

Legislative Assembly of Alberta

Title: **Thursday, May 12, 1994**

1:30 p.m.

Date: 94/05/12

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

We give thanks to God for the rich heritage of this province as found in our people.

We pray that native-born Albertans and those who have come from other places may continue to work together to preserve and enlarge the precious heritage called Alberta.

Amen.

head: **Presenting Petitions**

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to present a petition on behalf of constituents from Edmonton-Avonmore and surrounding areas who wish to urge the government

to maintain the Grey Nuns Hospital in Mill Woods as a Full-Service, Active Hospital and continue [to allow it] to serve the south-east end of Edmonton and surrounding area.

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

MR. GERMAIN: Thank you very much, Mr. Speaker. I ask the indulgence of the House this afternoon to file a petition signed by 250 students all the way from kindergarten to grade 8 who go to Clearwater school in Fort McMurray, Alberta. They have asked me on their behalf to file a petition with this Legislative Assembly asking that the Minister of Education work towards keeping their school in Fort McMurray, Alberta, open, and I'm proud to do so on their behalf today.

Thank you, Mr. Speaker.

MS CALAHASEN: Mr. Speaker, I beg leave to introduce a petition from 22 people from Slave Lake who urge the government "to reconsider their position on Bill 19."

head: **Introduction of Bills**

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

Bill 35 Seniors Benefit Act

MR. MAR: Thank you, Mr. Speaker. I request leave today to introduce Bill 35, the Seniors Benefit Act.

This Bill establishes the new Alberta seniors' benefit program under the Department of Community Development, which allows for three different seniors' cash benefits to be combined under one program. It will also give authority for Alberta Health to bill higher income seniors for all or part of their health care insurance premiums.

[Leave granted; Bill 35 read a first time]

head: **Tabling Returns and Reports**

MR. DECORE: Mr. Speaker, the first document I wish to table is a legal opinion given to the Edmonton public school board relating to early childhood education.

The second document that I wish to introduce is a letter dated October 26, 1983, signed by B. Nicolson, department of the environment, and another letter dated October 26, 1983, which is exhibit 450 in the Opron case, signed by J.W. Thiessen.

The last document that I wish to introduce, Mr. Speaker, is exhibit D-III, the examination of Jake Thiessen, which is a report of the environment department.

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

MR. HENRY: Thank you, Mr. Speaker. I would like to table in the House today four copies of a letter addressed to government MLAs, and they were delivered to MLAs today with a sucker and a crayon by representatives of Save Our Students. This letter reminds the government members that they are part of the group that attended in the gallery when the government invoked closure last Monday, and it reminds them of their campaign promises to protect education.

Thank you.

head: **Introduction of Guests**

MR. TANNAS: Mr. Speaker, I beg leave to introduce to you and through you to members of the Assembly a bright group of 14 students from a former school of mine, Rockyford school, in your constituency. They are accompanied by their schoolteacher Rob Procter and parent Mary Marshman. They're seated in the members' gallery, and I'd ask them now to rise and receive the traditional warm welcome of this Assembly.

MR. ADY: Mr. Speaker, I'd like to introduce to you and to the members of the Assembly Mr. Dave McNab. Mr. McNab is a member of the board of governors of Keyano College. He's seated in the members' gallery, and I'd ask him to rise and receive the warm welcome of the Assembly.

MR. DAY: Mr. Speaker, on behalf of the Member for Calgary-Mountain View, who is also a trustee of the Forum for Young Albertans, it gives me great pleasure today to introduce to you 39 young Albertans who are seated in the members' gallery and the public gallery. They're accompanied by young Albertan forum leaders Paula Dubyk, Amanda Hanson, Marco Hilgersom, Tanya Hrehirchuk, and Nathan Kowalski. These young adults are visiting Edmonton for the week to take part in the Forum for Young Albertans, which involves meeting with legislators and decision-makers at the municipal and provincial levels. They have the opportunity to engage in and be involved in debate between a variety of those people and to watch and make comment about the democratic process. We're delighted that they're here with us. I would ask them to stand and receive the warm welcome of the Assembly.

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

MRS. GORDON: Thank you, Mr. Speaker. I would like to introduce to you and through you two very active, enthusiastic seniors. Anna Kirton hails from Stettler, and Mrs. Kay Brown hails from Lloydminster. They are here today as they are concerned about some aspects of the proposed Alberta seniors' benefit program. Seated in the members' gallery, I would ask that they stand and receive the traditional warm welcome of this House.

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

MR. CHADI: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you today to Members of the Legislative Assembly three people. The first is my executive assistant, Patti Misutka. The other two are Kim Palichuk and Helen Palichuk, both constituents of Edmonton-Roper. They're here today to see the Legislature in action. I'd ask that they rise and receive the warm welcome of this Assembly.

head:

Oral Question Period

Paddle River Dam

MR. DECORE: Opron subcontracted with a company known as Maio Construction for gravel hauling. Maio hired the necessary subcontractors to do that work. Maio went bankrupt. There is clearly the belief that the company's financial difficulties arose as a result of the government's negligence, fraud, and deceit. In exhibit D-III that I tabled today, Mr. Speaker, it says, "P. Hutton will meet with the claimants named by P. Trynchy & pay them directly." We now know that some claimants were paid and others were not. My first question is to the minister of transportation. Mr. Minister, is it your policy today to have certain parties receive payment and others not, as you did during the construction of the Paddle River dam?

Speaker's Ruling

Questions about Previous Government

MR. SPEAKER: Order, please. I think the hon. member should be asking a question about current government policy and not . . . [interjections] Well, then I'd ask the hon. minister to ignore the preamble and just talk about current government policy.

1:40

Paddle River Dam

(continued)

MR. TRYNCHY: The current government policy, Mr. Speaker, in Transportation and Utilities is to pay the contractors for work done.

MR. DECORE: Mr. Minister, is it your policy today to allow priority to be given to some claimants who do work for government and to ignore completely other claimants?

MR. TRYNCHY: Mr. Speaker, I thought I just answered that question.

MR. DECORE: Mr. Premier, as the Premier of Alberta, who has been completely briefed on this issue, is it your policy, the policy of your government to allow ministers of the Crown to involve themselves directly in who should get paid and who shouldn't get paid for government work, as the minister of transportation was involved in the Paddle River construction project?

MR. KLEIN: Mr. Speaker, we try to treat everyone fairly, even the constituents of the opposition Liberal Party members.

MR. DECORE: The point is that you didn't treat people fairly. You didn't treat people . . .

MR. SPEAKER: Order.

Kindergarten Programs

MR. DECORE: Mr. Speaker, on several occasions the Premier and the Minister of Education have mentioned that certain school boards have decided to offer full ECS programs by using funds

from their school foundation program allocation. A legal opinion has been given to the Edmonton public school board that says that that kind of activity is illegal. To the Premier: Mr. Premier, what do you say to school trustees about shifting funds to offer a 400-hour kindergarten program when trustees have been informed that they will be personally legally liable if they do that?

MR. KLEIN: Well, Mr. Speaker, I've simply indicated that there is an opportunity for school boards to sort this out within their individual mandates. What the hon. member has there is a legal opinion. I'm sure that when he was a lawyer, he offered lots of legal opinions, and I'm sure a lot of them were shot down, too.

MR. DECORE: Well, Mr. Premier, you haven't done your homework on this issue. I'd like to ask the Premier if he's suggesting that school trustees should go ahead and break the law, because in *Hansard* he says that they can take the funds from their school allocation envelope.

MR. KLEIN: Mr. Speaker, I can only repeat what I have just said, that this is a legal opinion. I'm sure that the hon. Minister of Education will review this opinion in due course and discuss it with the Justice minister, and perhaps in due course we will offer our opinion as to what the school boards can and cannot do.

MR. DECORE: Will the minister give us his assurance today that he and his officials have done the necessary homework, that they've done the legal scrutiny of this matter, and that there is no danger to any school trustee in Alberta to take moneys from the fund and to apply it to ECS? No danger at all.

MR. JONSON: Well, Mr. Speaker, I'd be happy, first of all, to refer to their legal opinion, which I just happen to have requested and received a copy of. Just looking at the front page at least, Mr. Speaker, the legal opinion does not quite jibe with what the hon. member across the way has just said in that it indicates that it is possible for such an expenditure to be authorized.

Athabasca University

DR. PERCY: Mr. Speaker, I'd like to table four documents, one of which is part of an agenda from the Athabasca University governing council and an excerpt from the business plan for the Centre for Innovative Management. Athabasca University has set up the Centre for Innovative Management, a commercial venture, to offer MBAs. The target market is international. It's not Alberta. It's not Canada. It's international. The board of governors of Athabasca University has given the venture a cash loan of \$1 million and loan guarantees of \$3.7 million. The budget for the centre contains rich – and I mean rich – allocations for travel and executive salaries. My questions are to the minister of advanced education. How can the minister justify loans and guarantees of almost \$5 million given by his board to what is a commercial venture housed at Athabasca University?

MR. ADY: Mr. Speaker, the program that he refers to, that being the MBA program that is presently being offered by Athabasca University, is a new venture that Athabasca has initiated. The correspondence and direction that's moved from my department is that Athabasca University can carry out that program based on full cost recovery by way of tuition from those who may see fit to embark on obtaining an MBA. So the direction is that Athabasca University must have full cost recovery on that program.

DR. PERCY: My supplemental is to the minister of advanced education. Can the minister tell this Assembly what the consequences are to the programs of Athabasca University and to Alberta taxpayers should the centre default on its obligations to Athabasca U?

MR. ADY: Mr. Speaker, I do have something of a preliminary update on the enrollment that Athabasca University is anticipating with that program, and presently it's moving along surprisingly well. They have a substantial number of people enrolled in the program that they'll embark on shortly, and it would appear that they're going to be able to meet their requirement and be able to pay for the cost with the full cost recovery tuition that they'll receive.

MR. SPEAKER: Final supplemental.

DR. PERCY: Thank you. My final question is to the minister of advanced education. Mr. Minister, will you instruct the board to have the promoters of this centre, Stephen Murgatroyd and Dwight Thomas, go to a commercial bank, since the business plan for the centre claims that it's going to be such a revenue and profit generator? Book it, take it to a bank, and have the private sector fund it.

MR. ADY: Well, certainly that could be an option, Mr. Speaker. They could go to a private institution for that. As a matter of fact, several of the private providers of education in this province are in fact having their students arrange their loans from banks directly and not even use the student finance program. So that's an option that they may embark on, but I'm confident that the board of governors are acting in a responsible manner with the mandate as the board of governors of that institution.

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

Municipal Government Act

MRS. BURGNER: Thank you, Mr. Speaker. Recently we received a copy of a letter addressed to the hon. Minister of Municipal Affairs from the city of Calgary with respect to the speed of the process of the Municipal Government Act, Bill 31. My question to the minister today is: what steps are being taken to allow for a clear discussion to deal with what the mayor of Calgary terms the form and detail, which he believes their staff have not had a chance to thoroughly review?

DR. WEST: Mr. Speaker, I too have received that letter from the mayor of Calgary. I was a little surprised to receive such a letter because of the comprehensive detail that we've gone over in meetings with the city of Calgary and their staff as recently as March of this year on the 10th draft of Bill 31. We met with the city officials at that time, and we spent two days going over the details with that city and many other municipalities and the AUMA. They made some recommendations. We changed them, came back and said the ones we could not change, and then came back and worked on two more drafts until we submitted Bill 31 here. I can only say that we will continue to communicate with them. They have copies of the Bill now. They have one of their aldermen sitting on the council of AUMA, whom we meet with, and I know that the Member for Lacombe-Stettler has met with them several times in the last two months. So I say that I will

continue my communication with the city of Calgary but show some amazement at this letter.

1:50

MR. SPEAKER: Supplemental question.

MRS. BURGNER: Thank you, Mr. Speaker. Can the minister assure this Assembly that there will be time given to address any amendments that may be coming forward?

DR. WEST: Mr. Speaker, we'll do the best we can again during the communication. I would like to table with the Assembly lists of meetings that have gone on since April of 1992 throughout the province. This is the second time this Bill has been introduced, Bill 51 in the last session. This Bill has been worked on by a statute review task force for almost five years, and preparation before that was two to three years. So we're looking at a seven-to eight-year period, along with the white paper on assessment. I'm saying that it's time to get on with this Bill. We will certainly work the best we can in the short time, and if they have concerns, please read it. We have gone ad nauseam over the different amendments that we've made already from even last year on their recommendation. The answer to your question is: yes, but you'd better hurry.

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

Athabasca University

(continued)

MR. ZARIWNY: Thank you. Mr. Speaker, this government has cut the budget of Athabasca University by 31 percent. In addition, the governing council eliminated 71 tutor positions and cut the popular Faculty of Administrative Studies by 25 percent. As we now know, they chose instead with the help of the government to finance a commercial centre, the Centre for Innovative Management. My first question is to the minister of advanced education. Why did the minister say that a loan guarantee and a cash loan were not given to the centre when in fact they were approved in February?

MR. ADY: Mr. Speaker, the hon. member is putting words in my mouth. Let me make an observation. It seems very strange to me that the very members who are up today wanting us to meddle in the affairs of institutions opposed the Financial Administration Act that called for us to leave autonomy to institutions. Where does this come from? They opposed it, and now they want us right in there with hands on micromanaging the institutions when in fact the boards of governors have autonomy to move.

MR. ZARIWNY: Mr. Speaker, to a question on March 10, page 21, the minister was asked, "Is there a loan guarantee . . . for that program?" His answer was, "No." Will the minister quit hiding behind his appointed governors and use his authority to demand a full report be submitted to this House on the establishment of the centre? [interjections]

MR. SPEAKER: Order please. [interjections] Order please. Hon. members, the question was from the hon. Member for Edmonton-Strathcona to the hon. Minister of Advanced Education and Career Development. Other members were not asked the question or asked to participate.

MR. ADY: Mr. Speaker, the hon. member is endeavouring to mislead the House by saying that in actual fact . . . [interjections] I'll withdraw the term "mislead."

In actual fact, the government has not given any loan guarantee. The government has not given a loan guarantee. That was his question to me. That's the answer: no loan guarantee from the government.

MR. ZARIWNY: Can the minister explain why he is supporting this commercial venture at the expense of undermining the mandate of Athabasca University and in effect socializing the risks and capitalizing the profits?

MR. ADY: Mr. Speaker, when we use the term "socialization," we're getting it from an expert, I'll tell you.

Mr. Speaker, the mandate of the Athabasca University is certainly different than it is for the residential universities in this province, and we spent considerable time with Athabasca University at budget time enlarging on their mandate, the things that we expected them to do. We met with the board chairman, with the president, and we outlined a new mandate. The opposition members have copies of that letter. They have set out on a course and have accepted the budget that they have been allowed, and we anticipate that they will certainly be able to fulfill that mandate, in fact be able to dramatically increase the service to Albertans with the direction that they're taking and that they'll be able to do it within the funding levels they've been allocated.

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

Senior Citizens' Housing

MR. AMERY: Thank you, Mr. Speaker. My constituency has a significant number of seniors and subsidized housing. I'm very concerned about the situation that exists where many of these individuals will see their cash benefits reduced, and they are in a very low income bracket. To the minister responsible for seniors: can you explain why these people are seeing such a cut?

MR. MAR: Mr. Speaker, historically individuals who are seniors who were receiving subsidized housing also got a cash benefit over and on top of the subsidy. We put the question to seniors throughout the province of Alberta with respect to what was fair and what was reasonable. Seniors did come back to us, and also consistent with the recommendations of the seniors review panel, they said that it was not fair and it was not reasonable for such individuals to be taking advantage of two programs, in essence receiving subsidized rent and a cash benefit on top of that. It was described as double-dipping by those individuals. So that cash benefit is no longer available.

MR. SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. What assurances can the minister responsible for seniors give the House that the views of seniors and recommendations of the review panel are incorporated into the Alberta seniors' benefit program?

MR. MAR: Well, the fact is, Mr. Speaker, that we have gone through an extensive consultation process where we spoke with and heard the views of some 35,000 seniors of the province of Alberta. Our seniors review panel took into account the views heard in those consultations, and we have accepted 11 of the

recommendations in whole or in part of the 14 recommendations that were made by that review panel. So we have indeed heard from seniors. We've made some of those changes, and we've done it within the fiscal restraints of a \$916 million envelope.

MR. SPEAKER: Final supplemental.

MR. AMERY: Thank you, Mr. Speaker. To the same minister: which other seniors who currently receive benefits under existing programs lose benefits under the new program?

MR. MAR: Mr. Speaker, that's a very difficult question to answer because of course it depends on a number of different factors. It will depend upon the category of senior that we're speaking of, and there are some one dozen, 12, categories of seniors that we're talking about. The fact is that there are some people who are going to be receiving less money under the program as it exists now than they would have under the old programs. So it's difficult to assess categorically which individuals will win and which individuals will lose, but statistically about 40 percent of seniors will get more benefits than they used to get, and the balance of seniors in the province of Alberta will get a partial reduction or a full reduction of the benefits that they once received.

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

2:00

Child Welfare Contracts

MS HANSON: Thank you, Mr. Speaker. I would like to file four copies of the procurement policy for nonemployees of the Department of Family and Social Services. I'd like to file them with the House.

Mr. Speaker, the Minister of Family and Social Services has claimed that there is no time requirement before a former employee can get a government contract, but according to the guidelines of the department former employees have to wait 12 months before getting a contract unless the deputy minister gives authorization. In this case the authorization must have been easy to get since the deputy minister is the former director of the northeast region. My questions are to the minister. Mr. Minister, did the deputy minister give Keith Tredger the required special authorization?

MR. CARDINAL: Mr. Speaker, I mentioned to this Assembly yesterday that the regional director can let out contracts up to \$750,000. If an employee leaves the department and wants to participate in a contract in the private industry or work with an agency, in fact there is a process to get special approval. The hon. member is right. Yes, there is a process.

MS HANSON: Mr. Minister, why did you not prevent this blatant conflict of interest that allowed an employee to design a job and then get the job?

MR. CARDINAL: Mr. Speaker, you know, I mentioned to this Assembly . . . [interjections] If the members would like to hear the answer to the question they asked, I'll answer it. We do contract with over 150 agencies for a total of over \$150 million, and there are a number of ways the contracts are done. I can talk to the deputy minister immediately to find out what process took place. There is nothing that I know of that should be hidden in that particular process. It's an innovative project. It's working

well. It's providing a service for 71 families. It provides over a hundred jobs to individuals and some former welfare clients. The program is working well. There's an ongoing review of it.

MS HANSON: Mr. Minister, my last question is: why in the interest of fairness did you not seek proposals from those individuals who were already providing in-home support in the northeast region?

MR. CARDINAL: Mr. Speaker, we're always seeking proposals from individuals. In fact, if the hon. member has the names of the people that are interested in participating in delivering some of the programs in my department, bring them forward. I'm wide open.

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

Day Labour on Construction Projects

DR. L. TAYLOR: Thank you, Mr. Speaker. Over the last several days members on the other side of the House have been badgering some members on this side of the House over day labour construction work and tendered contracts. Well, on this side of the House we're interested in truth and accuracy. In fact, if we injected some truth and accuracy in the Liberals, there would be no more Liberals. In small business we consistently use day labour construction work as a way of reducing costs. Would the Minister of Transportation and Utilities please advise this House: what is day labour construction, and what is the difference between that and tendered contracts?

MR. TRYNCHY: Mr. Speaker, I'd be pleased to provide a short definition on the difference between the two. There is quite a difference between day labour and contract tendering construction. Day labour work involves renting local equipment on an hourly basis. The hourly rate includes the operator and all fuel costs. In other words, the rate is inclusive. It has to happen if it's cost-effective, and that's only when it happens.

A tender on a contract, on the other hand, is awarded to the low bidder, or in some cases it's invitational to special contractors that have the expertise to do that work. Payment for work under a tender contract is paid differently. It's paid on a unit of work basis, and that means, for example, that payment is made on the cubic metre of dirt moved or per tonne of asphalt laid.

In other words, there's a vast difference between day labour and tendering under the contract system.

MR. SPEAKER: Supplemental question.

DR. L. TAYLOR: Thank you. Would the minister indicate how often he uses day labour in his present portfolio? [interjections]

MR. TRYNCHY: You know, it's interesting that the opposition feel this is a funny question. They don't take it seriously that jobs are important to rural Alberta. In the past, Mr. Speaker . . . [interjections]

MR. SPEAKER: Order. The censors are talking again.

MR. TRYNCHY: Mr. Speaker, in the '80s day labour was used quite extensively in transportation for maintenance, road paving. As a matter of fact, we had a road paving crew of our own in government. Since that time we've moved dramatically away from it. To give you an example, in 1981-82 almost 17 percent

of transportation's budget, which was \$56 million, was day labour. In 1985-86 that was reduced to 11.5 percent, and in 1990-91 it was reduced to almost 7.5 percent. I expect that this year that will be further reduced.

MR. SPEAKER: Final supplemental.

DR. L. TAYLOR: Thank you. Why do you use day labour, and will you continue to use it?

MR. TRYNCHY: Yes, Mr. Speaker, 95 percent of our capital works is done by public tender on a tendering basis, but there are instances where day labour is more effective. It's got to be cost-effective. It provides job opportunities, and it's used in remote areas. There are a number of situations where it would not be feasible for contractors to bid on a job that we don't have the full engineering done or the cost provided to them. So it's best suited to have day labour in a number of instances. It's also important in the remote rural areas where the contractors have to provide equipment hauling, equipment rental, or labour force accommodation. So that's where we use day labour, and it will continue probably to a smaller degree in the future than it has in the past.

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

Regional Health Authorities

MR. LANGEVIN: Thank you, Mr. Speaker. Many hospital boards are concerned about the financial adjustment that will occur when they join the newly formed regions, because many hospitals have a number of operating accounts. Some of these are from government dollars, others are from moneys raised by the boards themselves, and still others are donations from individuals, clubs, and organizations. My question to the Minister of Health: how will you deal with the operating accounts between boards who accumulated surpluses in reserves and boards who are in a deficit situation without penalizing the efficient boards?

MRS. McCLELLAN: Mr. Speaker, there are a number of funds that hospitals hold. Some are dollars that are held in reserves, and those can be from ancillary operations such as gift shops, parking. Some are raised by foundations, and those are generally for specific projects and have a specific use. Certainly it would be my expectation that all of the funds that are raised locally for particular projects, dollars that are raised by an institution in ancillary projects, would remain with that institution.

The question then comes to operating surpluses or interest that has been earned on operating surpluses as to whether they should be a part of a general pool for the region. Those will be the areas that we will be working out with the regional health authorities with the individual institutions. The member asked specifically about dollars that are raised in the community and that are held by foundations, and again I would comment that those would stay with the institutions that acquired them.

2:10

MR. LANGEVIN: Mr. Speaker, will it still be possible in the future for local volunteer groups to raise money and place this money in ancillary funds or foundation funds?

MRS. McCLELLAN: Mr. Speaker, those abilities are within the Bill, and, yes, there is still a place for foundations. Certainly we

value the dollars that have been raised locally and the commitment that local communities have to their facilities.

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

Student Loans

MR. RENNER: Thank you, Mr. Speaker. I've been contacted by one of my constituents, a single mother who advises me that a year ago she quit her job, a low-paying job, I might add, to return to school and upgrade her skills. At that time she applied for and received a student loan to assist her to pay for her college preparation course, which she just completed. This fall she will be enrolled at the Medicine Hat College in a regular college program. Inspired by her success, her friend now wishes to do the same thing, but she has been told that she does not qualify for a student loan because she's currently employed. My question is to the Minister of Advanced Education and Career Development. Has your policy in this regard changed recently?

MR. ADY: Mr. Speaker, I'm having to read between the lines a little bit on the question. I suspect that what we're dealing with is perhaps a single mother who wants to get some additional training and may have - I'm not sure that she has in fact put in an application to the Students Finance Board, but having said that, the important thing to keep in mind is that the student finance program is a needs-based program. If the client is a single mother who is being subsidized by social services perhaps in some manner, then there would be a circumstance where she could receive a partial bursary from the Students Finance Board to assist her to get the academic upgrading that she requires. I would certainly encourage her to put in an application and perhaps send the particulars to my office. There could be a circumstance where there's a miscommunication, but it would seem to me that that person should be able to get assistance to get into advanced learning.

MR. RENNER: Supplementary to the same minister. Mr. Speaker, my concern is that she was led to believe that she had to be unemployed to qualify for a loan unless it was for postsecondary education. This would be for upgrading. I'm wondering what alternative there might be other than quitting a job, a good paying job or a low-paying job, and going on unemployment insurance in order to qualify for assistance.

MR. ADY: Mr. Speaker, I agree with the member: that would be counterproductive. As I said earlier, I would encourage her to actually put in an application, and if she has difficulty, I'd be pleased to have some correspondence from her and happy to take it up with the Students Finance Board to ensure that there is a provision for students in circumstances where they can receive some assistance, bearing in mind that she would be supporting herself to the extent possible with the job that she holds. I assume that she wants to take evening classes or something like that to upgrade herself, and we would endeavour to give her a part-time bursary to assist her and top up the funding that she needs so that she can get the academic upgrading that would allow her subsequently to enter into postsecondary education.

MR. RENNER: My final supplemental question. Assuming that she qualified for a student loan once we've followed through on that, Mr. Minister, does the recent announcement that you made

with respect to privatization of student loans through the CIBC make it more difficult for her to qualify for a loan?

MR. ADY: Mr. Speaker, I'd like to be really clear that we did not privatize the student loan program. We privatized the repayment portion of the student loan program wherein CIBC only has influence or involvement with the student when it comes time to consolidate their loan, to repay it. Prior to that they have no jurisdiction, no involvement whatsoever in who receives a loan or how much they receive. So to his question: no, the recent agreement has no impact on it.

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

School Act Amendments

MR. HENRY: Thank you, Mr. Speaker. This government yesterday put a notice of motion on the Order Paper to end debate on committee stage of Bill 19, the School Amendment Act. At the same time, yesterday the Minister of Education said that he was going ahead with his own amendments to the Act because he could not get unanimity from the Catholic school boards with regard to their negotiations. I've been recently informed that 100 percent of the Catholic school boards have agreed to the agreement worked out between the lawyers of the government and the Catholic school boards. I'd like to ask the Premier if he will instruct his minister to stop putting more conditions on this deal and to sign it today and get it over with.

MR. KLEIN: Mr. Speaker, I haven't had an opportunity to discuss this specific matter with the hon. minister, but I'd be glad to take it up with him.

MR. SPEAKER: Supplemental question.

MR. HENRY: Thank you, Mr. Speaker. I'd like to ask the Premier if he's willing to offer the same agreement to public school boards in this province?

MR. KLEIN: Mr. Speaker, as I understand it, any agreement that has been worked out with the Catholic school boards relates to the fundamental issue of making sure that the Catholic school districts' constitutional rights are not being violated. That to me is the fundamental issue that the minister is trying to come to grips with.

MR. HENRY: The Premier should know that the public school boards have mirror constitutional rights, and they should be ensured as well.

My last question to the Premier . . .

MR. DINNING: What are they?

MR. HENRY: If the Treasurer would like to sit and listen, my last question to the Premier is: if we have an agreement, will the Premier instruct the Government House Leader to withdraw the closure motion so we can get down to business and really look at the Bill clause by clause and make a better Bill of it in the end?

MR. KLEIN: The Bill will proceed as scheduled. But I'm curious, Mr. Speaker, as to the hon. member's remarks in his preamble. Can he show me the reference or can he reference anywhere at any time the constitutional right to attend a Protestant

school or to collect those taxes? I have never seen it in any Constitution. Perhaps the hon. minister can supplement.

MR. JONSON: The discussions that have taken place, as the Premier has quite correctly outlined, are dealing with adherence to the constitutional rights of separate school trustees in this province. We have maintained from day one that we would do that, and we are going to do that. I find it interesting, Mr. Speaker, that the members across the way have been agitating in this whole area of constitutional concerns relative to separate school boards. I'm not sure if the separate school boards welcome that or not, but they certainly had a great deal of agitation on that side. Now I see that they're onto another constitutional question on the other side of the question, which, as far as we're concerned, does not exist.

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

Senior Citizens' Programs

MR. YANKOWSKY: Thank you, Mr. Speaker. Today the Minister of Community Development released the much-awaited review of the seniors' benefits. In a form more complicated than a corporate tax return seniors can try to calculate their own benefits. When the dust settles, they will realize how small any increases really are. To the Minister of Community Development: Mr. Minister, please confirm to this Assembly that seniors below the poverty line will only get about \$6 per month more than the original proposal.

2:20

MR. MAR: Mr. Speaker, one of the difficulties in talking about the poverty line is that there are many, many different estimates of what it is. Some estimates are as low as \$10,000; some estimates are as high as \$20,000. It's not easy to say whether the same line applies in the cities over 500,000 people, in towns of 50,000. There's no single, one, poverty line. It is impossible to answer the member's question because it's hypothetical in that regard.

MR. SPEAKER: Supplemental question.

MR. YANKOWSKY: Thank you, Mr. Speaker. Mr. Minister, please tell this Assembly how you can increase the benefits but not increase the costs. Where is the money coming from?

MR. MAR: Well, Mr. Speaker, we've stayed within the \$916 million envelope as we have set from the very outset. The costs of making the changes that we require to meet the 11 of the 14 recommendations that were made by the review panel were in total \$14 million. There are two sources that that money came from. One was with respect to the widows' pension program, which was originally to be put in and amalgamated with the Alberta seniors' benefit program. That program is returning to social services, and the money is remaining in Community Development for application to the Alberta seniors' benefit program.

The second source for the money, Mr. Speaker, in the amount of \$4 million comes from a re-examination with more updated data on the income profiles of seniors. What we found in using the updated data was that there was \$4 million available to apply towards the program. The reason why that \$4 million was found was from sharpening pencils and looking at more updated information. The factor was a 3 percent margin, which is a perfectly acceptable margin for estimation.

So accordingly, Mr. Speaker, there is no new money involved in this program. We have not increased the \$916 million envelope, and we have found the money from within existing budgets.

MR. SPEAKER: Final supplemental.

MR. YANKOWSKY: Thank you, Mr. Speaker. Again to the Minister of Community Development: is the consultation process with seniors now over except for the appeal process?

MR. MAR: Mr. Speaker, the program as announced today is going forward on July 1, 1994. There is, of course, an ongoing obligation of the Minister of Community Development to continue to consult with seniors on issues respecting the appeal process, on issues respecting the extended health benefits program, and so on. Also, there is an ongoing obligation to continue to consult with seniors on monitoring the effects of this program as it becomes implemented.

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

Student Loans

(continued)

DR. MASSEY: Thank you, Mr. Speaker. Ontario gets the jobs, and Alberta gets a bilingual 800 telephone number. The student loan agreement between the CIBC and the government allowing loans to be processed outside the province has resulted in a dozen Alberta jobs being exported to Burlington, Ontario. To the minister of advanced education: why did you agree to a clause allowing the CIBC to send Alberta jobs to Ontario?

MR. ADY: Mr. Speaker, I'll check with the Premier right after this session to see if he told me when he asked me to be a minister that I could run the CIBC. The last time I looked, that's not my responsibility. I want to tell you that if that is my mandate, I'm sure somebody owes me some more money, because I know it's higher paid than the job I've got.

To answer the hon. member's question. That is not a clause in the agreement, nor is it anything I have anything to do with: how the CIBC chooses to run their business. I'm surprised that the hon. member would put a question like that on the floor of the House.

DR. MASSEY: Why did the minister agree to clause (g) on page 11 that allows CIBC jobs to be sent outside of this province?

MR. ADY: The hon. member always sends me ahead of time the question that he's going to ask, so that allows me to have the thing here with me so I can read it. It has to do with document processing, and certainly it's within the mandate of the CIBC, who are an autonomous business venture operating at arm's length from the government. We don't have control over where they may move their employees, Mr. Speaker, and I can't see the rationale for expecting the government to be interfering on where a major bank in this country may have employment or not have employment. It just baffles me.

MR. SPEAKER: Final supplemental.

DR. MASSEY: Thank you, Mr. Speaker. I don't think he understood the question. My question was: why did he agree to that clause?

MR. ADY: Mr. Speaker, what the clause really says is that the CIBC has agreed to put in place a toll-free number, which is headquartered in Ontario, so that students can reach it to speak on questions they may have about their loans. It has absolutely nothing to do with saying that we're going to allow or have anything to do with them moving jobs. It's a commitment of them to provide a toll-free number for students to contact to get information on their loans. It has nothing to do with 10 jobs moving or eight jobs moving, not at all.

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

Federal Building

MR. WHITE: Thank you, Mr. Speaker. The progress in the renovation of the federal building in Edmonton has been halted. Structural problems that were not previously disclosed to the developer, Prairie Land development corporation, are part of this delay. My questions today are to the Minister of Public Works, Supply and Services. Is this kind of concealment normal practice, or does this just happen to be a onetime occurrence, as Opron was?

MR. THURBER: Mr. Speaker, we arrived at a lease agreement with the Prairie Land Corporation some time ago, and as far as I know, they're living up to their obligations to pay the rent over there and do whatever they like in conjunction with that lease. We have not interfered. We have not had anything to do with it since that lease was signed.

MR. SPEAKER: Supplemental.

MR. WHITE: Yes. Mr. Speaker, there seems to be a hearing problem over there. The problem was and the question is, again, the concealment of a problem that cost the tenant a great deal of money that had not been disclosed previously. Is this standard procedure?

MR. THURBER: Mr. Speaker, again, the Prairie Land Corporation I know did put out requests for proposals for renovating that whole building to residential property, condos or apartments or whatever, that it was going to have in there. As far as I know, the bids came in a little higher than what they expected. As far as I know, they're still working on them.

MR. WHITE: Mr. Speaker, quite simply: is it not the responsibility of a government to tell a prospective tenant that a problem with the roof exists when they know full well it does?

MR. THURBER: Mr. Speaker, I'm sure that the Prairie Land Corporation, before they entered into an agreement with this government, did a full assessment of the value of the building, whatever repairs were needed. They assessed everything that was in there. They arrived at an agreement with this government. They signed an agreement, and as far as I know, that agreement is still in good standing.

head: **Members' Statements**

2:30

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

International Day of Families

DR. OBERG: Thank you, Mr. Speaker. A heart sheltered by a roof linked by another heart to symbolize life and love in a home

where one finds warmth, caring, security, togetherness, tolerance, and acceptance: that is the symbolism conveyed by the emblem of the International Year of the Family 1994. The open design is meant to indicate continuity with a hint of uncertainty. The brushstroke with its open-line roof completes an abstract symbol representing the complexity of the family.

Mr. Speaker, for the first time ever the United Nations decided, and I quote, "that beginning in 1994, May 15 of every year shall be observed as the International Day of Families." This proclamation reflects the concern of the international community with the situation of families around the world and will be a lasting legacy for the International Year of the Family 1994. The Canada Committee for the International Year of the Family as well as provincial and territorial organizations are encouraging Canadians to acknowledge their families on this day. We are joining with over 100 countries worldwide in celebrating this special day as part of the International Year of the Family celebration. The Canada Committee for the International Year of the Family needs your help to reach Canadians and is seeking your support as communicators to carry this message to your public in the hope that everyone will be made aware and acknowledge the importance of family to the health and welfare of our society.

All Canadians share family as the basic unit of society. We ask you on the International Day of Families to encourage meaningful discussion about families, invite people to take a moment to reflect on fond family memories, help another family, visit a family member, share special time with your children and loved ones, and reflect on the family of Canada. We need your support to encourage this type of intimate celebration.

Mr. Speaker, with your indulgence I am distributing lapel pins with the International Year of the Family logo to the members of the Legislature. This is to recognize their roles as members of this Legislature and, more importantly, as members of the smallest democracy in the world, the family.

Thank you.

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

Heritage Savings Trust Fund

MR. CHADI: Thank you very much, Mr. Speaker. In 1976 the government of the day created a fund called the Alberta heritage savings trust fund for what was to be saved for a rainy day. After years of deficit budgets and a huge debt now the experts are saying to do something. It's time that the government acknowledge the recommendations of the experts before it mismanages the heritage fund into oblivion.

The Auditor General has recommended that the Treasury Department initiate a review of the heritage fund to determine whether the assets are being used in the most effective manner in relation to the province's overall financial objectives. The Alberta Financial Review Commission has stated that the retention of the heritage fund in its present form may be creating a false sense of security among Albertans and recommended that the investments of the fund be transferred to the general revenue fund.

The Institute of Chartered Accountants has recommended that the government initiate a comprehensive analysis of the fund including an independent valuation of the Alberta heritage savings trust fund portfolio. They feel that such an analysis would result in the inevitable conclusion that the fund be liquidated to pay down the debt.

Mr. Speaker, Moody's credit rating report on Alberta released March 18, 1994, noted that the outcome of the review of the

heritage fund will be an important credit consideration of future reviews by Moody's. I quote:

Since so much of the fund's assets are in the form of marketable securities, disposal of the assets would result in a substantial reduction of provincial debt, greatly reducing annual debt service [costs].

Mr. Speaker, on January 19, 1994, before the Standing Committee on the Heritage Savings Trust Fund Act our own Premier said, "Yes, I'm fully committed to a review." On February 24, when the budget came down, it said quite clearly in the budget that the review was to be undertaken in 1994. While the government has been stalling over the past year, Alberta's accumulated debt has grown by \$2.74 billion.

Thank you.

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

Education Restructuring

MRS. GORDON: Thank you, Mr. Speaker. On January 18 the Minister of Education announced this government's plans to restructure education delivery and to reduce the number of school boards from over 140 to approximately 60.

School board boundaries can be altered by way of amalgamation or regionalization. Regionalization is the joining together of two or more school boards to form a single board called a regional division board. The minister has indicated that the school boards have until August 31, 1994, to voluntarily determine their own arrangements for regionalization. The time lines are short. This is because in order for the wards and electoral subdivisions of the newly established regional divisions to apply for the next general municipal election scheduled for October of 1995, the new regional division boards must pass a bylaw establishing them before March 1, 1995. In order for this to occur, the boards need to be established by December 31, 1994.

To assist with regionalization and amalgamation issues, the minister has named the MLA for Dunvegan, the MLA for Stony Plain, and the MLA for Lacombe-Stettler to a committee responsible for reviewing these matters and making recommendations. As chairperson I appreciate the level of energy that trustees are expending on restructuring their operation. My colleagues and I realize this is extremely difficult work and thank them for their efforts and their accomplishments to date.

The large majority of the boards in this province are discussing regionalization and amalgamation alternatives with neighbouring jurisdictions. Support has been remarkable. The minister tells me that approval is imminent for the amalgamation of a number of school boards: Fairview and Spirit River Roman Catholic separate school districts have requested amalgamation with the Grande Prairie Roman Catholic separate school district; Rocky Mountain school division and Twin Rivers school division together will form the Wild Rose school division. Our committee will continue to work with trustees to develop viable alternatives.

Thank you.

head: **Projected Government Business**

MR. SPEAKER: Opposition House Leader.

MR. MITCHELL: Thank you, Mr. Speaker. I would like to hear from the Government House Leader as to what plans he has for House business next week.

MR. DAY: Mr. Speaker, our anticipation at this point is that on Monday we will be giving consideration to Bill 19, and then

further consideration will be given according to the Order Paper and in Committee of the Whole. If time allows, we'll move into second readings. That is basically how the government business will continue on through the week.

We'll continue the process that seems to have worked fairly well over the last couple of weeks of communicating back and forth with the Opposition House Leader to inform on a daily basis in sufficient time or even the day before exactly which Bills, but because there are so many Bills now at committee and also at second reading, it's difficult to say and pinpoint at what hour we'll be on a particular one. We will however be doing that on a daily basis, as we have been over the last couple of weeks.

MR. SPEAKER: The next order of business will be points of order arising out of today's question period.

Point of Order Provocative Language

MR. DAY: Mr. Speaker, the Member for Edmonton-Mayfield prefaced his questions about some structural faults in a building and relating to contracts, not addressing those technical difficulties but making an incorrect and broad assumption which violates Standing Orders 23(h), (i), and (j), by using the word "concealment," suggesting quite seriously, when you take a look at the word "concealment," meaning an active attempt to hide something.

It seems daily, Mr. Speaker, we rise on allegations that are made in violation of Standing Order 23. In fact, it's gone so far that we actually have a question of privilege before the House, because it's been abused so much. I would just ask that the Speaker feel free to rule either on members on this side of the House or on the other side as this terrible practice, insulting practice is evident every day, which would be liable to court charges outside of this House. I'm just wondering if we can have some attention to that.

MR. SPEAKER: Well, this is in the nature of a complaint, and the Chair does feel that most hon. members are becoming a little colourful in their adjectives that they use in this Chamber. The Chair would urge all hon. members to please be less colourful in that language. That is only the hon. member's opinion of something at the present time, and the Chair does tend to think it was a little exaggerated.

Speaker's Ruling Privilege Motion

MR. SPEAKER: Before calling Orders of the Day, the Chair would observe that the Order Paper today is a little bit different than it has been in the past because it contains a new item called Motions under Standing Order 15(6). That is the notice given by the hon. Leader of the Opposition yesterday. It is the Chair's understanding that it is the desire of both sides of the House that this matter be commenced today by the hon. Leader of the Opposition presenting the motion of which he gave notice yesterday and to have the opportunity of explaining that motion, followed by a desire of the hon. Government House Leader to make a reply.

2:40

Because this is a government day and the government has made plans for this day, the Chair doesn't feel that the debate should go on a long time. It will proceed on the basis that the hon. Leader of the Opposition will have a chance to fully explain his motion and then the hon. Government House Leader will have the opportunity to reply, at which point the Chair proposes to defer

debate until there have been meaningful consultations between both sides as to how they see time being allocated for this. The Chair does feel that because this is not government business nor is it private business – it is a matter of privilege and therefore important – that it be concluded in a timely manner within the next week. The Chair will be taking a role in that, but the Chair would say that its first preference is for the parties to work out an agreeable way of concluding the debate on this motion.

Now, the Chair has also had some inquiries from hon. members who are associated with the standing committee on privileges and elections as to their role in this. Of course, it isn't up to the Chair in any way to prevent anybody from participating on any matter that comes before this Assembly, but the Chair would suggest that hon. members who are members of the committee might consider refraining from entering into the debate on this motion. There's no rule that they must absent themselves from the Assembly. They would probably hear some background and some useful information during the debate. But the Chair is of the view that the perception wouldn't be that great if members of the committee got involved in the debate of the instrument that was going to set them to work.

So with those remarks, the Chair will call Orders of the Day and then recognize the hon. Leader of the Opposition to present his motion.

head:

Orders of the Day

Motions under Standing Order 15(6)

Referral of Question of Privilege to Committee

MR. DECORE: Mr. Speaker, yesterday you ruled that the accusation or the comments made by the Deputy Premier and the minister of transportation were such that the matter of privilege should be referred to the appropriate legislative committee. You invited me to stand and give oral notice, which I did, of my intention to have the matter go to committee. At that time the motion was not written in the usual formal way that the Legislature likes to deal with motions. So what I did today in consultation with your office and in consultation with Parliamentary Counsel was to craft in a more formal way the motion that I gave verbal notice of yesterday.

So with your leave, Mr. Speaker, I'd like to have the Clerk distribute copies of the notice of motion, and I'd like to read it for the record.

Be it resolved that the allegation of breach of privilege made by the Deputy Premier and the minister of transportation against the hon. Leader of the Official Opposition on May 4, 1994, be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing, hereinafter referred to as the committee, and that adequate financial and human resources be provided to that committee so that the hon. member against whom the allegations have been made can call witnesses, cross-examine witnesses, require the administration of oath thereto, and provide for appropriate legal counsel for the hearing, and further that the committee determine such further rules and procedures to ensure that the member is not deprived of "the safeguards and privileges which every man enjoys in any court of the land,"

it should have been man or woman, I guess, in today's parlance, and further that the matters to be referred to the committee shall be the following.

- (a) On May 4, 1994, did the hon. Leader of the Official Opposition breach the privilege of the Deputy Premier by stating the following: "Mr. Speaker, the Paddle River scam has disclosed that two ministers, that one and that one, interfered with contract awarding, interfered with the regular process of awarding contracts"?

- (b) On May 4, 1994, did the hon. Leader of the Official Opposition breach the privilege of the minister of transportation by stating the following: "Mr. Speaker, the Paddle River scam has disclosed that two ministers, that one and that one, interfered with contract awarding, interfered with the regular process of awarding contracts"?

Now, the first issue that I wish to make note of is that I'm surprised that the Speaker would allow for only a short debate on something that I consider to be critical, critical to my ability to perform my duties as the Leader of the Opposition. When the Speaker notes that this is a government day and we shouldn't encroach – I guess the inference is that we shouldn't encroach on government business time – that is, I think, unusual, particularly when one is dealing with such a serious matter as privilege, which affects me as the Leader of the Opposition. I would hope that you would reconsider your position, Mr. Speaker, and allow for the full debate to take place today or however long it takes to finish this debate, because I think this is an important matter and other matters, I think, should be deferred to this matter of priority. That's the first point I want to make.

The second point that I wish to make is this: that the role of the Speaker in dealing with privilege, as the Speaker quite correctly noted yesterday, is to find whether there is prima facie evidence. Prima facie evidence means: is there enough evidence to have the matter go further? It isn't a determination of fact or truth for the Speaker. It is simply to determine whether there is enough for the matter to go further to a committee for the real hearing, for the real test, for the truth to be determined, and that's what this is all about: for the truth to be determined.

That, then, requires some note of what has happened to date. Everyone in this Assembly and most Albertans are now knowing what Opron is all about. Opron was the case in the Court of Queen's Bench in Alberta that saw the Queen's Bench judge come to a finding of fact, and I must emphasize the judge coming to a finding of fact, not alleging or alluding or somehow suggesting. The judge came to a finding of fact in the Opron case that the government – the government, this government because this case has just been concluded a short time ago – is guilty of deceit, fraud, and negligence. Now, those aren't findings that are usual against individuals or in fact governments. In fact, I don't know of a situation . . .

Point of Order Relevance

MR. DAY: A point of order.

2:50

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

MR. DAY: Mr. Speaker, I think I join with a number of members in the Assembly today on the issue and the citation of relevance. What has this got to do with the issue that we're dealing with, which is the matter of privilege? I would suggest this matter of relevance has nothing to do with the matter of privilege and the motion that's being brought forward.

MR. DECORE: Mr. Speaker, how could you deny my opportunity to lay the facts before this Assembly to determine exactly how this matter will be dealt with by the committee? I can't believe that.

MR. SPEAKER: What we have for debate today is a motion to refer this matter to a standing committee, and the Chair has recognized the hon. Leader of the Opposition to propose his

motion and to elaborate on the referral of this issue to the committee, and the hon. Leader of the Opposition does have 20 minutes in which to do that. The Chair thought that he was following the comments of the hon. Leader of the Opposition. It seemed to the Chair that the hon. Leader of the Opposition was explaining how this has come about, and that's the background to the motion, and the Chair will ask the hon. Leader of the Opposition to continue.

Debate Continued

MR. DECORE: Mr. Speaker, I indicated that it is so unusual – in fact I can't ever remember reading or hearing that a government had been found guilty of deceit, fraud, and negligence in a civil action. I've never heard of it happening. Now, governments aren't some hollow entity. Governments are made up of people. Governments – that is, the political people who set policy – are supported by administrators who carry out that policy. So when we talk about fraud, negligence, and deceit, we have to determine who this applies to, and that's what the opposition has been attempting to do for some days in question period and wants to see resolved.

Mr. Speaker, there was no appeal of this decision by the government. That's interesting. So clearly there is an admission and an acceptance by the government that they were fraudulent, deceitful, and negligent. They rush off to appeal other cases with quick action but not this one. They didn't appeal this. Not only that, we learned from the Premier during the course of question period that his government made an offer of settlement. The clear implication of that is that the government knew that it was in trouble. It knew that it was involved in the likely conclusion of an action that would lead to a finding of deceit, fraud, and negligence.

Now, what happened? What happened when a government tried to settle? What happened to a government that heard the court case? What did it do? It did nothing. No heads rolled, no administrators were fired, and something called ministerial responsibility doesn't look like it's ever been thought of or acknowledged, in the same way that it's never been acknowledged in the NovAtel scandal, and I don't think that's right. I think that's one of the principles that's important in this democratic society; that is, if somebody is found to be deceitful, fraudulent, and negligent, well, whose ministry was it part of and why did it happen and why didn't heads roll and why is that minister still in that place?

Mr. Speaker, what's interesting is that there has been a deflection of this matter, a clear intention to deflect the people of Alberta from the true issue, and the deflection is in the way the government has referred this to Saskatchewan for review. This is a civil action, a civil action that found civil fraud and civil negligence and civil deceit, not criminal negligence, not criminal deceit, not criminal fraud. Civil. The standards to prove, to find civil fraud and civil negligence and civil deceit are very different than the standards you need to find criminal negligence or criminal fraud or criminal deceit.

MR. SPEAKER: Hon. Leader of the Opposition, we really should be directing our minds to whether this matter should be referred to the committee, not rehashing the Opron case.

MR. DECORE: Well, I'm not rehashing the Opron case. I'm saying that the government has cleverly deflected this issue. There is a clear distinction, and when the government sends this off to Saskatchewan to see if criminal charges should be laid, that

doesn't deal with the issue of responsibility, ministerial responsibility or whatever.

Now, Mr. Speaker, how do we get to the truth of this matter? How do we get to the truth of this matter?

Point of Order Relevance

MR. DINNING: Mr. Speaker, a point of order.

MR. SPEAKER: Is the hon. Provincial Treasurer rising on a point of order?

MR. DINNING: Mr. Speaker, I do rise on a point of order regarding relevance, because I want to point out to the Assembly . . .

SOME HON. MEMBERS: Citation. Citation.

MR. DINNING: It's 23(i) in Standing Orders with respect to relevance. Mr. Speaker, the fact is that you declared yesterday in your statement that there is a prima facie case of privilege here. You have decided that, and what the hon. leader is trying to do is perhaps challenge the Chair. I would suggest to you that instead of rearguing the government's or the opposition's case with respect to the Opron matter, that is not a matter for debate here. That has been decided. What is before this Assembly, sir, is the matter of privilege of which you have already declared there is a prima facie case of privilege.

MR. SPEAKER: The issue is not whether there's a question of privilege, because the committee will decide whether this is a matter of privilege. But the Chair would urge the hon. Leader of the Opposition to stay closer to his motion of referral and less on the facts and the events that have flowed from the decision in the Opron case.

MR. DECORE: Mr. Speaker, I think it's important that the people of Alberta know all of the facts in this case, and that's been very cleverly hidden from them.

Debate Continued

MR. DECORE: Well, Mr. Speaker, the ultimate penalty against me is that I might well be denied the right to sit in this Assembly. That is serious . . .

AN HON. MEMBER: You should have thought of that, Larry.

MR. DECORE: Well, I don't think that's funny, Madam Minister. [interjection] No, I think that when one speaks the truth, one should always be allowed to speak the truth. When a member in this Assembly fears speaking the truth, then it isn't worth sitting in this Assembly. [interjections] Now, Mr. Speaker, to ensure . . . [interjections]

Speaker's Ruling Decorum

MR. SPEAKER: Order. [interjections] Would hon. members cease talking back and forth. This is a serious matter. It isn't up to the government to be hectoring. If they have valid points of order, they can raise them on their feet, not from their seats.

The hon. Leader of the Opposition.

Debate Continued

MR. DECORE: Mr. Speaker, to ensure that there is truth and that truth is found, there have to be certain rules that are set by this Assembly that will allow truth to prevail, the truth to be found, the issues to be clearly defined, the understanding of all matters to be full and complete. So that's why this motion sets out that I be allowed to have this matter go to a committee, that the committee be allowed to call witnesses, that I be allowed to call witnesses, witnesses that will prove or help me prove that I should continue to be allowed to sit in this Assembly and to speak the truth and to be involved in the truth.

3:00

That means that if I wish to call and want to call senior administrators, senior bureaucrats that were involved in this matter, I be allowed to do so. It means that if I want to call as witnesses ministers of the Crown or anybody in the government to prove my case, to prove that I am correct in what I have been saying, I am entitled to do so. It means that I be allowed to put witnesses under oath so that the veracity of their statements can be tested and cross-examined. It means, to ensure fairness, that legal counsel must be present to protect everybody's position. It means that we need a set of rules that in no way would allow something like a committee to deal without rules or half-rules, that would find Albertans seeing a kangaroo court in operation rather than seeing what should be in operation, and that is a proper quasi-judicial assessment of this issue.

I don't want a kangaroo court. I want my peers to be judging me on the basis that they have heard all of the evidence, all of the facts, seen all of the documents, had everybody cross-examined that needs to be cross-examined, as much time taken as needs to be taken, and resources, financial and human or otherwise, provided so all of that can be done so that I can continue to take my seat at the privilege of the constituents that allowed me to come here in the first place.

Mr. Speaker, it's important that these rules be set. It's important that the members of this Assembly who will be judging me in due time set out those rules so that it can in no way be interpreted as some sort of a partisan political venture to get the Leader of the Opposition or to get a Liberal or to get somebody in this Assembly. [interjections] I don't think this is funny, Mr. Treasurer, and I'm surprised that you continue to heckle and laugh, and for the record, I think it's a shameful kind of act for such a serious matter.

Mr. Speaker, I'm asking that the Assembly approve this motion in the form that it has been crafted so that truth can be found, proper rules put into place so that I'm ensured of the best possible and the fairest hearing.

Thank you, sir.

Speaker's Ruling Debate on Privilege Motion

MR. SPEAKER: Order please. Before recognizing the Government House Leader, the Chair feels compelled to say that it regrets that the hon. Leader of the Opposition appears to have misunderstood the feeling of the Chair. The Chair in no way wants to cut off debate on this motion by having only two people speak. The problem for the Chair was that the Chair was certainly not party to any negotiations as to what all sides of this Assembly wanted to do with their time, and the Chair is in no way calling a vote on this motion today. It's not going to be decided today. It's just being started today. The Chair does feel that this is a very important issue and all members should have the

opportunity to contemplate what the issues are, which hopefully will be defined by the two leading speakers today. The debate will continue Monday. The Chair only suggested that it felt that progress should be made on this motion, real progress, by the end of next week.

MR. MITCHELL: A point of order, Mr. Speaker, under 15. Could you just clarify: does that mean that if we had two speakers today we can bring it back on Monday and then have as many more speakers as required?

MR. SPEAKER: I don't know whether people don't listen, but the Chair said that it expected the Opposition House Leader and the Government House Leader to have some meaningful consultations as to what time was going to be allotted to this. So I don't know whether there's a problem with the sound system here or whether the people just won't listen.

MR. DAY: Mr. Speaker, on the government side we understood your remarks and your direction the first time, and we appreciate the second and third admonitions. It made it very firm in our minds, and we hope it did somehow impact on the members opposite. We need to be guided by your remarks. That's very clear. That's why you were freely elected in this Assembly, and the record shows that rulings made from your Chair fall equally on both sides. Sometimes our points of order are recognized; sometimes they're not. Sometimes you rule in favour of the government side, sometimes in favour of the opposite side. I think the record clearly shows that though we may not at any one time share with joy a particular ruling you make, certainly it's understood by members in this Assembly that there's no bias in those particular rulings. I myself was overruled on a point today that I thought was, from my point of view – you overruled it, and I understand that's how it goes. We don't take that as an interpretation of favouring one side. So we do need to be guided by your remarks.

Debate Continued

MR. DAY: You have suggested something today – and I think it's a good suggestion – that some time be taken to give further consideration, not just for the reason that this is a very serious matter, but we will recall that there was already one motion on the Order Paper by the Member for Edmonton-Glengarry and he changed it today. Now, I don't know if that suggests that he's panicking or he's worried about something, but it was changed. So if for no other reason than that rapid change happening, there definitely should be some time to give consideration to this. We also need to very clearly recognize that a point of privilege is very, very serious, and the Member for Edmonton-Glengarry has indicated that he recognizes that.

I'll also bring our attention to bear that other than one or two altercations the entire time the Member for Edmonton-Glengarry was speaking, all members of this caucus politely, somewhat painfully but politely, listened. There were one or two . . . [interjections] I said that there were one or two altercations on this side. Since I've begun to speak, there's been constant heckling and interjection. I just want that to be on the record. That's common practice every day in this Assembly, coming from that side.

I'll go on to say that this is a very, very serious matter, the matter of privilege. I'd like to point out that in this new revised motion brought forward by the Member for Edmonton-Glengarry, it says, "Be it resolved that the allegation of breach of

privilege . . ." There's no allegation of breach of privilege. A prima facie breach of privilege has been found. I will quote from the ruling yesterday which says, "It is because of this . . . in light of these authorities, that the Chair finds that a prima facie case of privilege does exist." So there is already difficulty with the word "allegation" there. Now it is referred to the committee, and the committee makes a decision on what to do with this particular matter. So let's make that very clear: there's no allegation. The words of the ruling are clear: ". . . the Chair finds that a prima facie case of privilege does exist." It is now referred onward to the committee for consideration.

I'd like also to say that we need to be guided by the framework that the Chair has laid out for the discussion that will take place in the committee, and yes, there does have to be a proper hearing, but there's been a framework within which those rules need to be drafted. We need to be guided by the Speaker's guidelines here. As I said earlier, we may not like them. We may not dance with joy over the guidelines, but I will refer again to the ruling in a number of cases. For instance, it's very clear in the ruling – and it's a matter of great concern – that "it would not be in order for the Assembly to constitute itself a court of appeal."

Point of Order Misrepresenting the Speaker's Ruling

MR. DICKSON: A point of order.

MR. SPEAKER: The hon. Member for Calgary-Buffalo rising on a point of order.

MR. DICKSON: It is a serious point of order, Mr. Speaker, with respect. I cite Standing Order 23(l), and that's a case where a member "introduces any matter in debate which offends the practices and precedents of the Assembly."

It's clear from the comments we've just heard from the Minister of Labour that he believes your finding of a prima facie case somehow makes the allegation something more than an allegation. It's clear that if one looks at the precedents of the House, if one looks at all of the parliamentary authorities on breach of privilege, once the Speaker has made a determination, as you have, sir, you are functus. What then happens: it is for the committee, when it's referred to that committee and if it's referred to that committee, to review the matter in full from the start. That committee is not bound by the preliminary finding, in much the same way that in a criminal matter once a determination is made at a preliminary inquiry, that doesn't bind the trial judge. When it gets in front of the trial judge, all matters are open for review and assessment.

3:10

So the assertion that's been made by the Minister of Labour in fact flies in the face of not only our Standing Orders and *Beauchesne* but the whole body of parliamentary authority, also Mr. Maingot's text on parliamentary privilege. I think it's essential that all members be clear on that now and that this misconception not be published or circulated further.

Thank you.

MR. SPEAKER: The Chair is trying to think of English words, but the term "obiter dicta," the legal term which means something that's said that's not really essential to the terms of the judgment – that's what those remarks at the end of the Chair's ruling yesterday really were. They may or may not be useful, but they weren't part of the actual decision.

MR. DAY: Not being as familiar with the legal jargon as yourself and the Member for Calgary-Buffalo, I'm frankly buffaloed by what "functus" means. Functus, bunctus, punctus: I'm not sure. Whatever it means, under Standing Order 15(6), under the definition of privilege, it's very clear that

in order to determine whether a prima facie case of breach of privilege has taken place and whether the matter is being raised at the earliest opportunity, and if the Speaker so rules, that, going along with the actual wording in the ruling, clearly says "that the Chair finds a prima facie case of privilege does exist with respect to the words." Now, any way the committee wants to deal with that, they can deal with that, but this is not an allegation of a breach of privilege. There has been a ruling.

Now, I will continue. [interjections] They can disagree with my remarks, but they don't have to stand on a point of order.

Speaker's Ruling Decorum

MR. SPEAKER: Order please. The Chair is going to rule that we are now engaged in a matter of debate. There are some ideas that are going to be put forward on each side that the other side is not going to agree with, but neither side is going to change the other side's mind.

The hon. Government House Leader.

MR. DAY: Thank you, Mr. Speaker. Again, I didn't agree with 98 percent of what the Member for Edmonton-Glengarry said in his remarks, but I didn't scream and shout and go berserk like they are now. I would ask for the same consideration.

MR. SPEAKER: Order. Order please.

Point of Order Provocative Language

MS LEIBOVICI: A point of order.

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

MS LEIBOVICI: Standing Orders 23(i) and (j). The Minister of Labour is indicating that our members are being berserk. Furthermore, Mr. Speaker, the Minister of Labour has directly, from what I can understand – and I am not a lawyer – refuted your remarks. I don't know whether that's a challenge of the Chair.

MR. SPEAKER: Order please. If the Chair feels that it's being challenged, the Chair has enough gumption to get up on its own. [interjections] Order please. [interjections] Order please.

The Chair would also suggest to the hon. Government House Leader that the word "berserk" is really not necessary at this time.

MR. DAY: Thank you, Mr. Speaker. I'll try to continue. Our members, as the record will show, were patient and listened, though they didn't agree. I'll ask members opposite to try and control themselves and demonstrate a minimum respect for parliamentary procedure.

Debate Continued

MR. DAY: It also goes on to say in the ruling of yesterday – and this is the guidance to the committee – that it's of great concern; that "matters dealt with by that court," talking about the Court of Queen's Bench, "are not relevant as to whether or not the words constituted an improper obstruction to the member" in performing

his parliamentary work. "The issue is the impact of the statement on the member's and the House's status in the eyes of the public."

It goes on to say, talking about police investigation which may take place as applied to the Attorney General of Saskatchewan, "Even though the findings of the Attorney General of Saskatchewan should not impact the issue of privilege . . ." That particular paragraph closes by saying that "the issue of privilege must be approached with great precision." So we have guidance from the Chair in terms of the guidelines that should take place. The Member for Edmonton-Glengarry wants to have the entire case that's already taken place in the courts of this land revisited again, wants to go to all the witnesses and bring everything in – and never mind the expense; that's just a minor issue – but wants to go through the entire court case again.

Whether when watching a hockey game we like the call of the referee is not the issue. When the referee rules, that's what you abide by or you are thrown out of the game. That's possible. This duly elected referee in this House has given some guidelines. We might not like them. I might not like every ruling that's made, but I will acknowledge them, and that's all I'm saying today. The motion that's being proposed here by the hon. Leader of the Official Opposition flies in the face of all of those guidelines in its entirety and is also introduced on fairly short notice, so we need to give consideration to the request here in terms of looking at this today. Because the motion so distinctly flies in the face of every guideline that's been given in that ruling, I am proposing an amendment to the motion which would delete all the words after the words "be it resolved that the" and insert the following words:

prima facie case of privilege which was found to exist when the Chair of the Legislative Assembly made its ruling on Wednesday, May 11, 1994, be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing.

I would suggest that as that is being looked at and as it's being distributed, Mr. Speaker, and in guidance of your words which say that we need time to give consideration to these things, I would now move adjournment of debate on the amendment.

MR. SPEAKER: Having heard the motion by the hon. Government House Leader, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Call in the members.

[Several members rose calling for a division. The division bell was rung at 3:19 p.m.]

[Ten minutes having elapsed, the Assembly divided]

MR. SPEAKER: Order please. Before calling for the vote, the Chair is advised that there is some trouble with the bells ringing in the annex. Is there any objection to the vote being held at this time? Are members satisfied that all members have received proper notice?

For the motion:

Amery	Gordon	Mirosh
Black	Haley	Oberg
Brassard	Havelock	Pham

Burgener	Herard	Renner
Calahasen	Jacques	Severtson
Cardinal	Jonson	Smith
Clegg	Kowalski	Sohal
Coutts	Laing	Stelmach
Day	Lund	Tannas
Dinning	Magnus	Taylor, L.
Dunford	Mar	Thurber
Forsyth	McClellan	Trynchy
Friedel	McFarland	Woloshyn
Fritz		

3:30

Against the motion:

Abdurahman	Hewes	Taylor, N.
Beniuk	Leibovici	Van Binsbergen
Carlson	Massey	Vasseur
Chadi	Mitchell	White
Collingwood	Nicol	Wickman
Dalla-Longa	Percy	Yankowsky
Decore	Sekulic	Zariwny
Dickson	Soetaert	Zwozdesky
Henry		

Totals: For – 40 Against – 25

[Motion carried]

head: **Government Bills and Orders**
head: **Second Reading**

Bill 34
Alberta Housing Act

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

MRS. LAING: Thank you, Mr. Speaker. It's a pleasure to rise and move second reading of Bill 34, the Alberta Housing Act, on behalf of the Hon. Steve West.

MR. SPEAKER: Order please. The hon. member knows how to refer to a minister.

MRS. LAING: The Minister of Municipal Affairs. Thank you.

For over a third of a century this province has been involved in providing some sort of assistance for Albertans requiring social housing. Through the years the expectation of Albertans and the ability of government to respond to the demands have changed with the times. The provincial government's first venture into social housing saw assistance for seniors with the Homes for the Aged Act in 1959, later renamed the Senior Citizens Housing Act. A commitment to assist in housing other Albertans was made through the 1965 Alberta Housing Act, which created the first Crown housing corporation in 1967. Then came the Alberta Housing Corporation Act of 1970 and the Alberta Home Mortgage Corporation Act of 1976. These were consolidated in the Alberta Mortgage and Housing Corporation Act in 1984.

While the need to assist some people in acquiring or maintaining housing remains, capabilities and resources of decision-makers in meeting this need have yet again changed. This Act responds to those changes. At the same time, it's consistent with government's overall goal of securing Alberta's future while maintaining essential programs and quality of life.

Bill 34 reflects this changing role of government in social housing. It enables the provision of a basic level of housing for persons who find they require assistance in acquiring and maintaining affordable accommodations. Accountable public spending is good government, and this government is streamlining for administrative efficiency. We will achieve our goals through more public involvement in decision-making by involving those decision-makers closest to the needs of the community. They are the best judges of what needs to be done to meet the local demands.

So what we are doing is letting local decision-makers take greater control over their environment, over their day-to-day decision-making. We are replacing restrictive rules, regulations, and policies with enabling legislation. We are also eliminating overlap and duplication in administration and operations. This will allow for an efficient and cost-effective provision of social housing.

In essence, there are four parts to the Act. The first is the amalgamation of statutes. Two existing statutes are replaced: the Alberta Mortgage and Housing Corporation Act and the Senior Citizens Housing Act. Furthermore, the Alberta Mortgage and Housing Corporation is renamed the Alberta social housing corporation. This name change reflects our emphasis on assisting in the provision of social housing. Historically our primary role was lending and providing guarantees. However, the corporation remains a Crown agency and continues to meet its obligations under that former Act, but the corporation will need a clear direction consistent with the Act and this government.

Number two is the housing management bodies. The new Act presents new opportunities for housing management agencies, housing authorities, and other bodies. It streamlines existing regulatory constraints on these providers of social housing. Again, this is enabling legislation. The flexible legislative framework provides the means for municipalities and housing agencies to manage their day-to-day activities efficiently. The result is improved efficiency and a high level of service. Foundations and management bodies now have the capability and capacity of natural persons. The only limitation placed on them ensures the provisions of a basic level of housing, as is intended under this Act. Within these limits, however, flexibility, innovation, and efficiency are the new directions. At the same time, we emphasize sustainable service delivery with controllable cost to taxpayers. For example, we will continue fulfilling our obligations with the federal government in our cost-sharing agreements. While existing cost-sharing agreements remain, there is a greater potential and capability to reduce costs that are shared. This will benefit the community, Alberta, and Canada.

Mr. Speaker, there are 42,000 social housing units in our provincial portfolio. Some projects such as seniors' lodges were built decades ago. The reality of today is that the maintenance and operating expenses are substantial, and as the projects age, their upkeep requires more attention and more of our limited resources. We must be innovative and open to different ways to provide quality accommodation that meets the standards acceptable to Albertans. This legislation encourages the entrepreneurial and pioneering spirit of Alberta. It lifts the restrictions on the creation of new housing management agencies. Member municipalities and organizations determine the kind of organization that best suits the needs of their communities, and they also decide what services to offer. Various agencies may consolidate, form new partnerships, and attain greater administrative efficiencies. Their ability to adapt to changing circumstances is greatly enhanced.

The third is the role of the provincial government. Our primary role as the provincial government, then, is to support with advice and facilitation housing bodies and those in the private sector supplying shelter to Albertans in greatest need. For example, departmental advisors will assist the providers of social housing in adapting to their new decision-making authority and achieving efficiencies. Advisors will also do inspections, ensuring adherence to the basic operating rules. This means service standards are maintained. The Act also lays out ministerial powers such as extending financial assistance, developing and supporting the development of social housing, and although we propose to lift controls, the minister retains final authority over the social housing delivery. The flexibility of this legislation increases the opportunities for participation by communities, nonprofit groups, and the private sector in meeting the social housing needs.

Basically, the minister's relationship with management bodies will be similar to his relationship with municipalities. The Act outlines the reporting requirements and special powers of the minister to obtain information. Hence, providers of public housing remain accountable to the people of Alberta.

We are reducing duplication and examination by various provincial departments. Lodges are removed from the responsibility of the Health Facilities Review Committee. Municipal Affairs will conduct inspections, and if specific health or building maintenance concerns are identified, the minister will request the expertise of the appropriate government department.

Fourthly is the settlement of disputes. Another area where existing know-how can be applied is in the settlement of disputes. Those involved in delivering social housing can now take advantage of the new municipal government board if the minister sees the need to settle disagreements among themselves or with the municipalities. This further reduces potential overlap in government services.

The impact of the change is significant, Mr. Speaker. Bill 34 is important to every community, every housing management body, and every Albertan. It will bring greater control in decision-making to the grassroots level. We've consulted the housing authorities, the seniors' lodge foundations, and nonprofit organizations operating housing projects and encouraged them to start a process towards reducing overlap and duplication in services. We are encouraging them to forward proposals on how they see seniors' housing and other social projects being run in their communities. The response to date has been very positive. At this point it appears that consolidation will leave about 200 housing management bodies following the proclamation of this Act. These agencies want to take advantage of efficiencies and the greater opportunity for decision-making. Financial efficiency and streamlined service delivery are now realistic, achievable goals.

3:40

The new Housing Act will be the basis of a new era in social housing. It is the natural progression of functions laid out in the former Act. The existing statute is constrictive and inflexible in comparison to the proposed Act. The new Act will bring innovative ideas to life. It will bring a better system overall in the delivery of an essential service to Albertans: the provision of housing for those who for financial, social, or circumstantial reasons require assistance to acquire or maintain accommodation.

Those are the principles of the proposed Alberta Housing Act. I look forward to discussing the specifics in committee.

Mr. Speaker, I would move second reading of Bill 34. Thank you.

Point of Order

Allegations against a Member

DR. MASSEY: A point of order, Mr. Speaker.

MR. SPEAKER: The hon. Member for Edmonton-Mill Woods rising on a point of order.

DR. MASSEY: Yes. Standing Order 23(h). I've just had a chance to check the Blues from this afternoon's question period. During that question period the minister of advanced education alleged that I had provided him advance notice of the question I would be asking. That has the potential of causing me great mischief within my caucus, Mr. Speaker, and I would ask the hon. minister for relief.

MR. ADY: Mr. Speaker, the hon. member is correct. I did say that in light of the fact that I was holding the document that he was referring to. We are so often accused of someone giving us information, so I facetiously lumped him into that group. If the hon. member found it offensive, I would be happy to withdraw that statement.

Debate Continued

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

MR. WICKMAN: Thank you, Mr. Speaker. I want to speak briefly on Bill 34. Our lead on Bill 34, the Member for St. Albert, can't be speaking to it this afternoon, so I want to provide some initial comment. The initial comments by myself will be followed by the Member for Edmonton-Beverly-Belmont, and then the Member for Edmonton-McClung will wrap up the second reading portion. Then we will anxiously look forward to the Committee of the Whole, where we hope we can work out a number of amendments in conjunction with the Minister of Municipal Affairs or that the Minister of Municipal Affairs will seriously consider to make this Bill as meaningful as possible and to minimize impact, hardships it may have to those it could potentially affect.

Now, when I look at the intent of the Bill, understanding a bit the philosophy of the minister responsible for Municipal Affairs, I can understand why there's such an emphasis on administrative efficiencies in trying to reduce government involvement, in trying to reduce government costs. I guess that goes hand in hand with attempts to reduce the deficit. As we work towards those goals of becoming administratively efficient, it becomes very, very important, extremely important, that the needs and the protection of the individual are not ignored in the process. That, Mr. Speaker, is my concern with this Bill.

I'm going to be asking a number of questions that the sponsoring member may want to take under consideration, or the minister when he has the opportunity to read *Hansard* will have the ability to respond when we get into committee stage. The first area I want to touch on is management bodies. Now, the Act first of all makes reference to a management board that'll fall under the responsibility of the department or the minister. That management board is not clearly defined as to what role it's going to have, if that role is going to be simply to resolve disputes. That's the reference that is made in the Act, that this board would resolve disputes, and I'm not sure if we're talking in terms of disputes that may arise between two different management bodies, between two residents of lodges, of nonprofit housing, or between a resident and a staff member, whatever. So that grievance board or arbitration board or disputes board, whatever you want to call

it, I believe the terms of reference have to be laid down very clearly to provide – there has to be some type of avenue of appeal, some type of mechanism for those that have grievances – that those that are affected by this new thrust will have a recourse to have it addressed.

[Mr. Clegg in the Chair]

At the present time, Mr. Speaker, if we look at a lot of the lodges – for example, in the city of Edmonton the Greater Edmonton Foundation is responsible for the administration of many of them, but there are others. There are many, many small ones that are operated by nonprofit organizations. People in the community – in some instances it may be churches; it may be just community groups – have become concerned. In a lot of cases it's organizations that are geared to a particular ethnocultural group where they're trying to provide housing for members of their ethnic community as they age. So there are many, many different facets of nonprofit housing for seniors when we look throughout the community. I have to know, for example – and I think all Members of the Legislative Assembly have to know – how this is going to impact on, let's say for example, a housing complex like the Ritchie Pioneer lodge. Does that mean they're going to be swallowed up, possibly against their own preferences, by some larger foundation?

From the very beginning I've had the impression that the minister wants to, in the administrative efficiencies or effectiveness that he's striving towards, amalgamate. A great deal of merger and amalgamation may take place. There are, quite frankly, management boards at the present time that are very, very concerned as to what's going to happen with that. They're not concerned as to what's going to happen with them as members of a board, but they're concerned as to what's going to happen with that responsibility they have. Most importantly, they're concerned with the residents that live in those lodges that they've been responsible for up to now. They've been there, and they don't want to see these residents left high and dry and not be given the proper level of housing and proper level of food, whatever, that they feel they're entitled to. They don't want to just see these turned into bleak buildings with simply accommodation and no human element involved. They are concerned. I know it can be difficult to address those types of concerns, but those types of concerns have to be addressed.

I look at the aspect when we talk in terms of the impact on the deregulation of rents. We are talking in terms of a segment of the population that has been hit tremendously hard already. We've heard that in the form of petitions by thousands of people. There have been rallies; there have been meetings. The message has gotten through very loud and clear that seniors are concerned with the impact on their financial well-being. They have lost; they will be losing a great deal before this session is over in terms of changes. We heard earlier that in the seniors benefits Act a concession was made to give the seniors 10 percent of what they want in terms of what they had already lost. Let's not misconstrue that, that they're getting 10 percent more than they are now, because all they're doing is getting back a portion of what they've lost. The bottom line is: many, many seniors are going to find themselves with a great deal less income, disposable income in particular, than they've had in the past.

This deregulation of rents has potential to even compound the problem, to even make it that much more difficult for them. There are instances of seniors out there that can afford to pay the

market rents, and in most cases you see those seniors living in projects that may not be subsidized because they realize that they do have that benefit of paying the market rent. But it's got to be recognized that there are a lot of seniors that did not have the opportunity, for whatever reason, to put dollars aside. Pension plans weren't there in the past like they are now. It's a lot easier now to plan for the future than it was years ago. So we've got to keep in mind that there are seniors that can be impacted financially to a very large degree. Possibly the minister during committee stage would be prepared to consider a grandfathering clause where those that are currently living in lodges and other housing projects aren't going to be affected, that it'll be somehow phased in for people that are coming.

3:50

Another question we have too, Mr. Speaker, is in terms of the deregulation of rents. My interpretation of the Act – at times it can be difficult to interpret Acts – is that it's not going to impact on other forms of social housing; for example, the Edmonton Housing Authority. My understanding is that the changes there have already been announced: we're going to see a change to go to 30 percent of income, up to market rent. I would have to assume that the same is going to hold true – at least I would hope that somebody will tell me along the line that the same is going to hold true – for those that are currently subsidized under Municipal Affairs, that are in private projects, projects that have been built by private developers. We've seen in the past where somebody building, say, a 60-unit apartment block has 10 of them designated as subsidized units for the disadvantaged, that those people occupying those units have received subsidies. I don't think that aspect is going to come into play, but we need that type of assurance that it won't be.

When we look at the health concerns, over recent years more and more we've found lodges increasing in their responsibility. At one time a lodge was kind of perceived – and at one time I had the opportunity of being chairman of the Greater Edmonton Foundation, so I had pretty good firsthand or hands-on experience as to what was happening. At that particular time the lodges were basically accommodation. Meals were provided, but there really weren't any support services in the sense of health care or home care. Once seniors or persons living in those lodges advanced and needed those types of additional support services, they would move on to a nursing home or move on to an auxiliary hospital. But, Mr. Speaker, there is a concern that lodges could end up in a position of having to provide a great deal more care than they're qualified to give, and they may for economic reasons: to keep the number of units that they have occupied, to try and make it as economically feasible as possible. Of course, if they're placed in that position where they have to provide care that they're not qualified to provide, the persons who are going to be hurt by that, who will be impacted are the seniors who have to live in those lodges.

Another aspect, Mr. Speaker, that concerns me is the reference to the removal from the Health Facilities Review Committee Act. There have been many, many instances – and it's kind of ironic, but when I think back on the Health Facilities Review Committee, we had a situation when I was chairman of the Greater Edmonton Foundation where we had a complaint from a resident in a lodge against the matron of that particular lodge that she wasn't providing the proper meals, the proper level of care. This went on, and our board wrestled with it, but our board could not resolve it. Our board upheld the position of management.

Then a complaint was lodged with the Health Facilities Review Committee, and that committee investigated the matter. They made a surprise visit to that lodge, and they found out things that we weren't aware of. We took that back to the board, but again by a vote of three to two the board chose to uphold the position of management of that lodge. You'll all remember the name Dennis Anderson, who as an MLA was also chairman of the Health Facilities Review Committee. He phoned me and asked for a meeting. I went and met with him, and he made it very clear to me that if my board, the foundation, was not prepared to act to remove that matron, his committee would do it for us. He made it very clear, and he gave me so many days to go back and convince the foundation, which I did. It turned out that Mr. Anderson and his review committee were correct. It was the right action. So there's an instance where that Health Facilities Review Committee was a very useful mechanism.

Mr. Speaker, that committee travels throughout the province, does surprise visits. Residents that live in lodges and other housing complexes or nursing homes can phone, and there is a surprise visit. The committee members find out what's being served in terms of food, the level of care, and so on and so forth. So removing lodges from the Health Facilities Review Committee opens up the possibility of there not being a proper mechanism to resolve those kinds of concerns.

So, Mr. Speaker, as I conclude, I pointed out a number of concerns that I'm sure the sponsoring member of the Bill has taken note of and will work with the Minister of Municipal Affairs to try and address those. We'll have some amendments during committee stage to try and correct those deficiencies, because we want to see this Bill as a good Bill. We want to see it as a Bill that doesn't harm those seniors that have to live in lodges.

On that note, Mr. Speaker, I'll conclude.

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

MR. YANKOWSKY: Thank you, Mr. Speaker, for allowing me to add my comments to Bill 34, the Alberta Housing Act. I'm going to try to keep my comments constructive, as I think this is quite a good Bill as well. There are things that I like about Bill 34. I like the idea that Bill 34 simplifies and streamlines administrative requirements and reduces duplication. I like the idea that the province's role will be to facilitate and to advise. Also, I like the idea that communities will be deciding what kind of housing is required in their community and also will be deciding what kind of housing management organizations will suit their needs. I have a little concern here, and that's with single-interest groups possibly coming in and causing some problems.

Some things I don't like about Bill 34, and one of those is that the Alberta Senior Citizens Housing Act is being dissolved and rolled into the Alberta social housing corporation. Somehow I view seniors' housing as special, and I have the feeling that it should stand alone. I'm not sure whether anyone else agrees with me, but these are my thoughts.

I am somewhat concerned also about the management bodies as they are being set up. Somehow they seem to be much the same as the regional health management bodies. Here we have some questions on whether they will be appointed or elected, who will be appointed as the chair, and so on. So we have some questions there.

Reading through this Bill, a thought came to me, and that thought was: why couldn't social housing possibly come under

the Regional Health Authorities Act? We would have eliminated another level of bureaucracy, but that's just a thought. It could have lent itself somewhat to coming under the Regional Health Authorities Act, especially seniors' housing because a lot of it is related to medicine.

Something I'm concerned with, and especially seniors, is the area of seniors' housing and deregulation of rents. This really frightens seniors as nothing else, I think. Even though the minister accuses me of fear mongering when I ask him some questions, I still have some real concerns here, and so do seniors. Now, the minister claims that the Bill allows for the deregulation of rents. There appears to be nothing in the Bill that changes this from the old Act. Some of the concerns with deregulation of rent are: the idea that they can charge seniors what they want, and the market will determine the rate. How will those who cannot afford the going rate be provided for? Huge regional discrepancies could occur. The buildings that house seniors are paid for by taxpayers across the province. For that reason, the same access should be available to someone in Fort McMurray as in Calgary or Lethbridge. Clearly, a grandfathering clause is needed to phase in rent to protect those already in the lodges, while newcomers would pay the new rent with or without a subsidy.

4:00

Health concerns are always at issue with seniors. What about the Good Samaritan clause that's contained in this Bill? At first glance, the clause will protect lodges from lawsuits for administering health services that they are not mandated for, something that lodges have had concerns about. This opens up the lodges to the possibility that people will be treated in a lodge who really should be in a nursing home. Also, lodges could end up in a position where they are providing care that they are not qualified to give. It potentially gives the government a cheap way of delivering health care by way of home care. There need to be safeguards added to ensure that proper care is being provided.

Addressing the removal from the Health Facilities Review Committee Act, I want to say that although some lodges wanted this, there will no longer be an appropriate monitoring mechanism. The minister eliminated the Lodge Standards Review Committee, a co-operative effort by the lodge foundations in the province that carried out inspections, when he took over the area, and he has not created an alternative. It is now left with the minister to address the concerns, not an independent neutral body. A mechanism is needed to address the issues before they become critical. Under the circumstances there is no enforcement of a standard.

Social housing is also an area of concern. The primary concern is the so-called superboard structure and how the small, special-needs housing issues are going to be addressed. While social housing agencies agree that collaboration for the provision of quality housing is desirable in common areas of concern, policies set by a large board for everybody do not necessarily meet the needs of the client. For example, the efforts of a special-needs housing agency could be neglected by the superboard.

Mr. Speaker, last fall I attended the ASCHA convention in Grande Prairie, and some things I heard there really were of concern to me. Presenters talked about deregulation of vacancies and deregulation of rents, and some of the things that they said were really quite scary. One of the bureaucrats who did a presentation there spoke about lodge rates, and he said that lodge rates may go up by as much as \$210 a month. Now, this is very scary stuff. Is this what deregulation of rents is going to bring for seniors? I certainly hope not.

Then another presenter from a management company stood up, and he said: "I know that rents in seniors' apartments are now around \$225 per month. I know we can get \$625 a month for those same apartments." Now, this is frightening talk. If this indeed happens, many seniors will not be able to afford this. Are we getting into a two-tiered or a multi-tiered situation here where the rich seniors will be able to afford to live in these seniors' facilities and the poor – where will they go? Will they go back to their families? Families are very busy now. They don't have the time to have their elderly living with them. Will they have to move to basement suites, something that they can afford? Many seniors, especially the elderly and the frail elderly, are homebound, and many are confined to their beds. They can't be expected to go looking for alternate housing if all of a sudden the rents go up and they can't afford them anymore. Indeed, this could happen with private operators taking over.

So, Mr. Speaker, this Bill was no doubt written with good intention. Obviously some amendments will have to be made, and these no doubt will be forthcoming when we go into committee.

Thank you.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I just want to make a few comments about Bill 34 and just express some concerns that are echoed by the seniors in my constituency. In Spruce Grove there is an apartment complex where seniors live, and they called me and asked me, "Colleen, what is it going to mean when all this happens?" Because, quite honestly, it's difficult for people to read through a Bill and understand what's going to happen. Then we see that lots of this will be left to regulations.

What I would urge the government to do is to get those regulations in place so that seniors know what's going to happen, because I don't think there's anything worse than living with the unknown. I think you can deal with the known, but when you don't know what's going to happen – and so much has been up in the air for seniors in this last while that I know a lot of them are living in fear. They've come to me and said, "Colleen, how am I going to pay more rent?" Does this mean more rent in some cases? [interjection] You're saying no. That's good. But what I'm saying is that the perception is out there that it means they're not going to be able to stay where they live. Their fixed incomes can't accommodate more. So I'd urge that the regulations get in place and get out there to make it very clear for our seniors.

I like the idea of dealing locally. I know that in the lodge in St. Albert one of the concerns is that some people who should really be in nursing homes are now in lodges and they don't want to be liable for things that can happen there. I'm wondering if that is addressed under the Good Samaritan clause or if we're just expecting lodges to do a nursing home role. So I just point that out as a concern.

I'd like to echo my colleague here, the Member for Edmonton-Rutherford, on his concern about the removal of the Health Facilities Review Committee. I do question that one.

All in all, we will have some amendments coming forward. I just want to point out that rule by regulation is not good. It's like the cart before the horse. I think when you draft a Bill, the regulations should pretty well be in place so people know what they're dealing with, and I would urge the government to try doing that.

Thank you.

MR. ACTING SPEAKER: Would the hon. Member for Calgary-Bow like to close debate on second reading?

MRS. LAING: I would like to call the question.

[Motion carried; Bill 34 read a second time]

Bill 30
Environmental Protection and Enhancement
Amendment Act, 1994

[Adjourned debate May 11: Mr. Zwozdesky]

MR. ACTING SPEAKER: Hon. member.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to rise again to speak to Bill 30. You will recall, of course, that we engaged in some brief discussion yesterday, but given the lateness of the hour and other urgent government business, we curtailed that debate so that we could pursue it a little further today.

I will just reiterate that it's definitely of great importance that as we proceed with new legislation which in some way or another impacts on the environment or any concerns related to the environment, we do so in a very prudent and cautious manner, especially here when we're looking at something that will so dramatically alter how it is that environmental protection and the welfare of our environment in general will be administered from now on in the province of Alberta. There is tremendous concern out in our communities throughout the province, Mr. Speaker. I'm sure you have it in your riding, and I have a group in my riding as well who are very, very worried about how some of these new aspects of a Bill such as Bill 30 might affect the further development and protection of our environment.

4:10

We have seen in the not so distant past issues raised right in this House that are of great concern insofar as the environment goes. Among some of those was, of course, the tremendous amount of discussion that took place surrounding the goings-on at the Alberta Research Council, which is located very near to my riding. The Research Council, of course, is located in Edmonton-Mill Woods, but some of the unfortunate goings-on that took place there do have an impact that stretches much farther than just the immediate area that the Research Council is housed in. We saw some discussion take place with regard to some of the genetically altered material that was allowed to escape into the air over a period of time not that long ago. I know that we had some reviews and assessments of that done, and there are probably still more going on.

Similarly, we heard other concerns with regard to the environment being expressed when we saw certain waste materials apparently being just swept out the back doors at the Research Council. Again, the cause for alarm was sounded, and the residents of Mill Woods phoned up the hon. member from that area as well as from Edmonton-Ellerslie and also from Edmonton-Avonmore and asked us to please do what we could to check into this. We did that, and those issues are now a matter of record. We therefore can't simply escape that easily from these matters, and it behooves us at every opportunity we have to in fact flag them again.

There were other concerns expressed in this House with regard to the transportation of hazardous waste materials to the Swan Hills site, the issue there being whether or not the size of the waste treatment plant was something contemplated all along for

perhaps other than current business. Was it something contemplated for the transboundary importation of waste materials from beyond? That issue is still not clear. I think it's a very contemporary one, and no doubt we'll be hearing more about it. So we see concerns there as well.

There are general concerns here, Mr. Speaker, that we have some control over that escape even higher, and those are the issues related to the depletion of the ozone layer. We need to do whatever we can here to control those hydrofluorocarbons.

Other issues that I know have been raised here which are of concern to my constituents and to myself personally concern those aspects that somehow impact or are impacted by the forestry industry. Now, that is not to say that things happening in the forestry industry are of a negative impact just out of hand, but we do know that unless cautionary measures are taken, we will have further pollution and abuse of Alberta's beautiful streams and rivers. We should do whatever we can to in fact deter anything such as a practice like that from taking place.

Mr. Speaker, I grew up very near the Pembina River around Sangudo, and I recall as a young person having the full benefits of a beautiful environment and of a beautiful river, which we used to be able to swim in. Now after visiting that river, as a result of perhaps a little falling down of our guard, we seem to have a river that the young people of that area are not allowed to swim in, at least for the larger part of it, because that river has in fact become rather polluted and contaminated through some form of neglect or another. So I'm concerned that there are probably several other examples like that. Now, right along that particular stretch there isn't anything to do with the forestry industry, but I'm sure as we look at other rivers in the north in particular, as the Speaker himself well knows, there are certainly examples of where this kind of thing has resulted in some type of contamination and precluded the beautiful use of the river otherwise.

The final matter that I know is of huge concern here, which this Bill no doubt will impact as well, surrounds issues like the Whaleback site south of Calgary, where we have one of the most beautiful and I think the largest protected habitat for all of Canada. One must be very careful and very cautious how we go about continuing that protection for that area.

So just as a brief opener there, Mr. Speaker, I think I've flagged a few areas of concern that all members in this House, I'm sure, share with respect to the environment. Again, we must protect and preserve what we enjoy and take for granted in this great province, be it fresh air or clear water or our beautiful forests or the fauna of Alberta or the land we walk on, whatever it is. In this instance, as I read through the Bill I kept that sort of in mind as the background against which I would evaluate my comments in this regard.

I noticed, too, that in earlier discussions when we were reviewing Bill 2, which was the proposed amalgamation of the Alberta Sport Council with the Recreation, Parks and Wildlife Foundation, there were examples brought up there. Similarly, when we reviewed the whole area of urban parks development and the amount of moneys that have been allocated for the capital side of that budget, I was dismayed to see that there was nothing whatsoever left over for the operational side. We've gone out and created these beautiful, wonderful parks but now stalled their operation, at least to some degree. So how, then, do we go about this business of improving our environmental protection policies as a government body? How do we go about increasing that protection to make sure that it's there for our children and for our children's children and even for ourselves, as we speak?

I would just add, Mr. Speaker, that this is not an issue that is restricted to this House nor to our voting constituents, but it's also something that touches many, many of our youngest members of our society. My daughter, for example, is only in grade 4, but she and a few of her classmates set up an environment club at their school. They meet once every couple of weeks, and they review these matters insofar as their understanding of them goes. I congratulate these young children for having taken an initiative like that. I'm sure there are several other groups like that in Alberta who are concerned. But I think it's a tremendous testament to our education system, which encourages these young people to take an active role and an active interest in the environment. They clip things out of the papers and so on to try and stay current.

So against a bit of that extended backdrop, Mr. Speaker, I have looked at Bill 30 and also consulted with some members from some of the environment groups in my area. In Edmonton-Avonmore, for example, we have some people who belong to the Edmonton Friends of the North, and their role is to sort of try and keep things of an environmental nature first and foremost in the minds of legislators, be it at the municipal or the provincial or the federal level. They have come to me and asked me why it is that every time they have gone forward with a concern on the environment, they have not always been met with the friendliest of responses. In particular, they seem to have been denied so-called intervenor funding even though they had very sound arguments in favour of their position.

We have concerns by groups like this that mercury levels in the water are of a major nature. In fact, I think it was the Bennett dam in B.C., Mr. Speaker, where after much testing it was determined that some immediate, detrimental effects were in fact felt as a result of that dam. Dams, of course, have a tremendous purpose, and as part of our progressive society we encourage their development from time to time for the betterment of our living. I think we all realize that. But there are instances also where they do present some dangers: if they're not properly constructed, or if they're not properly located or specifically located at the optimum spot, and similarly if the monitoring of those dams isn't held closely in check. In fact, if these dams are not carefully planned and carefully placed at the outset, then they can result in some instances where we have what's called the prevention of natural flushing; that is to say that our streams and rivers don't have the benefit of naturally looking after their own soil and tillage and so on. What happens here is that we get buildups around these dams occasionally where the level of mercury in fact escalates beyond what is considered a safe and acceptable level. So we must bear that in mind. Groups like Edmonton Friends of the North have expressed concerns of that nature to me.

4:20

As we look specifically at how this Bill, then, would impact on some of these areas, Mr. Speaker – I know that it's the intention of the hon. minister here to expand the scope of environmental protection and enhancement through the introduction of this particular Bill, but as I look at it, I throw up a few cautionary flags for myself. At the outset I viewed it, first of all, as some sort of a new initiative that was coming forward, and I thought I would get excited about that new initiative. It appeared to be fairly brave and bold. But as I looked at it a little bit further, the cautionary flags did start to rise up, and eventually I started to accumulate quite a significant list of points I wanted to bring forward.

First of all, we see here that it is the minister's intention through this Bill to in fact give himself more discretionary powers. I looked through that and thought to myself: gee, it seems to me that this is again some sort of a power grab. We've seen a little bit of that already occur in other areas, we've seen a lot of it in the case of education in Bill 19, and we're probably going to see yet more as the days and weeks ahead of us unfold. But as we take a look at more discretionary powers being given to a particular minister in an area where I don't think he needs to have that degree of power, it always concerns me that what might be happening here is that we could in fact be allowing for more potential for abuse of that power, such as you've already heard with regard to the Paddle River area. But I don't want to get into that.

If one were to take a look at this Bill and try to vote for it, Mr. Speaker, at least on the surface one would have to satisfy oneself as to what guarantees could be given within this Bill so that the environmental protection side of it and the enhancement side of it would in fact improve on what we've already got. I always use that as a measuring stick, because I don't think we should be trying to fix something if it isn't broken. Here it's not immediately clear to me what it is or was that was broken.

I know that in the original Act it was specified how the fund supporting the environment would be used. As I recall, the original Act was in fact used to pay for emergency situations that might have related to the release of toxic substances or the contamination of our water supplies, as I've alluded to earlier, or perhaps payment would have been made to cover costs of conservation and reclamation under given circumstances. However, that's not quite spelled out here in this Bill, how it is now that this fund would be in fact applied. How exactly, then, does this minister intend to use this fund when it's so broadly worded that in fact the uses to which the fund might be applied are not even specified anywhere in the Act? I was a bit bothered by that. So in addition to this increase in the discretionary powers, Mr. Speaker, we also have this obscurity of how those powers would be used and specifically how the fund, the money side of it, would be used.

Therefore, Bill 30 doesn't really, in my mind, set out to improve the standards that we have come to enjoy in environmental protection, but I think what it in fact does is perhaps work against that principle. I would say, then, that as I evaluate this Bill – I was looking for the merits of the Bill, the new enhancement and protection fund. So I tried to find out exactly where it was that the minister saw fit to bring in something like this that would correct something that perhaps is wrong or take out some of the flaws that it had – the old Bill, I mean – and I just quite frankly didn't see those. So I went into the three-year business plan to have a look at how this sort of dovetailed with the other. It's interesting that in the business plan we do see a few things spelled out with regard to some possible uses, and it was curious to me why the minister didn't just include those in the Bill itself. Why not enshrine that in legislation so that clearly there is a serious commitment being made in a legal fashion, if you will, through a Bill that clearly points out where it is that this government stands insofar as protection of the environment is concerned?

I know that there was something like \$32 million in 1994-95 from what they call new and incremental revenues, and something like \$21 million of that came from the increases in the timber stumpage, hunting and fishing licence fees, water hydro, and lease fees related to mineral surfaces and so on, but the original purposes that were spelled out and established alongside that fund

are suddenly abandoned through this Bill. The Act, for whatever reasons, and now this Bill make provision for any excess money in the fund to be transferred in fact to the general revenue fund, and again the issue of ministerial discretion looms largely here. Even the purposes of the so-called revolving fund, which is an additional pool of resources, are no longer specified here either.

So I see a little further on that Bill 30 increases those discretionary powers over deregulation. I see that we have here the minister or the Lieutenant Governor having the ability to make new regulations, to waive requirements for written reports where toxic substances have been in fact released. I think that's very strange, that they would be given that discretionary power or that immense power to waive the requirement for something to be put down in writing. I think we sometimes would benefit from such reports, and they would serve as some sort of cautionary flag for future problems when and if they were to arise.

Also, we see here the provision to provide exemption from the need to obtain certification for land reclamation as well as concerns surrounding the importation, collection, treatment, and disposal of hazardous waste. That is a very, very big issue here in the province. I don't think we want more than our share of toxic or other damaging materials being transported through our beautiful province. There are tremendous risks of spillage through natural causes or through accidental causes. Why would we put Albertans to that risk? In fact, there's a provision here for that risk, Mr. Speaker, to be I suppose escalated to an even higher concern by the provision that is made here for the agreements with other countries. We talked a little earlier about transboundary types of importation, and this provision in Bill 30 for agreements with other countries could in fact see us preparing the way for importing hazardous waste or even the transferral of water.

[Mr. Deputy Speaker in the Chair]

Is that my signal? Mr. Speaker, the bell has gone, so I will have to stop there, but I would hope to be allowed to continue at some point later in the debate.

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

MR. N. TAYLOR: Thank you, Mr. Speaker. I wanted to say a few words on Bill 30. Basically, I guess there's not too much nice about it. It's a step backwards in time because, as our younger generations are fond of reminding us, we have ruined the environment in many areas. One of the big challenges, probably over the next generation, is to try to gain back the environment to what it was like before we started taking it apart in the last generation or two, and then the challenge for that generation will be to try to improve it and to try to live in what you call a zero impact society. You never hear that word anymore. It's maybe a vintage thing, but a zero impact society is something we should be working for.

We are really only trustees. We're not the owners of our environment. We're not the owners of our land, although we are given title. We could think of ourselves as trustees or existing here under licences of occupancy, if you want to call it that, and the real responsibility is to turn over to our children the environment in better shape than the way we found it. A couple of generations from now all they'll have to do is turn it back in the same shape they found it, but better shape.

4:30

When you realize what's gone on in this province – we've lost 75 percent of our surface waters. We're still taking fresh water out of the ground at more than a million barrels a day. The hon. member for Grande Prairie fights a hopeless cause in his government – and it might well be in many other governments – trying to protect the cardium water supply for the Grande Prairie area. It's still being used to pressure oil fields. No self-respecting Arab, Libyan, or Indonesian, where there's a great deal of oil produced, countries in all of which I've worked, would ever countenance the fact of putting fresh drinking water down a hole to bring out a fresh barrel of oil. That would be like burning up your wedding ring in order to get a piece of aluminum. The whole point is that we've got things operating backwards. [interjection] I woke up the hon. gentleman from Medicine Hat. Being born and raised down there, I know when you mention fresh water, you cause all parties to stand up and their ears stand up, particularly this year, although there was a report this morning that there was some rain around Bow Island and Medicine Hat. I don't think it was the Tories crying. They actually may have got some water down there, but I'm hoping that the rain will spread to the north.

Anyhow, this Bill does not do that. It does not recognize that we're trustees. It does not go about restoring our environment. What it does is set up a price. If you do take apart the environment or if you do ruin something, you contribute to this fund. Now, Mr. Speaker, that is not the right way to go about it. In other words, if you indeed wanted to get rid of crime, you wouldn't go out and put a price on crime for each particular offence because in time, then, what you'd have is that the rich would be able to go out and commit the offences, pay for them, and move on. We realize there's a lot more to stopping crime than that. The same way with misusing our environment: there's a lot more than just setting up a fund which will charge people for in effect polluting our atmosphere.

For instance, one of the areas that intrigues me a bit when they talk about setting up a fund is that it sounds too much like a siphoning off or another form of taxation. In other words, oh well, instead of one tonne a day of sulphur, we'll let you go up to two tonnes a day of sulphur in the air, but you'll have to pay a little bit into our environmental cleanup fund, as they call it. It makes a nice sound if you say it. Fine, but if you're not using it to clean up, it's not doing any good at all.

The member from Red Deer is looking rather puzzled. I wasn't talking about cleaning up the language, which would be something that he would be very interested in. I'm talking about cleaning up the air.

MR. DAY: I'm talking about cleaning up your tie.

MR. N. TAYLOR: Oh, he's worried about my tie. It's a Harley Davidson without an oil filter. It should have one. Actually, Mr. Speaker, I used to have a motorcycle called an Indian when I was younger. My wife, when she was in New York awhile back, not knowing the difference between an Indian and a Harley Davidson, bought a Harley Davidson. The only other reason I didn't get an Indian tie was that the hon. minister of social services would have taken it away from me anyhow. We've already had a debate about that one.

But back to the process at hand, which is this Bill 30. There are two basic principles it flies against that I don't think this government, particularly the backbenchers, have looked at closely enough. First, it really gives a licence to pollute. If you have

enough money, you can go ahead and pollute, because you pay into this environmental enhancement fund.

Secondly, it says somewhere in here that this fund has the right, Mr. Speaker – if I can find it – to transfer surpluses into general revenue. Well, when you set up a fund where supposedly you're charging people who are polluting the environment and that fund can be used for not only restoring the environment but can be used to replenish general revenue, you've set up a form of taxation. In effect, this environmental enhancement Bill does the exact opposite. It could ruin our environment by putting up a price to the large companies of this world and the smaller companies who roam about looking for pliant, nubile politicians so they can pollute for a mild amount of money.

MRS. HEWES: Nubile?

MR. N. TAYLOR: I don't know if they heard that.

MRS. HEWES: They don't know what it means.

MR. N. TAYLOR: And they don't know what it means anyhow.

Mr. Speaker, the world is full of these people that wander around looking for that, and by contributing to this environmental enhancement fund, they're in effect going to be allowed to pollute to a much higher extent than they used to.

The second area is that it increases the discretionary power the minister would have. I see an alarming propensity of this government – and this department doesn't seem to be any different from any of the others – to where we take on more and more authority. We've taken on the authority of running education out of the Department of Education. Environment: we're going to take on running environment by the discretion of the minister. The best protector of the environment throughout the world that I've found – and I have been in businesses that are not easy on the environment, like gasoline plants, refineries, pipelines and so on – and the best watchdog for the environment is not government. Government is too easily bought off by the increased taxes and jobs and votes they can get. The best protector of the environment is an alert public that on short notice can call hearings into any major project under way. This Bill, if anything, cuts back the number of hearings we're going to get. It puts in the minister's hands more and more authority to make decisions, rather than the hearings.

Now, I know the government over there and many of their people have probably been told, "Oh well, these environmentalists, these pot smoking hippies all go around trying to slow up progress." Progress to them means more and more smokestacks. It's become sort of the phallic symbol of the Conservative Party for the last 22 years, Mr. Speaker. The point is that more and more smokestacks do not create more and more money; they quite often create problems that our younger generation has to look after. What we have is taking more and more authority – that's the second aspect of this Bill that I dislike – to the hands of the cabinet minister and cutting out the hearing process.

The other ones are more specific. One of the things that intrigued me is that in the Bill they talk about the three-year business plan, expecting that \$21 million will come from timber stumpage, hunting and fishing licence fees, water hydropower. I wonder if the minister or somebody is taking records; quite often he has a little gremlin up there in the members' gallery that's taking notes. I hope it gets passed back to the minister somehow. Maybe even the member from Medicine Hat would do it for me.

If he could ask the minister: what is this business of water hydropower taxes? Is this going to be a new tax on the amount of water as it runs through the penstocks or the turbines or what?

As you know, most of our hydropower in Alberta has been developed as ancillary to a dam that has been built, quite often with government help, for either irrigation or water control. As you know, in wintertime our rivers freeze up and there's very little water. Edmonton, for instance, would have choked to death on its own sewage years ago if it wasn't for the Brazeau dam that would let a certain amount of water come through Edmonton. A little bit like the toilet bowl in an ordinary plumbing system, we put dams upriver so we can get enough level going through the town. Now, the Brazeau dam and then outside of Calgary very old dams and the Ghost in the Seebe area – there it's used more for irrigation as it flows through – have produced power for years. But we've never charged the power companies for the water because it was supposed to be built into the original capital when the power companies – that's where Calgary Power originally came from, Lord Beaverbrook and so on, and later on TransAlta up here at Brazeau – built the dams and because the power companies said, "Well, as long as the first use will be keeping water flow going through or the primary use will be for irrigation and hydro is only secondary, we'll put in turbines and penstocks as it goes through."

4:40

Now I see a thing here for water hydropower. I wonder if we're following the practice of Quebec, and if we are, then we're going to charge our power companies a tax for the water going through that they're using for the turbines. I'd be very, very interested. The hon. Member for Calgary-North Hill would know. He would be an interesting person – maybe he would carry the message, because I think Medicine Hat has drifted off into dreamland. He might carry the message to environment and ask him what this whole question of hydropower is, because that could turn out to be quite an indirect tax to the hon. member's constituents. There's a great deal of hydropower that comes into the Calgary area. So I'm just very intrigued. It comes out of nowhere, and I don't think a new tax as important as this – it's almost a royalty on electrical generation – should be just handed to the minister *carte blanche*. It should come before this House to be debated. I'd be very interested if the minister could answer that.

That same clause, Mr. Speaker, leaves it possible for this government to put in, believe it or not, a carbon tax, something that sends shivers up and down the back of every politician in western Canada. The word carbon, c-a-r-b-o-n, tax very clearly is a tax put on polluting materials. Well, if the minister can go around the Legislature to put hydro taxes in, why can't he put carbon taxes in? It may have some other fancy name; it may be a clean air tax or something else. Both of those are very worrisome to me, and any minister, be it Liberal, Conservative, or NDP, I don't think should have that power to set – it's a form of taxation. What makes you triply suspicious: it's one thing to have carbon taxes, hydropower taxes, and mineral lease fees that go into an enhancement fund that will be solely involved with restoring the environment, but it quite clearly says that surpluses from this fund could be transferred into general revenue. So that's another form of taxation, whether we like it or not, and I'm very, very worried. I'd like to see that come through the Legislature or at least the Act be amended. Maybe we'll try to do it, so that no surpluses will be allowed to be transferred to general revenue.

That, Mr. Speaker, gives sort of a jump on the thing, except maybe I could bring up one more item that bothers me a bit. We have a provision for agreements with other countries, the govern-

ment of Canada. In other words, the minister can make agreements with governments of other jurisdictions. This could cover two things that worry the Legislature that I think we as legislators want to look at and I think is very important for the backbench as well as the opposition to look at, because the cabinet has to take direction from both of us. That leaves a huge loophole to import hazardous wastes without bringing it back to the Legislature. Even worse, it could allow a transfer of water, particularly down in the Milk River watershed and the Belly River to the Milk River to the Missouri. That has to concern one. Right now this government has been quite consistent in saying that the only type of water that will be exported is what you can carry out in a jar or a barrel but not in a pipeline. This allows the minister to make a deal with another government to put in a pipeline. That bothers me a bit. It bothers me a lot, as a matter of fact.

The last point I wanted to make, Mr. Speaker, is that the minister originally chaired a lengthy consultation with the public on a review panel on the Environmental Protection and Enhancement Act. The public time and again came up and said that they wanted whistle-blower protection, an intervenor fund. Neither whistle-blower protection or intervenor funding is apparently covered in this Act. We have the area now in the Whaleback Ridge of southern Alberta where Amoco, the oil company, as far as I can see is trying to stay, as much as is reasonably possible, within environmental parameters. But the government stands to make a lot more money out of the Whaleback gas field than Amoco would. A lot of people forget this, that the government as a royalty owner usually can get a clean and free 25 percent royalty on this type of deep gas and makes a lot more money than the oil company.

So the government seems to be pushing very strongly to try to get the area developed, and Amoco, knowing that they're going to bear the brunt of any complaint – because they're easy to attack, a multinational. Nobody thinks of attacking a nice, warm, old, fuzzy Tory that they've sent up to Edmonton, who may have caused the trouble in the first place by voting for the thing. Nobody thinks of attacking them, yet somehow or another people in the Whaleback area are being denied their right. They're being denied their right, I think, to have good, open hearings. It's giving Amoco and some of the oil and gas developers conniptions, because, after all, this land was put out for development and exploration, oh, about four years ago, with substantial cash bids and so on. Now they're getting ready, and Amoco is catching heck, I think probably unfairly, for progressing with that. The one that they really should be focusing their attention on is the government, who stands to make much more money out of the field than Amoco ever will and who is the one that is actually killing intervenor status and the status for open hearings in that area.

Mr. Speaker, if that doesn't kill the Bill, nothing else will, so I think I will sit down now.

Thanks.

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

MR. KIRKLAND: Thank you, Mr. Speaker. It's my pleasure to have the opportunity to speak to the Environmental Protection and Enhancement Amendment Act this afternoon. I think in today's world certainly we're all a little more environmentally sensitive than we have been in past years. So this Bill, even though I would address some of the deficiencies in it, I believe takes the matter back into the public forum. I would suggest that

if we clean it up and amend it to some degree, we will achieve the purposes that are required to meet the standards that the public expect today.

As I reviewed it, I did have several concerns. I will put those concerns forth so the minister may take them into consideration, add some clarification to it. If I actually make a sound, solid point and it brings about a change in thought or a change in the Bill, then of course I would be pleased by that as well. Hopefully, he can allay the concerns that I have.

Just as a backdrop, Mr. Speaker, there are two industries that are working very aggressively within this province which do not have a sterling track record when it comes to the environmental impacts that they bring with their industry. That is forestry, and that is pulp and paper. As I indicated, they do not have a sterling nor a quality record as far as being environmentally sensitive. They have come a ways in the last few years. I do not believe they have come as far as they should have.

The third reason is that most of that environmental assault is occurring, in my estimation, in northern Alberta. As one of those lads that grew up in the Peace River country, I have a large affinity to their forests and to their rivers. They are some of the most pristine that we will find in North America, and I do believe that if we do not have stringent guidelines in place, we will lose that particular aspect.

I could take the members back to the Procter & Gamble debate of about 18 months ago, where there were many, many contraventions of the standards set. I think it was up in the vicinity of 30 or 40, and there was no action taken by government at that particular time. The action didn't occur until the company left the province. I guess that would substantiate the comments of the hon. Member for Redwater that one has to be concerned with the aggressive approach government takes to attracting business and with whether they will set aside the standards to actually let the industry pollute our rivers or destroy our forests. When I weigh the Bill, I weigh it against that particular aspect. When I look at it, my understanding of the Bill is that there are a fair number of discretionary powers allocated not only to the minister but also to the industry. Now, I would suggest this in fact could, and may, lower the standard. I guess the operative word here is "could" or "may," but my recollection and my knowledge of the history of the industry precludes that in fact I should embrace their trust with my confidence.

The hon. Member for Redwater indicated that one of the best watchdogs we have in this province is the public. That ties very clearly into the fact that we are all far more environmentally aware and sensitive. There is no one in this House that hasn't participated in an environmental program in their community. The hon. Member for Edmonton-Avonmore spoke of a program his young daughter was involved in. I'm sure most of our children have been involved in environmental programs, certainly more so than we were when we were that age. So that public watchdog is an important one to keep alive. As I understand the Bill, there is no provision in it to accommodate what we identify as intervenors. That lack of intervening funding I would suggest will diminish the watchdog role that the public can play in this particular aspect.

4:50

Also when I look at the Bill – and I'll take you back to one of my pet peeves that I've spoken of repeatedly in this House; that is, tire recycling. When I attempted to fit the Bill into that – and I have stated on many occasions that the minister and I do not agree on the theory that incinerating tires is recycling. I do not believe it is. There are many other positive undertakings we

could have in this province that would generate good, sound jobs and capture that value-added product that we hear spoken of so often from side opposite. So I don't share his opinion.

When I look at the 47 failures that the scrubbers of Inland Cement had in the year 1993, that is not information that is readily available to the public. That tells me it's information that industry would like to keep from the purview of the public. Again it would diminish my confidence that the industry itself can be self-regulating. Industry is driven by bottom line, unfortunately, and when we look at bottom line and weigh it against the sensitivity of the environment, the environment too often loses out, Mr. Speaker. So it is a large concern to me. I would suggest that when we don't receive the information on a readily available basis, industry continues to attempt to hide the impact they are having on our environment.

Those are some of the concerns that immediately popped out when I was reviewing the Bill itself. There is another concern that I have – we have moved more to that area when we look at the transportation department – and that is a bit of a dedicated revenue as opposed to the expenditure of the department. That strikes me as being a sound approach to doing business. If we can ultimately arrive at that net budgeting situation, it would be desirable.

The Bill, as I understand it, does not clearly define where the dollars collected through the stumpage fees or through any of the fees that are coming into the environment department necessarily have to stay in that department. I would think tire recycling and the \$10 million it generates in this province would be a classic identified revenue source that should be clearly and solely dedicated to enhancing the environment and protecting the environment. The rest of those fees that come into that certainly should garner that same sort of protection or 'specificity' with the department.

AN HON. MEMBER: Specificity.

MR. KIRKLAND: It's a tough word, and you don't always say it correctly, but thank you for the assistance on that particular aspect. I love the co-operative aspect, and as long as we can do it together, we'll get to where we have to be. So I appreciate any assistance you may give us.

The other area that did cause me a little concern I've spoken of when we dealt with health, I've spoken of when we dealt with education, and I also have spoken to it very briefly as far as the Municipal Government Act is concerned. That is the regulation aspect. Again, at the discretion of the minister or by regulation we will set some standards and some guidelines. I have indicated in past discussions that I felt that was somewhat contradictory to the overall theme, if I could use that word, of the government of the day in attempting to lessen government involvement and lessen the bureaucracy. When we have government by regulation, be it in the Environmental Protection and Enhancement Act or Education or Health or the Municipal Government Act, we really are at that point causing the bureaucracy to enlarge. With all due respect to those who work in that profession today, I do not believe it is the clear path that Albertans, or Canadians for that matter, would like to follow.

So in the regulation area or the setting of regulations to deal with it, Mr. Speaker, we will see one more time an inconsistency, and we will see some diversity throughout the province, depending on the political lobby that originates and comes forth. We are all aware as politicians that lobbying does have a tendency to

sway our minds in some instances and some cases, and when we have environmental protection by regulation, I have a concern that it will be skewed to some degree.

With those comments, Mr. Speaker, I will close my addressing of the Environmental Protection and Enhancement Amendment Act. I would like to think the minister will take time with the debate that has originated from side opposite, as we're called. There are many very sound points being made. I believe that we have in the past worked in a co-operative spirit bringing amendments to it, and I would like to think the minister is open minded enough to have a serious look at some of the suggestions that have been put forth.

Thank you.

[Motion carried; Bill 30 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: Hon. members, order.

Bill 23

Provincial Offences Procedure Amendment Act, 1994

MR. CHAIRMAN: We have under consideration an amendment proposed by the hon. Member for Calgary-Buffalo. Inasmuch as the hon. Government House Leader adjourned debate, we now go for further debate.

The hon. Member for Calgary-Buffalo.

5:00

MR. DICKSON: Thanks very much. I'll be unusually brief, Mr. Chairman. The one amendment I introduced – for those members that weren't here on May 10, it's in *Hansard*, page 1860. The amendment simply is to section 6 of the Bill. In the Act itself it's section 38.1(3). What my amendment would provide is a 14-day notice period so that if an affidavit is going to be used as the Crown's evidence of speeding in a speeding trial, the copy of the affidavit would have to be served on the accused 14 days before the trial. The service I think represents a basic element of fairness to a person accused.

I'd make only the other observation, Mr. Chairman, although it's not the subject of an amendment. There is a concern that certainly some of my colleagues have expressed to me and that I've recognized as well, that provision for ordinary mail may be problematic. I simply advise members that we'll be watching carefully to see in the implementation of this whether in fact it results in problems to people charged with offences under provincial traffic legislation.

With that, I'd encourage all members to support the amendment. It is simply elementary fairness. What we're doing is something out of the ordinary in terms of simplifying the trial process and reducing the cost of having police witnesses come to court. I think part of the trade-off should be that we ensure there is reasonable notice, adequate notice to a person accused.

With those comments, I'll conclude my remarks. Thanks, Mr. Chairman.

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

MRS. FRITZ: Thank you, Mr. Chairman. In speaking to the amendment that was put forward by my friend from Calgary-Buffalo, the purpose of the amendment is straightforward, and it is, as was said, to streamline and increase efficiencies in Bill 23. But I also think, more importantly, that it assists in the accountability of this area of the justice system, and that is needed. With the 14 days I think that is happening.

So I support the observation and the amendment as it was put forward. It is useful, and I think that it adds, as I said, further measures of communication to the public who are affected by this Bill. It endeavours to deal with an existing situation that we can always have made better, which we are through this amendment, and it is practical, and it's an efficient way to do so.

So with those brief remarks, I would ask that the Assembly support this amendment.

MR. CHAIRMAN: The hon. Member for Sherwood Park on the amendment.

MR. COLLINGWOOD: Yes, on the amendment. Thank you, Mr. Chairman. I also rise to concur with the amendment put forward by the hon. Member for Calgary-Buffalo. Just in reviewing the provision of section 6 in the Act as it presently reads, I note that some of the other provisions that dealt with how procedures were to take place under this provision do make reference to a certificate of service or an affidavit of service. While we are on the amendment dealing with an amendment to add the 14-day notice provision, I don't seem to be able to locate or see any specific provision that requires an affidavit of service so that in terms of the fairness there is clear understanding for a trial judge that an individual has in fact received the affidavit by ordinary mail so that we know that at the next stage of the process indeed that did occur. Now, I don't know whether or not it can be incorporated in the provisions as they stand at this point in time, because we are making a number of amendments that deal with service of documents, the inclusion of the affidavit, whether or not there would be an affidavit of service required. I would hope there would be so that we can indeed ensure fairness in the proceedings.

As I say, though, Mr. Chairman, I just did want to make that comment. I do indeed support the amendment so that there is clarity and fairness in the process and again just wanted to make those comments on that particular issue. Thank you.

HON. MEMBERS: Question.

MR. CHAIRMAN: The question has been called on the amendment. We have under consideration the amendment as proposed by the hon. Member for Calgary-Buffalo on Bill 23.

[Motion on amendment carried]

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

MRS. FRITZ: Thank you, Mr. Chairman. Now I move the Bill.

MR. CHAIRMAN: The hon. Member for Calgary-Cross has moved that we now vote on Bill 23. Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill 23 as amended agreed to]

MRS. FRITZ: Mr. Chairman, I move that it be reported when we rise.

[Motion carried]

Bill 31 Municipal Government Act

MR. DICKSON: A couple of brief comments I wanted to make relative to concerns I have with part 7 of Bill 31. This is the section entitled "Public Participation, Access to Information." We have to deal with this in the context, Mr. Chairman, of Bill 18, which purports to set out a comprehensive regime of providing access to information and freedom of information.

Sections 216 to 218 in fact are inconsistent in numerous passages, in numerous parts with what I assume the government is trying to do when they introduce Bill 18. I just remind all members that Bill 18 was intended to include municipalities and local government bodies as well. At minimum one would expect that the freedom of information provisions in this Bill would at least be consistent with Bill 18, and I'm sorry to report that they're not.

In section 216 there's reference to a reason for information being withheld. There's no limitation on what kind of a reason, whether it's a subjective test or an objective test. It doesn't say. In section 217 there's no provision for time limits other than the words "reasonable time." There's no limitation on fees other than a "reasonable fee." Section 217(2) is extremely broad and vague. If we look at section 217(5), what kind of a public interest override is it when it's the council that makes the decision?

Well, I'll just relay to members one incident that the Member for Calgary-Shaw and I both clearly remember. We were in one of the hearings of the freedom of information panel – and the Member for Peace River would recall this as well – and a mayor of a municipality in this province announced quite boldly that there was no need for freedom of information in legislation at the municipal level because it existed already. This woman went on to tell the panel members that this just wasn't an issue, that at the local level anybody who wanted information could go in and get it. Well, two speakers later a woman stood up who happens to live in that municipality, and she said that that's not the case. In fact, she was able to detail all kinds of information she'd tried to access and had been refused. So there are problems with freedom of information at the local level.

My suggestion would be and I'd hope that the government would consider it: if there's to be a public interest override, why wouldn't we make the information and privacy commissioner under Bill 18 the person that determines whether the public interest override should be invoked rather than a municipal council? What it does is it starts to tie together two Acts which are ostensibly both to achieve the same purpose.

So with that, Mr. Chairman, and with those particular concerns, I would move that we adjourn debate on Bill 31 at this stage.

5:10

MR. CHAIRMAN: The hon. Member for Calgary-Buffalo has moved that we adjourn debate on Bill 31 at this time. All those in favour, please say aye.

HON. MEMBERS: Aye.

MR. CHAIRMAN: Those opposed, please say no. Carried.

MR. WOLOSHTYN: Mr. Chairman, I move that the committee now rise and report.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. DEPUTY SPEAKER: Order. The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain Bills. The committee reports the following Bill with some amendments: Bill

23. The committee reports progress on the following Bill: Bill 31. 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: Do the members of the Assembly concur in this report?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? So ordered.

[At 5:15 p.m. the Assembly adjourned to Monday at 1:30 p.m.]