

Legislative Assembly of Alberta

Title: **Tuesday, April 19, 1994**

1:30 p.m.

Date: 94/04/19

[Mr. Speaker in the Chair]

head: Prayers

MR. SPEAKER: Let us pray.

O Lord, grant us a daily awareness of the precious gift of life which You have given us.

As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country.

Amen.

head: Presenting Petitions

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

DR. MASSEY: Thank you, Mr. Speaker. I beg leave to present a petition on behalf of over 400 citizens asking that the Grey Nuns hospital in Mill Woods remain an active treatment hospital.

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

DR. NICOL: Thank you, Mr. Speaker. I beg leave to present a petition from 1,016 people in Lethbridge.

AN HON. MEMBER: How many?

DR. NICOL: A thousand and sixteen. They're concerned about the possible closure of the Children's hospital in Calgary. This hospital is southern Alberta's hospital; it's not just a concern to people in Calgary.

MR. DALLA-LONGA: I beg leave, Mr. Speaker, to present a petition from 1,281 citizens of Calgary requesting that the Children's hospital be maintained on its current site and exist as a full service pediatric health care facility.

I'd like to present another petition signed by 225 citizens. Unfortunately, this petition is not quite in proper form. I'd like to submit it anyway, requesting that the . . .

MR. SPEAKER: Order please. Order, hon. member. If the petition is not in proper form, the proper place to deal with this is under returns and tablings.

The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I beg leave to present a petition signed by more than 600 people from throughout the province of Alberta in support of keeping the Grey Nuns hospital open as an active care facility.

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

MR. DICKSON: Thank you, Mr. Speaker. I request leave to introduce a petition signed by 1,056 Calgaryans protesting changes to the Alberta Health drug benefit list and medications dropped from that list.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I beg leave this afternoon to present a petition signed by over 2,400 residents of Sherwood Park, Edmonton, and surrounding area urging "the

government to maintain the Grey Nuns hospital in Mill Woods as a full-service, active [care] hospital."

head: Reading and Receiving Petitions

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

MS HANSON: Thank you, Mr. Speaker. I would request today that the petition I tabled in the House on March 29 urging the government to raise the minimum wage to conform with Statistics Canada's poverty line be read and received.

CLERK:

We the undersigned, your petitioners, pray that your honorable assembly may be pleased to urge the government of Alberta to;

- 1) Raise the minimum wage in Alberta to conform to the Statistics Canada poverty line for single persons living in a major city.
- 2) Consider whether the amount of assistance that clients of the Ministry of Social Services and Community development may receive under the social development act should be two thirds of the Statistics Canada poverty line for all categories of clients.
- 3) Ensure that assistance be provided on the fact, not the cause, of need.

MR. N. TAYLOR: Mr. Speaker, I would ask that the petition I filed in the House on March 30 on behalf of some 300 members of the Redwater constituency asking that the benefits for seniors be reviewed be now read.

CLERK:

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

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

MS LEIBOVICI: Thank you, Mr. Speaker. I'm requesting that the petition I presented on April 14 regarding the maintenance of the Misericordia hospital as a full-treatment facility be now read and received.

Thank you.

CLERK:

We the undersigned petition the Legislative Assembly to urge the government to maintain the Misericordia Hospital as a Full-Service, Active Hospital and continue to serve the West-end of Edmonton and surrounding area.

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

DR. PERCY: Thank you, Mr. Speaker. I would request that the petition I presented in the House on April 14 regarding keeping the Grey Nuns as a full-service medical facility now be read in the House.

CLERK:

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

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I would ask that the petition I presented recently regarding the Grey Nuns hospital now be read and received.

CLERK:

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

head: Notices of Motions

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I will be moving that written questions do stand and retain their places on the Order Paper with the exception of Written Question 191.

I'm also giving notice that I'll be moving that motions for returns stand and retain their places on the Order with the exception of motions 190 and 198.

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

MR. RENNER: Thank you, Mr. Speaker. I wish to give notice that at 4:30 p.m. I would like to seek the unanimous consent of the Assembly for the following motion:

Be it resolved that the Assembly waive Standing Order 8(2)(c) in order to now give consideration to second reading of Private Bills 2, 3, 8, 9, 10, and 15.

head: Tabling Returns and Reports

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I beg leave to table 225 signatures expressing concern about the closure of the Alberta Children's hospital on its current site.

I have another report to table with the House. This is 55 letters signed by citizens of Calgary expressing concerns about the relocation of the Alberta Children's hospital services to other sites and feeling that it would not be cost-effective and would jeopardize the quality of care.

Thank you.

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

MR. SEKULIC: Thank you, Mr. Speaker. I would like to table 505 coupons sent in from all over Alberta in response to our poster campaign entitled "Tell Ralph Klein to take your kid's future off his hit list." Of the 505 coupons which I'm tabling today, 500 register opposition to the cuts and five are actually in support of the cuts.

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

MR. HENRY: Thank you very much, Mr. Speaker. I have two tablings today. The first is a copy of a letter sent to churches in the Edmonton presbytery of the United Church from the chairperson of the presbytery. The letter, and I quote, is sent to highlight the unfortunate effects of recent government policies on the lives of many citizens of this Province who, through no fault of their own, are being deprived of the basic essentials of food, shelter, and personal well-being.

My second tabling, Mr. Speaker, is a copy of a sermon delivered on April 10, 1994, by Rev. Bruce Miller at Robertson-Wesley United Church. The sermon was given following the letter, and the sermon concludes with, "But as a church, our mandate is to be faithful . . ."

MR. SPEAKER: Order. A tabling is a tabling, not an explanation.

The hon. Member for Calgary-Buffalo.

1:40

MR. DICKSON: Thank you, Mr. Speaker. I'm tabling with the House this afternoon a copy of the summary report from the Conference on Parliamentary Reform that was sponsored by the University of Lethbridge and the Canada West Foundation on February 25 and 26, 1994. The conference was attended by me, by my colleague from Lethbridge-East, and the Member for Pincher Creek-Macleod. The report notes that the 100 participants from across Canada supported both recall and a citizen's initiative.

MR. DAY: Mr. Speaker, I'd like to table four copies of the Public Service Employee Relations Board 1992-93 annual report and four copies of the Labour Relations Board 1992-93 annual report.

head: Introduction of Guests

MR. SPEAKER: The hon. Minister of Advanced Education and Career Development.

MR. ADY: Thank you, Mr. Speaker. It's my pleasure and honour to introduce to you today and through you to the Assembly Mr. Harry Schaefer. He currently serves as chairman of the board of TransAlta Utilities, and he will be moderating the second round of the public consultations that will be undertaken by our department in early May. Mr. Schaefer is seated in the members' gallery, and I'd ask that he stand and receive the warm welcome of the Assembly.

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

MR. HAVELOCK: Thank you, Mr. Speaker. I would like to introduce to you and through you to the members of the Assembly 141 students and teachers from Clarence Sansom community school in the constituency of Calgary-Cross. They are seated in both galleries. The teachers accompanying the students today are Larry Elashuk, Sigrid Ady, Iris Olson, Hart Mueller, Allan Rix, Andy Laight, and Jodi Allan. I hope I've pronounced all those names correctly. Would the students and staff please rise and receive the traditional warm welcome of the House.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to the Assembly Andy and Debby Lorimer. Andy is the publisher/editor of the *Fort Saskatchewan Record*, and Debby is involved in advertising. I'd ask them both to rise and receive the warm welcome of the Assembly. They're seated in the public gallery.

head: Ministerial Statements

Volunteer Week

MR. DAY: Mr. Speaker, this week, April 17 to 23, we celebrate one of our valuable resources: our volunteers. On behalf of my colleague the minister responsible for the Wild Rose Foundation may I ask this Assembly for its unanimous support in recognizing this week as Volunteer Week in Alberta.

Alberta is the volunteer capital of Canada, Mr. Speaker, with approximately five out of 10 people in Alberta who volunteer their services through an organization. Volunteer Week 1994, celebrated across Canada, is intended to heighten the awareness and the importance of giving to others through volunteer service and commitment. The Alberta lottery funded Wild Rose Foundation

is facilitating this provincewide effort in a unique collaborative partnership with Volunteer Alberta. This year 37 communities representing 1.8 million Albertans are participating in this week-long series of events. This commitment of lottery dollars is helping to reinforce the efforts of those who give so much of themselves for others. The Wild Rose Foundation is proud to be a part of a better way in securing Alberta's future.

Mr. Speaker, I encourage this Assembly to continue its support of volunteerism and volunteers in this province. They are our most valuable resource to the health of Alberta.

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

MRS. HEWES: Thank you, Mr. Speaker. I, too, want to congratulate and thank those tireless volunteer workers who organize, raise funds, provide endless hours of support and comfort in our communities. We can't operate without them, and we must not take them for granted. They are more needed in today's environment than ever before.

Having said that, Mr. Speaker, let me draw your attention to the letter from the chair of the Edmonton presbytery office of the United Church that was to be read to every congregation. The chair says:

Like other faith communities in the city, we contribute our money and volunteer time to a variety of social outreach agencies established to alleviate emergent and short-term crises in the lives of people who lack personal, family, or institutional resources to support them.

It goes on:

As the result of recent cutbacks, these agencies have been overwhelmed by growing numbers of people, formerly reasonably self-sufficient, but now helpless.

And further:

We particularly regret the absence of adequate advance information and planning that might have enabled us to alert our constituencies about the dimensions of the increased demands for our outreach services.

Mr. Speaker, what we're doing is, on the one hand, we're congratulating our volunteers; on the other hand, by actions of this Legislature we're undermining their goals and ideals and making their work overwhelming. Our consultations with them have been either nonexistent or meaningless. Think about the family and community support services.

Mr. Speaker, it's my hope that the government in this week of recognition will acknowledge the damage that they are doing and re-establish a partnership with these many committed Albertans. Volunteers need government co-operation year-round.

**head: Oral Question Period
Catholic School System**

MRS. HEWES: Mr. Speaker, on March 7 the Calgary Catholic school board wrote to the Minister of Education with suggestions for a win/win situation on the effect of the School Amendment Act. The minister, however, didn't reply. Last week the Premier personally asked for the board's input on how its interests could be protected, but before that was possible, the Deputy Minister of Education virtually ordered the boards to decide now on opting into the government's tax grab. My question is to the Premier. Will the Premier now countermand that deputy minister's deadline so that the Calgary Catholic board can take the Premier up on his offer?

MR. KLEIN: We're limited to some degree by what we can do because we do need to set the mill rate. Mr. Speaker, this is not a tax grab by any stretch of the imagination. We are not asking

of the Catholic school system any more than we're asking of the public school system. The Liberals over there seem to be vehemently opposed to all kids being given the opportunity to an equal education in this province. That's all we're trying to do, is to create fiscal equity so that all kids in this province can be treated the same.

MR. SPEAKER: The minister wishes to augment.

MR. JONSON: Yes, if I might supplement the hon. Premier's answer, Mr. Speaker. First of all, as I indicated quite clearly in question period yesterday – perhaps the hon. members opposite were not able to hear the answer – the communication that went from my deputy minister to school boards across the province was with my full knowledge and okay. Secondly, with respect to the communication that was sent to school boards, the Premier is quite correct in that there are certain practical deadlines that have to be planned for, and the memo or communication was necessary in that regard.

MRS. HEWES: The fact that you acknowledged that you knew it was going to happen doesn't make it right. It doesn't make it right.

Mr. Speaker, my question is to the Premier. Will the Premier please explain to the House the conflict between his position of being open to suggestions on Bill 19 and the minister's position that there are going to be absolutely no changes?

1:50

MR. KLEIN: Mr. Speaker, there won't be any changes unless it can be demonstrated in such a fashion that we ought to take a detour but we can't and reach the same destination. [interjections] No. I'm sorry.

I would like the hon. deputy House leader . . .

MRS. HEWES: Deputy leader.

MR. KLEIN: Right.

. . . to listen and to understand that we can't single out the Catholic school boards for special treatment. We have said that we will respect and protect the constitutional rights of Catholics, but really if there are to be any fundamental changes to the program, they would have to be applied globally. Thus far it seems that on the part of some school districts in this province anyway there is full acceptance; in other words, there are many, many, many school districts who like and welcome what we are doing.

MR. JONSON: Mr. Speaker, if I might further supplement the hon. Premier's answer. First of all, with respect to question period yesterday, if I might refer to it again, I clearly indicated in response to a question from the side opposite that I fully understand the process and the prerogative of this Assembly.

I would like to indicate by way of supplementary information, Mr. Speaker, that also communicated to separate school boards across the province was a draft of the type of resolution which we acknowledge has to be made in a case such as this. I will not quote the entire draft because I know the members opposite are anxious to get on, but it says, "subject to the School Amendment Act, 1994 receiving Royal Assent." We acknowledge that the legislative process has to complete itself.

Thank you.

MRS. HEWES: You've already singled them out for special treatment, for special decisions, Mr. Premier.

Mr. Speaker, I want to ask the Premier: how can you force Catholic school boards to decide – and the minister has just verified this – on opting into a law that hasn't been passed yet? You haven't passed this law. How can you force them to decide that they must now opt into it?

MR. KLEIN: I don't think they're being forced to do anything. They have the option of opting out of the program. My advice to them would be to stick with the program. I think that they will actually like it.

MR. SPEAKER: The hon. minister wishes to supplement.

MR. JONSON: Mr. Speaker, not only do the hon. members opposite not remember my answers from yesterday; they don't remember my answer from a few seconds ago. That is that there are practical considerations which every school board in the province knows has to be met with respect to notifying municipal authorities and being able to work through this in a logical and orderly manner. We do indicate in the proposed resolution that this is done by the school boards subject to the School Amendment Act, 1994, receiving Royal Assent.

Private Health Services

MR. MITCHELL: In keeping with concerns expressed to her by Albertans, Mr. Speaker, the federal Minister of Health has sent a management letter warning the Premier that he has gone too far with his recent efforts to promote commercial for-profit health care in this province. In fact, she very clearly states that the Premier is quietly dismantling the Canada Health Act and the very health care values that it stands for. My first question is to the Premier. Will he please take this warning seriously and stop promoting commercial for-profit health care in this province?

MR. KLEIN: Mr. Speaker, the only person, to my knowledge, who is promoting, actively has promoted private medicine is the hon. leader of the Liberal Party. It's right here: Decore praises private medicine. We are not promoting in any way, shape, or form private medicine. I am not out there promoting this kind of thing. I am saying that if someone wants to submit a proposal to have a private clinic – and there are such operations in place as I speak – if someone wants to do this and if it doesn't undermine our obligation to provide essential health services and if it doesn't conflict with the Canada Health Act, then I guess there is nothing in law that we can do to stop this kind of thing from happening. You know, if the hon. leader of the Liberal opposition thinks it's okay, then it must be all right.

MR. MITCHELL: If he spent half as much time reading his own press clippings or those of the Deputy Premier's . . .

MR. SPEAKER: Supplemental question.

MR. MITCHELL: What does it take for the Premier to understand the federal minister's concern that he is creating an increasingly distinct two-tier health care system in this province, one for the rich and one for everybody else?

MR. KLEIN: Well, first of all, I haven't received the letter. If it's in my office, it hasn't been put on my desk yet.

MR. DALLA-LONGA: You're reading the press too much.

MR. KLEIN: Well, you know, unlike the Liberals, Mr. Speaker, I don't do my research on a day-to-day basis by reading the daily newspaper. I wait until I get the information.

I have to go back to the point that I made earlier. I am simply not promoting this. No one in this caucus is promoting this. What we are saying is that if it's legal and if it doesn't violate the Canada Health Act, then what's wrong with it?

MR. MITCHELL: If the Premier didn't quote the press, there'd be . . .

MR. SPEAKER: Order. Final supplemental.

MR. MITCHELL: Will the Premier please direct his very own Minister of Health to table in this House the report that she has prepared for the federal government on the proliferation of private health care in Alberta?

MR. KLEIN: Well, Mr. Speaker, I'm not aware of that particular report. I'll discuss it with the minister, if in fact she has prepared such a report and if in fact it has been sent to the federal government. I'm not aware of the report and certainly not privy to the details of that particular report.

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

Young Offenders

MR. ZWOZDESKY: Thank you, Mr. Speaker. Last weekend a truly outstanding, loving, and caring yet unsuspecting wife and mother was viciously attacked and killed in the privacy of her own home in my constituency of Edmonton-Avonmore. The bereaved husband and father has personally asked me to tell the government that Albertans want safer communities and safer neighbourhoods in which to raise their families. This Alberta government has the major responsibility for crime prevention, and Albertans simply want swifter action and more decisive action at the provincial level. My question to the Premier on behalf of my constituents and the bereaved family is this: will the government now implement young offender programs that will make a difference and help preclude the occurrence of further heinous crimes such as this?

MR. KLEIN: Mr. Speaker, I would like to take this opportunity also to extend on behalf of our caucus our heartfelt sympathy and our tremendous sense of regret that something this terrible and this tragic would happen.

This indeed, I guess, is a manifestation of some things that need to be done certainly with the Young Offenders Act. I don't know if that is going to be the total cure, the total answer to this particular problem, but I can assure you that the Justice department and the Justice minister will be working with their counterparts in other provinces and with the federal government to achieve these kinds of adjustments that are required to the Young Offenders Act.

I will have the hon. minister supplement.

2:00

MR. SPEAKER: The hon. Minister of Justice.

MR. ROSTAD: Thank you, Mr. Speaker. I also extend condolences to the family for a senseless act allegedly by three young offenders, two of whom have been apprehended. It's times like this that certainly focus all of us on the causes, the reasons for such actions.

As recently as three weeks or maybe a month ago now all the attorneys general from across Canada and the federal minister met. In the day-and-a-half deliberations, well over a third was spent on the Young Offenders Act and what might be done to that. I'm heartened by the reaction of the federal minister, the Hon. Allan Rock, who's new to his portfolio. As we all know in politics, it's probably good for the electorate when we publish a platform that we want to be measured by, and in fact he has a red book out that says that he will make amendments to the Young Offenders Act, which he wants to do.

A lot of the dialogue that happened around that table – the initiatives he wanted to come in answer to his red book were not complete enough or full enough. I know there's some frustration in time, especially when you get 12 jurisdictions sitting around the table. Although it's a federal jurisdiction in the law, it does affect and it is administered by 12 jurisdictions. The suggestion had been made last May to his predecessor by my predecessor that we look at the Act, which has been there for 10 years, do a complete in-depth analysis as to what are its strengths and what are its weaknesses and come out with a comprehensive Act and a change to that Act that will address the problems we've got rather than reacting on a piecemeal basis, where we are perceived to be patching up a problem, but in fact we're making very, very little difference in how we do that.

So to the family and to the hon. Member for Edmonton-Avonmore, I extend my condolences and I'm certain my caucus's condolences and our commitment to in fact addressing the shortcomings that are in the Act.

One other item that he brought up is crime prevention generally. We have a lot of initiatives under way in crime prevention, not only through the government but certainly even through the police forces and through the communities. If there are any shortfalls or things that can be done in that area, we'd welcome any suggestions.

Thank you.

MR. ZWOZDESKY: I want to thank the Premier and the Justice minister for those statements. I passed on the condolences of our caucus yesterday, and I'd be happy to take those that they've expressed back to the family when I see them again later today.

Will the Premier perhaps first explain why Alberta lags somewhat behind other provinces in setting up such things as community sentencing panels which would free up youth court judges and enable them to deal with more serious crimes such as this one?

MR. SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you. Again I'll have the Justice minister supplement, but I don't think that statement is entirely accurate. I think we are making some positive moves in that direction.

MR. ROSTAD: Mr. Speaker, the Premier is indeed right; that isn't accurate. The Young Offenders Act does provide for what are called youth justice committees, youth sentencing committees. They quite often administer the alternative measures programs that are used in certain communities. They sit with the judge quite often in making recommendations as to what sentence should be based on the premise of peer pressure, that peers know better what might be helpful in these instances than a judge who may be itinerant or certainly not a close, intimate part of the community. In fact, our province has been a forerunner in establishing these panels, and we have I think seven or eight formalized right now. They relate from cities to Fort Chip and Wabasca-Demarais in the

north, Calgary in the south, a number of others around, and I think we have another eight or nine that are in the formative stages.

The key to all of these is that they have to be generated by the community for the community and not imposed by the government. We have a person that's designated in our department as well as a team that will go out and talk with any community group that's interested in establishing one of these and welcome, and have stated that publicly, anybody that wants to come forward and establish one of these.

MR. SPEAKER: Final supplemental.

MR. ZWOZDESKY: Thank you. Mr. Justice Minister, since it's not Ottawa that appoints the judges or Ottawa that establishes buildings and institutions for young offenders, it's in fact the provincial government, can you tell us what concrete actions you as the Minister of Justice are prepared to undertake immediately to ensure the recurrence of such heinous crimes isn't even more the norm than is the case now?

MR. ROSTAD: Mr. Speaker, first I think we should make it very clear that this is not the norm, these heinous crimes. They're certainly tragedies, but we're very, very fortunate that we have not succumbed to the violent society that our neighbour to the south has. Now, that does not mean that we don't have harbingers of things to come if we don't reorient ourselves in the way we live and our family structures, et cetera. Certainly the law is a major part, and the law can send messages in many ways.

Secondly, the judiciary. Although we appoint, from the day we appoint a judge, we have lost absolutely any influence or control over that judge. In fact, the members of the public outside have far, far more effect on a judge than a politician's ever going to have, because if we come within 10 feet in any way, we're perceived to be interfering with them, with justice.

From a prosecution point of view, which is the responsibility of the Attorney General, we take every case, as in this case, on the facts and go for the penalty that fits, which is usually the highest penalty. I can assure the hon. member and certainly the family and those grieving with them that that will be the case in this instance. I can assure the hon. member that I have as much interest in having law and order not only a fact but a respected fact in Alberta and will do the utmost to ensure that that continues.

Thank you.

Handicapped Children's Services

MR. DOERKSEN: Mr. Speaker, I've had the opportunity and the privilege of meeting and discussing with representatives of the Central Alberta Cerebral Palsy Association. Consistent with the Department of Family and Social Services' philosophy to expect parents to take responsibility for their children, these parents are exemplary. In return they would like to have a choice in deciding how funding support is spent. To the minister: how are parents involved in deciding how handicapped children's services funds are used to meet the needs of their children?

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

MR. CARDINAL: Thank you very much, Mr. Speaker. The handicapped children's services program is the family support program. Parents are responsible, of course, for decisions affecting their children, and handicapped children's services is one of a variety of programs that parents can access in meeting the

special needs of their children. When applying for benefits and support, parents meet with a social worker and then draw up an agreement which also shows the costing of the plan and where the parents will be involved in the overall plan. We provide services at this time for over 5,900 families across Alberta.

MR. DOERKSEN: Mr. Speaker, can the minister advise these parents as well as all Albertans what the province spends on handicapped children's services?

AN HON. MEMBER: He'd love to.

MR. CARDINAL: I'd love to do that, Mr. Speaker. I think Albertans know that particular area is one of the high-needs areas, and it is a priority of our government and this minister. We do spend over \$20 million.

SOME HON. MEMBERS: How much?

MR. CARDINAL: Over \$20 million on handicapped children's services. In the overall budget for persons with disabilities we spend over \$430 million.

2:10

MR. DOERKSEN: Mr. Speaker, some of the programs offered for cerebral palsy children come from outside the province. Can the minister tell us what the department's policy is on sending children out of the province for necessary care?

MR. SPEAKER: The hon. minister.

MR. CARDINAL: Thank you. Mr. Speaker, handicapped children's services, also known as HCS, helps parents with some of the extraordinary costs related to their children's handicap needs. We help parents keep their children near home wherever possible, but there are certain times that we have to look after emergency medical services that are not available in Alberta. Jointly with the Department of Health we co-ordinate a plan along with the parents and provide extraordinary costs to the family to access service outside the province.

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

Paddle River Dam

MR. COLLINGWOOD: Thank you, Mr. Speaker. The Paddle River dam investigation, referred by this government to Saskatchewan, is really no investigation at all. That review is simply to determine whether senior civil servants in the government have acted criminally in dealing with Opron Construction Ltd. The passing of this hot potato doesn't relieve the government from its obligation to assess the performance of its senior civil servants in this matter. My question to the Premier: as a matter of policy, Mr. Premier, do civil servants in this government have to act criminally before internal disciplinary action is taken?

MR. KLEIN: Well, Mr. Speaker, the Justice minister and Attorney General in Saskatchewan has been asked to take a look at this case, especially the remarks of the hon. justice, to make a determination if in fact there was criminal or fraudulent activity and, if indeed there was, what action this government should take. It's really quite common to seek an independent, unbiased opinion with regard to situations of this kind.

MR. SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. The issue there is criminal fraud not civil fraud.

My second question to the Premier: what internal investigation, Mr. Premier, has been commenced by you to determine who of your civil servants in the department of the environment is responsible for the deceit and negligence?

MR. KLEIN: Well, Mr. Speaker, it would hardly make sense to conduct an internal investigation while the external investigation is going on and being conducted by an independent adjudicator.

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the Minister of Justice: will the minister encourage his counterpart in Saskatchewan to meet directly with the people involved in this situation, both from Opron Construction and from the department of the environment?

MR. ROSTAD: Mr. Speaker, as we mentioned a couple of weeks ago, I would hope that the minister in Saskatchewan and people that he has investigating this would talk to absolutely anybody that's available or has been involved in this. If there's somebody that has some information, on the off chance that they wouldn't be included I would hope that they would call through that hon. member or through my office or directly to the minister in Saskatchewan and in fact make their information or themselves available.

MR. SPEAKER: The hon. Member for Bow Valley, followed by Edmonton-Roper.

Kindergarten Programs

DR. OBERG: Thank you, Mr. Speaker. The Brooks school board recently announced that it would provide 350 hours of kindergarten next year for a user fee of \$200. The government is presently funding 200 hours of kindergarten. This translates into around a dollar and a quarter per hour user fee per child. My question is for the Minister of Education. Does this user fee cover the full cost of the extra 150 hours?

MR. JONSON: Mr. Speaker, generally across the province, it's my understanding that school boards fund early childhood services programs from a combination of fees and grants from the provincial government. That of course is supplemented sometimes by fund-raising, and also they have the use of school buildings, utilities, and maintenance free of charge. Generally speaking, the program does not draw upon the local tax base. Therefore, I would assume that in the calculations done in this particular school district, the money mentioned must be designed to cover the additional cost of the 250 hours.

MR. SPEAKER: Supplemental question.

DR. OBERG: Thank you, Mr. Speaker. If the local teachers accept a 5 percent rollback and if it is not a full-cost recovery on the \$200, are not the teachers indirectly picking up the shortfall in kindergarten funding?

MR. JONSON: No, Mr. Speaker. I think not. I am not aware of any direct connection in the type of case that the hon. member outlines. As I've indicated, the typical way of establishing an early childhood services' budget, be it done by a private or

community operator or by a school board, is that the factors I outlined in my previous answer cover the cost of the program.

MR. SPEAKER: Final supplemental.

DR. OBERG: Thank you, Mr. Speaker. If parents choose not to pay the \$200 user fee in Brooks, can they still access the 200 hours of kindergarten that is presently government funded?

MR. JONSON: Mr. Speaker, the Brooks school board is offering a program, and eligible students have access to that program. I would expect that, as many school boards in the province have done, they have made provisions for exemptions in cases where parents of students perhaps could not afford to pay the full fee. However, in direct answer to the hon. member's question, the ECS children who qualify by age for the program would have access to the program which is funded by the provincial government.

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

North West Trust Company

MR. CHADI: Thank you, Mr. Speaker. The Klein government talks about running government like a business. This government gave North West Trust all the breaks while taxpayers took the hit through numbered companies like Softco. This government has run North West Trust like an absentee landlord and the results: a million dollar golden handshake to Bancorp, and now it looks like an \$850 million golden handshake to the CEO of North West Trust. My question is to the Provincial Treasurer. Can the Treasurer explain why salaries and employees' expenses at North West Trust increased by 102 percent from 1987 till 1993?

MR. DINNING: Well, Mr. Speaker, the member across the way talks about the government providing "breaks" to North West Trust. The government took over North West Trust because they ran into serious financial difficulties in 1987. I won't say why; it happened. It happened, and whether the hon. members across the way like it or not, it happened because bad real estate investments became worse and the company was on the threshold of bankruptcy. There were a number of investors and depositors that were involved, along with the Heritage trust company, whose savings were in jeopardy. So the government of the day chose to step in, to secure those deposits, to take the bad assets out of their hands, and give North West Trust a chance to survive. In doing so, the company over that period of time has added from a \$50 million capital base an additional \$40 million in retained earnings, a reasonably successful, good story that I know members across the way would want to celebrate if they looked at the facts.

During that time, there certainly was compensation paid to members of the senior management team and to all members of the staff of the company. Because of the direction and the leadership of the Premier of this province, the Financial Administration Act has been amended so that those financial statements are within the province's books and, of equal importance, salaries and benefits are fully disclosed as a requirement in the publication of that company's annual financial report.

2:20

MR. SPEAKER: Supplemental question.

MR. CHADI: Thank you, Mr. Speaker. Here's one that I'd like you to confirm, Provincial Treasurer. I'd like the Treasurer to confirm that indeed 93 percent of the income generated by North

West Trust in 1993 was fees from an untendered sweetheart deal concocted in the back rooms of the Tory Party to manage the NovAtel loan. So 93 percent: confirm that Mr. Treasurer.

MR. DINNING: Mr. Speaker, I know that the hon. member is reading from accurate statements, so I just want to make sure that he is completely accurate. The investment income of North West Trust, as reported in their annual report for '93, was a little over \$78 million. Their other income, including the payment for the management of the NFI Finance company, was some \$4.3 million. So \$4.3 million out of a total of a little over \$84 million: by my calculation, that's about 5 percent. So it contributed to about 5 percent of the company's total income in that one year.

MR. CHADI: What a bunch of mumbo jumbo, Mr. Speaker.

My question is to the Provincial Treasurer once again. How can you claim that North West Trust operates at arm's length, as you always do, when you've been using it for nothing less than laundering the loan losses?

MR. DINNING: Mr. Speaker, I'm a bit surprised given that the annual statements of North West Trust are published; they are part of the public accounts. As well, Mr. Speaker, the financial statements of NFI Finance, which manages those loans that came out of NovAtel, for which the government takes responsibility, are also published in the annual public accounts of the province. I'm sure that if the hon. member would like to join me outside afterwards, I could show him exactly where those statements are within the public accounts so that he's in command of all the facts.

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

Catholic School System

(continued)

MS CALAHASEN: Thank you, Mr. Speaker. The hon. minister without portfolio and myself had occasion to meet with some members of the Slave Lake Catholic school board this past weekend. Some concerns were expressed regarding the amendments to Bill 19, the School Amendment Act. My question is to the Minister of Education: if separate school boards are one aspect of the publicly funded education system, as indicated in the preamble to the School Act, why must they opt into the Alberta school foundation fund in order to ensure that their students receive an equal opportunity for a good education, when the preamble to the School Act would seem to indicate that they're entitled to an equal opportunity?

MR. JONSON: The essential point of our overall funding plan for education, Mr. Speaker, is to provide equal opportunity for all students in this province, be they going to public schools or separate schools. This is what we want to ensure: that there is equitable funding, that every student has as equal an opportunity for an education as possible, as practical in this province. That, I repeat, is the direction we are taking, and in no way is this disadvantageous, in my view, to the separate school students of this province.

As the hon. member I think is well aware, to achieve that very important goal, it is important to bring together the financial resources available to education in a provincial funding structure. With respect to the opting-in provision, Mr. Speaker, this recognizes Catholic rights. This recognizes the existence by the annual opting-in provision. That provision, in a very similar form

to what is proposed in Bill 19, has existed in this province for about 30 years with respect to the school foundation fund.

MS CALAHASEN: Well, Mr. Speaker, understanding all that, why, then, must the Catholic school board give up their constitutional right by having to opt in and then opt out when they already have that constitutional right supposedly in there?

MR. JONSON: Mr. Speaker, certainly the separate Catholic school boards across the province have indicated that they want their constitutional rights recognized. They do not want to see a system which according to the Alberta Act and referring back to the North-West Ordinances in any way prejudices the position that was provided for there. In a number of references and protections in the School Act we have provided for that.

I do not think, Mr. Speaker, that we should confuse fiscal arrangements which have been made over the years, such as opting in to the school foundation program, access to nonresidential assessment, and the additional provision that we are providing for in Bill 19 which will be beneficial to the Catholic school system of the province, with those original constitutional rights.

MR. SPEAKER: Final supplementary.

MS CALAHASEN: Thank you, Mr. Speaker. Would the minister consider, then, extending the deadline which the Department of Education gave in a letter to separate school boards of two weeks from April 12 to decide to opt in or out of this fund at least to the date the Bill passes and the fund comes into existence?

MR. JONSON: Mr. Speaker, as I have indicated, there are deadlines and there are provisions related to giving notice with respect to the collection of taxation, and the memo that was sent out is designed to facilitate meeting those provisions. I would also like to refer the hon. member to the statement that I made earlier this afternoon, and that is that we recognize this is done with recognition of the passage of Bill 19 and eventual Royal Assent.

Keyano College

MR. GERMAIN: Mr. Speaker, the residents of Fort McMurray are rightfully proud of their heavy equipment campus at Keyano College in Fort McMurray. Figures show that 89 to 100 percent of the graduates, both natives and nonnatives, get good jobs in the construction sector. The minister is suggesting that this value-added facility be closed. My question to the minister of advanced education: will you assure us now in this Assembly that you will fight for the Keyano College heavy equipment program?

MR. ADY: Mr. Speaker, the hon. member across the way must know something that I don't know if he's indicating that I have indicated that I'm going to take that program away, if he's indicating that I have said in some forum that I intend to remove that program. I'm not in the business of removing programs from institutions. We have boards who make those kinds of decisions, and I will expect them to act responsibly on that.

MR. GERMAIN: Will the minister in charge of native affairs in this province indicate to the Assembly how he will find the alternate job creation programs if that campus closes?

MR. CARDINAL: Mr. Speaker, as a member that represents a large portion of the native population that was mentioned surrounding that particular area, I work very closely with the

Minister of Advanced Ed and Career Development, and I don't know of any plan anywhere that would cut back on the services. I'm confused a bit here because just on February 17 the Liberals indicated – and it's in *Hansard* – that the 6,000 or so students we are training, we are dumping not training. Now, they say that they're concerned about training.

2:30

MR. GERMAIN: Mr. Speaker, can the Premier of the province explain to us: if we are going to withdraw student loan funding for low-job students and cut programs where there is good employment, what's left?

MR. ADY: Mr. Speaker, the hon. member is on an issue having to do with some sectors of the province indicating that Keyano College should not be operating a heavy equipment operator program. That is between the college and that sector, and I believe that they should sit down in a responsible manner and work out some way that this can be rationalized so that the students will continue to be given that training in this province in a meaningful way. I'm confident that we're dealing with two very responsible groups and that they will in good time rationalize those programs.

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

Transferability of Postsecondary Credits

MR. SMITH: Thank you, Mr. Speaker. My question is for the minister of advanced education as well. In an effort to address real issues in advanced education, it's important that we ensure a level playing field for all students in the advanced education system. Medicine Hat College recently stated that they could easily cut 15 to 20 percent from their budget by solving the problem of transferability. Medicine Hat College is forced to designate courses to specific universities due to individual course requirements. What will the minister do to correct this problem?

MR. ADY: Mr. Speaker, transferability is a major issue in restructuring our postsecondary education system. The stakeholders across this province have told us in very clear terms that it needs to be dealt with in a meaningful way, and I must say that the government is moving forward to do just that. I hope that the hon. member has directed the board that he mentions to pages 12 and 13 of the draft white paper proposal, that's out as we speak, wherein we outline our plans to deal with this issue of transferability and the arrangements for that to be more expedient within the system. I don't want to go into all of them, but they're certainly outlined there, and I believe that they will find them to be certainly responsive to the information that they have passed through to this ministry. Institutions have been directed to work together to resolve the current transfer problems for students. Although our province is further ahead than many in Canada, because it doesn't work as well as it should, it's expensive for the students and it's expensive for the taxpayers. We intend to move in a meaningful way to resolve it.

MR. SPEAKER: Supplemental.

MR. SMITH: Thank you, Mr. Speaker. Would the Minister of Advanced Education and Career Development tell us why transfer students are often required to have higher grade point averages to meet requirements despite taking exactly the same courses?

MR. ADY: Mr. Speaker, I'm not aware that that's happening in the system. If it is in fact happening, I certainly don't support that trend. We will not get to the root problem that we have in our system, in our transfer problems within the institutions, if that in fact is the case. So I'll take that as information and inquire into exactly what is taking place there.

MR. SPEAKER: Final supplemental.

MR. SMITH: Thank you, Mr. Speaker. Is the minister aware that university students are able to register earlier than college transfer students, which would seemingly give preferential access to courses by the registering students as opposed to the college transfer students?

MR. ADY: Mr. Speaker, I'd be surprised if this is prevalent across the system, but perhaps some institutions are in fact doing that. In order to resolve that, we need to make the application system more responsive to students seeking admission. I believe that it could be addressed through an initiative for a provincewide electronic application system. That, in fact, we're also doing some work on, and hopefully we'll have that in place to serve the students better in the near future.

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

Magnesium Company of Canada

MR. BRUSEKER: Thank you, Mr. Speaker. A little piggy recently slaughtered the government over the Gainers fiasco. Now it looks like Alberta taxpayers are going to experience a meltdown over MagCan that could cost the Alberta taxpayers hundreds of millions of dollars. Now, the Deputy Premier informed us awhile ago that Burns Fry would be reporting to him by the latter part of March on all of the international interest out there regarding MagCan. Well, now we're in the latter part of April. I'd like to ask the Deputy Premier how many tire kickers Burns Fry has found beating down the door to buy MagCan.

MR. KOWALSKI: There have been a few, Mr. Speaker.

MR. BRUSEKER: Well, my supplementary question to the minister, then, is: while the minister continues to waffle on this particular portfolio, as he just did in that answer, costing us \$40,000 a day, what additional funds is the government going to put forward to Burns Fry to look for a buyer that we know does not exist?

MR. KOWALSKI: Mr. Speaker, the hon. gentleman in his first question asked me to identify how many tire kickers there were, and I responded, "A few." That's hardly waffling.

MR. BRUSEKER: I guess that means we're not going to find out how many additional funds there are, because he didn't hear that part.

My final supplementary question: why has the \$49 million listed for MagCan on the public accounts not been written down when in fact both the Deputy Premier and the Treasurer know that no one's going to pay anywhere near that price for that rusting dog?

MR. KOWALSKI: Mr. Speaker, some of us have a more optimistic view of the economy of the province of Alberta than the hon. gentleman has. It's my understanding that as a result of

the leadership of our Premier, the outstanding budget brought down by the Provincial Treasurer, the growing awareness of the economic activity and development in the province of Alberta, the increasing attention to job creation in this province that's coming from the outside there is in fact some level of optimism that is becoming more apparent as each day goes by. I would sincerely hope not to get up every morning with such a pessimistic view of the world that the member from Calgary demonstrates, but that's perhaps the milieu in which he operates these days.

head: Members' Statements

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

Excellence in Teaching

MR. BRACKO: Thank you, Mr. Speaker. It's a tremendous privilege and honour for me to rise and pay tribute to Albertans who have distinguished themselves in their contribution to their community and their province by achieving excellence. The excellence is recognized by parents, students, and their colleagues. Today I congratulate and say thank you to the finalists and winners in the excellence in teaching award program.

I believe the highest calling in life is to serve others. Educators fulfill this calling and have one of the most exciting, rewarding, yet challenging occupations today. I would like to share some common characteristics that are found in our educators. They bring learning to life and believe in their students. They create a positive atmosphere for their students. The teacher understood our son's difficulty in learning and the social and emotional difficulties that came with it. The teacher touches many lives and leaves an indelible impression. The teacher uses her endless enthusiasm to generate joy for learning in her students. The students feel important and special. Parents are overwhelmed by the results the teacher achieves. The teacher's love for her job and all students gave my son a new chance over and over again. I consider it a miracle that my son has made it where he has. They are always searching for a better way to get the job done. He is innovative and inventive. His dedication to students is remarkable.

Today we honour the finalists in St. Albert: Lynne Lahti, Joanne LaRose, Caroline Roux, Noreen Woitenko, and Percy Zalasky. We thank you for your contribution to education in St. Albert. Keep up the good work. We are proud of you. Congratulations to all finalists and winners in the province.

2:40

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

Long-term Care

MR. BRASSARD: Thank you, Mr. Speaker. I'd like to draw the attention of the Legislature to a new beginning in an essential part of our health care system. I've long been an advocate for the needs of seniors, and one of the most pressing of these needs is a new approach to long-term care. Our current model is institution based, and so is the life-style that it imposes on older Albertans living in long-term care facilities. That life-style is dictated by the demands of the facility. It is tied to structure and schedules. It imposes services on residents whether they want them or not and significantly limits the level of privacy, independence, and choice that seniors have.

Seniors have been asking for an alternative that would meet their real needs for care and give them a higher quality of life by respecting their independence and privacy. Mr. Speaker, I'm pleased to acknowledge that exactly that kind of alternative is now

available in the province of Alberta. Just last Friday, April 15, the Minister of Health attended the official opening ceremonies of Good Samaritan Wedman House here in Edmonton. Wedman House is a 30-unit pilot project, the first of its kind in Canada, which replaces institutional long-term care beds with the same level of care provided in a residential setting. It points the way to long-term care that is based on values of independence, choice, dignity, privacy, individuality, and homelike environment. More generally, it allows communities and individual residents to take responsibility for determining their own needs and tailor services to those needs.

I know I speak for all my colleagues in extending my congratulations to the Good Samaritans on their latest initiative and my best wishes for the success of Wedman House.

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

Plains Indian Cultural Survival School

MR. DICKSON: Thank you, Mr. Speaker. One year ago the Premier demonstrated genuine leadership. He intervened at the 11th hour to commit funding to PICS, the Plains Indian Cultural Survival school in Calgary. Without that timely intervention the survival of the PICS school would have been very much in jeopardy. I've congratulated the Premier privately, and I now am pleased to do so publicly. But that intervention by the Premier was only a one-year reprieve. Now what happens is that the same crisis, the same problem, has to be confronted one more time in 1994.

Mr. Speaker, one of the biggest challenges for government is to cope with the increasing number of aboriginals who now live in our cities. Whether it's Calgary, Edmonton, Lethbridge, or any other urban centre in this province, the native population is growing and there are too few resources available and suitable to deal with the challenges presented by this population shift.

I believe every member of this Chamber understands the importance of education. Education represents for many groups the single most important opportunity they have to be able to take a full and complete role in terms of our society and our economy. Many students at PICS live in Calgary-*Buffalo*. The school itself used to be in Calgary-*Buffalo* before the redistribution. I've toured the school, I've talked to administrators, and I've talked to students, and I'm anxious, Mr. Speaker, that we find some long-term commitment to keep this going. In the past it's fallen between advanced education, Education, and the local school boards. Well, it's clear now that the government intends to take over the administration of education for the most part, and I think it's imperative that this government follow up on the commitment and the leadership shown by the Premier one year ago and find a way to keep PICS operating and effective for those aboriginal young people in Calgary, sir.

Thank you.

head: Orders of the Day

head: Public Bills and Orders Other than

head: Government Bills and Orders

head: Committee of the Whole

[Mr. Tannas in the Chair]

MR. CHAIRMAN: I would call the Committee of the Whole to order.

Bill 207

Adult Adoption Act

MR. CHAIRMAN: Would the hon. member now wish to begin his comments at this committee stage?

MR. RENNER: Thank you, Mr. Chairman. It is indeed a pleasure for me to rise in committee to address Bill 207. It is a Bill that, I'm sure all members are aware, I've been guiding through the motion, and I feel very proud to have the Bill reach this stage. To that I would like to thank members on both sides of the House for their positive, constructive comments that were made to my Bill. At this point in time I would like to make some comments on Bill 207 and address some of the concerns that were brought up during second reading. Then I will be making a motion to move some amendments to the Bill, but I would like to address some of the general discussion before we get into the amendments.

As I said, I do appreciate the support that members offered to this Bill and I would like to address some of the comments that were made to the Bill. If I could just refresh everyone's memory before I get into that, Bill 207 is an Act of the Legislature that would enable adult adoptions to take place in the courts system rather than having to go through private Bills, as they do now. I feel that that's a very important, positive step for Alberta and for Albertans.

As chairman of the Private Bills Committee I have occasion to deal with petitioners on a very regular basis. As a matter of fact, we had three adult adoption petitions that we heard from this morning. As I've indicated earlier and as a number of members indicated at second reading, this is a very traumatic experience for most of these people. It's the first time they've ever been in the Legislature. They're in here; they're facing a group of MLAs. They've often had to travel hundreds if not almost a thousand miles from the farthest extremes in this province to come to this Legislature. It's a very cumbersome procedure and at times a very expensive procedure. I had a discussion this morning with a couple of individuals who were before our committee, and they estimate that they had spent in the vicinity of a thousand dollars so far in their quest for adult adoption. A lot of those concerns, Mr. Chairman, I feel are addressed in this Bill.

2:50

I would like to point out that there were some comments made by various members during second reading, and I would like to take this opportunity to address some of those concerns. Some of the concerns will be addressed through the amendments that I am proposing, so I won't deal with all of them now. I'll leave some of them until I introduce the amendments.

The Member for *Stony Plain* raised a number of good comments. He spoke in opposition to the Bill, but I think he raised some valid comments that should be addressed. One of the things that he talked about was that the courts are too overloaded at this time and that by downloading further duties onto the courts, we may be in a position where instead of increasing access to adult adoptions we may find out that we could indeed be in a position where the courts are so backlogged that individuals have a great deal of difficulty finding time in court to have a judge hear their petition. I have checked with a number of authorities on that matter. While I don't deny that it is difficult to find time in court, I think the frequency that we all hear about of delays and difficulty in finding court time really has to do with a trial, be it a civil trial or a criminal trial.

Chairman's Ruling Decorum

MR. CHAIRMAN: Order. Parliamentary courtesy requires that only one member be standing and talking at a time. We have a number of people that appear to be in that category.

The hon. Member for Medicine Hat in continuance.

Debate Continued

MR. RENNER: Thank you, Mr. Chairman. I was talking about the availability of Court of Queen's Bench time. I am assured that although there are significant delays from time to time in acquiring court space and putting everything together for a prolonged trial of a day or a week or more, this type of procedure is something that could be fitted in very adequately. We're talking of no more than a half hour of a judge's time, and in most cases it wouldn't even be that long. The feeling was generally that this really should not be a concern for this Bill.

There was also concern from the Member for Stony Plain regarding the possible cost of having to hire a lawyer to get involved with the courts. I also would like to assure the Assembly that this really should not be necessary. This is a very straightforward procedure. There's really no reason why anyone should have to go to the expense of hiring a lawyer. As a matter of fact, there's no reason why a kit could not be put together once the Bill is in place where someone could make an inquiry, and they would have instructions and all of the proper forms in place that would need to be filled out regarding affidavits. It would be basically a complete do-it-yourself kit. I really see no reason why it should be necessary to have a lawyer involved in any of these cases. Certainly I wouldn't want to preclude anyone from having the opportunity to consult professional advice, but I really don't think it would be absolutely necessary.

We also heard from the Member for Fort McMurray. The member actually had suggested something along that line when he said that there could be a procedure similar to the preprinted application forms that we now see for small claims court. This is the kind of thing that I'm thinking of.

The Member for Fort McMurray also raised a concern regarding appeal procedures, and I have addressed those appeal procedures in the amendments that I will be proposing shortly.

I really think that pretty much covers the concerns that were raised at second reading. Mr. Chairman, with your permission, then, at this time I would like to move the amendments. I understand that they have been distributed. Should I read these into the record, or is it sufficient to have them distributed?

MR. CHAIRMAN: That's entirely up to you, hon. member.

MR. RENNER: Okay. Well, I don't think it's necessary for me to read them. I would like to move, then, that the distributed amendments regarding Bill 207 now be discussed. I will table the original copy.

MR. CHAIRMAN: The Chair understands that all members have a copy? Okay.

On the amendment, then, Medicine Hat.

MR. RENNER: Thank you, Mr. Chairman. With your permission I would like to go through all of the amendments that are here, and if it's not contrary to the wishes of the House, I would like to have the vote taken on all of the amendments as included. Certainly if the House does not wish to go along with that, that's fine with me, but I think it would speed up the process.

MR. CHAIRMAN: Hon. member, we'll put that to the committee. The hon. Member for Medicine Hat has moved the amendments – and there are four of them under his signature – and wishes them to be discussed at the same time and voted upon with one vote. If that's agreeable to the members, then we'll let Medicine Hat proceed.

[Motion carried]

MR. CHAIRMAN: Medicine Hat, your wish is granted.

MR. RENNER: Thank you, Mr. Chairman. If I could deal with the amendments, then, one at a time. Number 1 refers to section 4 of the Act. If members will remember, section 4 in the original version read:

The Court may grant an adoption order under this Act if

(a) the reason for the adoption is acceptable to the Court, and

(b) it is not contrary to the public interest to make the order.

The Member for Calgary-Buffalo brought this up, and I have had discussions with him regarding this point. I think that he made a good case in saying that there was a certain amount of redundancy involved in the first version. It's also somewhat difficult to discern what is acceptable to the court and what is not acceptable to the court. So I think that this is an improvement to the Bill, and the new section 4 would now read: "The Court may grant an adoption order under this Act if it is not contrary to the public interest to do so." It's very straightforward.

We're protecting the public interest, but again I need to remind everyone that this is an adult adoption. This is a contract between two adults, and it's not so concerned with the best interests of the individual as we would be if this were a child adoption. Obviously, in a child adoption it's very important that the court not only consider the interests of the public at large, but the prime importance is the best interest of the child. In the case of an adult adoption this simply just does not apply. So I would propose that section 4 be amended.

Dealing with part 2 of the amendments, this goes to section 9(1) and (5). Section 9(1), for example, formerly read:

For all purposes, when the adoption order is made, the petitioner is the parent of the adopted person as if the adopted person had been born to the petitioner in lawful wedlock.

That same term "in lawful wedlock" also appears in subsection (5). I am proposing that the Bill be amended by striking out the words "in lawful wedlock." I don't think that it changes the intent one little bit. It in fact I think almost makes it clearer. From my point of view, when you say "as if the . . . person had been born to the petitioner," period, it's almost clearer than if you say "in lawful wedlock."

"In lawful wedlock" was taken from the Child Welfare Act, and I guess there could be a little bit more significance there. Again, because this is adult adoption, I don't think it needs to be there at all. That also, I think, was raised by the Member for Calgary-Buffalo, and I concur with his reasoning on that. As a matter of fact, I had very similar thoughts when the Bill was being drafted. The only reason that it was left in there was so that there would be some similarity to the Child Welfare Act. Certainly I think this will strengthen the Bill.

The next amendment, number 3, deals with additions to the Bill, and this comes out of discussions that I've had with Family and Social Services. They certainly supported my Bill and were very supportive and assisted me in the drafting.

3:00

The suggestion was that since we are now incorporating adult adoptions into law in this province in an Act of its own, contrary

to how adult adoptions are processed now in the private Bills procedure, there should be somewhere that this order of the court is recorded. We don't do that now. If there's an adult adoption that's granted through a private Bill, this is not done, but I think it makes a lot of sense that vital statistics should make a notation somewhere on records indicating that this adoption has indeed been granted and did indeed take place. So after section 9 I would then propose to add a 9.1 that would read:

Not more than 35 days after an adoption order is made, the clerk of the Court shall

- (a) if the adopted person was born in Alberta, send one certified copy of the order to the Director of Vital Statistics, or
- (b) if the adopted person was born outside Alberta, send two certified copies . . . to the Director of Vital Statistics.

It's very self-explanatory. If the person was born in the province of Alberta, then only one copy is needed. If the person was born outside of Alberta, one copy would be for vital statistics in Alberta and the other one would be for the vital statistics in the place of birth of the individual. Very straightforward.

The adding of 9.1 leads to number 4, which is a consequential amendment to the Vital Statistics Act. If vital statistics is going to be notified as a result of this Act, it's necessary to amend the Vital Statistics Act to acknowledge the existence of the Adult Adoption Act. So that's a straightforward consequential amendment.

The final amendment is by adding another clause to the Bill, 9.2. This would read:

An appeal from a decision of the Court under this Act may be made to the Court of Appeal not more than 30 days after the date on which the decision is made.

Mr. Chairman, this comes also from discussions that I've had with members during the past couple of weeks. It's been pointed out that there needs to be some kind of appeal procedure in place, and this was missing from the original Act. If someone appears in front of a judge and the judge for whatever reason grants or, more precisely, does not grant the decision, there needs to be some appeal procedure. So this would allow the individual some right of appeal. Again, I think this strengthens the Act, and I'm very pleased with all of these amendments.

May I just add that over the past month or so, actually since I started working on this Bill, I have been working with members on both sides of the House. As I think the private member's Bills should be, this is a very nonpartisan Bill. There's really nothing of underlying party strategy or party persuasion in this Bill. This is truly an indication of how free votes can work in this Legislature and how both sides of the House can co-operate and come together with an improved Bill. I would like to thank both the members on this side of the House as well as the members on the other side who have been most co-operative with me and assisted me in drafting not only these amendments but even the original concept of the Bill.

So with that, Mr. Chairman, I will take my seat and I will encourage anyone else who has comments on my amendments to feel free to do so at this time.

MR. CHAIRMAN: Calgary-Buffalo on the amendment.

MR. DICKSON: Thanks very much, Mr. Chairman. I'm delighted to rise and speak in support of the amendments that have been tendered by the hon. Member for Medicine Hat. I want to add that I'm much impressed with the Medicine Hat member's ability and willingness to listen, to be flexible, and to look at alternate strategies to achieve the same end and maybe even strengthen his Bill. It was a good Bill to begin with, and I think the amendments that we have in front of us in fact will make it

stronger and make it a better piece of legislation. I think the process here is a model that we ought to try and follow a little more closely on many of the other private members' initiatives, either by motion or Bill. I want to pay particular tribute to this particular member's willingness to spend time talking to members on both sides, to canvass alternate ways and perhaps improvements to achieve the end that Bill 207 was intended to do.

I think with respect in particular to the amendment to section 4, it will make it simpler and it will make it more effective and it will make it more certain to have a single test rather than the two tests. I think that's a very positive step, and I applaud the amendment to delete the reference to "in lawful wedlock." It's an anachronistic phrase that I think tends quite unfairly to prejudice and taint adults in a way that we have no business doing.

So I simply appreciate very much the member's initiative in bringing the Bill forward, firstly, and then, secondly, amending it in the fashion he has and encourage him if there's a possibility of in fact expediting third reading. I think he'd find that he may readily be able to achieve unanimous support to be able to do that. I think we're anxious to see this become the law of the province of Alberta as quickly as possible.

Thanks very much, Mr. Chairman.

MR. CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. It's difficult to expound or enhance the eloquence spoken by the hon. Member for Medicine Hat or the hon. Member for Calgary-Buffalo, but I think it's worth noting here that in fact – and it's worth reiterating – we have two minds that came together from opposite sides of the House, and these creative minds have captured a spirit of co-operation. The end result of that co-operation is the fact that the residents of Alberta are the benefactors. I stand simply to bring that to one and all's attention. It is a model and an example that I think we should examine often as we conduct business in this House. I would ask each and every one of us to stop and reflect upon it.

I would just take one final minute to commend the hon. Member for Medicine Hat for bringing the Bill forward. As the hon. Member for Calgary-Buffalo indicated, it's a fine Bill. It needed minor touches. It's very refreshing to see the co-operation that exists between two parties when they actually want to achieve something.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Agreed.

MR. CHAIRMAN: We have before us, then, the amendments as proposed by the hon. Member for Medicine Hat to Bill 207, which are four items on the sheet that you have before you, and we're voting on the whole sheet, all four, at the same time.

[Motion on amendments carried]

MR. RENNER: Thank you, Mr. Chairman. I don't think there needs to be any further discussion on this. I would then ask that the Assembly vote on the Bill as amended.

MR. CHAIRMAN: Are there any further comments or questions? Are you ready for the question then?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 207 as amended agreed to]

MR. CHAIRMAN: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Chairman. I would move that the Bill be reported when the committee does rise and report.

For clarification there was suggestion that we move to third reading. My understanding is that Standing Orders dictate four days. Is that necessary?

MR. CHAIRMAN: Just so everybody is clear on that. The suggestion was made that we move now to third reading. That is covered by a standing order which would require more time. Unless the Assembly were to unanimously waive that ruling, we couldn't do so. The committee is not the whole Assembly, so we can't do it here, even though that's a very worthy suggestion. We would have to do it in Assembly. Is that clear to all? Okay.

3:10

MR. DAY: Mr. Chairman, I move that Bill 207 be reported when the committee rises and reports.

MR. CHAIRMAN: Thank you. That's most helpful. I think we just completed that. Did you wish us to . . .

MR. DAY: I wanted just to clarify that with the other suggestion on third reading.

I now move that the committee do rise and report.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. DEPUTY SPEAKER: Order. Before we go with the next order – oh, maybe I'd better not. I'll have the report first.

The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain Bill. The committee reports the following Bill with some amendments: Bill 207. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? So ordered.

Point of Order Imputing Motives

MR. DEPUTY SPEAKER: Last evening, more properly yesterday afternoon, during debate we had a point of order raised by the Minister of Municipal Affairs on the discussion that was led by the hon. Member for Redwater. The Chair has had an opportunity to review the Blues and indeed *Hansard* and would suggest that there is no point of order. When one reads Redwater's speech, the Chair saw him as making an observation or putting forward a hypothesis that it is those kinds of governments and what they do. He did not call anyone a fascist. He did

not say that anyone was like a fascist. He did not say the situation was analogous. He left it to the listener to draw conclusions, and they apparently did. However, the Chair rules there is no point of order.

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

Bill 209 Commencement of Actions Act

[Adjourned debate April 13: Mr. Bruseker]

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

MR. BRUSEKER: Yes. Thank you, Mr. Speaker. I would like to continue with my comments on Bill 209 and reiterate my support for this Bill as put forward by the hon. Member for Fort McMurray.

The Bill before us today, Commencement of Actions Act, where I left off with my comments the other day, Mr. Speaker, is that sort of the nuts and bolts of the Bill are dealt with really in section . . .

Point of Order Clarification

DR. WEST: A point of clarification.

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

DR. WEST: Yes. I would like clarification, Mr. Speaker, as to whether there's an amendment in force at the present time. Or are we speaking to the Bill directly?

MR. DEPUTY SPEAKER: Hon. member, to clarify, we are speaking to the Bill directly. There's no amendment before us. Thank you for that reminder.

The hon. Member for Calgary-North West.

Debate Continued

MR. BRUSEKER: Thank you, Mr. Speaker, again. Where I left off in my comments the other day was in dealing with the principle of the Bill. As I pointed out, the principle of the Bill is that it removes subjectivity and in its place offers objectivity in terms of the selection of the place where the action will be heard. That of course is the largest section in terms of breadth and scope and detail in the Bill itself.

What the purpose of the Bill does is it outlines a variety of actions, potential actions I guess I should say, that would be considered by this particular piece of legislation and determines clearly where that action will ultimately be heard. Now, other speakers have expressed concerns about some other particular sections of the Bill, and I'll deal with those shortly, Mr. Speaker. The strength of the Bill, I believe, which is really, as I said, the backbone or the core part of this particular piece of legislation, is that it clearly outlines certain types of actions that might be commenced and gives a clear formula that makes it clear where that action must then be heard.

[Mr. Clegg in the Chair]

The current process that we have allows for a process or an event to occur somewhere and the court action to be heard in an

entirely different location. This Bill 209 would prevent that from happening, unless of course – and this, I think, again shows some foresight – there's some agreement by the two individuals that are impacted by this commencement of action. Or – and this is again one of the strengths, I think, of the Bill – in section 10 it talks about "the best interests of justice."

Mr. Speaker, one of the previous speakers expressed concern about that particular phrase, "the best interests of justice." Now, one of the strengths of our judiciary in this province and I believe also in this country is that the judiciary – and it was in fact pointed out in today's question period by the hon. Minister of Justice that the judiciary is quite independent certainly of this Legislative Assembly, as indeed it should be. When certain members rise and express concern about the best interests of justice, I think they are expressing concern about the independence of our judiciary, which in fact is something we must maintain. So rather than see that phrase and that concept expressed as a concern, I would suggest that that is a strength, not a weakness of this Bill. When I look at that concept, what it says to me is that the judge who will be giving hearing to this particular issue will in fact take all factors into consideration, equity and fairness and, indeed, as the phrase says, "the best interests of justice." So, Mr. Speaker, I think that is certainly a strength of this Bill.

Mr. Speaker, one of the other strengths of the Bill is that there is a consideration that should it be decided that in some particular event the action is not best heard according to the formula that is outlined in part of the Bill, there is another section of the Bill and one of the principles of the Bill that suggests that the parties that are involved with that action may, by consent, agree to have that action heard somewhere other than what the formula prescribes. What that suggests to me is: here you have individuals who are commencing an action for whatever reason have a choice to be participatory rather than have justice imposed upon them in terms of where the hearing will be held. So when I look at that concept that the parties could in fact agree, certainly before a judge, to have a transfer of the action to go somewhere else, again it provides a little more flexibility, I suppose, in dealing with the issue of fairness and equity and where the justice can best be heard.

3:20

Mr. Speaker, further in this particular piece of legislation I think it's important to note – and I confirmed this earlier with the proponent of the Bill – that this Bill 209 deals only with civil actions. It does not deal with any kind of criminal action. It deals with civil actions, typically a lawsuit of one type or another, divorce acts and so on. Again those are listed in section 3 of the Bill. So it doesn't impose upon the government in terms of prosecuting attorneys determining where the case would be heard. It just deals with civil actions, which in fact in most cases deal with two individuals in a common community, although certainly there are exceptions to that.

This does not also impact upon the small claims court, because there is already another piece of legislation that says that issues that come before a small claims court – for example, eviction of tenants or whatever – occur where the action occurred. So if a landlord takes a tenant to court or, vice versa, if a tenant takes a landlord to court for an issue, then the small claims court already has jurisdiction in the area where that action occurred.

So I think many of the concerns that have been raised by some of the previous speakers in fact have been addressed in the Bill when it was drafted by the original proponent.

Mr. Speaker, one of the advantages of being elected to this legislative Chamber is that one gets the opportunity to travel

throughout parts of the province, and it's clear that throughout the province we have a number of courthouses that have in fact been built by the provincial government. The infrastructure is already there. In fact, in many instances I would suggest that the courthouse building or the provincial government building in some towns is probably the largest structure in that particular town. So certainly there would be no cost to institute the proceedings in a local community wherever that may be because in most cases you're going to find a courthouse already in place just waiting to be put into use by the taxpayers, who in fact have already paid for that particular structure.

So, Mr. Speaker, in closing my comments to Bill 209, I support the Bill. I think it is an insightful Bill that has been given good consideration in its drafting, and I think many of the concerns that have been raised by the members are indeed addressed in the Bill. I would urge all members to support Bill 209, the Commencement of Actions Act.

Thank you.

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

MR. AMERY: Thank you, Mr. Speaker. I would like to take this opportunity to add a few words to our debate on Bill 209. When the Member for Fort McMurray began this debate, he said that this Bill speaks to the issue of fairness in judicial proceedings. I agree that there should be fairness within our judicial system. All Albertans should have proper access to judicial proceedings, whether they live in Calgary, Edmonton, Athabasca, Fort Macleod, or Fort McMurray. As legislators we should try to do what we can to make our judicial system as effective and efficient as possible. Despite all this, Bill 209 is not the best mechanism for achieving fairness or improved access.

We have heard earlier in this debate that the Bill is inappropriate and, I would suggest, unnecessary. Mr. Speaker, we have also heard that if this Bill were to be passed, we could actually see greater inefficiencies in the judicial system as well as an increase in the time and money spent on civil court cases. The rules we have now to determine where civil cases are to be held were not created to make proceedings as difficult as possible. They were created with justice and fairness in mind. It is true that the party commencing an action is able to suggest a judicial district where that trial should be held, but it is also true that if this jurisdiction is inconvenient for someone living in a rural area of the province, they are able to telephone in their applications and fax their documents to the appropriate courthouse.

I also agree with the hon. Member for Olds-Didsbury that there is a procedure established for determining the rules of the court and that this procedure should be followed. According to regulations in Alberta, the Rules of Court Committee is responsible for determining how the place of a court action is to be determined. Changing this procedure by legislation instead of through the Rules of Court Committee steps on the toes of the committee and disrupts the system that we have designed to make sure that these matters proceed efficiently and fairly. The Member for Calgary-*Buffalo* told us that because the Rules of Court Committee is simply a committee which attempts to refine the technical aspects of practice, the committee should welcome a clear legislation direction in terms of where action should be commenced. If this is the case, Mr. Speaker, why then did we hear from the Member for Olds-Didsbury that the chair of the Rules of Court Committee is opposed to Bill 209?

I'm also concerned that this Bill would make civil court proceedings more time-consuming and costly. Mr. Speaker, we should let the courts concentrate on the matters at hand; that is,

the matters that cause parties to be in court in the first place, whether it be a foreclosure action or a breach of contract or another sort of civil matter. We should not encourage greater complications by creating more problems and more issues to dispute, such as the proper location for an action to be held. I'm just not comfortable with giving parties who are already involved in disputes more things to disagree about. Arguing about which judicial district their actions should be commenced in will only make civil court proceedings more lengthy and frustrating.

[Mr. Speaker in the Chair]

Mr. Speaker, I understand that the Member for Fort McMurray is excited about seeing his name in print on the front of a piece of legislation, but I would suggest that he pick a different Bill to frame, one which is more appropriate and of greater benefit to Albertans. I do not wish to discourage his efforts of suggesting improvements to the justice system, but I do encourage all members to join me in voting against Bill 209.

Thank you.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. Just a few comments. We can't lose sight of the object of this Bill, and just to reiterate it in one and all's mind, the purpose of this Bill is to allow litigation in Alberta at the Court of Queen's Bench level to proceed in the judicial district most realistically located to the incident or the activity over which the lawsuit relates. I think the operative word here is "realistically." This is a Bill about accessibility; this is a Bill about fairness.

If we are to look at the statistics in the province of Alberta, we will find that most of the people that are impacted by this Bill are women. More often than not women find themselves in a situation where they are somewhat disadvantaged, particularly if there's a breakdown of a marriage. Heaven forbid, there's the odd spiteful male in this world, and they will take great pains and great lengths to ensure that in fact the female doesn't have fair access, be it through child custody or be it through actual separation papers or any of the legal wranglings that are encountered in these marriage breakdowns. As a consequence, women are disadvantaged more so than men in this particular case. I don't think that we should for a second be afraid, Mr. Speaker, to show the courage . . .

MR. SPEAKER: Order please. The Chair regrets to interrupt the hon. member, but the clock indicates that the time allotted for consideration of this business has expired.

head: Motions Other than Government Motions

Toxicity of Hazardous Substances

510. Moved by Mr. Collingwood:

Be it resolved that the Legislative Assembly urge the government to protect human health and the environment by adopting a policy that reduces the quantity of toxicity of hazardous substances used in production or generated as waste, whenever technically and economically practicable.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's indeed my pleasure to rise this afternoon to speak to Motion 510, a motion dealing with toxic use reduction in the province of Alberta.

Mr. Speaker, coincidentally it is timely for Motion 510 to come forward on the Order Paper in that the week of April 18 to April 22 is Earth Week internationally, and in fact Earth Day is April 22. Earth Day and Earth Week originally started in the year 1970 with one of the largest organized demonstrations in the history of the free world and launched a new and modern environmental movement. Throughout the '70s and '80s and into the '90s we've now learned the importance of thinking globally and acting locally.

3:30

The motion on toxic use reduction, for the benefit of members, is as follows:

Be it resolved that the Legislative Assembly urge the government to protect human health and the environment by adopting a policy that reduces the quantity of toxicity of hazardous substances used in production or generated as waste, whenever technically or economically practicable.

Mr. Speaker, the object for this motion is due to the fact that there is no legislation currently in existence in Alberta that would bring about an overall reduction in the use of toxics. The Environmental Protection and Enhancement Act is more concerned with emission regulation and treatment and management of waste than it is with reduction in use of toxics. The object of this motion would be to recommend the establishment of a task force between industry and government to promote toxic use reduction. It could possibly be financed by a levy on toxic substances imported for treatment into Alberta at the Alberta Special Waste Management facility at Swan Hills.

By way of background, toxic substances, once introduced into the environment, are difficult to control and cannot always be contained within geographic boundaries. It is in the interests of protecting public health, safety, and the environment to encourage reduction in the use of toxic substances and to reduce the generation of hazardous waste whenever technically or economically practicable without shifting risk from one part of a process, environmental media such as air or water, or product to another. Priority should be given to methods that reduce the amount of toxics used and where that is not technically or economically practicable, methods that reduce the generation of hazardous waste. A concerned and educated public is beginning to demand that the environmental regulators develop new approaches to environmental quality.

By mid-1993, Mr. Speaker, at least 21 American states had enacted facility planning legislation in relation to toxic use reduction. Facility plan requirements and enforcement measures at this point do vary considerably among various U.S. states. U.S. legislation, while not necessarily binding, relies on self-regulation and monitoring by business and industry.

The accelerated reduction/elimination of toxics, or ARET, was established by Environment Canada in 1992. One example of the federal legislative approach for restricting chemicals is part 2 of the Canadian Environmental Protection Act, or CEPA, while the ARET exercise is an example of a voluntary multistakeholder approach that includes involvement by federal and provincial governments. In order to allow ARET to examine pollution prevention within a legislative context, an independent task force, the pollution prevention legislative task force, was established in Canada in February of 1993 to make recommendations on the form of a national pollution prevention legislative framework. To this point in time, Mr. Speaker, no legislation has yet been enacted.

Industry in Alberta currently follows what are known as traditional end-of-pipe technologies. This means that pollutants are managed after they have been created. Although industry in

Alberta at this time is not generally involved with toxic use reduction, many companies are now moving toward waste minimization. An example, Mr. Speaker, is Dow Chemical. That is one of the most progressive companies working in this area. Statistically, for the year 1992 chemical plants in Alberta produced more than 79 tonnes of pollution per day, or approximately 29,000 tonnes of pollution in 1992, of which 75 percent were air pollutants and the remainder were ground and water pollutants.

Mr. Speaker, some additional background. The end-of-pipe technologies, which are the management of pollutants after they're created, will not be the focus in the future as they were in the past for a number of reasons. First, the focus of understanding and concern has shifted dramatically from a highly visible and relatively straightforward pollution problem to infinitely more complex, subtle, and potentially more damaging environmental risk activities. Second, the costs associated with increased protection of the environment are growing expeditiously. More complex environmental problems are becoming much more expensive. Three, nonpoint sources of pollution, such as agricultural fertilizers, pesticides, automobile exhaust fumes, and so on, do not lend themselves readily to a traditional command and control regulation through end-of-pipe technology. Four, there is a growing appreciation that end-of-pipe controls designed to regulate one pollutant in one environmental medium often result in contamination of another. In other words, pollution is transferred from one medium to another; for example, from air to water and from water to soil. Five, there is a growing appreciation that attempting to control pollution after it is created is socially less desirable than preventing the creation of pollution in the first place.

Mr. Speaker, there are existing pieces of legislation in the United States that do deal with toxic use reduction. The first example is the state of Massachusetts, which has the Toxic Use Reduction Act, 1989. This is the most progressive Act at this time in the United States. This Act proposes a 50 percent reduction by 1997 through pollution prevention from 1987 quantities of toxic or hazardous waste generated by industry. This law, which is a compromise between environmentalists and industry, requires generators of toxic substances to analyze their operations and produce a comprehensive plan on how the firm or company can reduce toxic use. Firms must report annually on the success of their plan and update the plan every two years. No penalties have been specified for not meeting plan goals, as the main aim of the planning requirement is education.

Some aspects of the plan are as follows. First, the plan must be certified by licensed toxic use reduction planners. Second, the plan must focus on reduction in the use of toxic materials, not just reduction in ultimate pollution discharges or generation of hazardous waste. This implies that reduction of use will better protect workers and consumers. Three, the toxic use reduction institute is responsible for receiving toxic use reduction plans from industry. The Environmental Protection Department is responsible for regulations and penalties for the Toxic Use Reduction Act. The office of technical assistance is responsible for on-site engineering. Four, financing. Every user of toxics must report the use of these toxics and pay a toxic user fee. The toxic use reduction institute generates approximately \$6 million per year from these fees, of which \$4.5 million goes to the three agencies mentioned above and the remainder goes to the state.

The second example, Mr. Speaker, is the state of Oregon: the Reduction of Use of Toxic Substances and Hazardous Waste Generation, 1989. In Oregon this Act establishes a voluntary program for encouraging industry to reduce the use of toxic substances. Each user of toxics is required to fill out reports of

what type of toxics are used from a published list of toxic chemicals. The procedure provides for: one, technical assistance to toxics users and hazardous waste generators; two, mandatory planning and development of measurable toxic use reduction goals; three, state monitoring of the use of toxic substances and generation of hazardous waste. However, the state does not directly provide for judicial enforcement or for civil penalties. Four, financing. Funds come from fire marshall fees and hazardous materials possession fees. A fee is charged for all chemicals used on-site for a specific industry. Five, monitoring. As this is a voluntary program, the lack of a toxic use reduction plan results in negative measures to encourage the introduction of a plan. While there are no penalties involved, committee public hearings are a possibility for any company failing to file a toxic use reduction plan, and this is to allow the public to pressure industry, not the government.

3:40

The third example, Mr. Speaker, is North Carolina, the Pollution Prevention Act, 1989. This Act supplies no specific reduction goals, but the onus is on individual industries to set their own goals. This is a generalized law when compared with other state statutes. The state must develop case studies for pollution reduction.

The fourth example, Mr. Speaker, is New Jersey, the Pollution Prevention Act, 1991. This particular Act is designed to prevent pollution by reducing the use and discharge of hazardous substances at certain industrial facilities. This Bill sets a statewide goal of a 50 percent reduction over five years in the use, discharge, and generation of hazardous substances. Three main requirements of toxic users are: one, facilities must prepare a pollution prevention plan which must be kept on site at all times; two, a summary of the plan must be sent to the office of pollution prevention in the Department of Environmental Protection. This plan must contain a five-year goal of toxic use reduction, and the plan must be available to the public. Three, facilities must send in progress reports annually. The toxic use reduction plan is mandatory for industry, but implementation of the plans is optional.

Mr. Speaker, with those four examples we see that many other jurisdictions have taken major steps in dealing with the issue of toxic use reduction rather than simply pollution control after the fact.

Mr. Speaker, I want to move my comments now to the pollution prevention legislative task force that I mentioned previously. While this Canadian task force recognized the critical pollution prevention role that must be played by individuals, corporations, and governments, it in fact focused on industry. Rather than proceeding by examining the pollution prevention potential of current or proposed legislated frameworks, the task force looked at mechanisms to encourage pollution prevention principles and practices. The anticipate and prevent approach to pollution involves using voluntary and regulatory actions. The environmental and labour members of the task force felt a new, separate, and comprehensive pollution prevention Act nationally would provide clear evidence of the federal vision and leadership in promoting an effective national strategic framework for pollution prevention while at the same time realizing the development and implementation of a federal toxic use reduction program. This would be a lengthy and costly process, though, that demands strong political and bureaucratic consensus.

The industry members on the task force did not consider that a new federal pollution prevention statute was necessary but that a clear authority to require federal institutions to develop and

implement pollution prevention plans be codified into the Canadian Environmental Protection Act. Mr. Speaker, for this reason the government and industry in this province should take the lead in implementing a toxic use reduction program. With the construction of the Alberta Special Waste Management facility in Swan Hills, Alberta has already set a precedent for a role model that this province can play relative to other provinces.

Self-regulation is better than government regulation, and voluntary action is the most effective way to achieve enduring results. Mr. Speaker, there are some recommendations for the inception of a toxic use reduction program as follows. A good toxic use reduction program would combine these elements: the definition of toxic use reduction; requirements for firms which manufacture or use any substance on a special toxic chemical list to file annual toxic chemical inventories by production unit; preparation by these firms of toxic use reduction strategies every two years; signing off of the plans by a certified professional; making plans available to the workers and communities affected; possible submission of plans to government for approval if the scheme is compulsory; the creation of a research and training institute or a pollution prevention committee could be funded by an assessment levy or tax on all targeted industries; government-mandated performance standards for targeted industrial sectors; the development of criteria whereby chemicals are designated as less toxic than those in current use.

Mr. Speaker, the first step in establishing a toxic use reduction program in Alberta would be to set up the toxic use reduction advisory board. This board would work with industry and other stakeholders, including the public, to advise the minister on the establishment of toxic use reduction programs in the province. Some recommendations are based on proposals made by the national environment committee in February of 1992.

A toxic use reduction advisory board should establish a toxic use reduction institute which could be part of the Alberta Special Waste Management Corporation. This institute would work with industry to develop toxic use reduction goals for Alberta, develop guidelines and a code of practice, develop time lines for the achievement of the goals, conduct research and provide technical information on toxic use reduction to hazardous waste generators, plan awareness and training programs for the management and employees in toxic use reduction and hazardous waste reduction, create a toxic use reduction inventory to monitor the use of toxic substances and the generation of hazardous waste, and to undertake other activities as recommended by the board. It would determine the period within which a 50 percent reduction in toxic use reduction could be obtained within the province of Alberta. It would determine the most suitable methods for financing a toxic use reduction institute and program, including the creation of a toxic use reduction fund financed by a levy on all generators of toxic waste within Alberta and all those shipping waste within Alberta to the Swan Hills treatment facility.

Mr. Speaker, in conclusion, we do not have as yet in the province of Alberta legislation that does in fact deal with toxic use reduction. The Environmental Protection and Enhancement Act, while it does not specifically relate to those issues, does recognize the protection of the environment, which is essential to the integrity of the ecosystem and human health and to the well-being of society; the need for Alberta's economic growth and prosperity in an environmentally responsible manner; and the importance of preventing and mitigating the environmental impact of development and of government policies and programs and decisions.

So, Mr. Speaker, in conclusion, I would encourage all members of the Assembly to recognize that the time has come for us to

move to toxic use reduction in the province and to support the motion.

With those comments, I thank you, Mr. Speaker.

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

MR. SOHAL: Good afternoon, Mr. Speaker. It's a pleasure for me to join in the debate on Motion 510 sponsored by the hon. Member for Sherwood Park. I would like to say that the hon. Member for Sherwood Park has put a great deal of thought behind this motion. It's a positive initiative to be taking, and I think he could be commended for that. However, the government has already implemented many programs that address the issue of reducing toxicity of hazardous substances, especially those substances that are considered waste products.

3:50

This has definitely become a chemical society. Eighty-five percent of hazardous wastes in Alberta are generated by large industry. We rely on industry for effective solutions to all of our problems. Industrial cleaners and plastic packaging are just two examples of modern replacements for traditional methods. Many of our new methods generate or become hazardous substances in our landfills, substances that are destructive to the environment. One of the best examples of this is motor oil. Without this type of lubricant our vehicles would not operate, but as waste one litre of motor oil has the potential to contaminate over 1 million litres of drinking water. Is motor oil considered a hazardous substance? Not by most people. All of us know mechanics and farmers that would change their oil and dump the used oil beside the garage or barn, or on the road to keep the dust down, with no regard for the danger the waste oil could cause. Our goal must be to have education programs in place so people know the dangers of disposing of oil in this manner.

Then we have to develop policies that allow for the proper treatment and disposal of oil to keep our drinking water safe. I'm not saying we should abandon all of our modern conveniences and travel back to the 19th century. That is a radical view that only the most extreme environmentalist would cherish. But we have to find a way to balance the generation of the by-products of our industry with solid initiatives to treat and dispose of these wastes effectively.

Looking at the waste oil problem, the government has implemented oil recovery in Alberta. There are oil collection facilities in over 125 communities across Alberta. These facilities collect used gear transmission and hydraulic oil from individuals for recycling. The facilities also collect the plastic containers from the oil so they are not thrown into landfills.

Mr. Speaker, the most positive aspect of Motion 510 is the inclusion of the words "whenever technically and economically practicable." This shows that the Member for Sherwood Park does recognize the limitations that exist as the environmental industry evolves. In many areas of industry the technologies simply do not exist to fulfill the policy that is proposed in Motion 510. Some processes require toxic substances, and at the present time there are no environmentally safe alternatives to the toxic substances.

This motion also causes a philosophical debate: how do we as a government develop standards to gauge whether or not a new initiative is technically or economically feasible? I think this comes down to the philosophy of the individual manager or supervisor. Most managers are aware of developments in their specific industry and are willing to create a safer workplace. For them the incentive is greater productivity, less downtime, and less workplace injuries. Mr. Speaker, I believe this philosophy will

create the incentive to reduce toxicity in both production and in the generation of waste.

It is unfortunate that the Liberals want to impose an official blanket policy for everything that happens in both government and in the private sector. This government has competent, capable managers throughout our organizations, and the best thing we can do as a government and as a Legislature is to allow these managers to do their jobs and make management decisions that are the best for their division from both economic and safety perspectives. Our role as government should be to use public education and to reduce hazardous substances, and I think this government has done a fine job of fulfilling this role. Rather than taking on sole responsibility as a government, we have placed the responsibility for cleaning up the environment on the public at large and acted as their partner. The people of Alberta have taken the initiative and with the help of a few government-sponsored initiatives have done more to clean up the environment than any policy created by a government could ever do.

Two of the most popular programs are the Toxic Roundup and the school Toxic Roundup. These education and collection programs allow every citizen to do their part by cleaning up their homes first. Chemicals and solvents that once were either poured down the drain or on the ground are now collected, treated, and disposed of properly. The government also initiated the Action on Waste program. This program, which was implemented in 1991, encourages the reduction and recycling of waste. It assists municipalities, small businesses, and industry in developing effective recycling infrastructure to facilitate the reduction of waste. Action on Waste also creates an extensive public education program, including a toll-free recycling hot line for Albertans who want more information on recycling initiatives.

Finally, Mr. Speaker, I would like to mention one last initiative, the Alberta waste materials exchange. This program was created in 1985 as a joint effort between Alberta environment and the Alberta Research Council. It acts as a clearinghouse for waste materials by bringing together waste generators and potential users. AWME publishes a bimonthly bulletin listing both waste available for trading and waste wanted for either further use or recycling. There are now over 40 waste material exchanges across Canada and the United States.

Mr. Speaker, our government should be an advocate for the reduction of hazardous substances, and I believe we have been a strong advocate. I want to see our role develop to allow us to be a partner with industry, not a government that implements policies that are not attainable. The policy that is proposed by Motion 510 is a good initiative, one that the Member for Sherwood Park has given a great deal of thought, but I think it needs to be developed further before it can be implemented as a governmentwide policy. I believe that the government should allow managers to implement new technologies as they become available, not set policies that should be implemented in the future. Despite the intent of Motion 510 I encourage the members of this Assembly to vote against it. The inclusion of the words "whenever technically and economically practicable" don't offer enough direction for managers at all levels of government. If we are going to implement this type of policy, we need to have a wide-ranging discussion on the new policy to ensure it is realistic for all areas of our organization.

Thank you, Mr. Speaker.

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

DR. PERCY: Thank you, Mr. Speaker. It's with pleasure that I rise to speak in favour of this motion. As I read the motion, it basically urges the government to adopt a policy that reduces the

quantity of toxic and hazardous wastes. It proposes that in fact the government move to looking for innovative ways to reduce the production of these types of toxic wastes. It proposes that we move away from treating the problem to preventative measures. I think all members on both sides of the House can only stand in favour of such a motion.

I look at a motion such as this, and I read it as saying: let's be innovative; let's look for a way to try and ensure that not only do we reduce the quantity and volume of these types of toxic and hazardous wastes but we do so in a way that promotes the economic development of the province. Presently what we've done, for example, Mr. Speaker, is we have the Swan Hills toxic waste treatment centre, a fine initiative, but it is at a scale now that requires us to import toxic wastes.

4:00

I think we should move away from focusing, then, on the treatment of these types of wastes to the prevention of their creation. I would look at a motion such as this as urging the government to focus on, for example, looking at a market-based mechanism. All members in this House, both sides, view that markets send out the right signals, that markets give signals to lead people to reduce the use of things that are costly and to try and reallocate resources in a way that makes society as a whole better off.

Let me give you a suggestion, Mr. Speaker, that flows directly out of this motion. For example, what the government could do is set up a system of tradable permits for toxic wastes. It could set a level of a certain quantity of toxic waste that would be permissible, a level that is consistent right now with the level produced by the major industries in the province. What it could then do through time is reduce the amount of those types of toxic inputs used in industry but in a very clearly defined progression through time. What it could then do is allow the permits to use that amount of inputs that have a toxic element to them to be traded among the firms. Firms would willingly bid, then, for either the use of those permits to use those types of toxic inputs, or what they would do is then decide to invest in either nontoxic types of inputs, or they would engage in research and development, a way of substituting around the use of those types of inputs rather than buy the permit out there that would allow them to use those types of toxic inputs.

So what one could do is set up a market-based mechanism that would signal industry very clearly to move away from the use of these types of inputs to other types. It would send out signals, then, that would stimulate other firms to try and come up with substitute processes to accomplish this. This would be a mechanism that would not involve a zero tolerance rule, because in many instances, Mr. Speaker, zero tolerance makes no economic sense. It certainly is not technically practical either. It is in a sense a way of eliminating industries that are the mainstay of this province. A focus on market-based mechanisms, use of tradable permits of this type focused on allocating the rights to a certain amount of toxic inputs, is a way of trying to both limit their use through time, because you would reduce the volume of quota allowed – you would allow them to be traded – but more importantly it signals that there is a cost to doing this, because if you want to use those types of inputs, you have to buy quota to do it. It sends out the right signals, market-based signals, to move away from the use of these.

Presently what many jurisdictions do is they treat the problem, which is: we have these wastes; we want to reduce the volume of these wastes. They don't send out market-based signals, because in many instances the firms that use these don't bear the full cost

of having to treat the wastes once they emerge. For them it's just off-loaded on somebody else. They'll just put it in the truck and send it to Swan Hills. They'll incur some costs but not the full social costs associated with that. What we have to do is look for innovative and creative ways of making sure that those that pollute the environment, those that generate the wastes, which make our environment less palatable and perhaps reduce the enjoyment of that environment to subsequent generations, bear the costs.

The ideal way of doing that is to ensure they face the costs up front, Mr. Speaker, and one way of doing that is to say, "Let's look at the industries that in fact draw upon major sources of toxic inputs." As I say, once you define, then, the volume that is used by industry, you set out a declining schedule through time. You allocate certain rights to use those inputs, and then you reduce that quota through time. So if a firm wants to be inefficient, wasteful, if it wishes to in fact continue with the old technologies, there's a cost to it, and that cost is that it has to buy the rights to get additional quota to use those toxic inputs.

That approach is consistent, then, with not having a zero tolerance. As I say, I think zero tolerance is a way of really undermining the competitiveness of a range of industries, because in many instances I think it's clear that although it might even be technically feasible to have complete elimination of certain toxic wastes, it's certainly not economically feasible. In many instances there's no clearly defined or discernable costs of having minute traces of these types of inputs in the environment. So what we have to have is a blend, and I would think focusing on a market-based mechanism of the type I described would be useful.

What this motion attempts to do, then, is say: let's look at innovative ways of dealing with these types of problems; let's just not be stuck with the status quo. I'm less sanguine than my colleague from Calgary-McCall in self-monitoring and exhortations. Exhortations are fine, but when it comes to a decision on will I incur additional costs or will I just continue with the old ways, a firm will stay with the old ways, Mr. Speaker, because it's less costly.

I agree with the hon. Member for Calgary-McCall that some of the initiatives that the government have undertaken have been very successful. The toxic waste roundup: who could criticize that? But the issue here is that major firms use technologies that require the use of certain types of inputs that tend to have a high toxicity to them. At the end of the pipe you get crud that you can't do anything with except burn it and dispose of it. What we want to do, then, is prevent it coming out at the end of the pipe and get them to change what they do. We want to reduce the use of those types of inputs that generate toxic residues. That's the name of the game, Mr. Speaker. So what this motion attempts to do is create the environment to discuss those types of issues.

I might add that this province has been remarkably successful in a sense of living off the types of things that are part of our industrial structure. We consult internationally, Mr. Speaker, in the oil and gas industry. We consult and we transfer to other countries the technology of how to do it better, how to do it more cost-effectively. Horizontal drilling, enhanced oil recovery, reservoir simulation: we have carved ourselves a real niche out in that market. In terms of development in a cold climate, again our firms in the environmental services area are second to none in their ability to export those services. If we were to move to such a market-based mechanism, we would have firms within two or three years that would be out there selling new technologies that would reduce the use of these types of toxic inputs, and it would be generated by the market, by the move towards setting up market-based mechanisms to lead firms to shift away from the use of these types of highly toxic inputs.

I agree with the speaker from Calgary-McCall that just passing a law saying, "Thou shall not do it," doesn't do it. What you want to do is change the way firms operate. The intent of this motion, Mr. Speaker, is to change their usage of toxic inputs, and I would think part of the debate that would emerge would be: how could we introduce market-based mechanisms to do this? We've seen moves in this direction in California, for example, and other states with regards to pollution. But I would think that if we could actually propose such mechanisms, it would be effective, in terms of selling permits for a certain amount of inputs that have a high toxicity to them.

So I think there are innovative things that we can do that change what we produce, where we go. In this province we're relatively fortunate, Mr. Speaker, because the high-volume producers of these types of wastes are easily identified. It's not as though we're in an economy such as Ontario, where just the monitoring of it and the identification is horrific in terms of the types of costs it imposes.

So I would urge all hon. members of the House to look at this as a nonpartisan motion that says: "Well, let's try and do things differently. Let's be innovative. Let's focus a little more on markets. Let's not just pat ourselves on the back and say that we're doing a good job. Let's move forward and do a better job."

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Minister of Energy.

4:10

MRS. BLACK: Thank you, Mr. Speaker. As I was sitting here listening to the debate on Motion 510, I couldn't resist the opportunity to get involved in the debate and make a few comments. I was also sitting here signing a pile of letters, which the Minister of Environmental Protection and I are both signing, as it pertains to an initiative by this government that is jointly Environmental Protection and Energy driven called CASA. This initiative was started not by myself but by my predecessor, the hon. Rick Orman, and by our Premier, Ralph Klein, when he was minister of the environment, and it has been continued on by the hon. Minister of Environmental Protection and myself because we believe in the process of bringing together people to deal with this initiative and how very important it is in Alberta.

I'd like to just remind hon. members that as I've gone through and signed these letters – it just so happened it was today – we've gone through a vision and an idea to where now we actually have transition groups, task force groups, executive partners groups, advisory groups, and industry and players at large. This group, Mr. Speaker, includes representatives from Alberta environment, Alberta Energy, Alberta Health, utilities companies, Environment Canada, the mining industry, alternative energy, the NGO pollution groups, chemical manufacturers, the oil and gas industry, the wilderness group, agricultural groups, consumers, transportation, forestry, local government groups in both the municipal and rural government areas, and the health groups.

Mr. Speaker, we have come a long way to where we are the only province in this country to have an environmental group and an energy group under those labels come together, come to the table, and sit down to plan a strategy for our province. This has been very successful. It didn't start off that way because there were different agendas and different thoughts. As usually happens when you start a consultative process, there are preconceived ideas that come to the table. But as I've often said in here, once the scud missiles are lobbed across the table and the Hatfield and McCoy situation has dissipated, people tend to get down to serious business and serious work and come forward with some very, very good ideas.

We're now at a stage, Mr. Speaker, where both the Minister of Environmental Protection and myself are trying to encourage our counterparts in other provinces to adopt the same model, to get together with each other and come together with a stakeholder group to look at what in fact can be done within their own jurisdiction. We've also gone to the national level, to our counterparts federally, and asked them to adopt the same model. In fact, when we were in Saskatoon and met with the ministers of environmental protection and energy, we insisted that the involvement of the stakeholder groups was fundamental to developing policies on environmental protection and economic development within this country, and it had to be a co-operative process. I can say that we were listened to, and there is a national perspective evolving that we hope will be a model similar to what we have developed with CASA. So I think we are doing things already. This is not something that is new. This is something that we've all been concerned with.

The concern I have with the motion is that I would much rather see the stakeholders and the people of this province come forward to represent their groups and sit down in a reasoned fashion and look at the alternatives that are available for environmental protection and economic development to deal with the future of this province, as opposed to the government standing up and continually saying, "We will impose; we will intervene; we will intercept." It's amazing, Mr. Speaker, how a co-operative model can come forward if you in fact bring the stakeholders to the table and allow them to come up with a model that they feel is workable within a jurisdiction.

I won't talk long on this, but I just couldn't resist the urge as I was signing all of these letters that pertain to CASA, Mr. Speaker, to get up and say something about CASA and about the process that we have adopted in this province to deal with these very issues. I would encourage hon. members to reject this motion and to please let the stakeholder process evolve and develop without the government stepping in where a process of stakeholder involvement is becoming very successful and is being adopted by other jurisdictions.

Thank you very much, Mr. Speaker.

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

MR. DICKSON: Thanks very much, Mr. Speaker. I'm delighted that I have a chance to speak immediately after the hon. Minister of Energy. She made some excellent points, and I think she underscored the point that was made very effectively by the mover of the motion, the Member for *Sherwood Park*, earlier. Motion 510 is nothing if not an invitation for the government to maintain the kind of leadership that we've already exerted and demonstrated throughout Canada.

One of the challenges, it seems to me, of being a province which is so much out in front of most other jurisdictions in Canada is the fact that we have to continue to work hard to stay out in front. What I understand is the tenor and the purpose of this motion is to specifically focus on reduction, and I think what the mover has made clear to us is that we now have some good strategies. We now have some good consultation with industry in terms of dealing with waste that currently exists, and now the opportunity is there for Alberta to go the next step and show some genuine leadership in terms of actually reducing toxic waste.

I think there may be some misunderstanding, when I heard the Member for *Calgary-McCall* and then the hon. Minister of Energy speak. This isn't something that should be seen as threatening, and indeed unless one believes in the Mackenzie King style of leadership, I would think people would enthusiastically embrace

Motion 510. Mackenzie King, members will recall, used to operate a government on the basis that government didn't deal with a problem; you waited and waited and waited until you were about to get overwhelmed with hostile public sentiment, and then you moved at the last minute to avert disaster. Well, that may have been fine in Mackenzie King's time. I think we live in a world that's changing much more quickly, particularly when we're dealing with toxic waste. I think it's absolutely essential, Mr. Speaker, that we not sit on our laurels, that we not spend all our time patting ourselves on the back as a province, not simply congratulate ourselves for what we've done in the past but in fact attempt to move on and explore leadership in new areas. I think we have the opportunity to do that here with this particular motion.

It's important to me that we respond and we respond in this fashion. The reason I say that, Mr. Speaker, is that we just finished, all of us, being lobbied by the Alberta Real Estate Association, and one of the key concerns that that industry has is the way we're dealing with toxic waste. Of course, it begs the question: what are we doing in this province to reduce toxic waste? I found that in speaking to those realtors and in listening to their concerns, it's wonderful that we have now a high degree of consultation and co-operation between government and energy and the environmental sector, but that doesn't address and certainly doesn't preclude Motion 510, which is a much more targeted kind of strategy. In fact, I would think the Minister of Energy would enthusiastically embrace this because she says – and I certainly take her at her word. We now have a vehicle. We have a degree of consultation, co-operation. Now it's simply a question of harnessing that in a substantive way to be able to deal with actually eliminating or reducing the amount of toxic waste that currently exists in this province.

The other reason why I'm happy to support Motion 510 is that I've told members in the Assembly about concerns I have about the Alberta Children's hospital and the incinerator and the fact that we're burning hospital waste in the middle of downtown Calgary, or almost downtown Calgary. That's a concern, and while I understand that there have been efforts made to deal with that, there isn't an aggressive enough strategy in terms of reducing the amount of waste. That's really, I think, what we should be focusing on.

4:20

I'm absolutely supportive of Motion 510 because I think Motion 510 provides us with a good opportunity to not legislate, not establish quotas, not intrude in an area where there's already a good level of industry co-operation but rather to provide some targets. That's all I understand that Motion 510 is encouraging us to do. I'm impressed that 21 American states have made that specific focus of trying to reduce the quantity of toxic waste we've got. I don't want to see Alberta lagging behind. I'd like us to maintain the kind of leadership we've shown and that the Minister of Environmental Protection and the Minister of Energy have shown through their fine efforts. I think we can stay out in front by supporting this motion and continuing to work with energy to reduce the quantity of toxic waste we've got.

So in response to the Member for *Calgary-McCall*, who said that this needs to be developed further, I simply say: this is a motion, hon. members. This isn't a solution; this is a motion to suggest a strategy designed to address a major problem. I think there are few things that could be more innocuous than that, given the seriousness of toxic waste. So I encourage all members to support it. I particularly am looking forward to the Minister of Energy and the Minister of Environmental Protection reconsider-

ing any concern they have with this motion and wholeheartedly supporting it, and I simply compliment the fine work that's already going on in both of their respective departments.

Thank you, Mr. Speaker.

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

MR. SMITH: Thank you, Mr. Speaker. I'm not standing up in defiance of the hon. member across. I'm certainly respectful of his senior position in an industry in which we share the same experience and also of the grand wisdom and sagacity of a man so skilled in political ways. Thank you for recognizing me, in any event.

I just want to spend a few minutes discussing Motion 510. Quite frankly, I'm pleased to see the sponsor come forth with this motion, knowing his keen interest in environmental matters from past experiences and his grand exposé in the Alberta Research Council incident, the tempest in a test-tube, as it were, Mr. Speaker. I don't know that in fact we have to concentrate clearly on what is toxic and what is not toxic, although we might have some verbal toxicity working on this debate today.

I think there's no question, Mr. Speaker, that the goal is a noble one and one that this government undertakes to achieve. I would have hoped in the motion for a higher level of specificity in terms of developing . . .

MR. SPEAKER: Order. The Chair . . . [interjection] One more minute? One more minute.

MR. SMITH: Well, one minute plus the interruption time, I would think, Mr. Speaker. Thank you.

I also am appreciative of the fact that the motion, although so vaguely worded, has raised the concept of a tradable system of index and permits. I think that's something that allows for private-sector participation. I think that a competitive feeling with this as a product or a managed item would be beneficial to the industry. I think the concept of a tradable index system bears further discussion. I also think the government has made strides in stakeholder development, as the hon. minister has put forward.

I know I'd like to speak much further on this topic, Mr. Speaker, but time prevents me from doing so.

MR. SPEAKER: The Chair sincerely regrets having to turn the hon. member's remarks into the moments he referred to, but Standing Order 8(4) requires that the question now be put on Motion 510.

[Motion lost]

MR. SPEAKER: It would appear that the next order of business should now be called, the Chair feels.

The hon. Deputy Government House Leader.

MRS. BLACK: Mr. Speaker, I would now move that you retire from the Chair and we resolve ourselves into Committee of the Whole for consideration – oh, I'm sorry. Private Bills.

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

MR. RENNER: Thank you, Mr. Speaker. I gave notice earlier that I would be moving the following motion:

Be it resolved that the Assembly waive Standing Order 8(2)(c) in order to now give consideration to second reading of Private Bills 2, 3, 8, 9, 10, and 15.

MR. SPEAKER: Having heard the hon. member's motion, is there unanimous consent to allow it to proceed?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

head: Private Bills
head: Second Reading

Bill Pr. 2
Lethbridge Foundation Amendment Act, 1994

MR. DUNFORD: Mr. Speaker, I move second reading of Bill Pr. 2, the Lethbridge Foundation Amendment Act, 1994.

The purpose of this Bill is to rename the organization to the Lethbridge Community Foundation Act, to rename nominators as appointers, and to revise and add to the governing board to include the reeve of the county of Lethbridge.

[Motion carried; Bill Pr. 2 read a second time]

Bill Pr. 3
Companions of Angela and Francis
(Koinonia Association) Act

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

MR. BRACKO: Thank you, Mr. Speaker. I move second reading of Bill Pr. 3, Companions of Angela and Francis (Koinonia Association) Act.

What is being asked here is that members of a religious order be in line with the activities of the other orders and privileges that they have. This order serves others both in Alberta and in the Yukon. In the Yukon they're assisting pregnant mothers who come from Alaska who do not have health care to get some health assistance, and then they may keep them overnight until they're healthy enough to go back. In St. Albert they do the same support service for other families and for others. They also work with Amnesty International. This is an order that assists others. In advance they have also added to their order lay workers who assist in this work.

So with that, I would urge all members to support it. Thank you.

[Motion carried; Bill Pr. 3 read a second time]

Bill Pr. 8
Shaw Communications Inc. Act

MR. DUNFORD: Mr. Speaker, I move second reading of Bill Pr. 8, the Shaw Communications Inc. Act.

The purpose of the Bill is to confirm the continuation of the use of the term "par value" in connection with their class B shares.

I encourage all members to support this Bill.

[Motion carried; Bill Pr. 8 read a second time]

4:30
Bill Pr. 9
Tammy Lee Barnes Adoption Act

MR. SPEAKER: The hon. Member for Medicine Hat on behalf of the hon. Member for Lacombe-Stettler.

MR. RENNER: Thank you, Mr. Speaker. On behalf of the hon. Member for Lacombe-Stettler I move second reading of Bill Pr. 9, Tammy Lee Barnes Adoption Act.

This is an adult adoption. Private Bills Committee has heard from the petitioner in this case and recommends that the Bill proceed.

[Motion carried; Bill Pr. 9 read a second time]

Bill Pr. 10
Janna Adella Marie Kinnee Adoption Act

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I move second reading of Bill Pr. 10, the Janna Adella Marie Kinnee Adoption Act.

Mr. Speaker, this is also an adult adoption, and I would encourage all members to support the Bill.

[Motion carried; Bill Pr. 10 read a second time]

Bill Pr. 15
Silvia Kathleen Miles Adoption Act

MR. SPEAKER: The hon. Member for Medicine Hat on behalf of the hon. Member for Edmonton-Strathcona.

MR. RENNER: Thank you, Mr. Speaker. On behalf of the hon. Member for Edmonton-Strathcona I move second reading of Bill Pr. 15, Silvia Kathleen Miles Adoption Act.

For the benefit of members of the Assembly, this also is an adult adoption Act. Private Bills Committee has considered it and interviewed the petitioner and recommends that the Bill proceed.

[Motion carried; Bill Pr. 15 read a second time]

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

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

[Mr. Tannas in the Chair]

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

Bill 16
Government Land Purchases Act Repeal Act

MR. CHAIRMAN: The hon. Provincial Treasurer would like to make some comments.

MR. DINNING: Well, Mr. Chairman, consistent with the announcement in the Budget Address, in the interests of bringing about perhaps some greater accounting sanity to the government's books, we're proposing the elimination of this Government Land Purchases Act, along with a number of other funds that will be part of the Financial Administration Act amendments, so as to put all these funds into the general revenue fund and not have to account for them separately and unnecessarily, much as the Auditor General has sometimes recommended and as the Financial Review Commission wisely recommended.

The functions of the government land purchase fund will still be carried out. Land will still be purchased for the public works or transportation departments, but it will be done within their regular departmental activities rather than doing these things off balance

sheet, off the government's normal purchases, acquisition, and sale of assets. It will require a little extra forward thinking, but I believe that in keeping with the recommendations of the likes of the Financial Review Commission, this is a wise next step. I would encourage all members to support it.

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

DR. PERCY: Thank you, Mr. Chairman. It's interesting. I mean, certainly, as the hon. Provincial Treasurer suggests, this on one hand can be seen as streamlining the operations of government and is consistent in part with some of the recommendations of the Financial Review Commission. However, we do have some concerns we would like addressed.

For example, if you look at the financial records for the 1992-93 year for the land purchase fund, it had incurred a \$4.2 million loss in operations as a result of the sale of lands and buildings. There was \$3 million in proceeds that was received from the sale of lands and buildings and \$756,000 in net rental income received from surplus properties held for resale. When you look on the expense side of the ledger, though, there was \$8 million that was expensed for the cost of sales and provisions for decline in value of surplus land and properties that were held and administered by the departments of public works and Transportation and Utilities and land banks administered by Municipal Affairs.

One concern we have is that to the extent that this will be going through the general revenue fund, what will occur is that each of the departments will now be responsible for the handling and disposition of these types of assets. What we may see emerge, then, is excessive duplication in these departments. So we have real concerns about whether or not we're going to start seeing the duplication of a variety of activities that could in fact be held through this revolving fund, because in instances like this a revolving fund does make a lot of sense. Certainly from the perspective, I think, of all members of the House it's very useful to have in place because it is easier to follow than the transactions that are made in the disposition of these types of assets.

The Bill is not very clear at all as to how we're going to be able to, in a sense, track particular types of sales. These are questions that are really directed to the Provincial Treasurer. As the land purchase fund is blended into the general revenue fund, how will we be able to track the various types of transactions? Where explicitly will we see it in either the public accounts or in the budget? It's really an issue of where's the information. It is a little clearer right now because there is this specific type of fund, but we certainly think there will be a loss of some information if it's just thrown in the general pot and we won't be able to track. That's the first point.

The second point. Can the Provincial Treasurer assure us, then, that we're not going to see duplication by departments? Is it going to be centralized through one particular department, public works for example? Exactly how are we going to be sure that there is not the excessive duplication of activities that generally does occur in any government department; right? We have divisions within 17 departments that deal with communications. Across four or five different departments we have very large statistical information services.

So the two basic questions posed are (a) how can we track the information that currently exists, and (b) what are the safeguards that are in place to preclude excessive duplication?

With those comments, Mr. Chairman, I'll conclude.

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

AN HON. MEMBER: Question.

MR. WHITE: Not quite yet, thank you kindly. I'll just open some notes here.

Mr. Chairman, thank you for the opportunity to debate the Bill, and I thank my hon. colleague, the true accountant of accountants, the one that teaches those people. I, being not one of those numbers, had a little difficulty at first blush to understand what in fact this matter was about. Shortly thereafter, of course, it became very clear that it was an exercise that we could in most part agree with in that it addresses an assumption that accounting is being done in a manner that could be easily understood by the public or one who would be reading the financial statements of the government in the public accounts. Unfortunately, we can't agree totally and completely, although I suspect that barring some unforeseen amendments the government may put forward, this Bill will go ahead in that it does clean up the accounts, so to speak. And I'm sorry I missed your address last night, sir. I was unaware that it would be up last night as quickly as it was.

4:40

The fundamental part of this is to do away with an account that is currently reporting and has been folded into the department such that the department will just run it. It'll be just a normal part of the accounting, which is in effect cleaning up something that needed cleaning up, but it doesn't address the fundamental issue of how one deals with acquisitions of properties and the accounting of the properties to ensure that the right hand knows what the left hand is doing when you come to the utility of property.

Now, the properties that the province must own are many and vary, I am sure, from the very small corner properties that are cut off from a quarter to effect a roadway to larger pieces of property in urban and suburban centres that are required for any number of purposes. The difficulty in managing these properties always is to attach a value to those properties, an assessed value for the municipality and a true value such that if an entrepreneur comes by and offers the government a handsome sum for the piece of property, the government has to analyze fairly quickly (a) whether they have a use for that property in the short term, (b) whether they have a use for the property in the long term, and (c) whether in fact the price that is being offered is a reasonable price versus the acquisition price. So the decisions have to be made in that sense very quickly.

The accounting system that we have here now at least displayed for the public to see, until such time as we have a freedom of information Act that in fact is effective – all we have to go on is what we see in this Bill and in Bills that have been presented to this House prior to this and the public accounts. The public accounts show virtually nothing about the government's accounting for properties.

The question of property should be dealt with in a very straightforward manner. There has to be one central registry, which in fact it appears this Bill will do, and it has to be dealt with in a manner that can and will tell the government and other government departments what the status of their properties is. Any government department that has a property set aside or earmarked for some future use should be able to establish on a five-year horizon the utility of that property. Should that not occur, then the central agency – a department or a portion of a department in the Public Works, Supply and Services department – should in fact be able to tell that department that either they must relinquish their hold on that property such that the department can put that piece of property on the market, or they must pull the funds from their department in order to pay for that piece

of property into what would be in effect a revolving fund but would be paying for the property until there was a proper use for that property. Now, there's no telling what shenanigans could go on had the government not maintained control of this fund in a manner that – at least to this point in time we have no reason to believe that it has been run on other than a reasonable and proper basis and free from fraud. That's fraud in the direct sense.

Now, indirect fraud could be, if you were to really loosely define it – now the Chairman is looking at me askance here – a dereliction of duty. The law does not define it in that sense, but if in fact one would categorize it as that, there could easily be a case to be found in lots of properties that are languishing in the government inventory which have no utility whatever for the government and are not likely to. Yet because they are tucked away, they are not spoken of, you don't hear of those properties, and there doesn't seem to be any government agency that is particularly attached to them, they languish. We do not know, nor can we, if the question were ever asked of the department or departments that are in control of these properties, what the numbers are. Certainly they don't know what the value is. Undoubtedly they could not even locate all of the properties. So how can one honestly say that you do have an accounting system that actually works and tells the public what the value of their collective holdings is in the way of land and property?

The best indicator – fortunately for the province, municipalities are generally diligent in their identification of taxable commodities, land being one of those, and would know in their municipality those parcels that are of any magnitude which are owned by the provincial government that would in the normal sense attract tax and, in this case, attracts a grant in lieu of those taxes. So the government should and could have a reasonable inventory of those properties if they were able to attach all the data bases of the municipalities. That doesn't, of course, mean that they've certainly found all of those properties. I would expect that sometime the minister in charge would in fact table a document to prove to Albertans that he, or she at the time, is taking good care and custody of these properties and would be able to tell this House that this is the method by which we are going to find and identify these properties and the value of these properties, identify whether the utility to a department is of sufficient value in the medium term, the five- to 10-year term, to hold on to these properties and what the market value, or at least the asking price, is of these properties so as to dispose of the unwanted or the unutilized properties to refill the coffers at least in part.

[Mr. Clegg in the Chair]

There is something to be said, of course, for this particular land purchase Act. The revolving fund could in fact have done all that which I've just spoken of if it were administered in that manner. Of course, we know it is not. Should the government feel that they need to do away with a superfluous Act, far be it from this side of the House to disregard the need to clean up the government's books. We therefore feel that it's only reasonable and wise to support the principles of this Bill and in fact intend to vote in favour of the matter, presuming, of course, that all of those things that have been mentioned by my colleagues you as a good government will undertake to pursue.

Thank you, Mr. Chairman.

4:50

AN HON. MEMBER: Question.

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

MR. CHADI: Thank you very much, Mr. Chairman. I was quite disappointed to hear that an hon. member on the other side of the House was quick to call the question when I still hadn't spoken, because I really think I have something to add here. I want to speak to this repeal Act because everyone in the Legislative Assembly of this province should be given and ought to be given the opportunity to speak on all Bills when we feel, and I feel in particular, that it relates to something as vitally important as the repeal Act in this case.

The Government Land Purchases Act is about to be repealed, and it's not a bad idea, because I am all in favour of streamlining government. Every single person on this side of the House feels the same way. We feel that we ought to and that it's high time government become streamlined. But in streamlining the operations of government, one thing that we continue to harp on time and time again is that we also have to look at all the different departments that we've got. We've got 17 different departments now, Mr. Chairman. I think we've downsized from somewhere in the range of about 28, 27, 26, something like that, down to 17, a move in the right direction. A move in the right direction would be to repeal an Act such as this, whereby we would move the function of purchasing property over from the Treasury Department and give that function to public works.

I'm amazed and quite frankly surprised, Mr. Chairman, that it took so long to realize that this wouldn't be a bad idea. For I don't know how many years we've been going into deficit budget after deficit budget after deficit budget, and the expenditures keep going far in excess of what our revenues are. One area that continued to cost us money was the land purchase fund. It was in the department of Treasury, sitting in there nice and quiet and continuously costing us. No one can say that it wasn't costing us an arm and a leg, because the bulk of these properties were purchased in the period in time that it cost us the most, the time in the early '80s when indeed we purchased an awful lot of property. I know that just surrounding Edmonton, for argument's sake, there is a tremendous amount of property that we paid a great, great deal of money for. Now we are going to have to consider taking a hit on that property. Now, in accordance with the documents in the department of Treasury - in the 1994-95 government estimates it's quite clear. In the 1992-93 actual, under the expenditures column the loss on land and buildings held for resale was almost \$5 million. So we took a hit in 1992-93. It looks like we didn't take any hit at all in 1993-94, and in 1994-95 we're going to transfer it over to public works.

It would seem to me that when an Act such as this comes together, I'd kind of like to have a little more detail. I'm supporting this, Mr. Chairman; let's make no mistake about it. But what I'd also like to know is what indeed it is that we're transferring. When I also look at the Treasury estimates, there is rental income coming from the land purchase fund; the forecast for 1993-94 was to the tune of \$880,000. Now, if we had rental income and our expenditures were \$110,000 on that, it would seem to me that we actually have some value here to some property, land and buildings that we're transferring over. Once this Act is repealed, it will be gone, of course, to public works. Will public works then be doing the reporting? Will public works be able to say to us, "This is the amount of property in terms of dollars that we've actually acquired from the land purchase fund"? Because if we took a hit of almost \$5 million in 1992-93, then it leads me to believe that the land and buildings that are held for resale are indeed in this fund now. If it is, how much is it, and what sort of properties are we selling here? What is the value? What's the total value of this portfolio that sits in the land purchase fund?

Quite clearly in the expenditures on page 293 of the estimates book it says, "loss on land and buildings held for resale." So

we're holding something for resale, and we don't know what it is because we haven't been given that information here. Time and time again we continue to argue that we lack information. We need to have that information. Lord knows, Mr. Chairman, yesterday we argued in second reading of the freedom of information Bill, where we talked tirelessly on the issue of wanting to receive and the ability to receive more information, the access to it. If I'm not allowed to have that information here, then I would like to be able to think that I could access that information through a decent freedom of information vehicle. Nonetheless, that is something I want to know about: what indeed it is that we're transferring over to public works and the value of that something that we're transferring over to public works.

Let's take it a step further. I'm questioning now: are all departments going to come together and bring all the properties that are being held for resale together to be held in public works? We can't just sit in one area here and say that this is an answer to our problems. This isn't an answer to all our problems. It's a good step forward, mind you, Mr. Chairman, but we still have a lot of different departments that are sitting having to do the same thing. I wonder if indeed the Provincial Treasurer has taken into consideration all the other different departments that need to come forward with quite similar legislation or, if not so much legislation, at least an initiative that would ensure that the properties which are held in all different departments do come forward and are dealt with in a proper fashion within the department of public works.

Mr. Chairman, the important part in all of this and the part that I need answers to is the fact that we have a portfolio of property that sits in this land purchase fund and we have a loss that was written down or taken back in 1992-93. What is the value of these properties as of today? What is the current market value of these properties? Why haven't we taken a hit on it in 1993-94? Undoubtedly, there's no question in my mind that the property values of 1980, if we've actually taken a formula and put it in place to write down a certain amount each year - we've done it in 1992-93. Why haven't we done it last year, and are we going to be doing it this year? That's the question that needs to be answered as well. This might be an opportunity to repeal the Act and to slide over the properties to public works within this year, but it might just be a cute way of not being able to identify the write-downs, if any, that need to be done this year just to make the books look all right. Are we taking a much larger hit on this thing? That's why it's important to find out what the true value of those properties is today, what the market value is, Mr. Chairman.

With those comments, I will allow other members to speak. Thank you very much, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The hon. Member for Calgary-West.

MR. DALLA-LONGA: Thank you, Mr. Chairman. I just have a very few comments on this that I'd like to make. Yes, indeed, the Financial Review Commission's recommendations are being followed, but they seem to be followed on a very selective basis. As I recall, I think the Financial Review Commission said there were about 150 agencies and funds, and I'm curious to know what's happening. A lot of them needed to be consolidated and gotten rid of because it made it very difficult to get the true picture of the province's financial situation.

5:00

For whatever reason the Provincial Treasurer has decided to move the land purchases fund over to public works and make it

a revolving fund. I'm still not certain I know how that's going to work. I guess a question that I have is: what about the administration costs of running this revolving fund? They weren't shown I don't believe in the previous land purchases fund, and it doesn't look like the administrative costs are going to be shown under the department of public works.

I guess I'm speaking in support of this Bill because it's a move in the right direction, but I'd like to be on record as saying that we've still got a long ways to go with regards to determining exactly how this fund works and the specific costs. Hopefully we could bring that out in a future amendment. I don't know why it wasn't done this time.

The other thing I have a concern about is that the land purchases fund currently has, if I look at the financial statements of March 31, '93, some contingencies and commitments. I wonder how that gets transferred, or does that stay back in Treasury? They're fairly substantial numbers. They're in the magnitude of about \$50 million. The note doesn't say what these amounts are for, but if we're going to transfer the land fund over to public works, what about these obligations that might turn into real live dollars later on?

Anyway, Mr. Chairman, other than that, I have no further comments.

MR. DINNING: I'm sorry to whine, but – Mr. Chairman, I won't. I won't. Let's obliterate that from the record. Forget I said it.

Mr. Chairman, the purpose of the government land purchases fund is spelled out in the Government Land Purchases Act, chapter G-8 of the *Revised Statutes of Alberta 1980*, and it says in a nutshell that the Treasurer

may, on behalf of the Crown, acquire land in Alberta that it is expedient or advantageous to acquire

- (a) to meet future requirements of a department or other division of the public service of Alberta, or
- (b) in a restricted development area established under the Department of the Environment Act.

So really it's a means of banking land. It always has been. It has been since it came into place prior to 1980. It's really been an opportunity, especially for the public works department and the transportation department, to purchase property that is foreseen to be needed down the road to be used for rights-of-way for road building or for government buildings or government purposes. It was a means of holding, and frankly at the time it was to do it off the balance sheet, effectively off the normal income flows of government.

The government land purchases fund balance sheet is on page 3.44 of volume 2 of the '92-93 public accounts. It states very clearly that there's \$190 million of land and buildings, that those "land and buildings held for future use are carried at cost" – and I know Edmonton-Roper was interested in this – "less proceeds of sundry disposals." So we don't place those on the balance sheet at market value. Depending upon when they are transferred to be used, if there is a market value that's less than the cost, then that's a value that must be borne by the buying department, or if it's more, then that's something that goes, not to that department but to the bottom line of the province.

Here we are talking about a Bill that's very clear. We're trying to stop this separate accounting. We're trying to contain it within the real expenditures and the real revenues of the provincial government, the real assets, not off to the side, not a separate accounting treatment as the Financial Review Commission recommended.

The duplication of activities was a concern raised by Edmonton-Whitemud. Today most of these lands are purchased through those two departments, and because the Act spells out that the

Treasurer must do it, then there are people within those departments working with our people in the budget bureau to authorize these transactions. These lands are purchased. There may be lands that are purchased for immediate use but they don't go through the land purchase fund. So all of those administrative costs are housed primarily in the public works and the transportation departments. As a result, this is for accounting purposes only. The staff costs associated with the activities of this fund are really housed within the departments of government.

There was some question about whether we're going to track. Mr. Chairman, I appreciate the hon. member's question about where these are going to appear on the province's books. Today they appear on the consolidated statement, volume 1, schedule 9. As for whether there will be greater detail, I'll take the member's question really as notice and ask that question and ensure that there is that proper accounting and accountability for these purchases and the holdings.

The Bill is really about as clear as I would have thought members across the way needed it to be.

2(1) All land and other assets of the . . . Fund are deemed to be assets of the General Revenue Fund.

(2) All liabilities of the . . . Fund are deemed to be liabilities of the GRF, including as the member pointed out – maybe his researcher didn't get it for him, but it's on page 3.46, note 5, volume 2 of the public accounts about the land purchase fund:

Contingencies and Commitments

Claims pending in respect of additional compensation for land and buildings acquired under expropriation proceedings amounted to approximately [\$51 million] . . . The actual liability, if any, cannot be determined until expropriation proceedings are completed.

Those liabilities, contingent, possible, maybe, future type liabilities, as it's noted in 2(2) of the Bill, will become liabilities and "are deemed to be liabilities of the General Revenue Fund." Just like it says right here, Mr. Chairman. I would ask hon. members to do their homework and to make sure that that kind of research is properly done.

Mr. Chairman, I know perhaps you at the time were not sitting in the Chair, but the Member for Edmonton-Mayfield spoke about fraud, and that is a very serious comment. I think it's unfortunate that he would raise it and raise those kinds of words. I'm sure that he would want to be careful about using those kinds of words outside of this Assembly. I would ask him to perhaps rethink some of the comments that he made in relation to his comments on fraud.

Mr. Chairman, I hope I've been able to answer as many questions as are there. I've committed to Edmonton-Whitemud to get the information about the proper accounting treatment in the public accounts.

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

MR. N. TAYLOR: Thank you very much, Mr. Chairman. One of the problems with sitting here this afternoon on duty: after you've read everything, you then feel like you want to talk.

I notice the Treasurer missed out on a couple of areas I'm kind of curious about. First of all, I find it a little hard to gather what the Treasurer's cost of administering the fund on an annual basis is. In other words, if we're streamlining it, how much are we going to be saving in costs, or is this just talk, whether or not we're saving?

The second area I was intrigued with is that it says that these are land assets. Now, in the Treasurer's opinion does land just mean surface land, or have we got any other rights that are going as land? For instance, I know the mineral rights that we have by right of being part of the Crown when we established Alberta is

administered by the Minister of Energy – and I see she is here – but I was wondering, if we ever buy mineral rights from freeholders, from private people, whether any of that showed up here. In other words, do we own some mineral title around the province, particularly on the edges of the cities?

5:10

I'm thinking particularly of Calgary, which a number of people here come from. As you know, on the east side of Calgary there is a great deal of sour gas possibilities. It's in the upper Devonian, as they call it. But, Mr. Chairman, there's always a real rhubarb when anybody tries to develop those rights, because the residents do not like to be anywhere close to the development of sour gas. I was just wondering, in some of the land put-together schemes that the Alberta government monkeyed in back in the good old days, when they were buying everything they could lay their hands on because it might be expanding out in the areas, so that the Municipal Financing Corporation would have land to give back to development, whether they ended up with any mineral rights in those cases. Because some times it makes sense to buy the mineral rights under a piece of land, if you can get them cheap enough, so that you're not bothered with the Department of Energy or somebody that the Department of Energy has sold to asking for the right to develop the property.

[Mr. Tannas in the Chair]

If we're going to go into what lies under the property or underneath the lands, whether or not the government has used this system to access mineral rights also leads to another question. One of my favourite hobbyhorses for some years has been whether or not around the edges of our larger cities or where we have a great deal of urban growth it wouldn't be wise to split the title above the land, just as we now split it below. You can buy a farm, but you don't buy the mineral rights. Maybe we should be doing as has happened in about 21 U.S. states now. It's a new concept that's come in in the last 25 years: we should be splitting the title above the land. Some people call it air rights; others call it development rights. That means that these rights can be bought up by society as a whole so the land would never be able to be transferred in the future except for farming purposes.

What we have around the edges of our cities now is land that can be sold, that's sold ostensibly – there are farmers on it now, but the farmers can't afford it. Farmers may rent from a land speculator because they couldn't afford to pay the prices. We have northeast of Edmonton here thousands of acres of number 1 farmland that is selling for \$2,000 to \$3,000 an acre. It's not economical at that price to farm. It is economical to develop. But as society progresses, is it wise to take number 1 farmland and let it be converted to Safeway parking lots and to apartment houses? Shouldn't the city's expansion be going into poor farmland and down in valleys and draws and spot development rather than converting number 1 farmland?

Now, one of the ways of doing it in a free enterprise way – and I sometimes hesitate to use that word because when you look at the education Act that this government is pushing, you think they've junked the whole concept, Mr. Chairman, of free enterprise. If you want a free enterprise method of zoning, what you should be looking at is this American system developed in New York and Connecticut whereby you split the title above the ground. In other words, you have development rights. That means that the farmer who is living on a piece of land on the edge of town can sell his or her development rights separate from the farming rights, and the farmland then can be kept in perpetuity

and turned over and over again if the development rights have been bought by society; in other words, bought by the state.

I would like to suggest that the fund we have here could have been used for that, because as the present system works, what happens is that somebody that owns agricultural land and is close to an urban expansion and cannot afford to do it ends up selling the farmland to a developer. As the city marches forward, society can do either of two things to keep that from going into development. One is by zoning it: "No, no, you cannot build anything on it. It's such valuable farmland." However, we are very hesitant to do this. In particular, this government, as far as I know, has never ruled that land has to be kept for farming, because they feel it's interfering with the rights of the owner. You've got to remember that the owner who acquired it acquired good farmland in order to develop it. If the owner knew that it wouldn't be zoned for any development, of course all you get is the farm value paid for the land.

Now, what this does when you use the system that this government uses of zoning farmland as not permissible to develop or if the city zones it not permissible to develop . . . I think the House leader is breaking your rules, Mr. Chairman, by standing up and talking. For some reason or another he can't seem to sit and talk. Do we have some of that here? Also, our environment critic is standing up and talking, which he shouldn't do. What is sauce for the goose is sauce for the geese. Okay. As a matter of fact, a wild goose would do them both good, I think.

Nevertheless, what I want to get at is that under the present system of what this government is doing and how they're disposing of land – and they're disposing of it in the northeast part of Edmonton – they're selling the whole title. That's the only way they can do it. They shouldn't. They should retain the development rights. Those development rights may be sold later on if they wanted to recover, or they may be chopped up, because if you buy development rights – as many hon. members over there know, farmland is sold, as a general rule, by quarter section or 160 acres, sometimes 80-acre parcels. Development can take place on a gravel pit or sand, five acres, eight acres, or 10 acres. But if the government retained the development rights on number 1 farmland that they own, that could later be sold in pieces probably as the thing went out, spot development, certain pieces of it for development, but the rest retained for farmland.

We would be doing a great service to Alberta and to Canada, because if we're running into a shortage of anything, Mr. Chairman, it's not a shortage of politicians; it's not a shortage of oil. There may be some shortage of water. But there's no substitute for farmland. There's no such thing. The window box may raise you a couple of tomato plants, but it doesn't raise enough to go through. We should be retaining, as 21 of the United States are now doing, development rights on government-owned land before we sell it back to the private sector. Yet I understand from this Treasurer and this government that they're holus-bolus selling the complete title.

Now, if there was ever a golden opportunity to take some leadership and retain the development rights, now is the time to do it, because one must remember that once we sell the complete title, then the only way you can stop that number 1 farmland being converted to a parking lot is by zoning it. But is that fair? The government over there, my adversaries you might call them – the enemies are usually behind me. The adversaries are over there. That's using a Churchill saying. My hon. adversaries, I think that if you look at free enterprise, if you'd zone an owner so that he or she cannot sell the land because you want it for farmland, you've made that owner bear the sole cost, the whole cost to society of keeping that land farmland. That's wrong.

Why should any individual farm owner, because we in society decide it's number 1 farmland – and this could apply to parkland too – pay the sole cost, the opportunity costs, the revenue that would accrue from selling the land for development? Why should that owner bear the sole cost because it's been zoned nondevelopable?

What we should be doing is buying from the owner the development rights. Some states call it the air rights. That means that all of us in society, then, have paid for the development rights of that area and that in fact it'll from now on always be zoned farmland. The individual owner still retains the farming rights, and it can be sold and sold and sold or leased for years to come, but the development rights have been bought by society. Maybe some of those development rights can be sold down the road, but only after very grave consideration.

5:20

At least if society has decided that number 1 farmland should be kept in use – and I haven't heard of a politician yet who doesn't say that number 1 farmland should be kept. Every politician agrees that it should be kept and used for that, but the only tool we have that this government uses is zoning, which is unfair. It's unfair to the landowner. Why should some landowner, just because they're in the march of regular state development, be denied the right to sell? On the other hand, if we want farm rights, it seems to me that what we have to do is say to that landowner: "Okay. You cannot sell your land completely for development, but we'll buy the development rights from you on an arbitrated basis." This could be voluntary, as it is in most U.S. states. You don't have to sell, but you tell the landowner, "If you won't sell us the development rights, well, then you certainly can't cry if we zone you nondevelopable."

It's a little bit like what we tell the Catholics when they want to do their own assessment. If you want to sell your land for development and you don't want to split the title, that's your tough luck. You've got to take a chance on being zoned nondevelopable, but if you're willing to sell your development rights, then we buy them on an arbitrated basis, and then forever, of course, the land continues to turn over at farmland prices and so on, yet the owner realizes the cash value. Let's suppose the farm, the quarter section, is worth \$100,000 to farm, but to develop it, it's worth \$300,000. We give him \$200,000, he realizes the \$200,000 now, and you have the farmland still there. [interjections]

You mean, you can't talk it out? Mr. Chairman, I'm not positive, but I ask your advice. I have six more minutes? Well,

six more minutes is a great deal of time. I'm not sure if there's anyone over here. Someone else is talking, standing up and debating.

It is something I'd like this government to consider, because as near as I can tell, the Department of Municipal Affairs or the Treasurer has roughly 8,000 to 9,000 acres of prize farmland in northeast Edmonton and going up to my constituency. [interjection] I think he's saying something is open, but it isn't.

Mr. Chairman, I don't know whether to let them have the floor or not. I think I'll just turn off my hearing aid and keep going, because they might negate what I have to say. On the other hand, it would be interesting what they might say. Okay.

Thank you.

MRS. BLACK: Mr. Chairman, I move that the committee rise and report.

[Motion carried]

[Mr. Clegg in the Chair]

MR. ACTING SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports progress on Bill 16.

MR. ACTING SPEAKER: All in favour of the report by the Member for Highwood?

HON. MEMBERS: Agreed.

MR. ACTING SPEAKER: Opposed, if any? Carried.

MRS. BLACK: Mr. Speaker, I move that we call it 5:30 and adjourn until 8 o'clock this evening, when we'll reconvene in Committee of Supply to deal with the Alberta heritage savings trust fund, capital projects division.

MR. ACTING SPEAKER: Did you all hear the motion by the Deputy Government House Leader? All in favour?

HON. MEMBERS: Aye.

MR. ACTING SPEAKER: Opposed, if any? Carried.

[The Assembly adjourned at 5:27 p.m.]

