots to address this problem as well. The way that we're looking at doing it is through the process of streamlining the existing process that's there today. We have told the producers in the past to manage better, and indeed the producers have delivered, because as far as production of primary products is concerned, no producer does better than the Alberta producer. There is no better efficiency and there is no better productivity than that of the Alberta producers.

However, in the past we have tied the producer's ability to manage the marketing, and that's exactly the area that we're going to be working in conjunction with the grass roots, hopefully in conjunction with the federal government in streamlining that whole process, which will eventually end up with more bucks in the jeans of the primary producer.

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

head: Orders of the Day

head: Government Bills and Orders

head: Second Reading

**Bill 18
Freedom of Information
and Protection of Privacy Act**

[Debate adjourned April 12: Dr. West]

DR. WEST: Mr. Speaker, I made several comments on this Bill the other night. I would just like to reiterate that I am in support of second reading of this Bill, but I once again put the caveat that this does not replace good representation by people with honesty and integrity and that it doesn't replace the checks and balances of an election like we had on June 15, where the people of a democracy make a choice and remove people or re-elect them in order to go in to give good, honest government.

So often pieces of legislation such as this are brought in under the guise that it's the end-all, the be-all. Certainly there is avenue to report various information to the public. As I said before, I will look with interest to see how this Bill is implemented to see if indeed it can be implemented with the ease and proprieties that are being espoused by the opposition. I think it will be tough. It will be a long, arduous cause, because there has to be a tremendous amount of backup bureaucracy and administration put in place to get a free flow of information to the public. Indeed, that's been proven in other jurisdictions.

I'll await further discussion on this by other members, because I'm interested to see what their perception of the future and this Bill will be on the people of Alberta and the province of Alberta.

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

MR. CHADI: Thank you very much, Mr. Speaker. I'm of course thrilled with the opportunity to speak to Bill 18. This is a fundamental Bill that is before the Assembly today and before the Assembly in this session.

Mr. Speaker, Bill 18 is one that has come forward now as a result of a number of years of introducing a Bill of freedom of information in this province, particularly since 1989, since our leader, the leader of the Liberal Party, was first elected to this Legislature and made it his flagship Bill. The very first Bill that was introduced was introduced by the Liberal leader. In 1990, 1991, 1992, and again in 1993, each year after 1989 the Liberal leader and the Liberal Party introduced a freedom of information Bill in this House. During each of those years the Bill was defeated; the Bill was turned down. The Bill did not get anywhere because it didn't seem like the governing party allowed the Bill to get anywhere. The debate took place, and I can't imagine why over the past five years it resulted in a deadlock. I mean, there was no way that the governing party was going to allow this Bill to proceed.

Last session was the very first session that I attended in this Legislature, Mr. Speaker, along with 49, I believe, other new members. At that time I recall having to debate and speak on Bill 1, and we spoke on Bill 201. Now, those two Bills were set aside because the Premier of the day said that what we should do and what we ought to do is create one good Bill. I remember clearly the Premier saying that we should create one good Bill out of the two. I was quite impressed at the time. I truly was. I thought: that's fantastic; the Premier is now looking at consolidating perhaps maybe some of the ideas that were presented in Bill 201 with the Bill that the Premier presented, Bill 1. So I thought that

was just fantastic. I thought that, well, now Albertans are finally going to come up with a Bill that will allow freedom of information. The name of the Bill is what I thought we were going to get in this province.

Then you look today at the Bill itself and say to yourself: how can some of the details in the Bill, the sections of the Bill, allow for freedom of information? The freedom of information that I thought was going to come about from the amalgamation, or the consolidation, of Bill 1 and Bill 201 is not there. It's not there in its entirety. I tell you, Mr. Speaker, it's not a bad first step. I quite agree with it. I quite agree that we've presented it now. There was a committee put forward, and the committee came out with some ideas, but then again some of the committee's recommendations aren't included in this Bill. Here we have a situation where you have a committee that was put in place and some of their recommendations aren't being adhered to in this Bill.

It's not different from, say, what happened with the committee that was put in place for the Tax Reform Commission. I mean, the tax review commission went ahead and compiled a ton of information that was brought forward to this Assembly. Then I firmly expected in the budget of 1994 to start to see some of the implementation of the recommendations that were brought forward by the tax review commission, and quite clearly that didn't occur.

My concerns lie in what it is that we are creating. Why are we going through the procedure of getting together a committee and hammering for months on end? I don't discount the work that this committee has done. They've done a fantastic job. They've gone around the province. I heard heckles from all sides saying: well, you know there were only two or three people that were in one part of Alberta, and when you went to another part of Alberta, only two or three people showed up at that meeting. I don't care if there was only one, Mr. Speaker. If people are interested, those are the ones that are going to come forward. They're the ones that are going to start to have something to say. That's why they came forward.

The committee went about its work and came back and made a bunch of recommendations as to how a Bill ought to be structured. All of a sudden we see the creation, and the creation is Bill 18. It's not all there. Now I ask you: why is it that we would put together a committee to come up with these recommendations and not have them implemented in the Bill?

I will scrutinize the Bill. This is in second reading now, I understand, but I look forward to Committee of the Whole. I look forward to it tremendously, because I want to get into the heart and soul of the Bill and see what can be done to amend the Bill if I find that there are deficiencies within the Bill. I know that once we start to see the recommendations – and the chairman of the committee himself during my comments on second reading is saying to me: what is it that is missing from the recommendations of the committee within the Bill? Well, I look forward to seeing that and identifying those in Committee of the Whole. I know that the structure of the Bill is in place now, and I would hope that what we can do is look at accepting or implementing some amendments that would adhere to the recommendations as originally contemplated by the committee.

2:40

One of the areas that I have some concern with and that I want to bring forward right now, Mr. Speaker, is the fact whereby Executive Council – a minister's records would be included. If a decision was reached, these documents would be held for five years. In other words, if a minister makes a decision on something, those documents would be held for five years, I'm told, and they wouldn't be released. Now, if it didn't result in a decision,

then I was told 15 years. [interjection] The chairman is correcting me. If he's correct, then I'm going to run with that, because that's what I've got to go by, and that is, if a decision was reached, it would be held for 15 years, and if a decision wasn't reached, it would be five years is what he's saying. Well, in any event, whether it's five or 15 years, it's unacceptable to me and to the people of my constituency and to the people of the province of Alberta. I should say that it ought to be unacceptable to everyone in this Assembly. What is it that we hide? Why would we want to consider putting something aside for 15 years or five years? There's no reason for it. If we are an open government, if we are an accessible government, then, by golly, why don't we say, "This is what we decided on doing, and anyone and everyone is entitled to see those books"?

We are really no different than the volunteers that we talk about in volunteer week; are we? How different are we? Most of our lives each and every one of us here volunteered in some capacity either in our constituencies or in our home towns, in our communities. We did it for a long time, and we continue to do it. You go out of your way, Mr. Speaker, I know, to assist and volunteer in areas that you don't really have to. I know the chairman of the freedom of information committee does it. I know I do. Members on this side of the House are tirelessly going out of their way to ensure that people within their communities understand how the government is functioning and how it works. Never once has a volunteer committee in my community, that I know of, said, "Well, you know, we made a decision here, and therefore we'd better hold on to these documents for the next two, three, or five years, because nobody ought to see these documents." I don't understand why we would want to do that. Give me one solid reason, is all I'm going to ask in Committee of the Whole when it comes to it, why we would want to keep this for 15 years, unless we've got something terrible to hide. I don't want to be part of a government if we've got something terrible to hide. [interjections]

It's easy for members on the opposite side of the House to say: you'll never be part of a government. I think that somebody ought to inform those members that are mentioning that we are not part of government here – tell it to your constituents. Why don't you tell my constituents whenever you have an opportunity that they elected somebody who's not in government at all? It's incredible. It's that attitude that causes the problems in this province, and we continue to cause those problems. It's the arrogance of particularly the members on that side of the House that do say that. I don't single out anybody, because I tell you, Mr. Speaker, there are members on that side of the House that are impeccable stewards of their constituents. Let me tell you that each and every one of the ones I know of that I'm speaking about are incredibly good politicians, incredibly good representatives for their communities and their constituencies, but there's only a handful. They ought to learn from that handful that I'm talking about.

Now, unless you have something to hide, you'd have no reason to keep it for five, 15, 10 years or whatever the case may be. Why I'm saying that, Mr. Speaker, is this. The export loan guarantee program was brought into mention in this Assembly not so long ago. A few days ago here we were debating a motion for a return whereby we asked that certain information be brought to the Assembly or be tabled so that we could find out why it is that the export loan guarantees lost \$9.6 million or \$10 million thereabouts that we had to take some write-downs on. You know, the minister who responded to that motion for a return said: no, we cannot provide you with that information. Why can't you provide that information? I would think that within the freedom of information Bill itself, if one were to be implemented in the

province, one should be able to access that. I think that with this freedom of information Bill as it is today, we still won't be able to access that. We're getting nowhere. Why have a Bill if you're not going to be able to access something as simple as the \$10 million in losses in the export loan guarantee program? I don't know why anyone would want to hide that. Sure we took a nosedive; we lost \$10 million. Do we just say, "Well, it's only \$10 million," and just discount it like nothing really happened?

I tell you, it's amazing how each and every one of us speaks in the millions of dollars like it's nothing, like it's no big deal. I remember being on the campaign trail and talking about the different losses that the government took, the losses to NovAtel and that went into Gainers and went into the MagCans of the world. One shouldn't stop there. One has to talk about Principal Group and North West Trust that were bailed out. Heritage Savings & Trust was also bailed out, and the story goes on. See, Mr. Speaker, that sort of information would not be accessible to us. We will never be able to find out what happened, how it happened, how much money we spent, who got paid. Why bother having a freedom of information Bill if indeed we won't be able to access that sort of information?

Getting back for a moment to this motion for a return that took place and how freedom of information ought to be able to access that information. Mr. Speaker, there are many reasons why anyone, any Member of the Legislative Assembly would want to be able to access that information and say to not only their constituents but to Albertans that there's something wrong here when you lose \$10 million, when you drop \$10 million on a loan guarantee program.

Quite frankly, the description of the loan guarantee program is one that companies within the province of Alberta – at least I hope it's within the province of Alberta that we've guaranteed. Lord knows, it might be; it might not be. Maybe that's why the minister is holding back the information. Nonetheless, corporations in the province of Alberta would want to trade offshore or trade to another country, but their bankers won't allow them to carry on and just fund them that certain amount of money and wait for the receivable, wait for the money to come back from this other foreign country. Then the government kicks in and says: well, we'll guarantee it so that we can allow you to make that trade, so that we can allow you to send your products over there; we'll guarantee you the money on behalf of that country. Well, it makes for a pretty good job-creation program, because this way small companies or big companies can continue to function.

That leads me to another question that I'm going to come to, whether it's big or small companies. Perhaps maybe the information is not coming through because they were giant corporations that didn't need a loan guarantee to begin with. The government and the minister would know that he'd be in hot water if indeed a giant corporation that did not need an export loan guarantee actually got an export loan guarantee and doesn't want that exposed now. So one can only speculate and continue to speculate as to why it is that this information is being withheld. It's certainly a shame, Mr. Speaker, to continuously hold back on these documents.

2:50

So the program goes on, and they guarantee these different companies so that the money coming from another country would indeed come. If it doesn't come, the government kicks in. Well, that's just the key, Mr. Speaker. You see, the government did kick in here. It kicked in \$10 million. My God, that's an awful lot of money we're talking about. I know that in the context of \$16 billion or \$12 billion or whatever our budget is today – it's

difficult to tell because we keep juggling the numbers around; it's certainly over \$12 billion – \$10 million isn't really a lot of money. So each and every one of us should sit back and start talking a million or \$10 million. It seems like it's not a lot. Well, Mr. Speaker, it's a lot to every Albertan that's out there. It's a lot of money, talking to a fellow in my constituency or talking to somebody in your constituency or anywhere in the province of Alberta. Start talking a million dollars. People go hog-wild every week, two times a week as a matter of fact, trying to win that million. They put their dollar down and they try to win that million. Yet here we drop \$10 million in one shot and so what? It's no big deal. That's the attitude of the government of the day, and that is what I find frustrating.

That is why I think we need a freedom of information Bill that can be presented to the Legislative Assembly so that we could actually work within a freedom of information Bill to access this information that the government doesn't want to give us. I hope very much that we end up having a Bill that can access those sorts of documents.

Something else comes to my mind, and that is what the Premier has said. The Premier kept saying over the last week and after the introduction of Bill 18 that from here on in what we are going to do is allow for the introduction of amendments. Now, it's not that the Premier will allow the introduction; it's the legislative process. We are given the right; members on both sides of the House are given the right to introduce amendments in Committee of the Whole. We can do that, and I look forward to that. But I've got to tell you, Mr. Speaker, that since I've been here in this Legislative Assembly – and this is our second session, and I would have to say that we've spent a cumulative amount of time of about, say, three months or four months, in that range, in this Assembly – I don't think I've ever seen an amendment that was introduced by members on this side of the House go through.

MRS. ABDURAHMAN: One.

MR. CHADI: Maybe one.

MRS. HEWES: They made it their amendment.

MR. CHADI: I don't quite remember the day, but perhaps there was one. I know that the Member for Clover Bar-Fort Saskatchewan and the Member for Edmonton-Gold Bar are saying that there was one. Well, I respect that, and I'll go along with that, that there was one, but one out of so, so many that were introduced, many amendments, many decent amendments that were put forward. I can think of just only a couple of days ago when we were talking about Bill 5. We introduced amendments to that Bill, Mr. Speaker, a simple amendment that made an awful lot of sense, that would allow things like liens not to go ahead of a mortgage placed on the title of the property. Now, that doesn't sound like a very bad thing on the surface of it, but I can tell you one thing. An unsuspecting purchaser buying a piece of property one day being given . . . Is my time up?

Thank you.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. Let me firstly acknowledge and congratulate the all-party committee for bringing forward the recommendations that have given us Bill 18 today. I'm certainly pleased as an elected representative to see this very important piece of legislation come before the Alberta

Legislative Assembly. It's long overdue. The Freedom of Information and Protection of Privacy Act is the backbone or the motherhood, as has been put by the hon. Member for Vermilion-Lloydminster, to a democratic process or a democracy. So, indeed, it's long overdue.

I'd like to address it from the perspective that we've heard the government state time and time again, that that was then and this is now. But to be quite frank with you, Mr. Speaker, I haven't seen a substantial change from what was then and what is now. I think that the test will clearly be in whether Bill 18 does indeed get amended. I would suggest to this present government, that is always saying, "Bring forward ideas; tell us what you would do," that every time the Official Opposition has brought forward and certainly would democratize Bills that have been before this Legislature in a very meaningful way, they've been continually voted down time and time again not because they weren't sound bases for amendments to legislation but purely because they were coming from the Official Opposition.

I think the government of Alberta has failed to acknowledge that even a Member of the Legislative Assembly of the Official Opposition has come through the democratic process. We're here because Albertans elected us to this Assembly. So when serious amendments are brought forward and not treated with the respect that they deserve and voted for on a purely democratic basis, it doesn't do democracy justice at all. I would suggest that Bill 18 certainly needs some amendments.

We looked at comments coming from government members about the lack of hordes of Albertans attending these meetings. I think there were a number of reasons for that happening. I would suggest, Mr. Speaker, that the way the advertisements were approached, the manner that that was done didn't lend itself to encourage people to come out to these meetings.

The other is the cynicism that's out there. It's still there; it hasn't gone away. Many, many Albertans are saying: "What can we do to effect positive change?" They don't believe that they're really being heard going to town hall meetings and information meetings. I can't dispute that because I've seen where we've had public hearings over the years, inviting Albertans for their input. What happens to the reports? They're shelved. Health care: if I actually brought every study that has been done since my involvement in health care in the province of Alberta, I probably could take up this whole front row, document after document where we've invited Albertans for their input. I would say that I don't think we can take anything other than cynicism and the belief that you can't effect change for why we didn't see large numbers of people coming out to these information gathering meetings for the freedom of information. I've never at a door heard any Albertan saying to me that they did not want to be able to access information.

Mr. Speaker, information is key. I don't know who made the statement, but in essence it's that information is the currency of democracy. That's what information is. Without information you don't have a democratic process. Information is what we as Albertans have the right to know about governments. Information is not government's; it's Albertans'.

So let's take a look at some areas within this Bill that would suggest we're not being as open as we indeed could be. We look at the scope of this Act under 3(a) and 3(e), and we're still looking at the possibility of 3(e) allowing the destruction of documents. We've seen too much of that in the past, and any Bill that lends itself to an interpretation that indeed this could still happen I think needs amending.

I would also say, Mr. Speaker, that it has also been used by members of the government that information could be accessed by

the wrong people. Yes, there is a danger, and we've seen abuses in other provinces when it's come to freedom of information legislation.

3:00

I would rather address it from the other perspective, and that is that if inmates, for example, within our federal or provincial correctional systems are abusing the freedom of information legislation, I think what we should be clearly looking at is why indeed these individuals have so much freedom when they're part of a correctional system, federally or provincially. Surely when we incarcerate people within our correctional systems, they should be losing rights, not gaining rights. Somehow within our society we've gone far too far in allowing people who have violated other Albertans or Canadians to have more rights when they're incarcerated than the average Albertan. So rather than saying that that's a reason why we shouldn't have sound, open freedom of information legislation, I say let's address where the real problem is and start making our correctional systems the types of systems where indeed the person who has violated feels the full force of the law and loses the basic rights that we all hold dear, and that is to vote and also the right to have access to all government information. So once again to the hon. Member for Vermilion-Lloydminster, let's not talk against this Bill from that perspective, that the wrong people get the information for the wrong reasons. I say let's deal with that in a different perspective.

Now, if this government is different from past Conservative governments, I would say that amendments ensuring that we've full access to information indeed do happen. Without amendments when we get to committee stage, I would say that there's nothing different between this government and the Getty government, if that doesn't happen. I don't believe that anyone within government can justify why we would limit access of information when you look at the horrendous legacy that past governments have left in the province of Alberta or in Canada. We're looking at a \$30 billion debt, and that was because of this parental attitude that the past Conservative governments, provincially and federally, had had: we know what's best for you; don't dare question what we are doing. If we had been allowed to question and not been put down when we were asking some questions and if Official Opposition members, irrespective of their party affiliation, had been able to access the right kind of information, we wouldn't be looking at a \$30 billion debt in the province of Alberta today. That I feel absolutely a hundred percent sure of, because the minute governments have the arrogance that they know what's best for people out there, we are in trouble. All we are elected officials, and I said that when I was dealing with my Motion 509, that was voted down. Without that, you don't have open, accessible government, you don't have integrity within government, and indeed you haven't done your housekeeping.

I could invite you to my home anytime, and I'm sure you'd walk in and you would look around and you would say that, yes, I keep a clean house and it looks all aboveboard and all that sort of thing. But I would say that the real test of a good housekeeper is to look under the bed, open a few cupboards, and I am suggesting to you, Mr. Speaker, that this government still hasn't looked under the bed. They still have not opened their cupboards. [interjections]

MR. LUND: Oh, watch the skeletons, Muriel. Watch the skeletons. You've got a problem.

MRS. ABDURAHMAN: It's really interesting how that's got our male colleagues excited on the other side of the House when I'm

talking about under the bed and in cupboards. I'm suddenly hearing: what about skeletons? I think, Mr. Speaker, what I'm hearing from the other side of the House is that indeed they are afraid of the skeletons falling out of the cupboard.

Only time will tell whether they are prepared to open their books and open their doors and let us scrutinize what happened to ensure – ensure – that we never allow the abuse of the public purse to ever happen again in the province of Alberta. In all seriousness, Mr. Speaker, the only way that you can truly do that is by having the right legislation in place. In other words, let's get the spring cleaning done, and this is the appropriate time in the Legislature, during the spring, to ensure that Bill 18 that is adopted by this House will indeed do the job.

Now, let's take a look at the Treasury Board. My hon. colleague from Edmonton-Roper identified a concern there as well. We're looking at the 15- and five-year limitations. I'd go a little bit further in stating also that we must ensure that there's nothing within this legislation that allows the cabinet to be exempt through the Treasury Board. I would say that when you look at the legislation, there is a possibility of that, and I won't go into it in any more detail at this time. I think the appropriate place is in committee, when we can get into that level of detail and start looking for amendments. You know, when you look at section 21 – and I talked about the \$30 billion debt that the past government has accumulated for Albertans. If we'd had a freedom of information Act, even with this section 21 I think we couldn't have prevented that happening. So we must make sure that in section 21 it's done in such a way that wouldn't allow for the cover-up of the MagCans or the Gainers or the Principal trusts or the NovAtels, and you can go on and on. That must never be allowed to happen again.

Now, I would be remiss in not acknowledging that in a number of areas the government has done a commendable job, and I'll use for example the Ethics Commissioner's and the Ombudsman's appointments. I firmly believe in my own mind, Mr. Speaker, that these are ethical appointments. They're fulfilling their obligations in a very credible manner and meeting the full obligations of their legislation. The success of Bill 18 is also going to be dependent on the independence of the commissioner and the manner in which that commissioner is appointed. I would say that that individual will be the key to any success of the Freedom of Information and Protection of Privacy Act. So I'm commending the government for doing a good job in certain areas of appointments that have been made through order in council, and I would look to that same calibre of individual being put in place for the commissioner of this very important piece of legislation.

Now, with regards to the fees, all Albertans should be able to access information irrespective of their income status. I think that must be clearly identified. If those fees are prohibitive, it then becomes an elitist freedom of information Bill, and we must ensure that that indeed is never allowed to happen. We must ensure that the fees, as I say, if they have to be charged, are fair and reasonable and that every Albertan can indeed access them.

Mr. Speaker, I believe the points that I wanted to raise with regards to Bill 18 at this point in time I've covered. I'd like to close by saying once again – and I'll continue to say it until I see it happening – that if this government truly wants to effect positive change within the province of Alberta, not only through legislation, what it's got to be seen to be doing is opening up. It's going to have to ensure that the trust of Albertans is brought back and the integrity is restored within this government. There's a large silent majority out there that we hear from when we're knocking on doors, and they certainly support this long overdue piece of legislation.

Thank you, Mr. Speaker.

3:10

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

MR. WHITE: Thank you kindly, Mr. Speaker. I rise today, as is only right and proper, to speak to the principles of Bill 18. We will have ample opportunity to debate the specifics of each and every part of that Bill and truly believe it is a Bill worth calling a flagship, as the Premier did in the first sitting.

Speaking to the principle, I'd have to deal from the position of the people that were so good and kind to elect me. No, they're not high powered in society at all, but they do have an understanding of what the principle of this Bill is. They understand fully and completely what the principle of freedom of information is and what it means. It means quite simply to them that you're not afraid of the truth because the government has done and will continue to do the best job they possibly can at any juncture.

Now, if you really and truly believe that, then the information should be quite free flowing, save and except some information of a personal nature that may be detrimental if it were publicly known, perhaps some corporate competitive advantages of one firm over another firm and perhaps some negotiations that are going on between an element of government and the private sector or another government or one department and another. Save and except some of those that are carefully delineated with great pain and have been delineated in many pieces of legislation throughout the free world, then the principle should apply that the information gathered on behalf of the people by the government for the people should be the people's information.

Now, I don't have any difficulty understanding that. What is very, very difficult for the population to understand is how it has taken this government all these years to come to the conclusion that, yes, the information should be free. By definition, something else has been happening and growing over many, many years. I remember way back, as far as most of the people here can remember, in the early '60s, when we got looking at government and saying: look, this information should be ours. Coming from the university, we wandered over and did the most direct and silly thing. We walked up to the front door and walked in and talked to the education minister. In fact, the education minister of the day was shocked that (a) we would show up and (b) we knew enough to ask the questions and was so taken aback they gave us all the information that we asked for.

Yes, it was fairly embarrassing for the first three days in the House, but if you went back to that - I didn't, of course, go back to that minister at that time. I was of a different persuasion at the time. [interjection] Yes, you're right, Peter. In those days the minister would then, I'm sure, about three or four or X weeks after the occurrence, say that that was the right thing to do. Although at the time, when he saw the three of us heading out the door, I'm sure he would be thinking: oh, my God. And his deputy would be jumping all over the place. Actually, in those days the deputies either had offices adjoining the minister so they could keep an eye on him or her or they were in the Transportation Building just down the way here. I mean, some of us might remember - Peter would remember that building for sure.

The long and the short of it is that there is no real reason for government to withhold information unless you can specifically design and specifically itemize why the reasons are there.

There have been very good operating models for some years now in both Ontario and British Columbia. Both have the same or greater magnitude of public transactions than this province does, and you'd think it would be a very simple arrangement to review their legislation. I understand they have both had parlia-

mentary committee reviews of their legislation and made amendments. It would have been very easy to remove that. After all, it doesn't hurt anyone to add to a wheel that has been invented, but to start over is a bit less than required, unless of course the object of the exercise is to simply delay.

When this big wave of freedom of information, when some people suddenly decided the information was worth getting from the population's point of view and that the bureaucracies in fact - because it is the bureaucracies, in my experience, not the politicians that are by and large holding the information. The city of Edmonton and the city of Calgary both decided that they would start drafting some of this legislation in their bylaws. Two very strange things occurred. One of them was that the provincial government of the day had some objections about the information that the city had. The city was negotiating with the province on a number of different fronts. They had objections to it. I can't think of anything more classically absurd than a governing body that is in fact the parent organization, if you will, being the province, of municipalities objecting to that body saying that that information should in fact be free to the public when it's in fact their information. It's just classically absurd.

Another thing that occurred at that same time is that when a number of municipal politicians both in Calgary and Edmonton were pushing for this legislation, thinking that, yes, it's deserved on the principle, they found a great deal of delays. These delays and the concerns were coming from the bureaucrats or in some cases called 'burrowcrats.' In fear of anything that comes their way, they're willing to get underground and let everything fly over their heads. Well, the easiest thing to do with information, of course, if you're a bureaucrat, is to not have any information available at all except the information that you can use to advantage and that you're willing to put out.

Well, that one in fact was satisfactorily overcome by a successive strength of mayors, both of which happen to be in this Legislature at this time, leaders of their respective parties, when those pieces of legislation were passed. Yes, there have been a number of embarrassing circumstances for a municipal government where a bureaucrat defied the legislation and said: no, this information should not be passed out, given out freely to the populace. Of course, that made the person that was seeking the information dig even further and take it to the logical conclusion and in fact receive the information. Yes, it was embarrassing for some. But that does not and should not and will not in the latest review of that legislation in the municipalities override the need for that legislation. It's clear that it functions and functions well.

Now, I have no allusions to believe there's more information, much more intricate information, much more potentially damaging information, that in fact should be not made public in this forum versus the municipal forum. But the principle remains the same: that the information is the public's information. That is clearly not the case today. I can cite numerous examples. All I have to do is ask any one of the ministries, particularly the ones that I deal with and have to deal with in most instances, public works and transportation, and I'll find out that these people, who happen to be old classmates of mine, have to tell me: "I'm sorry, Lance; I can't give you that information because it is simply not in my best interests. Lance, you should understand that." Okay. And I have to, because in fact the information that I do want has to go through the minister's office. If that has to be how it goes, I could live with that also so long as the information could in fact flow, but it does not.

I can cite a couple of examples, while I'm on my feet, of this information that in fact is not free, the most recent of which is the sale of used government equipment, particularly automobiles, light

trucks and cars, in and around the city. There was a tender put out – and I gather it's put out every couple of years – as any tender would be, for those that are bona fide in the business to present, first of all, their credentialing, which is all well and good, and then, secondly, the public tender put out. It seems that a number of years ago, two years ago or perhaps three years ago, when the bid was put out, the bid bond was \$25,000 both in Edmonton and Calgary. Then it came around for the second time, and that price in this city went to \$50,000, and then at one point it was up to \$250,000. Now, that part of the information is quite public, but you would think that every single time a tender was offered, those that bid would be allowed to know what the other bidders had put up. You would think that would be the case. No, it is not the case.

3:20

In the most recent edition the tenders went out sometime at the end of November, early December of last year. In Calgary they said that they would award in early January, and in fact in Calgary they did. About the third week in January they awarded Calgary at a percentage that was, I believe, about the norm, 3 or 4 percent of the cash realized from the sale. That's the price that was allowed in Calgary, and it was done. Now, not the same has happened in Edmonton. Not only can you not get the prices, you have to know people in the industry to get those prices that were bid in Calgary. Not in Edmonton. The contract has just been awarded very recently, and one of the bidders tells me that he still cannot get the information as to how or why or what the prices were for the award.

Now, Mr. Speaker, this speaks to this fundamental issue. If you believe in freedom of information, if you believe in private enterprise, surely private enterprise in order to compete has to know what they're competing against. Now, I don't know why – and it's fortuitous that the minister happens to be here today – it would be required for a member of the opposition to be asking these questions when surely he should know this information. This information should be coming to him. People should be asking him. What is at issue here is: is there some reason that I'm not aware of or that the public is not aware of that this information should not be divulged?

This is but one example that has come to my desk most recently, and, quite frankly, I can't give the people that are involved in this case any assurance whatsoever that any information will be coming forward. There isn't time in question period to ask these kinds of questions. I know that if I ask the minister, I'll get some response. I haven't had that opportunity yet. I instructed them to ask the minister, hoping that he would straighten this out. In fact, to date I understand they haven't received a reply, but here's hoping that they shall. It speaks right to the issue of what we're dealing with today.

There's another example that is not quite so current, but I know there were great howls of protest at one point from one of the ministers when it was alleged by either this side or the media – I can't quite recall – that he had played favourites in order to get a highway paved in front of the place of business of a relative. If the information were in fact free, that allegation could not occur, because it would be on the record as to exactly how one could come about awarding that particular road the priority it got. Now, we've asked time and time and time again to list the order of priorities and exactly how – exactly how – those points are awarded and what the long priority list is. If that were truly free information, those kinds of questions could not and would not arise. I have no difficulty with the position that there are a number of questions in that particular department where the

answer would have to be denied. We're well aware of that. But that simply is the people's right to know: how the selection of a piece of road for resurfacing or for new work is not – and I repeat is not – in any one of the categories, even in the present draft of the Bill without amendments, is not in an area that should be denied the public for the public's good.

Now, Mr. Speaker . . . [some applause] Oh, that was timely. Good to hear somebody's listening. She could hear the winding down of the speech.

We will and we should have a great deal of time, and I'm hoping to meet the challenges put by the other side in the Bill by presenting good and cogent arguments why some amendments from this side and in fact from all sides should be put and should be passed and hope the other side will listen at that point as well as they have today.

Thank you kindly for your time, sir.

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

DR. MASSEY: Thank you, Mr. Speaker. As a preface to my remarks I'd like to refer to a recent book by Goldfarb on cynicism, particularly cynicism in government. Goldfarb tries to outline in his text why citizens have become disenchanted with politics and in particular with politicians. He goes on to point out that nothing makes citizens more cynical than the suspicion that the government that they have elected is not open or is in some way dishonest.

Politicians for our part try our best to assure citizens that we are open, that government does respond to them. That's why at election time we are prone to make so much of honesty and transparency and openness as part of our political platforms. Goldfarb goes on and probes a little deeper and indicates really that cynicism is a luxury that citizens in our democracy and in western democracies in general are able to enjoy because we know that the system works. We know that if we aren't happy with a government, if we are distrustful of that government, we can make our feelings known at the next election and vote them out. So our citizens, whether they will readily admit it or not, have an underlying faith in the democratic system and in particular the way that our system works. That's why this freedom of information Bill, Bill 18, is a particularly important Bill, because it helps to bolster that faith and will help to bolster that faith in our democratic system.

I think at this stage one of the questions we have to ask is: what is it exactly that citizens would expect to be included in such a Bill? I think they want assurance of a number of things. I think, first of all, they want assurance that the Bill will allow them to feel secure that the government is open. It's really a test. Does the Bill go far enough and in its detail assure citizens that the government is open and the information that the government has about persons and groups of people is available? We even have a political party that has made a fetish of leaked documents, so I think it indicates how important this business of openness is to its citizens.

3:30

I think they want assurance that individuals and groups of individuals won't be hurt by government secrecy. They want that basic assurance that by keeping quiet, a government won't put in jeopardy an individual or any group of individuals. They want assurance that public information will be available to the public. Many citizens are astounded that what they pay for through tax dollars is not always readily available to them or, as indicated,

that that information is somehow or other not for their eyes. They want assurance that elected officials are truly in control.

For those of us that have worked in bureaucracies, we realize how important this is. Within a bureaucracy information is power, and freedom of information should rein in any group of public servants who through the manipulation of information would take power away from elected officials or make those elected officials less than effective in carrying out their duties. They want assurance that there will be no unnecessary barriers thwarting the securing of information, that the fees, that the kind of process they have to go through will be such that that information is fairly easily secured, without undue interference. I guess basically, and most basic of all, they want assurance that the Bill is fair: that it's fair to individuals and it's fair to groups, it's fair to the government in trying to carry out its operations, and it's fair in terms of the public's right to know.

With that sort of background, the kind of principles that I think should carry a freedom of information Bill, I'd like to look at a number of ways that I think this particular Bill can be improved, and hopefully those improvements will come forward in the form of amendments in the future. I think that, first of all, the whole business of information systems in the province has to be looked at. How do we handle information and documents? Alberta, our province, is known as having one of the weakest information management systems in the nation. The archives and document record managers are often working at cross-purposes. We understand that they're often open to manipulation by ministers. There were three specific recommendations by the panel that dealt with the need in Alberta for an integrated and comprehensive approach to records and information management. The Bill does not deal with these recommendations, and there doesn't seem at this point to be any government commitment to adopt them.

It's positive that the government apparently rejected some suggestion that the commissioner also be the Ethics Commissioner or Ombudsman. Only if the commissioner under Bill 18 is exclusively concerned with information issues can we effectively co-ordinate our information management functions in Alberta. I think this particular concern has to be met, maybe not with legislation but maybe a stated commitment by the government, that there's a problem in this area.

I think a second concern where there has to be some changes will be in the appeal from the commissioner. The all-party panel recommended that there should be no general power of appeal from the decision of the commissioner, only limited power of judicial review if it were alleged that the commissioner had exceeded his or her jurisdiction. Contrary to that recommendation there's a section that creates a right of appeal to the Queen's Bench judge as an adjudicator. This is a problem since it allows the government to delay compliance with an order to disclose information, as we have seen with the federal Information Commissioner. So a second area, the appeal from the commissioner, I think has to be amended and dealt with.

A third area is the paramountcy of the Bill. Section 3(a) is contrary to the panel recommendations and reinforces the fact that Bill 18 will coexist with many other statutory regulatory provisions for the management and the disclosure of records. It is particularly objectionable that a regulation designed by some anonymous bureaucrat and never seen by the Legislature could effectively overrule parts of Bill 18. The panel in its recommendations clearly opted to make the freedom of information the governing law in the case of conflict. In fact, if we followed the B.C. model of providing that freedom of information, it would prevail unless another law provided even more generous access.

So the paramountcy of the legislation is extremely important and has to be redefined.

As has already been mentioned, destruction of documents remains a concern. It means that as the Bill is now written, the destruction of document practices that are currently in place shall continue. That's clearly not good enough. This is a concern that we have raised in the past. In British Columbia they have helped resolve the problem by making sure that there is a member of the opposition represented on the committee that oversees the destruction of records. I think it's one of the amendments that we might look at in trying to improve our Bill.

The last area I'd like to talk about is the area of fees. Fees have been raised as a major concern a number of times, and they were raised by the all-party committee. There is no requirement in the Bill that the fees be reasonable fees. Fees are restricted or modified by one section. Certainly the provisions allowing the commissioner to waive the fees, the requirement that an applicant be provided with an estimate of fees in advance, and a prohibition against fees for personal information are all extremely important provisions. It must be noted, however, that there's a section that gives broad discretion to the cabinet, and again we have to be concerned about cabinet's ability to exercise power in this concern.

In conclusion, Mr. Speaker, Bill 18 is a needed Bill. It helps bolster our faith in the democratic system. It's deserving of our support but not before it is amended.

Thank you very much.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker, for the opportunity to address Bill 18 this afternoon. I have reviewed the Bill, and I have found that there is very much to be positive about in the Bill. I would compliment the all-party committee members for the work they did throughout the province, and I would compliment the government for bringing forth that particular Bill. Unfortunately, by the time it got to the House here, I think we ended up with a couple of deficiencies that I would like to address.

One of those deficiencies that in fact was a very large concern in my mind, Mr. Speaker, was when we looked at the exemptions. Those exemptions clearly outline several areas that I would suggest we could close. I think one of the things that I have run into more often than not as a politician of nine months is the feeling in the general public that politicians do not enjoy a very sterling reputation. I think this Bill 18, or freedom of information and protection Bill, has the potential to alleviate or improve that particular reputation considerably.

As I say, I compliment the committee for their work throughout the province. When I read the recommendations in that report, I was quite elated. Being that it was an all-party committee, they showed good co-operation in arriving at the recommendations that were required to bring openness to government. Unfortunately, as I indicated, when it landed on this desk of mine, it had deficiencies, and I would like to point out a couple of them.

First of all, we have a definition of "public bodies." That definition includes the Executive Council office but excludes the office of a member of the Executive Council. I would suggest, Mr. Speaker, that that provides the opportunity for that individual sitting on the Executive Council to dodge what we would like to embrace as open government.

When I think back to the election and the process that we went through, I would suggest that the side opposite spent considerable time in a public confession. I would suggest even further that they lulled the public into actually believing that we were on new horizons and we would take a new approach to government.

Time and time again we hear: that was then, and this is now. I would suggest it's time to really sever that umbilical cord in its entirety and that we move towards an absolutely complete and honest government. This freedom of information Bill would fulfill that, if we fill the deficiencies that in fact I've identified in the Bill, Mr. Speaker. The sitting government really should not shirk their courage or duty when it comes to this particular aspect. I alluded to some of the reasons why I think they should, initially. I will see if I can identify some more areas and convince all members of this House to embrace some amendments that should come forth to make it a much better piece of legislation.

3:40

In reading the Bill, one of the areas that caused me concern was that the minister has three kinds of documents that he or she deals with. One dealt with MLA duties; the other dealt with personal matters. However, documents relating to the performance of the minister are exempt. That causes me concern. I would suggest it's too broad; it's too encompassing. An example I would give as an extreme: if we were to look at a minister that answers a question in this House in question period. If not for the fact that it is published in a public document, I would suggest that could be construed to be a duty or a document or an answer that was included in the minister's bailiwick of actually fulfilling her duties, and thereby could be hidden from the public. I think that is incorrect. I suggest it's too broad. I would suggest that by using that example, though it may appear to be extreme – I think the legislation itself has to cover all extremes of confidence for the public.

When section 21 excludes Treasury Board confidences and Executive Council confidences, for all said purposes it removes the real heart of Bill 18. I don't think anyone in this House can forget that most of the actions that resulted in the NovAtels and the Gainers and the XL Foods and the MagCans – and that's a long list – most of those decisions that caused us to end up in that situation in the province of Alberta today were made at those levels of government. Under Bill 18, as I read it, that information would still be excluded. That is very disconcerting to me. I would like to think that as intelligent individuals we learn from our mistakes and progress from that particular point. If we don't, we're bound to repeat. If we give secrecy to the decisions coming down from these two bodies that I identified, then I have great fear that we will repeat our particular mistakes one more time.

I would suggest that most of the members in this House on both sides really have arrived in this House with a fair bit of honesty and integrity. Very few arrived here without those two traits. I would suggest that to ensure that that honesty and that integrity remain intact, Mr. Speaker, we must insist on absolute openness. Decisions that will not withstand the scrutiny of the public are decisions that should not be made. Knowing that such decisions would ultimately undergo public scrutiny I would suggest would bring sober and prudent decision-making to many areas where we have evidently not had it in the past.

I would ask the members opposite to reflect back on the many written questions and the many motions for returns that have come forth, Mr. Speaker, in this House. Some of them really were not earth-shattering questions or requests for information, but so many of them seemed to be turned down simply because if the information was provided, it may in fact be used to elicit or extract more honesty or openness or be used against the side opposite. One cannot be afraid of that. We have to move into more open government. It clearly is the only way to go.

Another area of the Bill that caused me a fair deal of concern when I read it was the appeal process. Contrary to the recom-

mendations of the all-party panel, Mr. Speaker, Bill 18 creates a right of appeal to the Queen's Bench as a judge or adjudicator. This does two things. It allows a delay as far as being forthcoming with the information, which is incorrect as timely submission of the information is extremely important, and that delaying tactic should not be available. The other thing it does is that it has a tendency to drive up the cost of extracting information. If a private citizen has to pay the cost to withstand the appeal of a government that doesn't want to release information, then that private citizen will endure considerable expense, and that in itself is a deterrent.

There are other areas, Mr. Speaker, that have been identified by some of the members that have stood and spoken here. I would ask all to listen very closely. Certainly there is no reason to hide. When we're dealing with public money, it should be on the public stage. We should not be afraid of those decisions. As I indicated earlier, if it's a good decision, it will withstand the test of the public, and we shouldn't hide from it.

Just moving back to that appeal section, if I could, for a second. Also, if I recall correctly, there are some very skimpy provisions as to how the appeal will be heard. Mr. Speaker, I have a concern that when you have skimpy rules, they will be twisted or manipulated to stonewall one more time the extraction of information. If we were to compare it to other freedom of information Bills across the land, you would see that comprehensive rules are clearly outlined under the appeal processes of their legislation. We would be very wise to follow those examples that have been set in this country.

In closing, Mr. Speaker, I would state that I don't think most in this House have run into a difference as far as the public's perception of politicians is concerned. I alluded to it initially. Most are thought of in the same terms: as scoundrels and thieves. We look under rocks to find politicians these days. I would suggest that in fact the group in this House can take a historic step and certainly move forward to eliminating that public perception of politicians. I don't wear that particular reputation with pride. Part of my reason for being here today is to see if in fact we can turn that around and bring the integrity and the respect that politicians once held. If we will operate in the open, if we will deal with the public's tax dollars and the expenditure of those dollars in an open fashion, we will go a long way to bringing the integrity of the political process back to where it rightfully belongs.

So I ask all members: when you look at the Bill, don't shirk your courage; don't be afraid to bring forth the documents that in fact may bring some embarrassment. If you'll recall, you've come part of the way; you have provided some information. The public has been very accepting of that particular information and the errors that you have made. I would challenge you that they are ready, and the mind-set of the public is such that they will continue. They may even buy into your process or claim that that was then and this is now. The timing is to your benefit, and you'll be the benefactors. If you are truly and sincerely wishing to step forth and say, "That was then; this is now," I think you have to capture that public willingness or readiness to forgive. The timing is extremely important for the side opposite to capture that now. I would suggest that in fact you take the courage and you do it. You have lots of time to recover from it, in fact, if there is something there that is particularly staining to you.

With that, Mr. Speaker, I would close my comments. I would ask one and all to give very serious thought to this. We lag behind the rest of the provinces in this country in this area. We purport to be giving one and all across the country the Alberta advantage, and supposedly the rest of the world is watching how

we move. This government brags of that constantly. Do not be afraid to be a leader in this area. It is an important area of politics, and it's an area that in Alberta is sorrowfully lacking. As I say, those in this House can become historically those that had the courage to take the step forth in the right direction.

Thank you, Mr. Speaker.

3:50

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

MRS. HEWES: Thank you, Mr. Speaker. A few comments to Bill 18. Once again we've got a freedom of information Bill before us – with feeling this time. I would remind the Legislature that the Liberals have presented a freedom of information Bill no less than five times, but finally we have a government Bill before us.

Mr. Speaker, a little bit of history. When I first came here in 1986, there was one thing that struck me almost immediately as we got into the first budget, and that was secrecy. The budget in those days and to this day is what I would describe as a skimpy document, a paucity of information in it about value for money. When I'm expected to vote in favour of a \$3 billion or a \$4 billion or an \$11 billion budget, no way I can be expected to tell exactly what it is I'm buying on behalf of the citizens of Alberta; no way I can get the really detailed information.

I can remember to my horror the Treasurer of the day saying to me at one point when I was moaning about the process and the absence of real answers that it didn't matter what I asked; not one cipher of the budget would be changed. Not one cipher. He made that very, very clear to me: that the information belonged to the government and it didn't matter what I asked about it; it was not going to be revealed to me or, presumably, anyone for whom I was advocating or on whose behalf I spoke.

Secrecy was the game of the day and has continued to be the game, whether it's in the budget or in information. The government persists in the notion that it is our information, that is, the government's information; that it is our business, that is, it is the government's business; and that it is our money. This last one has always confused me, because the government acts as though the money is theirs, belongs to them. From time to time throne speeches have used the words "steward," "stewardship" – one in particular that you will remember, Mr. Speaker – but in fact the government operates as though the money belongs to them and is theirs solely to spend as they wish.

Mr. Speaker, five times our caucus has presented freedom of information legislation. On one famous occasion when our leader was concerned and expressing to the Premier of the day that we could not get information that was necessary for the people of Alberta, the Premier responded that he gave us wheelbarrowsful of information. It was said in jest, of course, but I think the Premier really expected people to believe that the opposition caucus could get the kind of information that people want and need. I submit that the public should have access to information on which government decisions are made, because information, as we all know, is power. Power is very seductive. If you've got the information and you've got the power, you want to keep it, and essentially you want to keep it away from anyone who might oppose the decision that you want to take.

Mr. Speaker, I've always been of the opinion, not always shared by many, that shared power is more power, that as you share your power, more accrues to you. That's been my experience. I believe it to be the case, and I believe it would be the case here: that shared power would mean that more power would accrue to those who presumably have control of it.

Mr. Speaker, keeping information secret flies in the face of all of the principles of democracy. The public has a right to know what the information is that is the basis for government decisions. The public's business is in good part done in public, but the public does not have the access to the information on which that business is based. I'm pleased that at some point in time, after all those years of demanding freedom of information, the government has in fact responded: first of all with Bill 61, then moved over to be Bill 1, and finally to Bill 18.

First of all, we have to deal with oral questions. Now that this House and other Houses are televised, the most frequent question that's asked of me is: well, why did the Premier or why did the minister not answer you; why didn't they answer you? I say: well, because of *Beauchesne* whatever they don't have to answer me; they can do whatever they like. I don't think I've ever heard a minister say, "I'm not going to answer that question," but in fact they don't have to answer. There is no requirement that says they need to answer. So oral questions in question period continue to be a real puzzle to the general public. They look at it and say: "That was a sensible question. You just asked for a piece of information. Why would the minister have dissembled? Why would the minister have gone off and made a lengthy speech about some other unrelated subject?" I don't have a way of answering that. My constituents ask that question over and over again. "I don't understand why the Premier or the minister didn't answer the question." Question period is a puzzle to our constituents.

Written questions then give us another opportunity. You put a question on the Order Paper. The government has the information, presumably, and they stand up and say yes, you can have it, or no. No criteria for that. The answers vary as much as days of the week, all over the place. There's no real criteria for what questions are going to be answered and what are not.

Motions for returns are just the same. The information is given to us or not given to us. It seems whimsical. Some days government is very forthcoming; other days, "No way; we're not going to tell you people; it's our information." That same information, Mr. Speaker, I suggest to you is the information upon which decisions spending the public's money, influencing the lives of people in our province are made. The public has a right to it.

I've asked off and on in this House for certain studies, studies that I know have been done, studies that have been referred to, but I can't get them. Why not? "Ah, that's internal. That's confidential information." No reason given, but I can't get them. Maybe sometimes one gets smuggled to me. Mr. Speaker, I'm not allowed to have a study that I have paid for. The public asks for these studies to be done. The study is committed to, is paid for by public money, yet we cannot get the information. It has happened over and over and over again on every subject imaginable.

Consultations. Well, we're into the business now. This is the new buzzword. Everybody consults with everybody about everything. But the information is not always forthcoming, Mr. Speaker. The seniors are a good example. You know, today we have the document from the senior organizations. A year or so ago we went on a series of consultations. A great report was done, but it wasn't made public. Why not? I have to assume that there was something in it that the government wanted to hold back. We call out, we plead for freedom of information. If there were open public consultations, if there were an analysis done, why shouldn't not just the seniors but everyone in our communities have access to it? It makes no sense to me whatsoever. Some other document is presented as an executive summary of it, but I can't get the full document. We've paid for it, you and I, but we're not allowed to have it. I suggest that this is not in the interests of the government or certainly of our citizens. If there

is good and logical information collected on which significant decisions are being made, that should be public.

4:00

Of course, the famous noninformation ones are pretty obvious: Gainers, pleading for information on Gainers, sometimes being shut down because maybe this is kind of before the courts. Various reasons were given why the information can't come out, information about what documents were signed, were there any letters of intent, what security was given for the loans. We can't get any of that information, and by the looks of this Bill we're still not going to get it. We're still not going to get it. What kind of a deal was made with the owner and why? Were there letters? Was there an exchange? Was it just a handshake? We don't know, because we can't get at the basic documents.

NovAtel, another one. We had the Auditor General's report. The Premier commissioned that. It didn't tell us what we needed to know. What's the question about NovAtel, Mr. Speaker? The question is: where did the money go? That's the question. The report from the Auditor General doesn't tell us that, and we can't get the documents. The Auditor General couldn't call people under oath.

What good is it to have a Bill or a government that whenever it whimsically decides the information is not in its best interests will not reveal the material to us? Mr. Speaker, the thing that people ask me is: what's to hide? Because that's the immediate suspicion. What's to hide? Is there stuff that's been swept under the rug because it shouldn't be revealed? Is there information that would embarrass the government? What's to hide?

Mr. Speaker, the government agreed to an all-party committee, and I want to thank them for the work they did. They worked very hard, and we have a good report here. My concern, however, is that the Bill that has been developed as a result does not mirror this report. There are a number of specifics here that have either been ignored or have been adjusted, and I think that's unfortunate. This was a report that I know was not easy to arrive at. It finally came to us with everybody signing it, unlike some other committees that we have struck from this House. Why didn't we accept it? Nobody's even given an answer to that; nobody has given a satisfactory explanation about why this wasn't done. Now, five subsequent Bills from this caucus, finally one from that caucus, based on an all-party committee – now here's our chance; here's our big chance. Let's get it right. Let's do the right thing this time. Let's get it right.

Mr. Speaker, I'd like to mention just a few specifics that have troubled me in the Bill, if I can find it. Did you take it, Nick?

MRS. McCLELLAN: You've got to watch him.

MRS. HEWES: Yeah, I have to watch him. Oh, I've got it. Thank you.

A few specifics, Mr. Speaker. Some of my colleagues have already referred to one or two of these that are the most troubling. The one that has been spoken to by a few members is the "public body" definition in section 1(p). This section, to include the office of the Legislative Assembly and the Executive Council, expressly deletes or does not include the office of a member of the Executive Council. Now, I would hope that the member who is responsible for bringing this Bill forward can explain why. I haven't seen an explanation, I haven't heard an explanation, but it seems to me that we have a right to hear that. Hopefully, now or in Committee of the Whole that will be delved into in greater detail, because I don't understand and the public doesn't understand why that differentiation was made. The all-party committee

recommendation was to include a minister's records, not exclude them, yet this Bill does the reverse. So I believe this one needs to be explained fully and probably should be amended, unless the government can give us some logical reason why it shouldn't be.

The definition of a "public body" is also a major problem to us. It hasn't been clearly defined, and there are several references to it through the document, through the Bill, that beg for a proper definition.

Section 3(a), if I can find it, is contrary to the panel recommendation. It reinforces the fact that Bill 18 will coexist with many other statutory regulations for the management and disclosure of records. Mr. Speaker, it's particularly objectionable that a regulation designed by a bureaucrat and not by the Legislature could effectively overrule provisions of the Bill.

[Mr. Deputy Speaker in the Chair]

Mr. Speaker, just going on, section 3(e) allows for the current destruction of document practices to continue. It was suggested by the all-party panel that we adopt the British Columbia methodology where there are all parties represented on the decision-making body regarding destruction of records. I see no reason once again, no explanation given, as to why this has not been followed.

Other members have spoken about reasonable fees, so I won't go through that.

Section 17(2) of the document – yes, here we are.

The head of a public body may refuse to disclose to an applicant personal information about the applicant if, in the opinion of an expert . . .

Now, what's an expert? What's the point, Mr. Speaker, of putting that kind of line in the Bill unless there is a clear definition of what an expert is? I don't believe this absence of a definition helps that section. [interjection] Ah, two minutes. I'm just coming to the end. Thank you, Mr. Clerk.

Section 21, on timing and on the potential for the Treasury Board to be eliminated and not be required to give its information, I think is one that really screams out for an amendment. I see no reason why this one in our freedom of information Bill would be any different from any other province's freedom of information Bill, but once again this province wants to keep things quiet.

Mr. Speaker, I hope that in our Committee of the Whole we are able to get into some amendments on the Bill. I think it is flawed. I think, as I've said before, it's time to do something right here. I hope that I'm not overconfident when I say that I expect the government will look kindly at the amendments that are put forward by this caucus.

There are some parts of the Bill that I'm very much in favour of, one in particular. I am reassured by the notion that there will be a three-year review. I think that's a good addition in the Bill, Mr. Speaker, but I submit to you that it needs some amendments off the top here. Let's get started in the right fashion.

MR. DEPUTY SPEAKER: Ready for the question?

HON. MEMBERS: Question.

[Motion carried; Bill 18 read a second time]

4:10

Bill 19 School Amendment Act, 1994

[Debate adjourned April 12: Dr. West]

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

DR. MASSEY: Thank you, Mr. Speaker. I'd like to preface my remarks on Bill 19 with a little capital city history, if I may. Within six blocks of this Legislature sits the first tax-supported school in the city of Edmonton. That particular school building is still open today and receiving youngsters, who are given an opportunity to experience school and life as it was in 1881.

The school itself was commissioned in 1881 and opened its doors in January 1882. It was the work of the first three unofficial trustees in the Edmonton public school district: Matt McCauley, Malcolm Groat, and William Rowland. They met in the Donald Ross hotel, which was down in the flats, and decided that Edmonton needed a public school so that those children in the settlement might rightfully take their place. Their efforts with the help of the Hudson's Bay Company, who donated four lots in the area where the school is now located, and with local citizens as subscribers resulted in that very first school opening.

It wasn't long, of course, before the whole business of financing that school arose. They tried very hard to have voluntary subscribers support that school. It wasn't long before there was a move to have the school and its trustees organized as a formal school district, and it was the subject of hot debate in the settlement of the day. The Hudson's Bay Company, seeing down the road that property might be taxed, fought very hard against the formation of a public school district. There was no way they wanted such an organization in place.

The election day itself is rather interesting. The boarders at the Donald Ross hotel, who would be voters, had but one raccoon-skin coat, and the supporters of the school were heartened every time they saw that raccoon-skin coat come up the hill to the voting depot because they knew that it was one more vote for organizing schools in the settlement. The vote was 54 in favour and 43 against the formation of a school district. There were fistfights around the settlement for days and black eyes that lasted even longer over that decision. Thus it was a hundred years ago that the citizens of Edmonton did two things: they moved to a tax-supported school district, and they very definitely moved to local control over school affairs.

When I say local control, I really mean local control. Annual examinations, for instance, were included in the school, and the school inspector, the teacher, trustees, and parents joined in questioning the youngsters as to their accomplishments during the year. Those people today concerned about the making public of examination results would have apoplexy at what happened at those examinations. For a description, in the *Bulletin*, the newspaper in the settlement of the day, reports on the first annual examination were as follows: the following number of mistakes were recorded against each pupil: Robena Henderson, 1; Catherine Pagerie, 2; W. Lennie, 2; Flora Macdonald, 3; and John Rowland, 7. Examinations culminated with the awarding of prizes, usually books like Scott's poems or *Robinson Crusoe* or *Pilgrim's Progress*. They don't mention *Of Mice & Men*. It was a little before its time.

Thus we have in Edmonton, Mr. Speaker – and this history was repeated time and time again across this province – the establishment of some of the fundamental principles that have guided Alberta schools and Alberta education, and I'd like to list what I think some of those principles are.

First of all, and most importantly, that public education is a worthy goal for a democratic society. They're concerned that citizens in our society have the opportunity to develop their individual talents and to pool those talents to the benefit of all citizens.

Secondly, the principle that there should be a constant effort to improve tax-supported public education. That settlement fought

hard to gain qualified teachers, it fought hard for the materials that were to be used in the school, and it fought hard to maintain public support.

A third principle that arose during that school district being born was that those citizens who are affected by a decision should be involved in the decision.

A fourth principle is that there should be local decision-making and that it should be made effective through the use of local tax power.

A fifth principle is that there should be equality of educational opportunity for all Albertans.

A sixth principle is that programs should be provided for a wide range of student interests and capabilities. The first school was rather limited in the kinds of abilities and interests that it could cater to, but over the years that has grown until we are at the point we are today.

A seventh principle is that students should be taught by the best available teachers. This was of some concern. The first teacher in that school succumbed to sickness and passed away, and there was a scramble to have him replaced with someone who was competent.

Lastly, the provision of a strong, professional school district and provincial leadership should be supported.

Now, those aren't all the principles that govern our education system, but I think they're some of the important ones. I guess the question that I would ask is: how does Bill 19 support these principles?

I think it doesn't, and it doesn't in a number of different ways. First of all, it's antidemocratic. It takes away power, citizens' direct control over their taxes. It's a cynical Bill. It has in it a provision for a district to raise 3 percent of its funds locally after they go to plebiscite. Who in heaven's name could put such a provision in a Bill, given the history of plebiscites on the North American continent, who but someone who is very, very cynical, someone who would like to point to that provision and say, "Here boards really do have some taxing authority," when they know full well that the success of those plebiscites is almost nil?

It's cynical in the institution of school councils. Those councils have no power, and there isn't even a pretence in the Act that they shall have any power. They have no money to spend, and they have no line authority over the staff that they will be supervising and interacting with. So Bill 19 is antidemocratic. I think it does little to enhance public schools and the principles behind public schools as we've come to know them.

Bill 19 is a bad Bill in that it centralizes power. Local ratepayers will have less to say in local school affairs. It provides no local control for those community members who do not have children in school except through emasculated school boards. Those people responsible for school-based budgets will not have the resources or be able to requisition the kinds of resources that they're going to need. So it's a bad Bill in that it moves those affected by decisions further away from the decisions that will affect the schools.

4:20

The principle that local decision-making should be made effective through the use of taxing power for local school use of course is one of the principles that has been violated in the extreme. Over the years in our province there have been a number of changes in taxation. The purely local funding of education that that first Edmonton school was financed under has given way to much larger provincial concerns: equity, concerns that some school boards have much greater power to raise money than others. We had a fairly successful school foundation program in place for many years to try to iron out some of those inequities.

School taxes themselves of course have been the debate in a number of communities. The business community has always been rather vigilant in watching school board spending and expecting school boards to follow the kinds of savings that businesses often have to do in their operations. Ratepayers' associations have sprung up and continually spring up in communities and act as watchdogs on not only school boards but on municipal councils and their spending. In this era of a growing number of citizens who do not have children in school, there has been a great concern over the taxes that those people are required to pay, and the arguments of the greater public good have had to be made more and more often. For years trustees and their associations in this province begged – literally begged – the government to take some action. The 85-15 formula was accepted by almost everyone involved in the problem. Had the government listened, had they listened instead of letting matters drift, the problems of fiscal inequity would not have arisen.

No one at any roundtable asked the government to take away local taxing authority. Local taxes, I would argue, have made possible some of the real advances in public education in this province. School-based budgets, the very mechanism the province itself has adopted, arose out of local communities and local governments. Year-round schools, in-service programming, you name it: it was tried first, it was financed first at the local school level. Few of those ideas came from the minister or his mandarins in the Devonian Building. Usually, Mr. Speaker, when the Devonian Building wants advice, it has been to those local districts that they have repaired. It's ironic that when the Department of Education has a reputation for anti-intellectual leadership, it's working so hard to scuttle the activity at the local school level. Bill 19 works against providing educational opportunity for all Albertans.

I think we have to be careful that we aren't lulled into the argument and keep clear the distinction between equal opportunity and fiscal equity. They are quite different. I think of the local board, starting with that one-room school in Edmonton and moving on to offering the kinds of programs that were offered to Edmonton students. Heritage languages programs, programs that spanned 15 different languages at one point; the international baccalaureate program introduced, a program that proves that students in the Alberta school system can compete and do as well as students anywhere in the world; the introduction of kindergartens; a whole array of alternate schools; the fine arts program at Virginia Park; the Waldorf program; classes for behaviour-disordered students; handicapped programs for the severely handicapped: those all came from the initiative of local school boards and added and enhanced the educational opportunity of students in the Edmonton area. That experience has been repeated right across the province, school board by school board.

The record of the government thus far is an embarrassment, as one of its first acts was to narrow the opportunity for five and six year olds by reducing kindergartens to a half year. Bill 19 is a bad Bill. It's bad because it takes taxing authority away from boards when such a move was not necessary or desirable, and it's a bad Bill because it involves a provincial involvement in the appointment of superintendents.

One of the concerns of that early Edmonton board and one that has continued over the years is providing students with the best available teachers. We've made great progress in our province trying to enhance the teaching staff, but that progress has been slow, and it's still an unfinished work. There are still discussions about generalist teachers versus specialist teachers. Should there be special credentialing for special subject areas? What about continuing education of teachers? Should they be required to

return to some sort of in-service or university/college experience every few years to keep current? Now with the loss of financial power of local boards we can almost count on some detour in our progress towards that goal.

In the 1960s the Edmonton public board was taken over by the Better Education Association, a group of individuals who were dedicated to the improvement of schools. One of the policies that they passed shortly after being elected was that they would hire the very best qualified teacher available. With the province holding the purse strings, I wonder if that will happen. The impact of that move itself was quite dramatic. In a comparison, for instance, of salaries between Edmonton and Calgary, which didn't have such a policy in place, there were millions of dollars of difference. What that policy did was it encouraged teachers to secure the best possible education, the most education, and they could do that knowing that they would have an advantage and that they would not be penalized or seen as being too expensive for a board to have them. With the province holding the purse strings, what will happen?

School boards across this province have been dedicated to the provision of strong, professional school district and provincial leadership.

DR. WEST: What's the point?

DR. MASSEY: The attack on the administration is the point. What this government has launched is a mean-spirited attack. It fails to distinguish between the administration and the support staff that students and teachers need. We've had a huge investment in professional staff, a huge investment in professionals who help youngsters and teachers as they try to develop new programs, as they try to diagnose youngsters' concerns, their strengths, a staff that is worthy of our support. They don't deserve to have their salaries dragged across the pages of a public newspaper. They don't deserve to be made the scapegoats for the government's cutting policies.

The changes in the School Act, Bill 19, present some other basic problems, problems that are quite amazing. They do not recognize, for example, how change occurs, what's involved in change. Let me give you an example. The push to school-based budgeting is predicated on very, very sophisticated information systems. In Edmonton when they moved to school-based budgeting, it was a major concern. How do you get information from the central authority out to individual schools in a prompt . . .

4:30

DR. WEST: A point of order.

MR. DEPUTY SPEAKER: The Minister of Municipal Affairs is rising on a point of order in the last minute of . . .

DR. WEST: Oh, I'll let it go at this point in time.

MR. DEPUTY SPEAKER: Edmonton-Mill Woods.

DR. MASSEY: Thank you. The move to school-based budgets is a massive undertaking, and its inclusion in the Act is naive, to put it at its best.

Mr. Speaker, Herbert Hoover included in his speech comments about power, and I quote:

Liberty is safe only by a division of powers and upon local self-government. We know full well that power feeds upon itself – partly from the greed of power and partly from the innocent belief that utopia can be attained by dictation or coercion.

I believe that's the fundamental flaw in Bill 19, that it is dictated by an innocent belief of utopia at best, and I fear that it's to be attained by dictation and coercion.

Thank you.

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

MR. N. TAYLOR: Thank you, Mr. Speaker. I know I've been in the House for a number of years and have observed for years before that – I've been in public life quite a while – that very rarely do you get Bills that really change the picture or change the whole future of the province. This is one. I hope the other side will come up and give some of their reasons for wanting to do the things in here, because lately the House often gives the impression that they've been muzzled over there and have nothing to say. So it will be very interesting if they will get up and say them, because this and the next Bill change Alberta a great deal.

Nowhere does it change it more, maybe, than in the whole field of separate schools, Mr. Speaker. I and some of the others on this side of the House, as well as others on that side of the House, have been associated with education, either the separate or public schools, for years. It's worth remembering on the separate school issue, for instance, that that is something that was invented over a hundred years ago. It was in eastern Canada. The idea of the separate schools was that they were a part of the public school system. It's unfortunate that we say public and separate. We should probably say public A and public B, because they are both part of the system. It was originally invented because we had Upper and Lower Canada. We had Lower Canada where all the public education, the single public education system they had, was dominated by the Catholic church and the clergy, and Upper Canada where the only one funded was dominated by those hated Orangemen or whatever you want to call them, the other side, the right footers versus the left footers. Both sides, in order to come into Canada, devised a system so that either minority could adopt their own school system and still call it part of the public system.

Consequently, the separate school system and the public system was adopted, and it depended where you were in Canada whether that separate system or public system was Catholic or non-Catholic. Rather than name all the Protestant churches, it was easier to call them non-Catholic. But as time evolved and we came out with the Constitution and we got ready to bring the provinces in under the territories Act – you must remember that in the days of Riel and through that, the public was dominated by a great deal of French speaking and a great deal of Catholics. So the separate school systems of Saskatchewan and Alberta were developed to protect the Protestant minority, not the Catholic minority. In time the Catholics became the minority, and therefore many of the separate schools evolved, became Catholic. As a matter of fact, my first elected office was as trustee to Catholic school district No. 1 in Calgary. It was the very first one set up in the province and had something to do with Senator Pat Burns, I believe, and a few other things. It was the best financed school district in the province for years because capitalists of the early Calgary years belonged to that faith, being rough and ready Irishmen that came out and established the meat packing and ranching industries and so forth. They had all the money, and they set a pattern, which is followed to this day, of sort of spreading the money around by the attendance rather than the wealth, and I think it was a good one.

But the fact of the matter is that even the separate public system – and I think the government would do well to remember this – was devised in turn because one thing that appealed to and drove citizens and people that came from Europe to settle in North

America was the right to their own schools, whether they were Quakers, Presbyterians, or people like the Minister of Municipal Affairs, whose philosophy I've never been able to figure out. Whenever they came, they came in groups, and the last thing they wanted was somebody in central government telling them how to run their school system. That's been one of the earmarks of the North American system, that we tried to keep the control local. Of course, opposite that is the idea that if your child is in grade 3 in Smoky Lake and you move to Westlock, you should have to start all over again. There has to be a try to do a little standardizing, but the governing feature always is to have local control.

If there's anything that identifies the fascist and the communist systems of this world, it's that the first thing a fascist or communist dictatorship does, Mr. Speaker, is take over the school system. Take over the school system, because you do not want dissent out there. You don't want people thinking. You don't want people arguing with you. So that's to me why it's a very big surprise that people that would espouse the philosophy of conservatism, of individual rights and freedoms, would put out a Bill like this. Now, the only charitable thing I could think, because I know them all personally . . .

Point of Order Imputing Motives

DR. WEST: A point of order.

MR. DEPUTY SPEAKER: The Minister of Municipal Affairs is rising on a point of order.

DR. WEST: Yes, under Standing Order 23(h), (i), and (j), in that area. Very cleverly this individual tied together fascism to this Bill and this government, and I believe that he has impugned the motives not only of the government but of the intent and the minister in this Bill. I believe that a retraction should be made in this House, because if you will look at the Blues, I reiterate that he cleverly tied fascism to this Bill and made an innuendo that the Minister of Education brought forth a Bill that was indicative of fascism. I would like your reading on that.

MR. DEPUTY SPEAKER: On the point of order, Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. Yes. I think he only heard half of it. I said fascism and communism, so it would be able to tie across the board to any dictatorial system. This is the point I was trying to get across, that a dictatorial system automatically assumes government control.

MR. DEPUTY SPEAKER: The Chair was attempting to follow the thoughts of the hon. Member for Redwater and may have been a bit inattentive but nevertheless thought that they were talking about how centralized systems very often are from communist or fascist countries. However, since many of us know that there are also highly centralized systems that are from democratic countries, the Chair didn't assume that there was a necessary tie. However, we'll take the ruling under advisement until we can have a chance to see what the Blues do say on the matter, at which time we might then speak further on this matter.

Would you continue, please, hon. Member for Redwater?

Debate Continued

MR. N. TAYLOR: Thank you, Mr. Speaker, for your penetrating insight into that and also to set at ease the mind of the Member for Vermilion-Lloydminster, because it is awfully hard to give him a history lesson. Somebody has to hold the ears apart

while someone drops the idea in before the mind goes back together. Nevertheless, one of the reasons . . . [interjections] Sorry, Mr. Speaker. It's like a cage full of monkeys. You know, you poke one and the whole works come after you, that kind of thing.

4:40

Mr. Speaker, one of the things I wanted to get across – and I would challenge. You mentioned a democratic society. I would challenge anyone to name a freely democratic society that has highly centralized education. I don't think there is one that has highly centralized education; I can't think of one. Likewise, I would challenge anybody over there to name me a dictatorship that allows an individual school system. I think that's one of the earmarks. It doesn't always follow that it's true, but I don't know of any. This is what surprises me and what makes me think that somehow or another this government has been lulled into a sense of euphoria in their cutting and that what's happening here is a raid by the bureaucracy of the Department of Education to take over education, to try to make themselves so valuable that they will not be let go. Therefore, the cuts in education will be done down at the bottom rather than from the top down. That's the only thing I can think of, and I'm trying to be as charitable as I can, because I know they're not a group of Brownshirts or Blackshirts or anything over there. I associate with many of them, and I find them fairly open.

So I find it very hard how they would devise a Bill that would take away what North America was established on, which is the parents' and the local community's right to control schools. This is what happens when the right to taxation is taken away. Taxation without representation means that you do not have input. You can be as nice about it as you want, but if the right to taxation is taken away and is centralized here – and all I ask is that this government and the government members over there for one moment . . . [interjection] Somebody is whistling at you, Mr. Speaker.

Point of Order

Questioning a Member

MR. DEPUTY SPEAKER: Order on that.

The hon. Member for Calgary-Shaw is rising on a point of order.

MR. HAVELOCK: Thank you, Mr. Speaker. I was wondering if the hon. Member for Redwater would entertain a question.

MR. N. TAYLOR: Mr. Speaker, no. I'm afraid that the hon. member doesn't understand that in the last election he won a seat; I won the right to ask the questions. If I spend my time answering questions, it would take too much time. Furthermore, right now I feel that I'm loaded for bear, and I don't want to be distracted by a squirrel.

MR. DEPUTY SPEAKER: The hon. member I know has a great gift of words and I'm sure could find a word that would more appropriately reflect than the last word he's just used with respect to another member. I would caution the hon. member to return to the Bill, and hopefully he would reflect on the word that he seemed to be calling one of the members.

MR. N. TAYLOR: Thank you, Mr. Speaker. I was using John Diefenbaker's answer when he was hectoring by too many small-time Liberals. He said he was after bear and he couldn't be distracted by squirrels. So it's got a very good precedent. I know it's a dangerous one because squirrels are associated with

nuts, and we could go on and on and on. Therefore, don't doubt that I will stay clear of it.

Debate Continued

MR. N. TAYLOR: What I wanted to talk about, Mr. Speaker, was the fact that this government wants to centralize control, wants to do away with the separate school system. [interjections] They say: "Oh, no, no, no. The separate schools can function as long as they go find their own money." And the separate schools can function as long as they allow charter schools. Charter schools, if you'll read it, are not responsible to the board, report only to the Minister of Education. Consequently, they are not responsible to the board. [interjections] Well, I submit that they have to read – I haven't got a moment now to look it up, but the clause in there was quite clear that chartered schools do not have to be responsible to the board. So the board's taken away from them.

Taxing rights. The board is taken away from – charter schools can be set up by people that want to undermine the board. Worst of all – and we'll go into this – chartered schools are to be run by parents. Now, God knows, Mr. Speaker, I'm a parent many times over, but that doesn't give me the right to run a school system and take taxes from nonparents. Why should nonparents and why should people without children or people that have gone past the age not have a say in the running of a chartered school which is using taxpayers' money? So this Bill has got so many things wrong with it, it is hard to imagine how anybody thinking could have put something together such as this.

Now, talking about local control, one must remember . . . [interjections] There's quite a muttering going on over there, Mr. Speaker. I know it's getting near feeding time, but if they'll hold back a bit, I'll throw them enough so at least their minds will be busy over the dinner hour if their mouths aren't.

So, Mr. Speaker, what I wanted to show is that local control has been the backbone of education in North America for many, many years. Now, opposite that, I'm the very first to admit that we can't have grade 3 different in every district in Alberta. But always you start out with the idea that parents have the local control and therefore they should give up as much – it's called the principle of subsidiarity – as is necessary to try to get a standardization. This goes far beyond that. It's from the top down.

The second thing, Mr. Speaker, I'd like to point out that they've been allowed to get away with its financing. Now, there's no question that people over there may well have been motivated by the best of intentions and have said to themselves, as I would agree with them on, that a child in Fort Vermilion has just as good a right to a fair and equitable education as a child in Hanna or Smoky Lake. But what is this system we designed? We went back to a system, as I said, that's been adopted by nearly every dictatorial government of western Europe, which was to take over sole control and sole financing of education and, I might add, the superintendents. The first thing that Mussolini did was to say that the Vatican had no more control of the schools, and we hear this repeated again 50 years later in this Legislature. Does history not teach them anything? If there's anything to be said about people that do not know history, they're doomed to repeat it. It's about time they started reading their history book.

Now, the point is that equity of financing can and should be a noble objective that we work for. In fact, the former Minister of Education did come up with a corporate pooling idea that somehow or another wasn't able to get through. [interjections] I know, but Social Credit had a good idea – I think it's something that we should go back and look at; history again might show it – where central government funded 85 percent of the average cost of education; local people had 15 percent. That way, you've kept

local control, yet by paying 85 percent of the average for the whole province, you've come pretty close to putting in a good education system for everyone which is equitable.

Now, Mr. Speaker, what we have creeping up here is a grab for power by the bureaucracy in Edmonton that seems to be unknown entirely to the members opposite. They don't seem to be aware of that. Secondly, by going after the separate school system – and after all, I don't understand why they do it, why they would tell them they cannot get their share of the nondesignated corporate taxes when it would be just as easy to give it. It's all right to say, "Well, it's not your constitutional right." We don't know if it's their constitutional right or not because that case never went to the Supreme Court. As a matter of fact, I think it was 1980 when they put in the Act that they would share. It probably was to forestall going to the Supreme Court. Now, I don't think that in this modern day and age the Catholic separate school system should have to go to court, because it is a draconian thing. They might get ruled out, have no right. On the other hand, the province might get ruled that they have to do it. Either way, I think that sometimes court cases are not always the best way, that you should compromise at home. Consequently, why this Minister of Education would suddenly decide that separate schools, be they Catholic or Protestant, would have to go to court to prove that they have a right to nondesignated taxes is ridiculous.

4:50

One of the reasons, Mr. Speaker, that taxes are nondesignated is that corporate owners – I myself am a controlling shareholder of a public company, and I don't want to poll all my shareholders to see whether my taxes should be Catholic or public. I'm satisfied if I know they're split. If the law says they're not, then I may well have to send out on a voters list that besides marking do you want Taylor in there next year, do you want so and so, do you want the auditors, where do you want your school, where do you want us to pay our school taxes – just to get an idea of what the ratio is.

No, Mr. Speaker. Lay control of our school system is really what's at odds here. Legislators, MLAs, were not elected to be school trustees, and this is really what we're going to end up being. There are only two things that can flow out of the document that we have before us now if it is passed. One is that the bureaucracy runs the school system and you don't care, or we as legislators do it. I would think that we as legislators will be called upon from time to time, if the bus routes don't go the right way or courses aren't going the right way, because they'll know that under this Bill all authority resides up here, particularly when they realize that the school superintendent can be fired by the Department of Education.

I have much more to say, Mr. Speaker, but I think my time is in the 20-minute range; isn't that right? I was distracted by a little bit of jumping around in the trees over there, but I tried to keep my main . . .

MRS. HEWES: You've got two minutes left.

MR. N. TAYLOR: I've got two minutes more?

MRS. HEWES: Yes.

MR. N. TAYLOR: Oh, thank you very much. I had assumed that they were treading on my time over there; that's why I was so short with them. Well, Mr. Speaker, my apologies to the Member for Calgary-Shaw and to the Member for Vermilion-Lloydminster because I dismissed him so quickly and so diffi-

cultly. I would have let him down much more easily and softly if I'd known that the time wasn't coming out of my speech. Far be it from me to cite an example of being autocratic and high-handed and centralized because, after all, I'm trying to show that I want a school system that has everybody involved.

Now, Mr. Speaker, I'll have much more to say in the future, but I would want to get across that we have torn apart North American education on equality of – we've substituted equality of opportunity for local control. Really, we don't know what that equality of opportunity – how do you know that a rural dominated Legislature won't say that the grants won't be much higher than, say, an urban one or that an urban dominated Legislature won't go the other way? We have no idea how the grant per child is going to be put out. We have no concept whatsoever.

Well, Mr. Speaker, there are so many things wrong with this Bill that I'm a little bit like a mosquito in a nudist colony. I just really don't know which target to hit first, but I've done the best I can.

Thank you.

MR. DEPUTY SPEAKER: Thank you.

The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. It's a real pleasure for me to get up today and speak to Bill 19. This is the first time I've had an opportunity to address the House from this side of the House. I have to say it's a very comforting feeling after listening to some of the claptrap – and I believe that word's allowable, Mr. Speaker – some of the claptrap that we're hearing coming from the opposite side.

We've talked about any number of issues in this debate. I've heard them talk about funding. I've heard them talk about school-based management. I've heard talk about taxes. I've heard talk about government cutbacks. I think it's time to set the record somewhat straighter than what we've been hearing in the last few minutes. This government went out and we participated in a great many roundtables. We participated in listening to Albertans, their responses and their viewpoints on education. We listened to them, and I think the proof is in the pudding.

When we're talking about government cutbacks, we are talking approximately 20 percent on average throughout the entire government's fiscal range in order to balance our budget, in order to bring the deficit in at zero; in other words, no deficit. Albertans quite frankly said, "We're concerned about this, and we want to talk about how much you're cutting back education." With that in mind, Mr. Speaker, we cut education in fact 12.4 percent, but I think there are some things that have to be said today about those cuts. The provincial contribution to education is being reduced by 12.4 percent over the three years with full provincial funding, but we're neglecting to add in that portion of the funding that comes from the property tax. The reduction in the funding overall is approximately 6 to 7 percent between 1992 and 1996-97. Let's put this in perspective. Over a four-year period of time we're at under 8 percent.

I had an interesting conversation with a businessman the other day. He talked to me about the fact that he could probably cut 2 percent out of his business before he had his morning coffee. So I sometimes wonder about the fear mongering, the scare mongering that we're certainly hearing from various . . .

MR. WOLOSHTYN: Claptrap.

MR. MAGNUS: . . . and claptrap that we're hearing from different portions of the province and, I'll suggest, that we're hearing from the other side of the floor.

Mr. Speaker, when we're comparing the reductions in Education to the reductions in Health, at 18 percent, or to social services or anything else, you get down to 6 or 7 percent on total funding and you start to wonder where on earth the concerns are coming from. They're not easy cuts, and quite frankly all of us, I'm sure, in this House would much prefer that we in fact put more money into education, which we did do last year, but let's put it in perspective to what this government must do, has to do in order to balance the budget.

MR. WOLOSHTYN: And will do.

MR. MAGNUS: And will do. Thank you. I'm getting a lot of help from the Whip today, and I appreciate it.

Mr. Speaker, just to again get back into the money aspect of this, a number of figures here. If teachers accepted a 5 percent rollback, which amounts to, I believe, a reduction of around \$110 million, it represents 60 percent of the three-year reduction target. Salary rollbacks save money. They don't affect the quality of education. They don't affect class size, and they don't affect program reductions. It's simply a method by which we can provide education to our students and our kids in this province with some sort of knowledge beforehand that they are going to come out at the far end with a good education.

Forty million dollars, or about 22 percent of the reduction, we will find within the administrative savings. It'll be accomplished by reducing numbers of school boards and limiting school board spending on administration throughout the funding framework. I'm sitting here listening to a lot of people who are saying, "Well, you can't cut this, and you can't cut that." I have to admit that I am pleased that at least the other side isn't saying, "Keep all these school boards," which are really not serving any function or any purpose within the structure itself. It will save some money.

If you look at the rest of the reductions, it leaves about \$35 million worth of reductions, because the overall reduction is \$185 million once the 5 percent rollback and the school board administrative savings are accomplished. The reduction, again when you're talking about layoffs, amounts to about 700 fewer teachers, I believe the number is, in '96-97 than we have right now, which is 2 and a quarter percent of all the teachers in the province. You have to remember, though, that there are also a certain amount of retirements. The number that I'm aware of is 500 retirements a year, every year, in the sense of teachers retiring in this province.

I guess what I'm trying to say is that I'm sometimes a little bit curious at the opposition's ferocity of debate when we're talking about these cutbacks. When you're talking about other departments, frankly the cutbacks are far more severe because, quite simply put, the entire funding for some of the other programs comes from the province. In this case only about half of it comes from the province; half comes from the mill rate.

When we're talking about fiscal equity within the school system, as chairman of the financial planning committee, Mr. Speaker, it was quite interesting, because about six months ago we had a number of groups come in, including the Alberta School Boards Association, all kinds of different groups that came in. They talked quite eloquently at the time about the fact that we must have fiscal equity within our school system. The simple fact of the matter – and they're quite aware of this – is that we're spending a tremendous amount of money in some areas of the province on students, up to \$20,000 per student per year, and in other areas we're spending as little as \$4,000 per student per year. We've got high schools that offer 250 courses compared to 35 courses in other high schools. Fiscal equity, I think, has been agreed to amongst every single group that is out there today.

5:00

The problem that came up – and it has been a major problem through three ministers and about seven or eight years of education administration in this province – is what vehicle they're going to use to get there. What I'm hearing from the members across the floor is that they're dead set against full provincial funding, quite simply put, because they think that full provincial funding is somehow unfair. Well, I'd suggest that at \$20,000 for some students and \$4,000 for other students in this province there is an unfairness there. Nobody in this government is suggesting for a second that more money necessarily leads to a better education. What we're just saying is that with that kind of disparity, though, it can't help but make a difference when one school does in fact offer a couple of hundred courses and the other one offers 35.

Full provincial funding will in fact alleviate one concern that's near and dear to my heart and near and dear to most taxpayers' that I talk to. They're concerned about their taxes, Mr. Speaker. In the city of Calgary from 1989 to 1993 they in fact raised the municipal portion of the taxes by somewhere in the neighbourhood of 17 and a half percent. Inflation was 19 percent. The two school boards in the city of Calgary raised taxes by 29.88 percent. Full provincial funding in fact does give the province some control over the total number of dollars that will be used out there for educational funding in this province. A lady said to me one day at a constituency meeting: if it's not broke, why fix it? When I gave her those numbers – the 17 percent, the 19 percent, and the 30 percent, or 29.88 to be correct – in fact she said, "If it's not broke, don't fix it." I said, "Ma'am, it looks like it's broken; it looks like it's a runaway."

Under full provincial funding, as I understand this at this point in time, the province rather than the school boards will be requisitioning the property tax. Calgary taxpayers, as an example because I am from Calgary, will see their tax rates for education increase only marginally if at all over the next three years. Well, over the previous four years at a 30 percent increase – I'm sure that's going to be good news to my constituents in my area of Calgary-North Hill, which, as you know, Mr. Speaker, is not one of the wealthier areas in Calgary. I think they're getting a little bit tired of having their taxes go up uncontrollably. Frankly, full provincial funding will in fact alleviate that concern.

Mr. Speaker, just so I can get a little bit closer to Calgary for a second, I think that Calgary's net mill rates are already very close to the provincial average. I've been hearing from the side opposite and I've been hearing from some of the constituents who in fact support the side opposite that they are concerned about their dollars going up. Calgary's net mill rates are already very, very close to the provincial average. I've done a little bit of homework on this. Over the next three years rates could rise at most to 11.6 mills from 11.54 mills, which doesn't mean much to the average Mr. and Mrs. Joe out in my constituency, but frankly it's very, very marginal. As I said before, that's obviously very good news.

The side opposite, the Member for Redwater as a matter of fact, was talking about centralizing control of education. We're not sure if that's exactly what he was talking about, but it sounded to me like he was arguing against us going to more decision-making within the schools and parent councils and that sort of thing. As a parent and as somebody who has three children in school these days, frankly I feel it's imperative that we as mothers and fathers, as parents, within our community in fact have some say over what happens within our schools, and I think that's just the way that this government is going. We're trying, in fact, to give the parent councils a lot more jurisdiction and a lot more say in what happens with their children's education.

You know, Mr. Speaker, I wasn't really planning on getting up to speak to this item, but as I say, I've been listening to some of the debate across the way. I used the word "claptrap" before because I couldn't find it in *Beauchesne*. It didn't say I couldn't use it, so I will say it again now. Frankly, I had to stand up because I just couldn't take any more of the claptrap from the members opposite. If they do their homework and look at the Bill, frankly they'll see that in many, many ways this is a very good Bill. It is not "a bad Bill," as our learned professor from the other side was telling us earlier.

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

MR. CHADI: Thank you very much, Mr. Speaker. I listened with a lot of intent and curiosity to the comments that were made by the hon. member that just spoke. I can tell you that if indeed it is not a bad, bad Bill, as my colleague from Edmonton-Mill Woods was saying, then why is it that when we got up a couple of days ago in the House, the Premier himself said with respect to Bill 19 that there is lots of room for amendments; we don't have to accept this Bill as it is; let's look at the Bill, let's see where it's flawed, and let's come up with some amendments and make it a good Bill.

Now, I can't imagine that the hon. Member for Calgary-North Hill would say that this is a perfect Bill. He says that in many, many respects it is a fantastic Bill and a great Bill. I think he left it open there to suggest that perhaps it isn't all that great that we couldn't have some amendments to rectify some of the concerns that not only members opposite, on this side of the House, spoke about. The Member for Calgary-North Hill was saying "members opposite." It isn't each and every one of us that has a concern with this thing; it's our constituents. People that are residing in our respective constituencies and as well from all across the province of Alberta not only have called us, have written to us; they have demonstrated by coming out to huge rallies. I mean, nobody can underestimate the fact that all across the province, whether it's in northern Alberta or in eastern Alberta or western Alberta or southern Alberta, the people have gotten together – and they've even linked up by satellite TV, Mr. Speaker – to demonstrate their opposition to this Bill.

Now, I'm not saying that this Bill is totally flawed. I haven't gone through the entire Bill, but there are some things in the Bill that I think I can support. I believe, as I believe a lot of Albertans agree with, in equalizing the opportunity of every single student in the province of Alberta of having a basic education, an education that is bought and paid for by the taxpayers of this province. I am in agreement with that one hundred percent. I believe that everyone is entitled to that education, and an equal opportunity is something that we have to provide as legislators. Whether a person is residing in High Level or in High River or in Lloydminster, for that matter, or in Banff, Mr. Speaker, those students ought to be entitled to that same education without any fear whatsoever that another jurisdiction within the province of Alberta has a better school system or a better teaching system simply because they have more funds to do so.

When we talk about the concept of pooling – and I don't know if that's the right word – bringing all the funds forward to a central location and dispersing from one central pool, it's a good idea. I think it's a smart move, because I know that there were jurisdictions around the province where they were creating different boards just for the sake of not having to give away some of that tax money that they've got. It was a massive waste of money, Mr. Speaker. I think we have to now look at pooling those resources together and saying to everyone in the province of

Alberta that each person is entitled to a certain portion per student. You know, it's almost like a modern-day Robin Hood. Robin Hood is a hero in my mind. I know that he would be a hero in everyone's mind in this Legislative Assembly. At least I hope so. I'm not so sure about the Minister of Municipal Affairs, if Robin Hood was a hero, but in any event I suspect that we can convince him of that. So when we talk about disbursing these funds on an equal basis, I'm in favour of that.

5:10

Now, Mr. Speaker, this Bill is a framework that has been brought forward, a framework that the Premier himself not in so many words said needs some work to be done on it, that we've got to amend it, that we've got to change it wherever possible and make a good Bill out of this Bill. That's what we're all here for. It's not just to oppose. It's not just to hear from the other side of the House, "Oh, this is a great Bill," and we say, "Oh, this is a flawed Bill." Let's come together on this and make a good Bill out of it before we start to drastically change and alter the system of education in this province just out of spite. When we don't really have to do that, let's not do that.

The framework that I talk about is one that allows me to proceed with the acceptance of it if I knew more about . . .

MR. DEPUTY SPEAKER: Hon. minister of agriculture, are you rising on a point of order?

Edmonton-Roper.

MR. CHADI: Thank you, Mr. Speaker. I would support the framework if I knew more about how the system would work within this framework, and that is with respect to a formula of disbursing these funds that we talk about. Here we are going to collect all of the revenues, the taxation, and we're going to kick in a certain amount of dollars to fund the education system in the province, but we don't have the formula yet before us to identify with how it is that we're actually going to do the disbursements of these dollars.

I understand and common sense would dictate that demographics in the province of Alberta just simply don't allow for an equal amount of money to be expended or disbursed per student. There are areas in this province where students need to be bused. Lord knows, Mr. Speaker, I know what it's like to be bused. I grew up in a rural part of the province where some of the buses ran for an hour, an hour and a half to get to the schools. Those students were getting up early in the morning, at 5 o'clock, to be on the bus, say, by 6 to get them to school by 8 o'clock. So there is a real concern there with respect to how much it would cost to continue the busing per student, how much it is for people who live in northern and remote parts of the province, places like Fort Chipewyan, for example, where the cost of living is just about twice as much as it is in the urban centres of this province. I know that the school systems there have to be strained. Teachers can't go into an area like that and survive any more than a year or two maximum and have to get out. So the turnover in teachers in those types of areas has to be awful high, and it's awful tough on them. Therefore, the costs attached to that are quite extensive.

Then, of course, the sparsity of population, wherever it may be in the province, particularly, I suspect, in northern and southern Alberta where you can have your closest neighbour being 10, 15 miles away and even farther. There you don't have very many students in a school area, in a school division, where you can split the costs a little more evenly or at least try to reduce your costs because you've got a fair amount of students in that division. When you have that sparsity of population, you've still got to

maintain your schools and you've got to maintain the system. So of course it gets costly there as well.

I don't see a formula in place at all whereby we can understand and see if this thing fits within the framework. I think I would have to see that before I could give my acceptance to Bill 19. Don't misunderstand me, Mr. Speaker. I believe there are good qualities to Bill 19, and I would like those qualities pursued. At the same time, I want to amend in places where it ought to be amended.

Mr. Speaker, with respect to the separate school system and the school boards, the idea of the collection of tax is one that is entrenched in the Constitution, the constitutional rights which were established in the North-West Territories Ordinance 1901. It is quite clear that residential and nonresidential properties taxed by the local school boards – they have every single right to those funds, and they have every single right to tax. Now, there is a real problem in this province that has come forward whereby the Catholic school board has a real concern, and their concern is that their rights of taxation are taken away, and they have a legitimate reason here.

If we follow what's happened throughout the history of the separate school board's revenues, in 1942 and 1952 the separate districts were given the ability to give notice to companies to share taxes in proportion to shareholders of minority faith. The municipality must apportion total assessment between public and separate. This still exists today. I know that in my own companies, Mr. Speaker, we're given that opportunity. Every time at tax time we're sent a document that we could fill out, and we could apportion it if we wanted to. I think if you don't send it in, it would probably be split at whatever the percentage is. There would be a split there given to both boards.

Then I understand that in 1960 municipal grants in lieu of taxes were apportioned between public and separate, so grants in lieu of taxes that this government pays are therefore apportioned between the public and separate boards. That dates way back to 1960, Mr. Speaker. It's something the boards currently have a real legitimate reason to be concerned about.

The public and separate again were levied on residential and nonresidential property in '61. We're talking 30, 40 years, Mr. Speaker. In 1970 ratepayers who were neither Catholic nor Protestant were allowed to support separate districts if undeclared property was taxed for the public system. I'm going to give you this in chronological order. I'm told that in 1974 the separate and public were rebated from residential and farmland to the taxpayer. In 1978 provincial grants in lieu of taxes were apportioned to the separate system on a resident student basis. Then in '81 the federal grants in lieu of taxes were apportioned as well. So we've got an infrastructure in place that is a dynamic one, one that is not going to accept funding being taken away from them very lightly.

It's not so much the word Catholic. Every time we talk about the separate school board, we think of the Catholic schools, Catholic being, of course, a faith that is running the school system's separate school board. But, Mr. Speaker, it's not only Catholics. I am not of the Catholic faith, and I can tell you that I have a nephew who I insisted go to the separate school system because of the Catholic way of teaching. I've done that, and I insisted he go for a reason. I felt that the system that is being offered within that system was far superior to the one within the public school system. That's the way I felt, and I'm pleased to have been offered the right to do that even though my nephew is not of the Catholic faith. In 1988 we were allowed this here in the province of Alberta. That interfaith was declared allowed and still will be. What I'm getting at is that it is something not only open to the Catholics; it is open to everyone to work within the

Catholic system. I know that Muslims, Jews, and Catholics are all afforded that right to go to the separate school system if they so choose.

5:20

The sharing of taxes on undeclared property between public and separate schools on a per student basis ought to continue. When you look at the percentage of the education system in this province, I understand it's close to 25 percent that would be separate school in this province. I could be off by a couple of percent, but I suspect that in the urban areas it's much greater than in the rural parts of the province. This infrastructure is in place. It's a huge one relative to the overall system. I think we have to respect that infrastructure that is in place. I'd hate to see us fiddling and fooling with it when we could destroy what was built over the past 90 some odd years. I think it's imperative that we work with the separate school board system and that we acknowledge their fears and their concerns and that we make Bill 19 a Bill that would be accepted not only by members of this Legislature but by the citizens of the province of Alberta and in particular citizens that are supporters of the separate school board system.

Mr. Speaker, I also have a concern with respect to the idea of the appointment of superintendents. Now, I understand section 94(1):

Subject to the regulations, a board shall appoint an individual superintendent of schools with the prior approval in writing of the Minister.

I'm not so certain that that wasn't in place before, but I suspect that what we ought to be doing is getting out of implementing more government or applying more government when we really shouldn't. I suspect that what we ought to be doing is allowing the local jurisdictions their own say. There's nothing wrong with having it the way it was, whereby the minister does not have to give that prior approval or the jurisdictions do not have to come to the minister and ask whether or not this person would make a good superintendent or "We're thinking of hiring this person for superintendent; what do you think?" It opens up a whole can of worms here, and I would hope we could tighten that up somehow so that the approval of the hiring of superintendents would remain in the hands of the people that are going to have to deal with that superintendent.

There is no reason for us to get ourselves involved for the sake of perhaps maybe some patronage, the only thing that I could see playing into this section. If it isn't that, then I'd kind of like to know what it is that is implied by saying in section 94(1) that "prior approval in writing of the Minister" is required. We have had our fair share of mishaps when we actually appoint people to different boards. We've seen time and time again that where we do make those appointments, we don't necessarily have a commitment from those people to give it their absolute best. There isn't a procedure in place . . . [Mr. Chadi's speaking time expired]

MR. DAY: Mr. Speaker, given the hour, I move that we adjourn and reconvene tonight at 8 o'clock in Committee of Supply.

MR. DEPUTY SPEAKER: The hon. Government House Leader has moved that we adjourn debate at this time and reconvene in Committee of Supply at 8 o'clock. All those in favour of this motion, please say aye.

HON. MEMBERS: Aye.

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

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