

Legislative Assembly of Alberta

Title: **Monday, May 16, 1994**

1:30 p.m.

Date: 94/05/16

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Would members remain standing after the prayer.

Let us pray.

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

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

Amen.

Hon. members, on May 12, 1994, Mr. Edgar W. (Ted) Hinman passed away. Mr. Hinman was a former Member of this Legislative Assembly and represented the constituency of Cardston for the Social Credit Party. He was first elected in the general election of August 5, 1952, and served until 1975. During his years of service Ted Hinman served with distinction as the Minister of Municipal Affairs and more notably as the Provincial Treasurer during the years 1955 to 1964. I would ask that we bow our heads in a moment of silent prayer as we remember this former member of this House.

Rest eternal grant unto him, O Lord, and let light perpetual shine upon him.

Amen.

Please be seated.

head: **Presenting Petitions**

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

MRS. HEWES: Thank you, Mr. Speaker. I beg leave to present a petition with two requests to the government. The first one is urging the government "not to implement budget cuts to, and restructuring of: the education, health care and social services." The second request is to halt plans to privatize jails, hospitals, social housing, and seniors' residences.

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

MS CARLSON: Thank you, Mr. Speaker. I beg leave to present a petition with over 800 names from Edmonton and surrounding area, including areas such as Vegreville and Westrose, that supports keeping the Grey Nuns hospital open as an active care treatment centre.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I beg leave to present two petitions. The first is requesting that the government not alter funding arrangements for seniors' lodges.

The second is petitioning the Assembly to continue funding kindergarten at the current level.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I beg leave to present a petition on behalf of over 800 residents of southeast Edmonton asking that the Grey Nuns remain as an active treatment hospital.

MR. SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I'd like to present a petition in regards to the closure of the General hospital in Calgary. The petition was started when their concern was the closure, and it extended through to the time period of the loss of the trauma ICU. There are 12,651 names in this petition.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to present a petition signed by 191 seniors asking the government, firstly, not to alter the level of support for all benefits for Alberta's seniors until seniors have been consulted and have agreed to any revisions and, secondly, "not to alter funding arrangements for" seniors' lodges and subsidized apartments "until seniors have been consulted and have agreed to any revisions."

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

MR. HENRY: Thank you very much, Mr. Speaker. I beg your leave to present a petition signed by 217 Albertans. The petition urges the government not to use the notwithstanding clause in order to avoid amending the Individual's Rights Protection Act to include the category of sexual orientation.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I'd like to present a petition – they just keep rolling in – urging the Legislative Assembly to maintain the Children's hospital on its current site. The people who have signed the petition are from faraway places: Bindloss, Eckville, Medicine Hat, Redcliff, Rocky Mountain House, and Bassano.

Thank you.

head: **Reading and Receiving Petitions**

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would ask the House to have read and received the petition which I presented on April 28 from residents of Edmonton-Avonmore and area regarding seniors' lodges in the province.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government not to alter funding arrangements for Alberta's Seniors Lodges and Seniors Subsidized Apartments until Seniors have been consulted and have agreed to any revisions to funding arrangements.

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd like you to read the petition that I filed on May 2 signed by a number of people in a constituency trying to sensitize the Minister of Health

in order to see the way clear to move the Sturgeon hospital back into the area where it originally came from.

CLERK:

We the undersigned, petition the Legislative Assembly of Alberta to urge the Government to reconsider the inclusion of the Sturgeon General Hospital within the Edmonton Region and to allow the Sturgeon General Hospital to serve its customers from the city of St. Albert, the MD of Sturgeon, the Town of Morinville, the Village of Legal, the Alexander Reserve, the Counties of Athabasca, Barrhead, Lac St. Anne, Parkland and Westlock.

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

MR. BRACKO: Thank you, Mr. Speaker. I ask that my petition of April 28 regarding the removal of the Sturgeon general hospital from the Edmonton region be read and received.

CLERK:

We the undersigned, petition the Legislative Assembly of Alberta to urge the Government to reconsider the inclusion of the Sturgeon General Hospital within the Edmonton Region and to allow the Sturgeon General Hospital to serve its customers from the city of St. Albert, the MD of Sturgeon, the Town of Morinville, the Village of Legal, the Alexander Reserve, the Counties of Athabasca, Barrhead, Lac St. Anne, Parkland and Westlock.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I would like to request that the petition I presented on April 27 regarding seniors be now read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government not to alter funding arrangements for Alberta's Seniors Lodges and Seniors Subsidized Apartments until Seniors have been consulted and have agreed to any revisions to funding arrangements.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I would request that the petition which I presented on April 27 regarding the Children's hospital be now read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the government to maintain the Alberta Children's Hospital on its current site and as it currently exists as a full service pediatric health care facility.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I'm pleased today to table the annual report of the Alberta College of Optometrists for the year ended December 31, 1993, and the College of Physical Therapists of Alberta for the year ended February 28, 1994. Copies will be available to all members.

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

MR. ADY: Thank you, Mr. Speaker. I'm pleased today to table the annual reports for the following colleges for the year 1992-93: Lakeland College, Grant MacEwan Community College, Fairview

College, and Red Deer College. I'll be tabling four copies of each of those.

I'd also like to table four copies of the University of Alberta 1991 Foundation.

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

1:40

MR. EVANS: Thank you very much, Mr. Speaker. I'm pleased today to table the final report of the Contaminated Sites Implementation Advisory Group, and I would notify at this time as well that this report was the subject of Motion for a Return 170.

I would also like to table answers to Motion for a Return 173.

MR. DAY: Mr. Speaker, I'd like to file a response to Motion for a Return 177.

head: **Introduction of Guests**

MR. SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Well, thank you, Mr. Speaker. I want to introduce to you and through you three members of the great constituency of Dunvegan. I see them in the gallery there. They are Telly Burrell, the chairman of improvement district 21, and he's accompanied by Ron Lundgard, who is a member of that ID board, along with their manager, Bill Brass. I'd ask them to rise and receive the warm welcome of the Assembly.

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

MRS. HEWES: Thank you, Mr. Speaker. I'm pleased today to introduce to you and through you to members of the Legislature 32 students from Bonnie Doon high school. They're accompanied by Mr. Brian Heffel and Mr. Fred Ulrich. I understand they're seated in the members' gallery. I'd ask them to rise and receive the welcome of the House.

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the Legislature two grade 6 classes from Namao school, home of the big air show coming up this weekend. These bright children are accompanied by two teachers, Mrs. Raven and Mr. Tetz; five helpers, Mrs. D'Elia, Mrs. Cato, Mr. McLean, Mrs. Crozier, and Mrs. Kieser; all driven by the bus driver, an outstanding volunteer for 4-H as well, Mr. Clark. I'd ask them to stand now and be recognized by the members of the Assembly.

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

MR. HENRY: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to the Assembly a very special young man, a good friend of mine and my family's. Mr. Adam Zepp is here to watch his mother, the Member for Edmonton-Meadowlark, perform in the House today. I might point out that this young man has been wondering for the last several months what his mother has been doing at work. All he knows is that his mother works with a man named Mr. Speaker. He is in the public gallery, and he is accompanied by Irene Zerr. I'd ask that they rise and receive the very warm welcome of the Assembly.

head:

Oral Question Period

School Taxes

MR. DECORE: Mr. Speaker, the Premier has said time and again to Albertans that he would not and the government would not increase taxes, but to no one's surprise we have the no-brainer of education property taxes going up all over the province of Alberta. Places like Edmonton, Vulcan, Cypress, and so on, and so on, and so on will all see their property taxes go up to pay for the increases for education. Mr. Minister, how much more is the government going to collect in education property taxes this year while you are slashing millions on kindergartens?

MR. JONSON: Mr. Speaker, it has been very clear since the announcement made on January 18 that to deal with a very, very important funding source in the province and the need that is out there in terms of paying equity funding to the have-not school boards of the province, we needed to raise an additional \$30 million of money. The statement was made. It's been our intention to raise that by accessing the growth in the assessment across this province.

MR. DECORE: I thought it was a fairly easy question.

Let's try the second one. Mr. Minister, why are you monkey-ing around with secret equity formulas when the government, particularly the Premier, hasn't even decided how to deal with the machinery and equipment tax, a tax that is going to affect one-fifth of the education property taxes in this province?

MR. JONSON: Mr. Speaker, first of all, the issue of the taxation review commission and its recommendations and the subissue of the machinery and equipment tax are things that the hon. leader knows full well the government is committing to review in the future and make a decision. If the hon. leader hasn't noticed, we are moving into another school year. We do need to provide for that equity funding, and the system we have adopted is a system which has been in there for years with respect to the school foundation program.

MR. DECORE: Mr. Speaker, last week the minister said that he was going to use increased assessment to replace lottery equity dollars. Mr. Minister, why are you off-loading some \$30 million onto Alberta taxpayers?

MR. JONSON: Well, Mr. Speaker, I will repeat my answer quite clearly in case the hon. member missed it the first time or the third time or the fourth time, and that is that we need an additional \$30 million to be able to provide equity funding to the schools and the students of this province. We have said all along that that amount of money would be generated through our taxation of the growth in assessment.

Catholic School System

MR. DECORE: Mr. Speaker, last week the Minister of Education said that he was scrapping the arrangement or the agreement that was made between his lawyers and lawyers representing Catholic school boards in this province because he said that he couldn't get unanimity from Catholic boards. We now know and Catholics know that an agreement was had by Wednesday from all boards except one and by Thursday all boards agreed. Mr. Minister, all boards agreed by Thursday. It would appear, Mr. Minister, that you're not interested in signing an agreement with

anybody. I'd like the minister to tell Albertans, particularly those of the Catholic persuasion, why a deal hasn't been signed when every party, every side has agreed.

MR. JONSON: Mr. Speaker, I think it should be very clear that the minister had no agreement with the Catholic school boards, the separate school boards of this province. The hon. leader tends to not mention that, yes, there was, first of all, the requirement that it be unanimous, and there was a deadline with respect to that, and that deadline passed, and work had to be proceeded with. Secondly, there was also a very important factor here, and that is that the question was to be put to Catholic school boards across this province as to their willingness to opt into the fund. That particular question was not put to them, as it turned out, or it was put in such a vague way that it is meaningless to us, and therefore there is no agreement.

MR. DECORE: Will the minister tell Albertans why it is that the Premier of Alberta singled out the Calgary Catholic board as being the board responsible for scuttling the agreement when you know and the Premier knows and the government knows that they were ready to sign the agreement? Why did that happen, Mr. Minister?

MR. JONSON: Mr. Speaker, the city of Calgary has been the focus of a considerable amount of intensive debate on this particular matter, but beyond that, this is speculation on the part of the member across the way.

MR. DECORE: It's not speculation. It's as clear as can be, Mr. Minister.

The last question to the minister: instead of filing his amendments at 11 o'clock at night so that nobody can see them, will the minister agree to allow lawyers for the Catholic boards and the public boards to see those amendments, to review those amendments before they're submitted for debate in this Assembly?

1:50

MR. JONSON: Mr. Speaker, the amendments that will be proposed by the government to Bill 19 will be filed with this House in the proper format at the proper time. There's something I'd like to emphasize here, and that is: the whole goal of Bill 19, which is before the Legislature, and, I can assure the hon. member, any amendments that will brought in the future is to provide fair and equitable funding to all students in this province. To all students in this province. This particular fact, this particular need out there seems to be completely forgotten by the people across the way. Instead, they are concentrating on everything but. That is what's important for education in the future of this province.

MR. DAY: Supplementary information on the procedure. I know we would be, as we've been in the past, accused of possibly violating a point of order or even privilege if we were to disseminate material like that to people other than the MLAs first to be dealt with in the Legislature. The opposition leader has raised that in the past.

Senior Citizens' Programs

MRS. HEWES: Mr. Speaker, after the punishing anxiety created among seniors over the past few months, this government has done some tinkering with the Alberta seniors' benefit, with income thresholds, with drug costs and provided for rent increases in subsidized housing, made some changes, and shuffled some

money around. My first question is to the minister responsible for seniors. Mr. Minister, how can you with any conscience say that you've responded to seniors when you've only increased the benefit by \$6 a month?

MR. MAR: Mr. Speaker, very clearly as we've gone throughout the province, we have received support from seniors with respect to the principles that make up the Alberta seniors' benefit program. The final program does protect those individuals that we intended to protect, those individuals at lower income levels. The package is affordable. It is responsive. We didn't accept the recommendation to raise the thresholds to \$27,000 and \$35,000 for couples because those people were not the people that we intended to protect in this program. But we did make changes. We did listen to our seniors review panel. We accepted in whole or in part 11 of the 14 recommendations. Those recommendations were made within the confines of the envelope that we set out at the very beginning to have these programs for seniors in the amount of \$916 million.

MRS. HEWES: Mr. Speaker, contrary to what the Premier says, seniors are furious. They are very angry.

Mr. Speaker, my second question is to the Minister of Health. The minister has responded to seniors' complaints on the \$9.70 drug prescription scheme, but what is the justification for the shift from 20 percent to 30 percent even with the cap? That's a 50 percent increase in drug costs.

MRS. McCLELLAN: First of all, Mr. Speaker, it is not a 50 percent increase because the \$25 cap is a very important part of that program. In discussing the issue of drug costs with seniors and certainly with others in the province, with pharmacists, the great concern was for people who had very high drug costs and how we could protect them. The \$9.70 dispensing fee would have addressed that side of it. In discussions with pharmacists and seniors they raised with me concerns for many seniors who have multiple prescriptions that are of low cost and that this would increase their costs. The seniors were as concerned as I was about the seniors who have high drug costs who were paying 10 percent of that, which could come to \$100 to \$150 a month. The seniors, I believe, believe very much that they could pay a little bit more on the low end of drug costs to protect those on the high end. My discussion with seniors, my discussion with pharmacists is that this will provide a fair plan for seniors with the protection they need, and it will protect the small businesses that are so important in this province.

MRS. HEWES: Mr. Speaker, you're trying to make it sound as though you're helping seniors. Nothing could be further from the truth.

My second supplementary is to the minister responsible for seniors. Mr. Minister, are you prepared to ensure that Bill 34 will be left on the Table until seniors' groups and your department have had the opportunity to research the impact on seniors who face lower incomes and higher rents as a result of your programs?

MR. MAR: Mr. Speaker, our program is going ahead.

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

School Vandalism

MR. DUNFORD: Thank you, Mr. Speaker. My questions today are for the Minister of Education. There's been a fair amount of

discussion recently about young offenders and the Young Offenders Act, and I would like to take a little different perspective on this. I'd like to question the minister in an area regarding activity that makes really a victim of us all. I would like to ask the Minister of Education what the approximate percentage of a budget is in a school budget in order to clean up or repair after school vandalism.

MR. JONSON: Mr. Speaker, I know that this matter is a concern to school boards, and in some areas of the province I'm sure they regard it as a significant amount. However, at the provincial level we do not have records on that particular percentage and that particular amount.

MR. SPEAKER: Supplemental question.

MR. DUNFORD: Yes. Thank you, Mr. Speaker. Again to the minister: what options are available to school officials to deal with vandals if they are students?

MR. JONSON: Mr. Speaker, there are a number of options available. First and foremost is to involve the parents and the student or the young person involved and to work out a plan of action in terms of that student's behaviour and possible restitution for the damage that is done. Secondly, the further action of detention, suspension, ultimately expulsion from a particular school or from school period is an option available to school boards as well. Then, of course, ultimately there is the option of calling in the law authorities.

MR. SPEAKER: Final supplemental.

MR. DUNFORD: Yes. Thank you, Mr. Speaker. Although the numbers aren't available today, I believe that we would find the cost of vandalism to be significant.

Will the minister advise this House as to whether or not the officials of the Department of Education will be making a representation to the young offenders task force?

MR. JONSON: Mr. Speaker, that particular initiative and activity with respect to the young offenders task force – yes, this is something that we will be giving consideration to having input into.

I would also like to comment with respect to the preamble to the question, and that is that across the province we have many, many schools that have virtually no cost from vandalism. This is attributed in large measure to good parental and community involvement as well as having good policies, stiff policies in place which are consistently applied with respect to the whole area of discipline, and that of course includes vandalism as an outcome of wrongdoing as well. This is something that we want to build upon for all the schools in the province.

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

Special Waste Treatment Centre

MR. COLLINGWOOD: Thank you, Mr. Speaker. In a super sweetheart deal Alberta taxpayers have handed over about \$260 million to Bovar Inc. to build and run the money-losing Swan Hills waste treatment plant. Now the company says that if it isn't allowed to import hazardous waste to the newly expanded facility, Alberta taxpayers could be on the hook for another \$400 million

over the next 10 years. Curiously the Premier, when he was minister of the environment in 1990, said in a press release, "This expansion is needed to deal with Alberta wastes, and Alberta wastes, only." Not so. My first question to the Minister of Environmental Protection: if Alberta did not have enough waste to justify this expansion, why put Alberta taxpayers to risk for up to \$660 million?

2:00

MR. EVANS: Mr. Speaker, it's interesting that the hon. member opposite and the *Edmonton Journal* just recently have come to the conclusion that Swan Hills has been losing money. This is very interesting since this has been the case since the mid-80s. We're not proud of that fact, but what we are proud of is that in the mid-80s the province of Alberta decided that it would be the leader in the treatment of hazardous waste in Canada and in fact in North America. It went out on a limb, the government of the day did, and decided that it was going to site and build a facility because it was environmentally the right thing to do. It was a way of ensuring that we could deal with an accumulation of hazardous waste in this province so that that waste was not going to find its way into the ground and into water systems and have a negative impact on Albertans.

What we are talking about with the Swan Hills hearings today and in the next little while is whether or not we should expand the facility in the sense of allowing waste to come in from other Canadian jurisdictions. Now, what we are asking that question for is to see, Mr. Speaker, whether or not the people of Alberta have moved beyond a position where they agreed to waste being handled and treated in the province of Alberta to more of a global approach in dealing with waste that is generated in Canada. I assure the hon. member opposite that my colleagues of the Canadian Council of Ministers of the Environment in every province, the two territories, and the federal government are watching this very, very carefully, because they want us in the province of Alberta to take this global approach. They realize we have the only state-of-the-art facility in North America. They realize they do not have either the money or the inclination in their citizenry to site and build a facility such as we have in Alberta, and they are very, very hopeful that the people of Alberta will decide that this is the way to go.

MR. SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. What this government did in the 1980s was become the leader in money-losing operations.

My supplementary to the Minister of Environmental Protection: why did the government use oil field waste to justify the expansion of the facility and then exclude the waste when the expansion was justified?

MR. EVANS: Very interesting preamble, Mr. Speaker, because there was a review of a proposal to expand the facilities with another kiln at Swan Hills. That was brought forward by the joint venture, the applicant being the operator, a private-sector operator. The review indicated that there was enough waste being generated in the province of Alberta to justify approving that expansion because it was in the public interest given social, economic, and environmental – very importantly, environmental – considerations. Granted part of that mix for the waste that was being generated in the province was oil field waste. Oil field waste, in particular brine and salty material, is being dealt with

under our legislation, under the province of Alberta legislation, by the Energy Resources Conservation Board. They have the same mandate as the natural resources board has for reviewing and approving a proposal to deal with waste given that it must be in the public interest on social, economic, and environmental considerations.

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the Minister of Environmental Protection: since the evidence is now so overwhelming, will the minister confirm that it was the government's plan all along to import hazardous waste and to make Alberta the toxic dumping site of Canada? It was all just a set up; wasn't it?

MR. EVANS: Very interesting point of view by the member opposite, who claims to be concerned about the health of our environment in this country and in this province and says now that we are the dumping ground, notwithstanding the fact that many of his Liberal colleagues in other provinces and at the federal government level are very keen that this approval be given. Now, again, Mr. Speaker, I go to the promises that were made by the government of the day back in the mid-80s when the government sited and built this facility in partnership with Bovar industries. That promise was that we would deal with Alberta waste only, and if that was going to be changed, if we were going to move away from that, it would not happen without consultation with Albertans. That's precisely what is going on now: a review of this issue by Albertans. They will come before the Natural Resources Conservation Board. They will tell the board whether or not it is time to move away from an Alberta-only position to an Alberta-first position.

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

Teachers' Salary Rollback

MR. SOHAL: Thank you, Mr. Speaker. My question is to the Minister of Labour. Last week the teachers from the Calgary public school district held a vote regarding their salary and compensation package. Approximately 50 percent of the Calgary public teachers showed up for the vote. It is also my understanding that the vote was not conducted by secret ballot but was in fact done by a show of hands only. My question to the minister is this: does the labour law not require that all votes be conducted by secret ballot?

MR. DAY: Depending on the nature of the vote, Mr. Speaker. Not all votes are required to be by secret ballot. If it was a vote that was a proposal vote from the employer asking for supervision by the LRB, that would have been required to be by secret ballot. As I understand it, this was not that type of vote, and it was not done by secret ballot. It was done by a show of hands is my understanding.

MR. SOHAL: My supplementary question is to the same minister. Thousands of other teachers from around the province have voted to take a 5 percent reduction in their compensation package. Were those votes done by a public show of hands, or were they conducted by a secret ballot?

MR. DAY: I don't have the exact information on every vote that's been taken around the province by every group of teachers

that has agreed to take a 5 percent reduction. I can say, without putting an exact number on it, that there have been thousands of teachers in the province who have voted to take a 5 percent reduction, and they have done that by a secret ballot in their proceedings.

MR. SOHAL: Final question to the same minister: will the minister move to change the labour laws so that all votes are required to be in the form of a secret ballot so that there can be no accusation of intimidation when members are being asked to vote on such sensitive items?

MR. DAY: The type of vote that took place last week and ones similar to that are really controlled by the organizations themselves, and the associations' own bylaws, Mr. Speaker, decide whether members have to vote by secret ballot or in fact just by a show of hands. I realize that the concern about intimidation does come in, and it's up to the members of each organization, the rank and file members, if they want their own bylaws changed so that that type of internal vote happens by a secret ballot. They have to have those bylaws changed by themselves within their own organization.

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

Freedom of Information Legislation

MR. DICKSON: Thank you, Mr. Speaker. The Premier introduced his freedom of information Bill with much fanfare, but it appears that the government has lost some of its enthusiasm for freedom of information. Now, three weeks ago this opposition gave the government a full set of draft amendments. These were amendments that we thought were necessary so that Bill 18 would reflect not some but all of the recommendations in the Premier's all-party panel. We understand that those amendments have now been stalled in the government caucus. My question is to the Deputy Premier. Will the Deputy Premier assure Albertans today that before this spring session of the Legislature ends, Bill 18 will be fully dealt with?

MR. KOWALSKI: Mr. Speaker, the length of this session is dependent on the filibustering that the Liberals continue to deal with on a daily basis. It is the wish of the government to deal with all matters on its Order Paper, and of primary importance to the government is this Freedom of Information and Protection of Privacy Act. There's absolutely no stalling that's coming from the government caucus. Presumably, if Liberal members would perhaps focus their debates not in 20- and 30-minute lengths over nothing issues and spoke for one and two minutes with some degree of intelligence, we'd be dealing with this matter this week.

MR. SPEAKER: Supplemental question.

MR. DICKSON: Thanks, Mr. Speaker. Let me ask the Deputy Premier, then, a question he may have control over. At what point is the government caucus going to resolve their position with respect to my amendments?

2:10

MR. KOWALSKI: Well, Mr. Speaker, the hon. gentleman is saying: at what point will the government caucus resolve its differences with respect to his amendments? Perhaps the more opportune question will be: what position does the Liberal caucus have with respect to his amendments? The last I heard, this was

a democracy. It is not a one-man show led by the Member for Calgary-*Buffalo*.

MR. SPEAKER: Final supplemental.

MR. DICKSON: Thanks very much, Mr. Speaker. My final question, then, is: will the Deputy Premier be good enough to share with Albertans how he can reconcile the responses he's just given me and Albertans with the comments made by the hon. Premier on May 4 of this year?

MR. KOWALSKI: The Premier on May 4, on May 14, in February, and today if he were to be asked would say that this particular Bill is of very high importance to the government of Alberta. That's what this Deputy Premier said today, Mr. Speaker. They're 100 percent consistent. We want this legislation before the House. We want this legislation approved, and if the Liberals would quit filibustering, we might be able to get on with the business of the session.

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

School Budgets

MR. SMITH: Thank you, Mr. Speaker. Clearly the priority of education restructuring in the province is designed to offer a continued high level of service to students and to parents with only marginally reduced funding. Just outside of my constituency in a school called Brentwood elementary two choices were made. One was to eliminate the teaching of French as an option course and, secondly, to dispense with the services of the physical education specialist. To the Minister of Education: can these actions be reflected as a reduction of service to this school and to its parents and students?

MR. JONSON: With respect to the management of a school, every year principals in conjunction with their head office administration have to make decisions about the assignment of staff, the number of options to be offered, possibly the switching from offering an option to emphasizing a core subject. So, Mr. Speaker, in terms of the hon. member's question, it is difficult for me to make any assessment of just what the overall effect is in this particular school with these particular plans. Certainly if there is an overall reduction in teaching time or an overall reduction in, let's say, the offering of core subjects, that sort of thing would be considered a reduction in service. But the items that the hon. member has mentioned would have to be considered in the context of what's happening overall in that school.

MR. SPEAKER: Supplemental question.

MR. SMITH: Thank you, Mr. Speaker. How could this decision have been made to effect savings without sacrificing these programs?

MR. JONSON: There are three key areas which we have long maintained are areas that will help in dealing with reductions in grants. First of all, a hard look at administrative costs and support services. There's a considerable saving, in our view, to be made across the system in this province, and as, for instance, Bill 19 provides for, we have overall amalgamation and consolidation of school boards, the consideration of a possible cap with respect to administrative expenditures. Secondly, Mr. Speaker,

there is the requested 5 percent reduction in compensation packages. I would commend teachers and support staff for the good progress that's been made in that across the province. Thirdly, there does have to be decisions made with respect to what programs are priority, what programs are very expensive. Those things help cope and, we feel, can largely compensate for any reduction in grants.

MR. SMITH: Mr. Speaker, to the minister: how can parents become more involved in these readjustment decisions at the school level if the administration chooses not to involve them or solicit their input?

MR. JONSON: Mr. Speaker, there currently is in the School Act a provision for a school council, and one of the very key directions of the legislation that we have before the House is that of strengthening and expanding the involvement of parents, the role of school councils. That we see as a very valuable and very important direction to provide a vehicle for a principal and a school's administration and teaching staff to work with their parents, to work with their school community in terms of setting the priority for a school's program.

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

Medical Laboratories

MR. SAPERS: Thank you, Mr. Speaker. Alberta Health is cutting \$50 million from laboratory spending even though the minister's own study says that the information doesn't exist upon which to make an intelligent decision. Now, savings on lab medicine can be achieved through decreased use or increased efficiency, both needing provincial co-ordination, yet the minister has failed to provide this leadership. To the Minister of Health: how can the minister allow lab restructuring to proceed before she deals with the recommendations of the laboratory costing study?

MRS. McCLELLAN: Well, Mr. Speaker, there are some things that are known, and that is that laboratory costs are rising and also that we have two systems in laboratories in this province. We have a public system, and we have a private system. Both systems are operating in a very inefficient manner, so it is necessary to take action to restructure how we deliver laboratory services. Where we should do it is in addressing inefficiencies. That is exactly what our three-year business plan lays out, that we will restructure laboratories and that we will do it in consultation with the people involved in laboratory services in this province. I think that's very responsible.

MR. SPEAKER: Supplemental question.

MR. SAPERS: Yes. Actually there are four streams of laboratory services, and only two would . . .

SOME HON. MEMBERS: Question. Question.

MR. SAPERS: How could the Minister of Health expect the 17 regional boards working independently to come up with a solution when the province couldn't come up with an effective solution knowing supposedly all of the information?

MRS. McCLELLAN: Mr. Speaker, the opportunity will be there for input from the private-investor labs, from the operators in the public system. The regional health authorities will have the

opportunity, because the decision-making will be at a local level, which is very important to us on this side of the House, to make decisions as to how to best provide those services. What Alberta Health is interested in and what this government is interested in is that Albertans have the opportunity for high-quality laboratory services in this province wherever they are. We believe that can be accomplished, and we believe that great savings can be accomplished through addressing the inefficiencies. I have not had a disagreement from the private-investor labs. I have not had any disagreement from the public system. I believe that we will resolve this issue to the benefit of Albertans.

MR. SAPERS: Seeing as the minister wants the decisions made by frontline people at the local level, why have lab technologists not been included in the minister's implementation committee for laboratory restructuring?

MRS. McCLELLAN: Mr. Speaker, in many cases involvement by individuals is through associations and through their workplace. That opportunity will be there. One of the areas that we are trying to expand on is involvement of people who are directly involved. The members opposite would see status quo, no change, no innovation, no new ideas. We are suggesting that the people who are involved in providing that service can provide valuable input as to how that service is delivered. That will be the structure of the committee that restructures labs.

MR. SPEAKER: The hon. Member for Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Speaker. Over the weekend I, too, heard from a number of people involved in laboratory medicine either at the physician level or as lab technologists. Some of my questions have been answered, but I want to ask some specific questions to the Minister of Health. Is it the intention of the government to put private labs out of business?

2:20

MRS. McCLELLAN: Mr. Speaker, it is definitely not the intention of the government to put private labs out of business. That is why we are involving the private-investor labs in the discussion of how we restructure laboratory services in this province.

MR. DOERKSEN: Madam Minister, who was involved in the discussions – you've elaborated on that – and what principles are being used in these discussions?

MRS. McCLELLAN: Mr. Speaker, there are a number of principles that are being involved. I should also say that we are also involved with discussions with the Alberta Healthcare Association, a very important part of this, the private-investor labs, and the Alberta Medical Association. There will be a number of principles that we will be asking them to address. One of the main principles is that we have access for Albertans to quality laboratory services in this province – I think that's the primary one – and, secondly, that we introduce efficiencies that will introduce a reduction in expenditures. We cannot continue in this province to overspend in every area in Health. In order to reduce those expenditures and continue to offer quality services, we must restructure how we do things.

MR. SPEAKER: Final supplemental?

The hon. Member for Edmonton-Meadowlark.

Health Services Work Force Adjustment

MS LEIBOVICI: Thank you, Mr. Speaker. My questions, too, centre around the restructuring of the laboratories. In the next four months it's likely that about one-third, or 1,000, of the laboratory technologists and another 1,000, or one-third, of the laboratory staff, whether they are unionized or non-unionized, whether they're in the public or in the private laboratory system, will be out of a job. The time for a work force adjustment strategy is not four months from now but now. My questions are to the Minister of Health. When the Alberta Health and Alberta Medical Association memorandum of agreement says that nonprofessional employees of investor-owned labs will have access to work force adjustment dollars, are laboratory technologists included or excluded from this group?

MRS. McCLELLAN: Mr. Speaker, the hon. Minister of Labour may wish to supplement my answer on the work force adjustment strategy. Obviously there will be less jobs perhaps in some areas. However, I would remind the hon. member that there is more than just labour involved in laboratory services. There is a great outlay of high costs in capital equipment. We are presently dealing with that equipment in a private system and in a public system, and if we can introduce efficiencies by contracting through the private system, we can save those dollars. I'll ask the Minister of Labour if he wishes to respond further on the work force adjustment strategy.

MR. DAY: Work force adjustment discussions continue to move along, Mr. Speaker. Actually, for the last number of months the input from both employer and employee sides throughout the health care field in all related areas has been positive in terms of the development of work force strategies, because we do know there are going to be people that are going to be moved from place to place.

MS LEIBOVICI: With regards to the work force adjustment strategies, are these the same dollars that we've heard talked about with regards to the \$20 million that are tied up in the tripartite talks? It now seems as if that group has been expanded to include the nonprofessional employees.

MRS. McCLELLAN: Is that directed at you or me?

Mr. Speaker, we have identified \$20 million in work force adjustment strategy; \$5 million of that is directly dealing with training and retraining initiatives with the minister of advanced education for job skills upgrading. When we talk about a work force adjustment strategy for health care workers, we talk about a work force adjustment strategy for health care workers. They will all be included in the discussions on work force adjustments. Whether they are non-union or union, we would expect their needs to be considered.

MR. SPEAKER: Final supplemental.

MS LEIBOVICI: Thank you. This question is for the Minister of Health again. Given that the minister has indicated that worker involvement is necessary, whether they're union or non-union, with regards to the work force adjustment strategies, can the minister explain why the Alberta Society of Medical Laboratory Technologists has not been consulted and clarify exactly who will be included to represent the non-unionized laboratory techs and other workers in the work force adjustment strategies?

MRS. McCLELLAN: Employee organizations and employer organizations are involved. Certainly if there is felt that there is a group that is not having their needs met through any of those groups, I would want to hear from them. On the issue of medical labs restructuring, we do have a working group that is being put together to address those particular issues, and that group will have representation from all of the associations involved in that area.

MR. SPEAKER: The hon. Member for Wainwright.

Gun Control

MR. FISCHER: Thank you, Mr. Speaker. My question is to the Minister of Justice and Attorney General. The Liberal federal government has pledged to legislate tougher, new gun laws in Canada next fall. We all want to see a decrease in crime and live in a safe and peaceful country, but there are two sides to this issue. Responsible firearm owners feel that this is an erosion of their property rights. Has the minister had any contact with the federal government, and what is Alberta's position on these new, tougher laws?

MR. ROSTAD: Mr. Speaker, I frankly have not had any direct communication since the federal/provincial meeting of attorneys general six weeks ago where the minister, the Hon. Allan Rock, was musing on the fact that he may bring forward legislation relating to handguns. Aside from that, I've had no written or spoken communications other than what's been in the newspaper.

MR. FISCHER: Who will be paying the extra cost given that the expanded registration will increase the need for more administration?

MR. ROSTAD: Well, Mr. Speaker, I guess we're speculating a bit, because until legislation is brought forward, I don't know what type of administration might be necessary. Frankly, under the present system there is some problem with the administrative costs, where the police services, that take care of it, are saying that they aren't being paid enough to accommodate their administrative costs. That is being looked at. Until we see the legislation, it's difficult to answer.

MR. FISCHER: Will the Crown appeal the recent decision by Judge Demetrick on firearms?

MR. ROSTAD: Mr. Speaker, that particular instance, as all cases, is being looked at for potential grounds for appeal. I couldn't speculate beyond that as to what will happen on it.

MR. SPEAKER: The hon. Member for Redwater.

Exploratory Well in Whaleback Area

MR. N. TAYLOR: Thank you, Mr. Speaker. Amoco is drilling a test well in Whaleback Ridge, a critical wildlife zone, not outside the area, as suggested by the minister last week in the media. Now, the integrated resource plan for the area states that the development of mineral resources will only be permitted if there is no net loss of wildlife habitat or disruption of wildlife population. My question to the minister is, first of all: has the minister checked his files to tell us now whether it's within the zone or whether it's without the zone? If it's within the zone, why no environmental hearing?

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

MR. EVANS: Thank you, Mr. Speaker. As I mentioned last week, the Whaleback area is a well-defined area in southern Alberta. It's a little bit south of Chain Lakes. Where the exploratory well is being proposed is not within the Whaleback. It is to the west of the Whaleback, some mile, mile and a half to the west of the Whaleback. That's just some information for the hon. member.

In terms of the review process for an exploratory well, the hon. member has a very long history with the oil and gas industry. He's well aware that there are a number of processes that occur prior to an approval being granted. First of all, before there's even a posting for sale, there is a review of potential impacts. Then once the sale has been posted and someone has come forward, my department, Environmental Protection, reviews to see whether or not a licence of occupation is required and/or a mineral surface lease.

There are a number of constraints that are put on an approval for that licence of occupation, if required, and a mineral surface lease, based on the flora and the fauna in the area. Of course, in this particular area there is a concern particularly with critical habitat in the wintertime and calving for a resident herd of elk, hon. member. Once we at Environmental Protection have reviewed this, then the matter goes before the Energy Resources Conservation Board, and they have to make a decision whether the exploratory well is in the public interest in terms of an application and an approval to drill a well. If that is granted – and it can either be done internally, or if there's a big concern it's done through a public review process, as is starting today in Maycroft. After that our department comes back to review reclamation of the site, a very, very extensive review process, Mr. Speaker.

2:30

MR. SPEAKER: Supplemental question.

MR. N. TAYLOR: Thank you, Mr. Speaker. We just had our first snowstorm in May here.

If these hearings are so easy, why did the minister and the Justice department forbid the environmental protection wildlife biologist in the area, Mr. Lorne Fitch, from presenting evidence to the ERCB hearing? Why did you forbid it?

MR. EVANS: Well, as the hon. member may know, Mr. Fitch, who is a very, very proficient and valued employee of the Department of Environmental Protection, wrote a letter talking about not the exploratory well, Mr. Speaker, but the impact of exploration by Amoco if they were to proceed any further. We have a number of input sources into a decision that is made as to whether or not we approve a licence of occupation and a mineral surface lease. Mr. Fitch was one of those input sources. We have a decision-maker in the area, a part of our staff, and it is that individual who will likely be called at the Amoco exploratory well review by the ERCB if in fact there are some questions that come up during the testimony.

MR. SPEAKER: Final supplemental.

MR. N. TAYLOR: Yes, Mr. Speaker. I'd like to file four copies of two letters showing that the minister and the Justice department have forbidden Mr. Fitch to appear. It might refresh his memory.

Will the minister take his responsibility seriously instead of dancing all over the House here and ask Amoco and other

operators to prepare an environmental impact study before exploration proceeds in the area?

MR. EVANS: Well, Mr. Speaker, I take my responsibility extremely seriously. In point of fact, I flew down to the area a couple of weeks ago in advance of the application because I wanted to take a look at the site itself. I flew down into that area along with the Minister of Energy, who also takes her job extremely seriously. We landed at the site of the exploratory well as defined. It is north of an existing roadway north of Maycroft in an area that is already very accessible to outdoor enthusiasts – a lot of four-wheel traffic in that area. I am pleased to say that because of the way the oil and gas industry has developed their technology, developed their processes, I did not have any concerns nor did my regional biologist have any concerns that there needed to be any further review other than the normal mitigation for an exploratory well. It was on that basis that we decided that we would not request an environmental impact assessment on the exploratory well.

Now, beyond the exploratory well, that is another situation, Mr. Speaker. I will not contemplate what the decision of the ERCB will be or the extent of the production after the exploratory well is put into place.

MR. SPEAKER: The time for question period has expired. Before calling Orders of the Day, might there be consent in the Assembly to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

The hon. Member for Edmonton-Centre.

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

MR. HENRY: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly two Edmontonians: Mr. Dave MacDougall and Mr. Jim Bateman. The two gentlemen are in the public gallery. They are trustees of the Edmonton Catholic school board, and they're here to watch the Assembly in action today. If they could rise and receive the warm welcome of the Assembly.

head: **Orders of the Day**

head: **Government Motions**

Adjournment for Victoria Day Weekend

21. Moved by Mr. Day:

Be it resolved that when the Assembly adjourns at 5:30 p.m. on Thursday, May 19, 1994, it shall stand adjourned to Tuesday, May 24, 1994, at 1:30 p.m.

[Motion carried]

head: **Private Bills**
head: **Second Reading**

Bill Pr. 1 **Mandy Anderson Adoption Act**

MR. JACQUES: Mr. Speaker, I move second reading of Bill Pr. 1, the Mandy Anderson Adoption Act.

This Bill has been discussed by the Standing Committee on Private Bills and is being recommended. I would encourage all members to support it.

[Motion carried; Bill Pr. 1 read a second time]

Bill Pr. 4
Concordia College Amendment Act, 1994

MR. SEKULIC: Mr. Speaker, I move second reading of Bill Pr. 4, Concordia College Amendment Act, 1994.

It's a straightforward housekeeping Bill, and I would encourage all members to support the Bill.

[Motion carried; Bill Pr. 4 read a second time]

Bill Pr. 7
Scott Peter Lavery Adoption Act

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

MR. HERARD: Thank you, Mr. Speaker. I move second reading of Bill Pr. 7, Scott Peter Lavery Adoption Act.

This Bill has been recommended by the Standing Committee on Private Bills, and I would urge all members on behalf of my constituents to vote for this Bill.

Thank you.

[Motion carried; Bill Pr. 7 read a second time]

Bill Pr. 12
Travis Trevor Purdy Adoption Act

MR. VASSEUR: Mr. Speaker, I move second reading of Bill Pr. 12, being the Travis Trevor Purdy Adoption Act.

The Bill has been recommended by the standing committee, and I would encourage the House to support it.

Thank you.

[Motion carried; Bill Pr. 12 read a second time]

Bill Pr. 14
Jody Anne van Overmeeren Adoption Act

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

MR. BRUSEKER: Thank you, Mr. Speaker. I move second reading of Bill Pr. 14, the Jody Anne van Overmeeren Adoption Act.

[Motion carried; Bill Pr. 14 read a second time]

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

Bill 35
Seniors Benefit Act

MR. MAR: Mr. Speaker, I'm pleased to move second reading of Bill 35.

The Alberta seniors' benefit is an income-tested program which provides income supplement and shelter support for Alberta seniors. On July 1, 1994, it will replace four current government programs for seniors: the Alberta assured income plan, the

property tax reduction program, the senior citizens' renter assistance program, and the health care insurance premium waiver.

2:40

Benefits under the Alberta seniors' benefit program are based on three factors: income, marital status, and the type of accommodation. For three of the four programs being rolled into the Alberta seniors' benefit, universality of benefits is being replaced with the concept of income testing, but it should be noted, Mr. Speaker, that assets are not included when calculating income. The fourth program, the Alberta assured income plan, has always been income tested. Income testing means that the highest benefits will go to those with the lowest incomes. As the amount of private income a senior receives increases, the amount of the cash benefit decreases until it reaches zero, and at that income level, health care insurance premiums are payable in part, with full premiums being payable at somewhat higher income levels.

Thank you, Mr. Speaker.

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

MR. YANKOWSKY: Thank you, Mr. Speaker, for this opportunity to speak to Bill 35, the Seniors Benefit Act. It is said that the government giveth and the government taketh away and it seems like especially when it comes to seniors' programs. In good times the government gave and gave and gave to seniors until they were at times accused of vote buying.

I'd just like to, for the record, go through the history of the seniors' programs and how they have developed over the years. The first program that was introduced for seniors was back in 1930, and that was the old age pension. There were no other programs brought in until around 1955, when the old age pension was changed to the old age security and the senior citizens' lodges and auxiliary hospitals programs were brought in.

Between about 1962 and 1970 there were nine programs that were brought in. These are: the home adaptation program, the first seniors' home improvement program, the nursing home program, old age security was made universal from age 65, the Canada pension plan was brought in, the guaranteed income supplement, family and community support services, FCSS, debuted, and full public medical and hospital insurance was introduced, as well as the property tax reduction benefit.

Then between 1970 and 1980 we had a proliferation of 16 different programs, and these are: self-contained housing, Alberta Seniors Games, seniors' renters assistance program, health care insurance, basic health services program, Alberta Blue Cross for seniors, New Horizons, rent supplement program, Alberta assured income plan, further education courses, extended health benefits program, home care, office of the public guardian, unique homes program, assured income for the severely handicapped, transportation grants for seniors, and Aids to Daily Living.

Between 1980 and 1990 another four programs were brought in: reduced provincial camping fees, enhanced home adaptation program, seniors' medical alert program, and seniors' independent living program.

That's quite a history of programs, and now that the good times are over, or at least for now – and hopefully we are on the way to a recovery – it's cut, cut, cut to seniors' programs and benefits. Again I would like to give you a breakdown of what seniors have lost recently in programs and benefits. In 1991 there were many cuts to seniors' programs and benefits. These were, for example, the drug benefits. A list of drugs to be covered to 80 percent was introduced. Over-the-counter drug benefits were discontinued.

These included things like laxatives, antacids, painkillers, vitamins, et cetera. Eyeglass, dental care, and denture programs were reduced. The payments were reduced by 20 percent. Maximum payments for dental work were reduced from \$1,200 to \$960 for any two consecutive years. The home heating grant was discontinued. The seniors' education program, many courses there were discontinued. Long-term care fees were raised. Aids to Daily Living were combined with the extended health benefits program, and over 70 benefits were discontinued. Cost sharing was introduced for self-sufficient seniors.

In 1993 again we saw a large number of cuts to seniors' benefits and programs. In 1993 we saw cuts again to prescription drugs, where only generic drugs were allowed. If name brand drugs were prescribed by the doctor, then the patient paid the difference. If the doctor prescribed new drugs, newly developed drugs, then the patient paid all. Again long-term care fees were raised by anywhere from 4 to 17 percent, and funding was reduced by 5 percent. Physiotherapy, chiropractic care, and podiatry were each capped at \$250 per year, and there is talk of total cancellation of these programs this fall. Out-of-country health care insurance, the hospital payments were reduced to \$100 per day. Emergency care payments were reduced to \$50 per visit, and the independent living program was discontinued.

Mr. Speaker, why is this government continuing its attack on the most vulnerable segment of our society? Many of these seniors are frail elderly, most of whom are laid up in long-term care facilities and who just want to live out their days with some dignity and without fear that their beds may be taken away. These are the people who made possible what we have today.

There also seems to be a misconception that seniors are rich and can get along just fine without many of the present programs. Mr. Speaker, for the record I want to quote some seniors' economic status figures. This is from the government's own Seniors' Consultation on Fiscal Change paper. In 1991 the average income of Albertans was \$23,060. In 1990, 56.8 percent of noninstitutionalized seniors reported incomes of less than \$15,000, 20.7 percent reported incomes between \$15,000 and \$24,999, 12.2 percent reported incomes between \$25,000 and \$39,000, and 8.8 percent reported incomes of more than \$40,000. The number of seniors requiring the guaranteed income supplement, the GIS, has declined. In 1975, 57 percent of seniors received the GIS; of that population 22.8 percent received maximum payments. In 1992, 39 percent of seniors were receiving the GIS, and of that number 5.6 percent received maximum payments. As of July 1993 the guaranteed minimum income for eligible seniors was \$11,211.24 for a single person and \$18,609.12 for a married couple. In 1992-1993 approximately 4,241 persons aged 60 and over received supports for independence, that is social assistance. Clearly, from this we can see that seniors are not the rich bunch they are perceived to be.

Now, looking at the Bill before us, we see a piece of legislation that does not spell out exactly what seniors will gain or lose under the new Alberta seniors' benefit, but it's kind of sneaky in that the minister has chosen to do it through regulation. This is a regulatory Bill. If passed, Mr. Speaker, this Bill leaves seniors at the mercy of the government regarding their eligibility for programs and appeals for those who feel that they have been wronged. It's a shell that once in place may be changed without further debate in the Legislature or given public consideration.

2:50

This Bill is great cause for concern to seniors. Mr. Speaker, it seems like the needs of seniors are not necessarily considered.

As part of the drive to balance the budget, this government decided that overall expenditures on seniors had to be reduced. Once this decision was made, the various departments had to decide how to accomplish this goal. It seems like decisions were made on the basis of cutting costs, not on the needs of the individuals concerned.

Even though this revised ASB is better than the budget ASB, seniors still have the following concerns. Seniors start to lose benefits at just \$10,432 of annual income, when the poverty line is approximately \$15,000. Seniors asked to have it raised, but it was not. The revised program still encourages seniors to avoid marriage. Two seniors sharing accommodation have a threshold level of \$10,432 times two, which is \$20,864. Then when we look at two seniors who are married, they face a lower threshold level of \$16,918. Seniors fear that they may no longer be able to live in their own homes without assistance to reduce the property tax level. Also, seniors living in lodges face a lower income level and fear that they will be forced out of the lodges because of increased rents.

Mr. Speaker, seniors are vulnerable. Most seniors have a fixed amount of money to last them for the rest of their lives. Recent interest rates have reduced the income of those fortunate enough to have a bank account. As already mentioned, 58.7 percent of seniors have an income of \$15,000 a year or less. Seniors in subsidized housing, for example lodges, will see their incomes reduced at the same time as they fear their rents will be deregulated and therefore increase substantially.

Mr. Speaker, seniors are not ready to accept this Bill, but as the Minister of Community Development said in today's question period, the program will proceed. All I have to say to the minister and to this government is: proceed at your own risk.

MR. SPEAKER: The hon. Member for Lethbridge-West. [interjection]

MR. DUNFORD: Thank you, Mr. Speaker. I have developed a fan club, apparently, on the other side. I wanted to rise in support of second reading of the Bill, because in the enabling legislation I now see that the government has responded to the concerns that were registered particularly in my constituency of Lethbridge-West.

Through a series of meetings, letters, phone calls, many of them with a fair amount of heat attached to them, it seemed to me that the concerns were boiling down to five particular areas. The first was the thresholds themselves. The second was that the band in the thresholds from when a person first began to pay some of the health care premium until the time they were paying the full health care premium was too narrow. There was a concern about a two senior couple when one of them or perhaps even both of them might be in a long-term care facility. There was a concern about a one senior couple when the younger spouse was not working, and then of course there was the situation with the drug plan.

Through the extensive consultation – and I want to personally thank the Minister of Community Development for the tremendous effort that both he and his staff put in regarding this situation with just a tremendous number of meetings. Really the effort, I think, was above and beyond the call of normal duty, but I am certainly very, very pleased that the minister responded in the manner that he did.

Why I'm supporting this Bill particularly is because of the intention now to increase the thresholds by anywhere from 6 percent to 8 percent. Now, I think that's a very positive move

and was a modification that was sought by seniors and others. By decreasing the amount of payment that a senior is responsible for as they start to pay health premiums, by reducing that from 30 cents on the dollar to 15 cents on the dollar, the band between the start and full payment has now been widened. We have, of course, the situation of seniors when one of them might be in a long-term care facility – we now have the thresholds increased. We increased the thresholds for the one senior couple, and announced Friday and certainly as part of question period today was the new drug plan. I didn't have any calls on the weekend regarding this, but I believe we certainly now have a defensible position. We, I believe, have protected the seniors who are faced with high-cost drugs, but we've now been able to protect those seniors who were experiencing a number of prescriptions but all in a low-cost area. Perhaps as importantly we now have provided an opportunity for independent small businesspeople in rural communities, I think, to be able to maintain service at the level they have now to the residents in those rural situations.

Now, one area – and I want to conclude on this – is a signal for the future. There was a commitment on the part of this government when we started this that it would be income testing only, and I was supportive of that concept during the initial stages. I believe it was a very supportable concept because at the time we were talking about moving seniors from a universality situation to an area now of thresholds. Well, that bridge has been crossed, and I think for the future, at some point – and I want to be on record as stating this both to seniors and my constituents – we are going to have to start to investigate a modified means test. There are more and more seniors now phoning me and approaching me and saying, "Now that we've handled this situation in terms of the thresholds, we have to look at those seniors who clearly go far beyond an income in terms of their wealth." Now, that's not for today, and I'm not suggesting that it should be for today. I'm suggesting to any seniors that are present and to any Members of the Legislative Assembly and to those who'll read *Hansard* that is another bridge that we're going to have to cross if in fact we have fairness at the heart and the soul of what we're trying to do here. I believe the minister does, and I certainly have as well.

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

MRS. HEWES: Thank you, Mr. Speaker. Just a few comments to add to my colleague from Edmonton-Beverly-Belmont. On the surface the ASB seems to be an idea with some merit. The notion of amalgamating and putting programs together so that seniors can access them more easily in some ways, I think, is an idea that is attractive, but when one delves a little bit further, one sees the real intent of this Bill.

3:00

Mr. Speaker, first of all, let me comment about the fact that it is a Bill that leaves a great deal to regulations. This is something that we've seen repeatedly by this government, an action that we've seen repeated over and over with a number of Bills. It is of great concern to citizens in Alberta, not just about the ASB but about other Bills; that is, that regulations need not come to this House for a decision and that changes can be made to income levels and benefits in a variety of ways once this Bill is in place. I think it's important that we put some brakes on that, and I would hope the government takes that seriously, that people should know what they have a right to and what they can expect not just today but down the road. I think leaving a great deal to regulations leaves the door open for misuse of the legislative authority.

The other thing I have to say about the Bill is that I believe it's a cynical move on the part of the government. Seniors are on a fixed income for the most part, and they're already being hit by other moves by the federal government and by municipal governments that are punitive, and this has compounded them in a considerable way. It's also cynical in the way it was done. The minister used – I was going to say the oldest trick in the book, but maybe that's not a very polite expression, so I won't use it, Mr. Speaker. The minister put in the budget and said, "Here's what we're going to do." Everybody rose up in righteous anger and said: "You can't do that. That's too punitive." So the minister backed off. That is an old trick.

Another member has commented on the minister going out and talking with seniors, and I appreciate that, but all of the consultation had been held in advance. The reports were there. The minister knew what seniors wanted, and he forced them into having meetings after the budget had been presented to get some measure of change to it. I suggest that what he was doing was damage control. I think, Mr. Speaker, the minister should have known exactly what would happen with this particular budget and the way it was presented.

Mr. Speaker, seniors are not fooled by this. They're consumers and they're taxpayers, and while the minister and the Premier protest all the time that seniors want to help with the deficit – and I expect that is the case. They are concerned about the future of their children and grandchildren. But as the Member for Edmonton-Beverly-Belmont pointed out, 68 percent of them have an income of less than \$15,000 a year, and they are not in a position to do much with that, Mr. Minister. In fact, we're chipping away at that. They are consumers, and the effect on their ability to consume goods and have a disposable income will be affected by this.

Mr. Speaker, one of my major concerns is that I think as part of their cynical decision – this decision was made to balance the budget. It was made to deal with the deficit, and little attention was paid to the effects. Little attention was paid to the needs of the individuals concerned or their expressed desires and wishes and their expressed desire to help. Little attention was paid to that. The whole object was to cut costs.

The other side of that coin, Mr. Speaker, is the cumulative effects of the cuts that have been made. Seniors endured some cuts two or three years ago that were never replaced. That's when the consultations began in earnest. The idea was that we would never do that again, and here we are with this cynical move, bringing in what I consider to be punitive cuts and then backing off them only marginally.

The cumulative effects of what has happened to seniors over the last few years are demonstrable. The drugs have been mentioned by one or two members. Yes, the Minister of Health has adjusted that program, having threatened \$9.70. How on earth can those intentions be introduced, that suddenly we're going to charge \$9.70 a prescription? Suddenly that's in front of us, and everybody throughout the province says: "Wait a minute. You can't do that." "That's what we're going to do," says the minister. "That's the way to go. That will help seniors with high-cost drugs." In fact, it's not working. How could it have been introduced in the first place? It blows the mind, Mr. Speaker. It defies logic. However, now we've changed that. We've brought in another plan at the last minute, suddenly backing out of one. Again, was it putting one in order to back off to another plan that is less punishing but still saves money, trying to be heroes on somebody else's back? That's what it looks like to me and to a

lot of people. Yes, the minister has adjusted it, but we've still increased the cost to seniors. There's no question.

Mr. Speaker, home care. The cost of home care is going up. The minister says – and I accept this – that there won't be costs for medical care. But here we have things that are happening at two ends. We've got early discharge programs, which everybody agrees with, particularly seniors. We get better faster if we're at home; okay? So we have early discharge programs, but my discharge program is dependent upon my being able to get some modest bits of housekeeping help. Well, housekeeping help is one of the home care programs that in fact is going up in cost, if I can get it at all. The cost is going up. So while the medical side of the equation may save money, the senior is going to pay more for that early discharge. There is no doubt about that. Again the government is on the receiving end and the senior is on the giving end.

The cumulative effects, I submit, Mr. Speaker, have never really been accurately tallied up. If we look at housing, the companion Bill, Bill 34, is going to mean that we deregulate subsidized housing. Seniors say to me: "I'll have to leave my house. I won't be able to afford to stay in my house anymore. I'll have to go into a lodge or subsidized housing." I say: "Well, good luck, because even if you can get in, you're going to be paying market rent, and if your income is above this level, you're going to be paying it all, and once again you're not going to be any better off." The housing Bill, Bill 34, impinges on Bill 35, the ASB. In spite of what the government is saying to us, these effects are cumulative.

The extended health benefits are going back to health care. I'm glad of that. I think that's where they belong. They were chipped away at a couple of years ago. They can be chipped away at again. We don't know what's going to happen after January with them. The minister only has the \$7 million transferred back, and that's all. After January something else is going to happen to them, or they may be cut again, but that decision won't likely ever get back here to this Legislature. So we're making decisions on Bill 35, Mr. Speaker, that have effects far beyond what we read in the Bill.

Now, let's add to that. Off-loading to our municipalities means that property taxes are going to go up. Whether it's caused by the changes in Bill 19 in education taxation or whether it's caused by other changes that the Municipal Affairs branch is bringing about, property taxes are inevitably going to go up in our cities and towns. Well, who does that affect? It affects seniors. Last year seniors in our cities took an immense hit. Many of them living in their own homes in smaller inner-city neighbourhoods took a big hit last year. They're going to take another one. So their costs are going up quite exclusive of the costs of this program, of Bill 35.

3:10

Mr. Speaker, they pay GST on everything they do, their food costs have gone up, their drug costs are going up, and if they have any modest income from investments, from savings, their interest has gone down. So they're in a catch-22. They're being squeezed at both ends of the scale. They're being squeezed because their income is going down and their expenditures are going up, and we're adding to that. We've got to remember all the time that these are the same people that are the taxpayers and the consumers, and they're forming a larger and larger part of our communities.

Mr. Speaker, I'd draw to the members' attention the campaign literature from the government, which says, and I quote: "Our 4-Year Plan. Seniors will be consulted to ensure all seniors programs reflect the wishes of seniors." Well, most recently in

the damage-control process the minister, I guess in a final last-ditch stand, appointed a committee of – 12 or 14, Mr. Minister?

MR. MAR: Eleven.

MRS. HEWES: Thank you, sir. Eleven people from various parts of the province, various backgrounds, and they gave him a very good report, practically unanimous, with some good ideas. But finally he made his own decision. He didn't do what they said. It says here, if I can read the fine print, "reflect the wishes." So what we're doing does not fulfill the campaign promise.

The second point, "245,000 seniors will continue to receive Basic Health services and Blue Cross; a further 140,000 [will] receive extended benefits." We don't know if that's still going to happen. The extended health benefits have been transferred back to Health. I don't know whether there's going to be enough money to do it. They probably will be chipped away at too.

This is in the literature, Mr. Speaker: "109,380 Seniors will benefit from the Property Tax Reduction program; another 51,000 will be helped by the Renters Assistance." Well, they're gone. They're gone, and thresholds have now been made so that X number of seniors above a certain level will not get anything, income tested.

The thresholds that were finally agreed to, that the minister has put in his Bill, nowhere near begin to meet what his own committee advised him. His own committee. At the very most, Mr. Speaker, a single senior will get \$135 more a year. This is a big increase in the thresholds? Seniors deserve more than this. They deserve something better than this.

Mr. Speaker, seniors expressed some very grave concerns about their disposable income, about what will become of them when all of the other things kick in and not just the ones in Bill 35. Sixty-eight percent, as my colleague has said, live on less than \$15,000 a year in our province. They say to me: "I'll have to stop working. I can't afford to go to work anymore, because if I go to work, my income will just be a little bit over and I'll have to pay all of my health care." Is that the kind of thing we want? Do we want seniors to quit making that little income, to quit having that independence in their lives? That's what we're driving them to, Mr. Minister. Seniors say, "We'll have to get divorced." And some of them may. They may get divorced in order to manage, because they get a bit better break. I mean, what are we doing to them? They're afraid that they're not any longer going to be able to live in their own homes without the property tax. We're going to drive them into circumstances that may not be safe, that may not be appropriate. We're going to drive them into selling their homes, into moving into less appropriate circumstances, into subsidized housing where they will now be paying market rents.

Mr. Speaker, I don't think that's what they anticipated. We've got to remember that these are people who became pensioners perhaps many years before the pensions were as comfortable as some of them are today. They do not have large amounts of savings, and they're very dependent upon being independent, upon being able to stay in their own homes. We're driving them out of that. I think that's going to happen more and more. They're afraid that they're going to be forced out of lodges because the rents will go up. Where will they go? There's no low-income housing, certainly not in our cities and towns, as we know it.

Mr. Speaker, I am very concerned about the changes in Bill 34 that will mean that subsidized housing will not have any longer, in my view, the potential for the social context that is so very

important to seniors. It isn't just shelter. Housing for seniors has many other dimensions, Mr. Minister, and I expect this ministry, even though that Bill comes from the Department of Municipal Affairs, to take an active, an aggressive role in making sure that that Bill does not have a damaging effect on the lives of the people that he's responsible for. The needs for recreation, for nutrition in subsidized housing are very great, and these may in fact go by the board if we deregulate and allow caveat emptor to be the position of this government and allow seniors to become – I was going to say victims; that's perhaps too strong a word – the consumers of a service that no longer provides them with what they need. Because of their vulnerability and their fragility, they may not be able to do anything about it. I think, too, we will see seniors hidden in their homes unable, because of the reduced disposable income, to have the kind of recreation and social activities that we need.

Let me see what else I need to comment about. The sequence of events I think spoke for themselves. I was astonished that the Premier suggested that seniors were comfortable with what was happening, that there wasn't a lot of resistance or phone calls. Well, I don't know; maybe he doesn't answer his phone. I'll tell you that our constituency offices have been deluged. We have presented many petitions here, most of which have been entirely voluntary. I think the minister would attest to the kinds of meeting he was at and the kind of anxiety that was demonstrated at those meetings, that in fact seniors were not complacent whatsoever, that they were deeply concerned about what was happening to themselves and, more importantly, to those seniors that were not able to get out, were not in a position to make their thoughts known or even, of greater concern, were too frightened. There are seniors in subsidized housing and in nursing homes and auxiliaries who are frightened to complain. I'm sure the minister understands that and will make it his responsibility to make sure that those people aren't living – I'm not suggesting for a moment that the people who operate nursing homes are guilty of creating fear in seniors' lives, but seniors are of necessity nervous and frightened when changes occur and they are not able to control them.

Mr. Speaker, according to the department's own news releases, there were some 35,000 seniors who called. Now, perhaps the Premier thinks that's of no consequence. I certainly do. I'm sorry that the minister did not, when he named his 11-member committee who worked very hard over a short period of time to try to bring this together and came to an almost unanimous conclusion – I think it's a great pity, having gone through all of the consultations and the minister having attended so many meetings himself, that he couldn't simply buy in to what they were saying. I'm not sure that this even will save money over time, and I am quite sure that it will hurt people's lives.

Thank you, Mr. Speaker.

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

3:20

MR. DICKSON: Thank you very much, Mr. Speaker. Two messages, I guess, I wanted to deliver to the minister and to members. The first one is that I recognize that the minister has undertaken an enormous kind of consultation since he first outlined what types of benefits were going to be available to senior Albertans. I understand he's worked very hard. I've got a huge number of seniors in my constituency, and certainly a number of them have contacted the minister's office. They acknowledge the fact that they have received responses, and I

want to congratulate the minister for being able to make contact with as many seniors as he did. As I say, he's obviously worked very hard in terms of pulling together what is now Bill 35, but my gratitude at the extent to which he's tried to respond and the diligence with which he's applied himself to redesigning the senior benefit leaves me disappointed now because I know how much energy he expended in the pursuit, yet when we look at the end product, it is, in my respectful submission, inadequate.

Mr. Speaker, in my constituency of Calgary-*Buffalo* in downtown Calgary I have a huge number of seniors. The vast majority of those seniors are not living in expensive condominiums but rather are living in large seniors' complexes, many of them in the East Village in Calgary. These people for the most part are concerned with the bottom threshold, the income threshold in terms of when eligibility for the Alberta seniors' benefit kicks in, when that starts. I've spoken to many of them. My constituency office in Calgary has received a large volume of calls from those seniors. Those seniors still are not at all satisfied that the minister has reflected what he's heard in Bill 35.

I recall last fall going to the Kerby Centre. It was probably October of 1993. I remember the Member for Calgary-*Currie* was there. There was a consultation with seniors. In fact, I think they were expecting 200-odd seniors and ended up getting almost 600 or 700. Seniors were bused in from Medicine Hat and Lethbridge. This was not a government-bashing exercise. These were seniors that in a constructive, positive way wanted to try and aggregate their views to be able to present those views to the government in terms of what their requirements were. I sat in on at least a couple of these discussion groups, Mr. Speaker. What was interesting to me: in each one of these groups people would say: "We agree that well-to-do seniors, seniors with substantial income, should not receive the full benefit of the programs that we have for seniors. They can manage on their own." There was almost unanimity on that. I heard no vigorous opposition to that. But in the groups that I listened to and then in the plenary session when they presented the reports from each of these smaller groups, when people spoke about well-to-do seniors not participating in these programs, they were talking about single seniors with incomes in the order of \$30,000 a year; some people thought a little less. Nobody – nobody – if there were 600 or 700 people at the Kerby Centre, I didn't hear a single person talk about scaling back seniors' benefits if their income as a single was less than \$11,000 a year.

So, Mr. Speaker, I have to suggest that the product we see from all of this consultation that the minister likes to speak of still leaves us with a minimum threshold where the scaling back takes place at \$10,432, and it continues to be my respectful submission that that is much too low. It's unrealistic, and in fact it means that these low- to medium-income seniors are bearing more than their share of the government's fiscal plan in terms of trying to eliminate the deficit.

Mr. Speaker, I was pleased when the minister created his review panel. I was impressed with the seniors that were on the review panel. I note that in Calgary-*Buffalo* we have the Kerby Centre, the Golden Age centre, and a whole lot of seniors' buildings. The people who are on that advisory panel, I think it's fair to say, are well respected in my constituency and have considerable credibility with the seniors in my constituency, and that's why I have to tell you I'm disappointed that the government accepted some and not all of their recommendations. When you think of how hard the people on that seniors' advisory panel worked to try and pull together the various recommendations and

submissions and try and distill the minister's fairly protracted consultative process, one would have thought that the minister would be in a position of attempting to accept every one of those recommendations and if he elected not to accept any recommendation, that he in effect would bear the burden of coming forward and making the case to Albertans, certainly making the case to members of this Assembly, that that recommendation was not feasible. Well, the only explanation I've heard from the hon. minister on this score is simply the fact they were too rich and the government felt they couldn't afford those recommendations.

Well, Mr. Speaker, we have opportunities, and despite what the government may say, there is a whole range of choices that we can make, choices we can make for seniors, choices we make for Albertans. Nobody's hands are genuinely tied to the extent that the government would always assert. There is flexibility. What we have to look at is motivation for change and the extent to which each minister takes advantage of that flexibility that does exist. Certainly a minister who is as bright and creative as this minister I think could have found ways, if he were disposed to, to be able to achieve or at least accept and implement more of the recommendations from the seniors' advisory panel than in fact has been the case.

I think to attempt some balance I want to say that I'm pleased with what the minister has done with the extended health benefit. I think that going back to the Department of Health was positive. I think section 4 in the Bill is positive, and I support that. I find the shelter component in this proposal, at least from what I'm told by the many seniors that have contacted my office, is inadequate, is insufficient.

I want to spend a moment addressing section 6. This won't be the first time, Mr. Speaker, in this House that I've raised my concern with the excessive delegation of power by way of regulation. I just say one more time that we're presented with a piece of legislation that has far-reaching and significant decisions being delegated, being tasked to the Lieutenant Governor in Council. What control do we have as legislators over what's going to be in those regulations? We have a Standing Committee on Law and Regulations. It doesn't meet. We don't publish regulations in advance in draft form and circulate them so seniors, interest groups, whether it's the Golden Age centre or the Kerby Centre or any of those seniors' residences or clubs or organizations, can have input. Once Bill 35 is passed, we then wait for the other shoe to drop, and when that other shoe drops, there's no forum, there's no opportunity for people then to register their concerns. So I'm disappointed that still – we're in what I take to be the dying days of this legislative session, and that issue that . . .

MR. EVANS: Oh, you wish. Can we vote on that now?

MR. DAY: Is the filibuster over?

MR. DICKSON: Indeed, we all wish that the end is in sight, deputy House leader.

Mr. Speaker, it's unfortunate that some members of government can't distinguish between a filibuster and genuine concerns that Albertans raise through the agency of members of the opposition. We've been in this House since the middle of February, and I think what we've seen are flawed pieces of legislation from the perspective of many of us, and we've attempted to do what we've perceived to be our job: to point out errors, to point out shortcomings, to suggest ways things could be done better and ways that things could be done differently. The government may

disagree, and ultimately they have the decision and the responsibility to do that, but our job is to present the other side. Our job is to encourage the government, as I'm encouraging the government now, to rethink some of the provisions of Bill 35, to look at those areas where Bill 35 does not incorporate the recommendations from that excellent seniors' panel that the minister had struck. Not only I but I expect other members of this caucus will continue to do so.

3:30

Having made those comments, I'd just move on and touch on one other element that gives me some concern. We've had a widows' pension in this province for, I think, a number of years. It seems to me that we're in a situation that's tough to defend. If you have widows between 55 and 64, they're eligible for a pension. If you have a woman who is not a widow who's between 55 and 64 and has exactly the same kind of need, she's not eligible for that pension. I would have thought that in 1994 finally we're to a point where we say that if widows are eligible for that pension, then seniors living on their own who have the same requirements and the same needs should also be eligible for a pension or alternatively for the government to make the case that the pension should be eliminated. It seems to me that in 1994 to be able to continue this process of continuing an anomaly – and that's surely what the widows' pension is, an anomaly – doesn't make a lot of sense. I hope that before we finish dealing with Bill 35, the minister is going to address how it is that at this time we still have this special treatment of widows when we have lots of single people that have exactly the same kind of need and aren't eligible for that program.

So just in closing, Mr. Speaker, I've received a lot of input from seniors in my constituency. I expect I'm going to receive a lot more input, perhaps even before we finish Bill 35. I just suggest to the minister, if he believes there is a widespread and a deep support for what he puts in front of us in Bill 35, that he accompany me on an afternoon in the East Village in Calgary, and I'll see if I can't introduce him to a number of seniors that I think would be happy for the opportunity to try and persuade the minister otherwise. With that, I'll conclude and let other members participate, sir.

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

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to rise and speak on this important Bill. As you may know, second only to my colleague from Vegreville, Medicine Hat has the highest per capita number of seniors in the province. So this Bill is very important to me as an MLA and very important to my constituents. As a result of that, the consultation round that went on with seniors was something that I put a lot of work towards in my constituency. As a matter of fact, I held and/or attended some 10 meetings with seniors in my constituency throughout the term of the consultation round. As well, I appeared on an open-line televised phone-in show. So I feel that I can speak very well for the views of seniors, and I would just like to take a few moments to let you know what I heard when I held meetings with seniors.

First of all, there's no doubt that the number one concern of seniors and the topic that came up the most often was the threshold levels. Seniors told me very clearly that they felt that the proposed threshold levels were too low, and they felt that in the process of revising this plan, the threshold levels should be moved up. They also told me a number of other interesting things, apart from the very obvious. My colleague from

Lethbridge-West has already mentioned the fact that the phase-in level for the health care was a little bit too steep. My colleague from Lethbridge-West covered that.

I would like to talk about a few of the other things that the seniors talked about in my area. One of the things they talked about very specifically was that somehow, no matter how much time and effort and work is put into this program, we have to have provision within the program to deal with someone who may fall through the cracks. I got a very strong impression that an important part of any program such as this would be an appeal process, and I'm very pleased to see that such an appeal process has been incorporated into the revised program. I think that is very important. When we start talking to seniors and with seniors and about seniors, it's important to recognize that with 230,000 seniors in the province of Alberta there are probably 230,000 different points of view and different circumstances. I think the appeal process that's put into place is key to this whole thing, because it would be absolutely impossible for any government, any department to possibly think of all the different circumstances that might arise as we start to implement this plan. So I'm very pleased that the appeal process is in place.

The other things that they very clearly indicated to me – and they have been covered by a number of other members this afternoon, so I'm not going to get into a lot of detail – were the subject areas regarding a two senior couple where one of the seniors is in a long-term care facility. That has been taken into consideration. The single senior couple where there was really only one source of income has been taken into consideration. Of course, there was a good deal of discussion with respect to the implementation of Blue Cross. So with the exception of the overall threshold levels I think that this revision to the program has very clearly addressed the issues of seniors that I heard at my meetings.

Now, I'd like to just take a couple of minutes to discuss the threshold levels. Mr. Speaker, I don't think anyone in this Assembly would say that seniors would not have preferred to see the threshold levels set higher. The recommendation came back at some \$27,000 for a single senior. I think we would all love to be able to set threshold levels at that point. I think the minister made it very clear earlier this afternoon – and I agree with what he was saying – that the program is not designed to assist seniors at that income level. More importantly, seniors have said that they would like to be involved in the overall process of deficit elimination. If that is the case, then obviously we have to be keeping in mind what our overall expenditures are, and threshold levels, however they're set, are very key to the overall cost of such a program as this. Quite frankly, we as Albertans cannot afford to finance a program – we have recognized and seniors have recognized that we cannot afford a universal program. Then we have to set threshold levels and how we establish those threshold levels.

The simple economics of the situation dictate that we cannot afford threshold levels as rich as what were recommended by the advisory panel. I think it's very important we realize that, and we all acknowledge that certainly we would love to be able to do all kinds of things for seniors. We would love to be able to do all kinds of things for all Albertans. In the past this government could afford to do so, but the reality of today's situation is that this government can't afford to do everything that we would like to do. So what we have to do is establish programs that are fair, that are reasonable. Quite frankly, Mr. Speaker, I think the

revisions to this program do just that, and I certainly support the program.

I think a number of other speakers would like to address this situation, but perhaps they would like to have a chance to prepare some notes and have a look at different aspects of the program. Accordingly, I would like to take this opportunity to move to adjourn debate on this Bill at this time.

3:40

MR. SPEAKER: The hon. Member for Medicine Hat has moved that debate be now adjourned on Bill 35. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Carried.

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

head: **Private Bills**
head: **Committee of the Whole**

[Mr. Tannas in the Chair]

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

Bill Pr. 1
Mandy Anderson Adoption Act

MR. CHAIRMAN: Are there any comments or amendments? The hon. Member for Grande Prairie-Wapiti.

MR. JACQUES: Thank you, Mr. Chairman. I would move that the question be put on Bill Pr. 1, the Mandy Anderson Adoption Act.

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

[Title and preamble agreed to]

[The sections of Bill Pr. 1 agreed to]

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

MR. JACQUES: Thank you, Mr. Chairman. I move that Bill Pr. 1 be reported.

[Motion carried]

Bill Pr. 4
Concordia College Amendment Act, 1994

MR. CHAIRMAN: Any comments? The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Chairman. On behalf of the Member for Edmonton-Manning I move that the question be put.

MR. CHAIRMAN: Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill Pr. 4 agreed to]

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

MR. RENNER: Thank you, Mr. Chairman. Again on behalf of the Member for Edmonton-Manning I move that Bill Pr. 4 be reported when the committee rises.

[Motion carried]

Bill Pr. 7
Scott Peter Lavery Adoption Act

MR. CHAIRMAN: The committee has now under consideration Bill Pr. 7, the Scott Peter Lavery Adoption Act. The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Chairman. I move that the question be put.

MR. CHAIRMAN: All right. Are you ready for the question?

HON. MEMBERS: Question.

[Title and preamble agreed to]

[The sections of Bill Pr. 7 agreed to]

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

MR. HERARD: Thank you, Mr. Chairman. I move that Bill Pr. 7 be reported when the committee rises.

[Motion carried]

Bill Pr. 12
Travis Trevor Purdy Adoption Act

MR. CHAIRMAN: The committee will now know that we have under consideration Bill Pr. 12, Travis Trevor Purdy Adoption Act.

MR. VASSEUR: I move that the question be put.

MR. CHAIRMAN: All right. Are you ready for the question?

[Title and preamble agreed to]

[The sections of Bill Pr. 12 agreed to]

MR. CHAIRMAN: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Chairman. I move that Bill Pr. 12 be reported.

[Motion carried]

Bill Pr. 14

Jody Anne van Overmeeren Adoption Act

MR. CHAIRMAN: The committee now has under consideration Bill Pr. 14, the Jody Anne van Overmeeren Adoption Act. The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Chairman. On behalf of the Member for Calgary-North West I move that the question be put.

MR. CHAIRMAN: All right. Are you ready for the question?

[Title and preamble agreed to]

[The sections of Bill Pr. 14 agreed to]

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

MR. RENNER: Thank you. Once again, Mr. Chairman, on behalf of the hon. Member for Calgary-North West I move that Bill Pr. 14 be reported when the committee rises.

[Motion carried]

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

Bill 22

Maintenance Enforcement Amendment Act, 1994

MR. CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

3:50

MRS. SOETAERT: Thank you, Mr. Chairman. When I first looked at Bill 22, I thought this might be a good thing; this might help a lot of single parents who aren't getting maintenance enforcement payments. Then as I got calls from custodial and noncustodial parents alike, I realized that there were a lot of things that hadn't been addressed. Certainly this government hasn't done its homework on the effects of what this Bill will do.

I'm wondering why this Bill doesn't address the way collection is done. I mean, if a couple isn't getting along anyway, then we add fuel to the fire by telling the noncustodial parent that now we'll take away your licence or you won't be able to register a vehicle. That doesn't address collecting the money. That just adds fuel to the fire of an already angry or often inflammable, I guess we could use, situation.

[Mr. Clegg in the Chair]

The other thing. I know in all the constituency offices we've been inundated with complaints about the program that result in inconsistencies of when and how maintenance enforcement measures are applied. Sometimes parents have to fight for months to get a garnishee, and then it's only to find it removed the next month.

I've had complaints from custodial parents that they are frustrated by the lack of information they can get through the maintenance enforcement office. That isn't addressed here.

The other interesting factor is that a number of single parents whose assistance has been transferred over to the Students Finance Board report a noticeable change in the manner in which maintenance enforcement treats their files. The office seems not to be as diligent in collection once the parent comes off social assis-

tance, which begs the question: why don't we have a Bill in front of us that would address that? This one doesn't. To me, what should be addressed is this government's unwillingness to provide the necessary support so this Act can be applied to its fullest authority.

I have to say that I'm really caught as to how to vote for this Bill. There's a part of me that says: well, maybe something's better than nothing. And then the other part says: this is an insult to people who are trying to get maintenance payments. I've had calls from across this province from single parents saying: "Look, I never know when I'm going to get a cheque. I never know if I can put my kid in hockey. I never know if I can register them for school because I just don't have the extra money that kindergarten will cost because somebody isn't making their payments." So instead of enforcing this, we've come up with this registration.

I asked a question in question period the other day that brought up the fact that third-party people could well be burned if they go to buy a vehicle that has a lien, I guess you'd call it, against it because somebody hasn't made child support payments, and I was assured this would be addressed. I'd love to see that amendment come forward, because if you've done your homework, you'll find out that innocent people can get hurt, unless of course that's one of those rule by regulation type things that this government thrives upon, the old cart before the horse syndrome.

I'd like to see clear guidelines to deal with arrears and the practice of the courts to reduce or even eliminate arrears with little consideration for the financial situation of the custodial parent and their children. That's not being done. Parents are confused and angry over the apparent ease with which a debtor can apply to have the amounts of arrears wiped out. Does this Bill address this? No, it doesn't. In fact, in 1990-91 there were 910 cases in which Alberta courts granted reductions, 144 more than the year before.

I'd love to see some clarification in reporting collection rates. This department's definition of a successful collection is in no way related to the amount of money collected. In fact, it could be as little as two cents worth. The stats also fail to tell us how many files are in arrears. We'd like to see some amendments that would require the director to provide annual reports to the Legislature detailing exactly how many files are active, inactive, the amount collected on each, and the amount of arrears for each file. You know, in this age of computers and technology that shouldn't be too difficult to put in. Is it put in in this Bill? No.

Another thing I'd like to see addressed is the manner in which the child support is calculated. There are no firm guidelines in terms of calculating child support. I've had custodial and noncustodial parents say: "What a good idea if there were a standard across this province and that if you made X number of dollars, you paid X number of dollars." Think of the court costs that we would save if there were standards across this province and not everybody bartering back and forth, in and out of court, costing thousands of dollars and wasting court time.

Another thing that this hasn't addressed is the way people can hide assets. I've got a file right now on a custodial parent whose ex is hiding everything under his parents' name. The farm is now not in his name. The equipment is not in his name. He actually makes no money a year, absolutely no dollars in the course of a year, so that he doesn't pay anything in child support. Well, why haven't we addressed that in this Bill, that people can hide assets? Kids are being hurt. That's the bottom line. Kids are being hurt, and this is not addressing it. In fact, the other day in the House the hon. minister said: I guess if you want to wheedle your way out of paying something, you can. Well, that's a sad statement, that we can't enforce payment to keep our children healthy and well and out of poverty.

I'd like to point out a few more things here. In almost every case following a marriage breakdown or separation, the standard of living of the children and the custodial parent drops dramatically. In fact, a federal/provincial study of families found that 72 percent of children are cared for by their mothers after divorce. The same study found that the standard of living of the parent with children dropped after divorce by 78 percent, while the absent parent usually saw life improve by 42 percent. A properly enforced system of child maintenance would bring immediate relief to thousands of Alberta families. Given that the Minister of Family and Social Services promises to make parents more responsible, this is one area that has been begging for stronger action from the provincial government. Unfortunately, this Bill doesn't address that.

Ultimately, one of the primary objectives of any maintenance enforcement program should be to make parents realize that each has a legal and moral obligation to support their child or children. This means that the absent parent must pay proper child support and the custodial parent is equally responsible for ensuring the collection of maintenance when it is not paid voluntarily. For those parents who have been chronic defaulters on their child support payments, it is questionable as to how the simple threat of losing their driver's licence is going to have any effect on them at all. There isn't one custodial parent I have spoken to who has said: "Yeah, take away their licence. It'll help." It won't. It's just going to make angry people angrier. Then I've spoken to people who have said: "Well, look; if they take away my licence and I live in rural Alberta, how am I going to get to work? How does that ultimately help my children when I can't get to work and can't make the payments?" I agree that they should have thought of it and they should have paid before. In fact, if this government cared enough about making them pay before, maybe they'd take it right at source. Does that Bill address this? No, it doesn't. Maybe this government would say: "You know what? We will make the child support payments, and we will collect them." Have they thought of that? No. So don't give me this line of avoidance.

4:00

This Bill is disappointing, to say the very least. The hon. member who sponsored it - I'd love to hear his comments on it to see if he's done his homework and if people have phoned him and addressed him, because they sure as ham have phoned me. They're not thrilled with it, custodial or noncustodial. This government takes this flippant attitude of: hey, look what we're doing for maintenance enforcement; we're going to take away drivers' licences. Well, whoopee. That's not addressing the real situation of kids who are living in poverty because people aren't making their payments. Taking away their licences is not addressing that issue.

So I am very disappointed in this Bill, Mr. Chairman. I would urge the government to, number one, address the issue of third-party people being hurt by innocently buying a vehicle that has a lien on it because someone's not making their payments. I hope that issue has been addressed. Maybe it's under the regulations, which I'm sure will fall from the sky any day now.

The second issue is: why don't you take a serious look at this and fix what's wrong, instead of this little band-aid solution? I'm disappointed in this. I'd like to support it, but honestly I haven't had one constituent, custodial or noncustodial, say: "Colleen,

that's a marvelous Bill. Push that one through. It's just gold." In fact, everybody says it's a piece of . . .

MS LEIBOVICI: Horse pucky.

MRS. SOETAERT: Horse pucky. That'll be a new one on the old list of . . .

Anyway, I'm very disappointed in this Bill. I've had several calls about it. I guess in representing my constituents and understanding the maintenance enforcement situation far better than obviously the government does, I won't be able to support it. I would urge that at least one amendment come forward from the minister so that third-party people are not hurt, and I would urge that maybe in the fall we do something to implement the Maintenance Enforcement Act that can effectively do some good for Alberta people and particularly our children.

Thank you, Mr. Chairman.

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

MR. KIRKLAND: Thank you, Mr. Chairman. I've spoken to this Bill on one occasion, and I had commended the hon. member that put it forth for the effort, though I questioned whether the sincerity was there. I know we all undertake business in this House in the best interest, as we think, of the citizens of Alberta. Unfortunately, this Bill falls short in that area. It does not really address the problems that are out there. The hon. Member for Spruce Grove-Sturgeon-St. Albert identified several and indicated why this Bill wouldn't in fact assist or help.

I would like to share a couple of examples of those who have visited my constituency office just to illustrate exactly why this Bill is not going to fulfill the need that is out there for a more efficient maintenance enforcement program. In one case, I had a constituent that went through the legal expense of \$4,200 to have a court award \$400 per month for the two children that were involved here. No sooner was that court award down than, a couple of weeks later, the ex-husband in this case was before the court suggesting that in fact he was not able to make those payments, and by means of negotiation, as I understand it, with maintenance enforcement they're reduced. So she is hung with a \$4,200 bill. She doesn't get the maintenance enforcement award that was directed to her. Now, some may say that he's in default, but that becomes more complicated when we attempt to collect it as well.

The other situation is the other side of the extreme. It's a gentleman that approached my office, and he has three children. The court has suggested that he should pay \$600 per month for those three children. He is working, and his net income is in the vicinity of \$2,200 a month. So in fact if he was to fulfill the \$600 a month obligation, he would have \$400 a month to live. He has since entered into another relationship and has another child. So one has to ask how one can expect to survive on \$400 a month when you're dealing with three people. The hon. Member for Spruce Grove-Sturgeon-St. Albert indicated that that certainly was part of the problem. We should have a guideline set on a minimum amount of dollars per month for the support of children. That can simply be broken down into age categories as well, I would submit.

So you can see that in fact this Bill doesn't approach nor attempt to solve either one of those situations. On the contrary, I would suggest it complicates it. If you go back to the gentleman I spoke of, who earns his living through his ability to be mobile

in the field, because he's been forced into a position of delinquency, if we were to seize his driver's licence or forbid it to be renewed, in fact we have only complicated the situation. That, Mr. Chairman, I would suggest is a very real concern and a very real happening that will result if we were to embrace this Bill.

It is necessary, in my estimation, to revisit the Bill. I think we have to look at several things. A little thing that I would suggest they're skewing – perhaps a lack of initiative by one and all – is the statistics that the maintenance enforcement department itself publishes. The hon. Member for Spruce Grove-Sturgeon-St. Albert alluded to those as well, and that's the claim by maintenance enforcement that they have successful collections in 81 percent of their files. We know that a partial collection is considered to be a successful collection, and that, I would suggest, is incorrect and does not give a true indication of how the system is failing to deal with the children of the province.

Mr. Chairman, there have been some amendments submitted that were not accepted by counsel because, my understanding is, they changed the intent of the Bill. This Bill is a difficult Bill to amend to get to the real problems of maintenance enforcement. They are out there. The hon. member that put it forth must be aware of them. If he was not aware, then he certainly would not have gone through the time and energy to attempt to come up with a solution. I think he has to sit back and revisit the intended solution and ask very seriously if it is the solution that's required. In my estimation, it is not. In my estimation, it will only complicate the situation that is out there. As we know, it's the children that ultimately pay the price in these situations and circumstances.

So I'd ask the hon. member that sponsored the Bill to rethink it, have a close look at whether in fact we're missing the boat entirely here. I believe it is tinkering with the system. We will see the success rate of repayment diminish as a result of depriving those that earn their living with a driver's licence or those that need a driver's licence to get to and from work. We will only force them into a situation where they become delinquent as well. Until we see a study or some sort of indication then, Mr. Chairman, of how many people will be impacted – I would think, in today's world of technology, that in the files maintenance enforcement has on record we could probably get a good indication of how this will negatively impact. It doesn't strike me that that would be an onerous task. That exercise has to be completed, I would suggest, before we embrace this Bill.

I would ask all members in the House to give it very serious thought, to read it, to take time, to ask yourself, if in fact you've not run into this situation in your constituency office, how it would impact. Too often because a Bill seems somewhat complicated or there are so many subclauses, we don't give it the due time and respect that's required. This is one, I would suggest, that is going to work to the detriment of one and all. I would not waste the Assembly's time here if I'd heard from side opposite on some sort of semiregular basis so I could get a feel whether they're going to support it or not. My very strong feeling is that we should not support it for the reasons that I've outlined. I would ask one and all to look very clearly at it. I don't think the Bill is worth supporting, with all due respect to the member that put it forth. I believe the sincerity was there, but I believe it missed the point. Regardless of which side put it forth, we have to accept that on occasion a Bill may come forth that misses the solution or doesn't provide the solution that's required. I would suggest this is one of them.

So, Mr. Chairman, I'd ask each one to give sober thought to whether this will solve the problem. I do not believe it will. I

think it'll complicate it. One thing we don't want to do is complicate the situation for the single parents of the world and the children of the world. It's a growing number in our society. I would suggest that we have to deal with them in a very fair and reasonable manner.

So with those comments, Mr. Chairman, I will conclude.

4:10

MR. DEPUTY CHAIRMAN: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Chairman. I want to first of all commend the Member for Calgary-East for his conscientious effort to try and improve the lot of maintenance recipients in the province of Alberta. Regretfully, though, it is a schizophrenic and somewhat knee-jerk reaction, because an opportunity that this Legislative Assembly had to support Motion 503, which dealt with maintenance enforcement, had really . . . I'm sorry, Mr. Chairman. Were you trying to get someone's attention?

MR. DEPUTY CHAIRMAN: Yes.

MR. GERMAIN: I can hold my comments while you bring order back to the Assembly.

Chairman's Ruling Decorum

MR. DEPUTY CHAIRMAN: The hon. Member for Wainwright, would you have a chair, please?

The hon. minister of advanced education, would you sit down, please?

You've got such a shallow voice that I want to make sure that everybody hears you, hon. Member for Fort McMurray.

MR. GERMAIN: You know, just the other day it was the minister of advanced education who said that he was looking forward so much to my next speech in the Assembly, and I knew he was just racing back to his seat to catch the opening comments of it. I won't repeat the part about the schizophrenic reaction. I think he can read between the lines. I won't repeat the knee-jerk part either, Mr. Chairman. I'll just focus on this Bill.

Debate Continued

MR. GERMAIN: There is a real need in the province of Alberta to assist in the enforcement of maintenance. Over the last few months since I've been here, many numerous, good suggestions have been made to the Minister of Justice, to the Member for Calgary-East, and to other Members of this Legislative Assembly on how they can assist in maintenance enforcement if they simply want to. One very common and very easy approach would be to simply give the legal profession the same power within the Rules of Court that the Minister of Justice purports to have in maintenance collection in the province of Alberta; namely, repetitive and repeating garnishee type procedures that would assist in the collection of maintenance.

Now, let's talk about this Bill, and since we are at the committee stage, I want to focus on some of the issues that this Bill presents itself with. First of all, we immediately have the concern relative to the social insurance number, the so-called SIN number. Now, when that federal legislation was passed putting that particular number into effect, the Conservative Party - it then was in opposition, I believe, in Ottawa - made it very clear in their

questioning that they did not like the SIN number, a single identifying number, some way that Big Brother could track people. Here we have this particular legislation further entraining in the name of maintenance enforcement a number that was supposedly given to all Canadians simply for the purpose of tax enforcement, tax recovery in this province and in all provinces.

We move on from that very awkward start to this legislation, Mr. Chairman, by focusing on the joint provisions of comingled and coheld moneys. One of the interesting issues is that if a man and his wife are working and putting all their money into a common account, this Bill would now say that that common account can be attached for the unpaid maintenance of either one of them to other third-party spouses. Now, this presents itself with many awkward concerns, particularly if it is, for example, the nonmaintenance payer that is contributing entirely to that account. Well, the government, always interested in expanding the litigation opportunities of poor taxpayers in Alberta, has immediately said that you can go to court. So rather than reduce the number and opportunity of times that there are for litigation in maintenance enforcement, you now have new wives and new husbands going to court to try and prove that the money in a joint account is really theirs. What this will do is it will disintegrate completely the concept of jointly held assets and jointly held liquidity. So now people will not be able to take advantage of that particular financing benefit in organizing their affairs, because they will simply opt out of the joint account contribution.

Quite the contrary. I suspect what they will now do is that the noncontributing spouse will set up a maintenance account, an administrative account, and all the money will go into that account. So it will not only not be a joint account, but it will further be used as a vehicle to drive the wealth examination further underground. I do hope that the members opposite will for that reason alone and for the increased litigation allow this particular Bill to die on the Order Paper and come back in the fall with some legitimate, hard-hitting maintenance recovery legislation, for which there are numerous ideas that have been floated.

I want to move on to consider the issue of the so-called motor vehicle regulation power. We have a government now in this province of Alberta that believes that the administrator of motor vehicle registration is more powerful than the Minister of Justice, more powerful than the Minister of Family and Social Services. Why, we have a government in this province, Mr. Chairman, that now believes that the registrar of motor vehicles is more powerful than the entire government, because they believe that the registrar of motor vehicles can now collect maintenance on time, every time, while this government has failed to do so and has failed to bring forward constructive, appropriate legislation that would collect maintenance.

Now, let me tell you two very simple ways that people who do not want to pay maintenance will immediately adopt when they read this particular Bill. They will immediately decide that they should take their ownership of vehicles underground. That is to say that a maintenance payer will no longer own a vehicle. It will be a simple matter to have some third party register the vehicle in his or her name to protect the collection of maintenance by refusing a permit. We may now have out-of-province registrations. People have a certain time period in which they can register a motor vehicle in another province and drive on those out-of-province plates. Perhaps those people living particularly close to either of the borders will maintain a mailing address in the other province and simply do their registration business outside of Alberta, thereby taking the fees away that the Minister

of Municipal Affairs so desperately needs to make his private registry system work. That's what we do when we come up with this type of legislation.

As a further example, if we were just going to tackle the licensing, and if we were simply going to tackle convenience issues, Mr. Chairman, why don't we refuse marriage licences? What a novel idea. I'm surprised the member opposite didn't do that. Why don't we say, while we're in the process of refusing licences, that you can't get a marriage licence if you've got maintenance arrears? There seems to be more of an annexation to marriage and payment of maintenance than there does to driving down the highway and payment of maintenance, but nobody wants to come forward and refuse marriage licences.

By golly, why don't we take away moose hunting privileges, moose hunting licences? Why don't we take away fishing licences? If we're going to start taking licences away from people because they don't pay their maintenance, why don't we take away their right to hunt moose in the wilderness in the fall, if that's what the government thinks is the solution to unpaid maintenance? Why, then, by golly, the minister and the members in charge of fish and wildlife enforcement would have more power than this entire government to collect maintenance.

Why don't we, Mr. Chairman, refuse ALCB identification cards? Why don't we make everybody have an ALCB card so that they can't buy booze in this province without this identification card? Then we can take away their right to drink if they don't pay maintenance. Let's go on. The list goes on.

Why don't we make a deal with the banks? We have precedent for that, because the minister of advanced education has just entrained a government program into the banking sector with his student loans. Why don't we make a deal with the banks that you cannot get a bank card if you owe maintenance? By golly, that will help. Then the six largest Canadian banks will become the enforcer of maintenance enforcement in this province, when the Minister of Justice has been unable or unwilling to enforce maintenance. Why don't we do that?

Now, Mr. Chairman, we go on in that list. Why don't we work with the banks to refuse credit cards, gas cards, all those cards so that then people who don't pay their maintenance won't get any card whatsoever?

Some members opposite are starting to mutter now. They're saying, "Gee, how could that member put together that argument?" Well, it's only a question of degree and where you draw the line. That's all it is. It's a question of where you draw the line. Some hon. government member has said that the registrar of motor vehicles is more powerful in collecting maintenance than the Minister of Justice. Well, then, let's make all of those power-based groups collect maintenance for the government. Let's make it so inappropriate not to pay your maintenance. Let's pinch the shoe so tight that everybody then goes and pays their maintenance because they can't get ALCB cards, they can't get moose licences, they can't get hunting licences, they can't get fishing licences. Maybe we could work with their employers, and they wouldn't even be allowed to take holiday time off.

Mr. Chairman, whenever you put a piece of legislation up on the pedestal and you measure it against changes, look at the concept and see if you can stretch the concept to the point where it becomes absurd. If you can stretch the concept to the point where it becomes absurd, don't shoot at the messenger who delivers that absurdity. Look at the legislation and see if it doesn't make sense.

4:20

Now, Mr. Chairman, there are constructive ways to collect maintenance in this province. First of all, in this province you

could have direct payment from the employer directly to the recipient. This would mean that you would ignore the laundering effect of the government's collection scheme, the effect of which is simply to delay the process of collection because cheques are always being certified, cleared – you have double-entry bookkeeping – and then you issue a government cheque. Let's get the money right out there.

A second way you could collect is you could work with the federal government. They're interested in maintenance collection too. Why are they interested? Because they know that people who do not collect maintenance very often appear on the welfare rolls, and when they appear on the welfare rolls, transfer payments kick in. You could make it the case in this country that nobody got an income tax refund or a GST refund without having a clear slate on maintenance enforcement. This gets right to money issues. This deals with money, money dealing with money. You don't get money from the government if you owe maintenance. All of that makes more sense than preventing a person from registering a motor vehicle.

Another way the government could assist in the collection of maintenance, as I mentioned in my introductory comments, is that you could simply give the legal profession, who acts for people that are collecting maintenance, the same powers that the government takes unto itself. This is odd; this is very odd. In a province gone wild with privatization, they will not let private people collect maintenance. Give those same powers that the government has to the private maintenance collectors and let them go to work. Why is it that in this particular province we've gone mad with privatization on one hand and on the other hand we won't do anything to help women collect maintenance by any privatization whatsoever? Mr. Chairman, you're probably aware that there have recently been on television several particular shows that have indicated that, dollar for dollar, the private maintenance collectors in the United States, even though collecting for a fee, have collected a better rate of return than the bureaucracy-choked government collection systems. All the Minister of Justice has to do is unleash the existing power of collection that's out there now to help women collect their maintenance.

Those are some of the comments that I have on this particular Bill. I will now relinquish my spot in the speaking order and allow other Members of this Legislative Assembly to make their valuable points of view known to the House.

Thank you, Mr. Chairman.

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

MR. SAPERS: Thank you, Mr. Chairman. On March 31, 1994, this Assembly had a chance to do something serious, important, and meaningful about maintenance enforcement, but they didn't take that chance. Instead, all 40 members of the Conservative caucus who were present that afternoon stood in unison and voted against a motion that would have actually seen some positive movement on maintenance enforcement. After Liberal member after Liberal member stood talking about the importance of this issue and why it was timely that we act now to get serious about helping families that are suffering from not receiving the maintenance awarded them by court, only one Conservative member took it upon himself to stand and speak against the motion, and in doing so said: wait for Bill 216; wait for the Bill from the Member for Calgary-East, because that Bill will be the one that will save the day.

Now, it's hard to know exactly why that particular member, the Member for Bow Valley, stood and put so much stock in Bill 216, because he, of all people, you'd have thought would have known better. After all, he's the chairman of the Premier's Council in Support of Alberta Families, but no. He said: look at Bill 216. Then I was hoping that the Member for Calgary-East would stand and speak to that motion, but neither of them did. In fact, I note from *Hansard* that the recorded vote doesn't show how they voted either.

So it's confusing to me why it is that this government would come forward and say, yes, we want to get serious about maintenance enforcement, then not participate in a debate when it's a motion put forward by the Liberal caucus, and then stand apparently united behind a Bill that is being so roundly criticized by every stakeholder in this discussion.

Chairman's Ruling Relevance

MR. DEPUTY CHAIRMAN: Hon. Member for Edmonton-Glenora, I've been listening very carefully. You are telling members that they didn't speak and they should have spoken, and you're on a previous discussion. Let's get onto the Bill in committee stage, please.

MR. SAPERS: As I was saying, Mr. Chairman, it's confusing to me why members wouldn't rise and speak when they had a chance to, but they certainly take the chance to speak from their seats.

Debate Continued

MR. SAPERS: Now, Mr. Chairman, as I was saying – and I would like to proceed – what we have is a situation where the government has come forward and said that the best thing we can do to help families that are suffering because they have not been able to receive the maintenance awarded them by court is to somehow interfere with the ability of the noncustodial parent to operate a motor vehicle. I'd like to know what benefit this will bring in those situations where the noncustodial parent is residing out of province, where the noncustodial parent doesn't drive, where the noncustodial parent has the ability to use somebody else's motor vehicle, where the noncustodial parent might in fact be a flaunt law and that might not make any difference. After all, there are certainly a number of people who drive without registration and licensing now, and we know the law enforcement problems associated with that at present. There's certainly nothing in this Bill that would do anything to remedy that. It gives very little comfort to those who find themselves economically disadvantaged after a marriage breakup, women and children primarily, to know that this government's going to come to their rescue through this Bill by simply interfering with the ability to register and operate a motor vehicle.

[Mr. Herard in the Chair]

Instead, Mr. Chairman, we know that there are suggestions, there are jurisdictions which have paved the way, that have really, truly been innovators in coming to the assistance of those families that need their maintenance award enforced. Deductions at source, meaningful penalties for noncompliance, contracting with the private sector to ensure the enforcement of the orders, having specialized services available to the custodial parent so they don't have to go through strenuous and burdensome legal proceedings: these are all examples from other jurisdictions. We know that

they work. We certainly would have hoped that the government would have followed the lead of these other jurisdictions instead of doing something so incredibly weak and lame as is put forward in this Bill.

Now, before I take my seat I think it's important to say that I don't want to leave the impression for a moment that any member of this caucus is in favour of the status quo when it comes to maintenance enforcement. Nor do I want to leave the impression that any member of this caucus would vote against any meaningful effort to come to the assistance of those families that need enhanced maintenance enforcement taking place in this province. What we are simply reacting to is a very poorly thought out and ill-conceived attempt to deal with this issue. We hope that if this Bill is going to go forward at all, it comes forward with some amendments from its sponsor and his colleagues so that we can in fact bring to this province a regime of maintenance enforcement that helps, that makes sense, and that will be the right thing.

Thank you very much.

MR. ACTING CHAIRMAN: The hon. Member for West Yellowhead.

4:30

MR. VAN BINSBERGEN: Thank you, Mr. Chairman. I'm really placed in a quandary here with this Bill. I would like to support the Bill because I think something needs to be done to solve that problem, the problem of maintenance enforcement. On the other hand, though, I've decided to hold my vote in abeyance, because I'm not sure that much really is in this Bill that will do much good to solve the problem.

I was so disappointed, actually, because, after all, the Member for Calgary-East had spoken on this Bill on several occasions, one of which was when he was reading a speech and speaking to another Bill. Perhaps you remember that particular case. So certain expectations had been created, and now he's given birth to what can at best be called a dud, undeniably a dud. I'd like to elaborate on that. Once again, I really would like to vote in favour of this Bill as a gesture, but the content, the substance is so important.

Now, this Bill proposes measures to punish people who fall short, who default on their maintenance enforcement payments. These proposed measures are not really meaningful or very effective, it seems. What gets me is that they do not adhere to one of the main criteria of any self-respecting punishment, Mr. Chairman, that the punishment should fit the crime.

These proposed measures – you know, to refuse somebody who has defaulted on payments renewal of his licence – are at best a nuisance. Particularly for someone who has another four years to go before he needs to renew his licence, it is really rather irrelevant, it seems. I think the Member for Fort McMurray has already taken these particular measures to their illogical and irrelevant conclusion. I'd like to add one actually. It seems to me that if we're serious about this and we want to set a good example, perhaps we should mandate that anyone who is defaulting on his maintenance enforcement payments is not fit to run for political office. Then I think that would mean something.

Other than that, Mr. Chairman, there isn't much in here that one can put one's teeth in. I'm looking at the convoluted nature of the section dealing with the director of maintenance enforcement and the business, all the contortions one has to go through, somebody who has been defaulting. He has to send a cheque to the director of maintenance enforcement, and the cheque is held for 10 banking days, et cetera, et cetera. Why not simply an

automatic deduction at source from the person who has defaulted? They do that in Ontario, if I'm not mistaken, and that makes far more sense, it seems to me. I really would like it if the author of this Bill would take another look at that, perhaps, and bring in some teeth.

Other than that, Mr. Chairman, as I said, I hold my vote in abeyance, but I have been somewhat disappointed.

Thank you very much.

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

MR. AMERY: East. Just north of you, Mr. Chairman.

Thank you very, very much, Mr. Chairman. I'd like to take a few minutes to answer a few of the questions and address a few of the concerns that were raised in second reading and today. I would like to mention that last week the hon. Member for Lac La Biche-St. Paul stood in his place and made a members' statement and told all of us that every hour in this Assembly costs us \$2,500, so I have been listening to 20-minute speeches from the other side and each speech cost taxpayers of Alberta \$833.33 just to say the same thing.

Point of Order

Allegations against Members

MRS. SOETAERT: A point of order, Mr. Chairman.

MR. ACTING CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert rising on a point of order.

MRS. SOETAERT: On 22(2), Mr. Chairman. I don't think it's correct that that member would talk to members on this side of the House as wasting time talking about maintenance enforcement when this Bill is one piece of junk. We have a right to talk about it and represent our constituents, and then he dares to say our time is wasted in here. Well, if it costs that much money, decent . . .

MR. ACTING CHAIRMAN: Hon. member, I think we have a disagreement here, and there is no point of order.

MR. AMERY: Thank you, Mr. Chairman.

Debate Continued

MR. AMERY: Mr. Chairman, I appreciate some of the suggestions and comments that came from both sides of the House. I simply agree with most of them, and I agree with the hon. Member for Edmonton-Centre when he said that if you bring a child into this world, you have a responsibility to raise and support that child.

The purpose of this Bill, Mr. Chairman, is to encourage parents to fulfill their responsibilities and to increase the powers of the maintenance enforcement program to force parents to live up to this responsibility if they refuse to do so willingly. The members opposite would like to see an automatic deduction in Alberta as a tool for forcing people to live up to their parental responsibilities.

MRS. SOETAERT: Right.

MR. AMERY: I can hear the hon. member saying "right." Well, this is the system that Ontario has implemented in their maintenance enforcement program, and we have looked at this method to see how it would work in Alberta. It would not be a feasible method of collection of maintenance orders in Alberta. Firstly, automatic deduction for all debtors registered with the

program would be unacceptably costly to implement, because most debtors pay their orders. Secondly, it would be an administrative hassle for employers, and it may prevent employers from hiring someone who needs to be hired. By automatically deducting maintenance payments from the salary of a debtor, we would be infringing on their privacy and we would take away their ability to prove themselves responsible for making payments on time and of their own accord.

We would also be informing employers and perhaps others of private information that they don't need to know, like details of their divorce settlements. Before the Ontario government set up their program . . . [interjection] Mr. Chairman, we were listening to them. I think they should . . .

MRS. SOETAERT: I'm listening.

MR. AMERY: Okay.

Before the Ontario government set up their program of maintenance enforcement in their province, they sent delegations to Alberta nine times to look at our program here, Mr. Chairman. They considered our program so effective and so successful that they wanted to see how they could model their system after ours. Well, once the provisions of Bill 22 become law, Alberta will have the broadest range of enforcement tools of any maintenance enforcement program in Canada.

Mr. Chairman, we are leaders in the area of maintenance enforcement, and we will work to keep finding ways to improve our system. Adopting automatic deduction of maintenance payments at this time would be a step back rather than the jump forward that Bill 22 gives us. I share the concerns expressed by other members about the issues of access as it relates to the payment of maintenance orders and the well-being of the children of this province. However, this issue must be dealt with separately from that of maintenance enforcement and is perhaps something we could look into further at another time in this Legislature.

Mr. Chairman, the Member for Spruce Grove-Sturgeon-St. Albert has advocated jail terms for debtors who are in arrears. Well, I believe it is a better process to work through negotiation and not confrontation, hon. member, to encourage debtors to fulfill their maintenance obligation and to do what we can to help them to be responsible. If we put all debtors who defaulted on their maintenance payments in jail, we would be stuck with paying for both the maintenance payments and the cost of keeping someone in jail. I wonder if the hon. member is fully aware of how much it does cost to keep a person in jail. In some cases jail terms are warranted, but in most cases it is more effective to use other tools at the disposal of the maintenance enforcement program to collect on the maintenance payments. Bill 22 will add to the options of maintenance enforcement officers and give them even more power to enforce maintenance orders.

4:40

Many members on the opposite side of the House have expressed that the issue of maintenance enforcement is precluded by the usually difficult issue of divorce. There are likely to be hard feelings on both sides, Mr. Chairman, and it's not easy to work out support agreements under these circumstances. However, this Legislature cannot do much about that. We cannot make people act civilly or get along.

What we can do, though, is make people live up to their responsibilities of providing for their children. The hon. Member for Edmonton-Ellerslie seemed to miss this point entirely. The whole point of this Bill is to make parents more responsible for

their children. In her 20-minute speech the other day against this Bill and against me personally, which cost the taxpayers of this province \$833.33, I did not hear her mention, not even once, the importance the parental responsibility. Not even once. I checked *Hansard*, Mr. Chairman; not even once. She mentioned tokenism. She mentioned jobs. She mentioned everything in the book except parental responsibility. She did express, however, an idea that many members across the way seem to be fixated by, the idea that Bill 22 will allow for debtors in arrears to be prevented from renewing their driver's licence.

There are many other important changes that this Bill will make to increase the powers of the maintenance enforcement program to help in the collection of support payments, Mr. Chairman. It's unfortunate that the members would get so hung up on one relatively unimportant point: that debtors might not be able to make payments if they don't have a driver's licence. There are provisions within the Bill to ensure that each situation is looked at individually. If a debtor requires a driver's licence to work to be able to make payments, accountability will be enforced another way.

Mr. Chairman, we have to get tough with parents who are not making their support payments. There is no nice way to do this. [some applause] Thanks, Howard. No way in which everyone will be happy. But the purpose of this Bill and my purpose for introducing it is to improve the situation for the children of this province. As much as the Member for Edmonton-Ellerslie might refuse to acknowledge it, this situation will not get better until parents realize that they are responsible for the care and upbringing of their children whether they live with them or not.

The Member for Edmonton-Whitemud mentioned that maintenance enforcement is essentially a nonpartisan issue. I couldn't agree with him more, Mr. Chairman. On an issue such as this it doesn't matter which side of the House you're sitting on; we all want to see that the children of this province are provided for and cared for. I am pleased to be able to sponsor legislation that will work to improve the situation for many children in this province. I am also pleased to see that the merit of this Bill is recognized and supported by all members of this House.

I move to put the question, Mr. Chairman.

MR. ACTING CHAIRMAN: Ready for the question?

The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Chairman. We've had good debate this afternoon in consideration of Bill 22. Accordingly, I now move that we adjourn debate on Bill 22.

MR. ACTING CHAIRMAN: The hon. Deputy Government House Leader has moved that we adjourn debate on Bill 22. Are we agreed?

HON. MEMBERS: Agreed.

MR. ACTING CHAIRMAN: Opposed? Carried.

Bill 30
Environmental Protection and Enhancement
Amendment Act, 1994

MR. ACTING CHAIRMAN: Are we ready for the question?

The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. Speaking to Bill 30, we had some discussion in debate at second reading about the purpose of the Environmental Protection and Enhancement Amendment Bill. The majority of that Bill, of course, deals with what I would call editorial or minor amendments that will help to clarify various and numerous provisions of the Environmental Protection and Enhancement Act, but there were also many other provisions that gave our caucus greater concern, in particular in terms of the use of the environmental protection and enhancement fund.

The difficulty that we had with the proposed amendment to the Environmental Protection and Enhancement Bill was that the environmental protection and enhancement fund would become a very loose proposal that would allow the minister to have full discretion as to how those funds in the fund could be spent. Mr. Chairman, members will recall that the proposed provision simply says that the fund can be used for any purpose of environmental protection and enhancement or emergency that comes under the administration of the minister. Now, technically what that could mean is that any vote that we now take in our estimates debates in this Assembly could move over to the environmental protection and enhancement fund.

Mr. Chairman, I'll continue with my debate momentarily, but I'll allow the Minister of Environmental Protection to speak to Committee of the Whole.

MR. ACTING CHAIRMAN: The hon. Minister of Environmental Protection.

MR. EVANS: Thank you, Mr. Chairman. I'm pleased to have an opportunity to speak briefly to some of the concerns that were raised by members of the Assembly.

I may as well start with the concerns that have been raised by the hon. member opposite on the environmental protection and enhancement fund. Clearly, the reason for setting up this fund relates to the net budgeting process that we have in government, number one. It also relates very much to the fact that we on the government side feel it is very important that we contemplate and account for emergencies that may occur with respect to our natural resources in this province. We are not in any way, shape, or form, Mr. Chairman, attempting to create a system that would not have accountability. If the hon. members on both sides of the House will carefully review the amendments as proposed, they'll see that there is accountability back to Treasury Board. There is accountability, certainly, in the budgetary process, because we're going to be here every year, whether we like it or not, to discuss our budgets, to be accountable through the estimates process for the moneys that are expended, the moneys that are retained, and where in fact those moneys are going to go.

So what I intended to do when I brought this forward to my colleagues in caucus, cabinet, and Treasury Board was to be sure that in those circumstances where we have an emergency situation, we are in a position to react very quickly. We are in a position to snuff out a fire. We are in a position to take care of a flood or a drought. We can get at the problem, Mr. Chairman, and then account to the Legislature, account to committee, if that's appropriate, for the expenditure of those funds. This is in no way, shape, or form a nefarious plot by this minister or this government to take away accountability or to somehow move to a scenario where we do not appreciate and foster the very important role that this Assembly plays in approving on a yearly basis the use of funds that are appropriated for various purposes.

I would also like to point out, Mr. Chairman, that another important point in this legislative package is that we will be taking incremental rents, incremental charges in the future from a number of natural resource charges which we are now charging and move that into this fund so we will have moneys available for those emergencies to which I've referred.

4:50

I'd like to go on, though, for a couple of minutes, if I may, regarding section 61, the liability of public officials. There were some concerns raised as to whether we were being in fact more onerous to officials in municipalities with these proposed amendments than we were under the old description. Well, again, Mr. Chairman, I would like to point out that we've had considerable and protracted discussions and negotiations with the Alberta Association of Municipal Districts and Counties, with RIDAA, the Rural & Improvement Districts Association, and with the Alberta Urban Municipalities Association and their solicitors to work out an acceptable description of the duty of elected officials for actions that are taken by employees in municipalities and, as well, to point out very clearly that if those elected officials are acting in a reasonable manner, they will not be liable. This is in keeping with the principle of due diligence and ensuring that if the elected officials acted reasonably in all of the circumstances, they will not be found guilty. I think this is an important amendment to this Act. It will give much greater clarity to elected representatives in municipalities throughout this province as to the responsibility and liabilities that they face, and I think it is a positive move.

In terms of the issue of the section dealing with reporting of substance releases, there seems to be a misunderstanding, Mr. Chairman, as to who's doing this reporting. The reason that we were moving with an amendment to that section was to make it very clear that if someone phones a director and reports a spill, we will investigate that spill through our environmental pollution control division, and if we find that there is not an adverse effect on the environment, we will not require that person, who reported in good faith that they saw a spill, to file a written report. Now, that's just trying to streamline and simplify a process which has merit but would literally be a waste of time if we determine that there is not an adverse effect on the environment. So, again, this is streamlining. This is deregulating. This is getting out of unnecessary regulation. I hope that as hon. members review the proposed amendment and its impact to those who would make a report to government, they will see that this should in fact be supported.

Mr. Chairman, I think those are the main issues that members have discussed in this Bill. In conclusion to my comments at this point, I want to just confirm that the majority of the changes which we are bringing forward in this Act are to clarify process, clarify a Bill that is the amalgamation of nine separate pieces of environmental legislation. Hon. members should not be surprised that as a result of regulations being passed and the practicalities of dealing with the Act, there are some amendments that we are bringing forward to clarify process and to make the Act more responsive to Albertans on a day-to-day basis. Additionally, as is the commitment of government, we want to deregulate. We want to minimize and eliminate regulations whenever it is appropriate to do so, so we are suggesting some changes in this Act that will accomplish that deregulation in the appropriate circumstances.

So with that overview, Mr. Chairman, I'll take my place and listen to the additional comments that may come from hon. members.

MR. ACTING CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. Thanks to the hon. Minister of Environmental Protection for providing those comments on debate that did occur with respect to Bill 30 when we were at second reading. I appreciate the fact that there will be an amendment put forward to clarify that issue about when a written report will be and will not be required so there's no uncertainty with respect to that issue. It was obviously raised as a very important issue by members on this side of the House that we would not be creating any kind of situation which allowed for the minister, at the minister's discretion, to exempt or exclude a written report for any substance release that may have occurred somewhere in the province where there was only a phone call report that was given to the department.

Obviously, Mr. Chairman, it's extremely important that whenever we have a substance release which occurs in this province that is not an allowable substance release under the Act as it presently stands, that kind of information has to be made available to the public so that we know in fact the report was made, that there is a written record and a history of that report, and that proper mitigation has occurred as a result of that.

Certainly one of the important aspects of the Environmental Protection and Enhancement Act is that polluters are responsible for the ultimate consequences of any substance release that they must take ownership for. So it's obviously important, not only from just a general knowledge perspective but also in terms of the legal consequences, that there be a full writing procedure in place to make sure that we have all the information necessary to document that spill and to take action on recovering costs of the cleanup of that spill, if in fact that's what we require and that's what is necessary.

The other comments made by the minister with respect to the environmental protection and enhancement fund – again, as we had talked about in second reading, Mr. Chairman, while the minister says he wants to accomplish one thing, the Bill in its present form might allow for something very different to occur. We had said that that was the concern we wanted to express, that was the concern we wanted to raise about the general conceptual wording that appears now in Bill 30 with respect to the use of the environmental protection and enhancement fund.

Now, as the minister pointed out, we do have to recall how this particular fund is going to be funded. It will be in terms of the incremental increases in stumpage fees, the water rental, hydro fee, fishing licences, hunting licences, gravel fees, and so on. Those are the components of what will fund the environmental protection and enhancement fund, according to the minister's business plan, to a dollar amount in excess of \$30 million in just this year alone.

The minister has said – we've heard him say – and I acknowledge and accept that one of the clear and specific reasons for this fund is for forest fire suppression, flood control, and disease control and mitigation if there was a particular outbreak of a disease that was within or that affected anything which was under the administration of the minister. Now, I agree with the minister that if it were clarified in terms of the Bill that that was the intention of the fund and that's in fact what the fund would be used for, I and my colleagues on this side of the Assembly would have much greater comfort in knowing that the fund would be used for those purposes intended.

5:00

So the difficulty we have, Mr. Chairman, is that we feel that that is too broad in terms of its wording and that the original

wording that now appears in the Act itself was sufficient in terms of the description of what the environmental protection and enhancement fund could be used for and really only needed to be complemented by adding certain provisions to that that would allow for the kinds of costs to be paid out of the fund, as the minister has described in the business plan. The wording that exists presently in the Act is certainly satisfactory. It's clear. It's understandable to the Alberta public as to what is and what is not applicable to the expenditures out of the environmental protection and enhancement fund. That's commendable. That was very clear and understandable.

When we now move into the very broad and general terminology of that specific aspect, certainly it means that there will be inclusion of all of those things that were there, but it could also mean inclusion of a variety of other things. In the present wording under the Bill there would be nothing to prevent, for example, funding the Water Resources Commission, there would be nothing to prevent funding the Environment Council of Alberta, because they are matters of environmental protection and enhancement that fall under the direction or authority of that particular minister. Clearly, Mr. Chairman, the simplest way to deal with that would be to at least combine the terminology, the wording that exists in the present Bill and the wording that could accomplish what it is that the minister intends to accomplish with the amendments in Bill 30.

Mr. Chairman, just with your indulgence and for all members we have prepared an amendment to section 12 of the Bill that is presently with Parliamentary Counsel. Copies will be made and distributed hopefully at some point very soon so that I can deal specifically with the amendment dealing with section 12 of the Bill, which in turn deals with section 28(2) of the Environmental Protection and Enhancement Act.

The purpose in putting forward an amendment on this matter – and I will recognize to you that I am not speaking to the amendment until I actually place the amendment on the floor of the Assembly. Just in terms of general comments, Mr. Chairman, we would propose that the environmental protection and enhancement fund be used for purposes of the costs incurred in taking emergency measures under the Act, the costs incurred in conservation or reclamation activities that are undertaken under the Act for forest fire suppression, for flood control and mitigation, for disease control and mitigation, which is what the minister proposes that the fund be used for, and to in fact track the wording that presently exists in the Act, where it would be at the minister's discretion where he is of the opinion that there is an adverse effect on human life or health or the environment. As is already stated in the Act, that fund could be used to recover the costs that taxpayers pay for environmental protection, as set out, that is recoverable from persons responsible for that.

Mr. Chairman, as I say, we will be distributing copies of the amendment to members for debate. They will be coming shortly. While there are a number of other amendments that I would propose as we continue with debate on Bill 30 in Committee of the Whole, I'd like to just deal with that particular amendment first, because as I've said, that is one of the fundamental aspects of the changes that the minister is proposing to the Environmental Protection and Enhancement Act. Certainly we have no difficulty with a lot of the editorial amendments that are being proposed. This is one particular area where in fact we will be – I would suggest that the amendments that we will be putting forward . . . Looking good. Looking good.

MR. ACTING CHAIRMAN: Hon. member, I understand that these amendments have been provided and through some quirk in the system were not reviewed until just a few minutes ago. I wonder if I could make a suggestion that perhaps if someone would move that debate on this particular Bill be adjourned, the amendments, then, could more properly be brought forward, and we could carry on with business rather than listening to the hon. member waiting for his amendments.

The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Chairman. I think that is wise counsel. I would like to make one comment before moving adjournment at this point, contemplating that we're not going to have the amendments before us in the near future, and that is, when I made my preliminary comments about reporting of substance releases, I said that I am considering and I am reviewing. What has been alluded to by members of the Liberal opposition is that they have some concerns as to whether or not this lack of reporting when you don't have an environmental impact, an adverse effect – I will look at that recommendation that they've made, but I did not undertake to bring forward a House amendment that would put adverse effect into section 38. I tried to clarify that what I am talking about is the reality of the situation, that we would not require a written report only in those circumstances whereupon review it is clear that we do not have an adverse effect on the environment even though the reporter in good faith sees a spill and assumes that there is an adverse effect.

So I just want to have it on the record that I've not undertaken to bring forward that kind of an amendment but certainly to consider the representations that have been made. I had hoped that in my preliminary remarks I'd clarified what the intention of the amendment is: merely to streamline and to make it easier, quite frankly, for those good Albertans who are out there vigilant about the environment that they have in their province to be able to report verbally and not to be forced to take extra time to prepare a written report if the circumstances do not justify same.

So at this point, Mr. Chairman, I would now move that we adjourn debate on Bill 30.

MR. ACTING CHAIRMAN: The hon. Minister of Environmental Protection has moved that we adjourn debate on Bill 30. All in favour, please say aye.

HON. MEMBERS: Aye.

MR. ACTING CHAIRMAN: Opposed? Carried.

Bill 31 Municipal Government Act

MR. ACTING CHAIRMAN: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Chairman. It is indeed a pleasure for me to rise again as we continue debate on the new Municipal Government Act, Bill 31. Before I comment and clarify on several points or questions raised by the members opposite during earlier debate, I would just like to go back to last Tuesday – namely, last Tuesday evening – when we talked about the first amendment brought forward to deal with section 8(c)(ii).

5:10

I'm very pleased that all members in the House recognize the need for a municipality to have a provision that will allow them

to establish higher fees for licences, permits, and approvals "for persons or businesses who do not reside or maintain a place of business in the municipality." As a rookie MLA and being that this is the first time I've had the opportunity to bring a Bill forward in the House, I feel very pleased that the members opposite recognized and accepted my explanation for that particular section. So I'd like to thank all those that voted against the amendment, and of course that was the entire House. I know that municipalities will be pleased that they will be able to charge higher fees to out-of-town vendors as a result.

During previous debate there has been some misunderstanding as to certain areas within the new Municipality Government Act. The first one I would like to talk about is the special tax provisions. In the proposed legislation special tax provisions have been limited to the taxes for a special purpose that are already listed in the Municipal Taxation Act and the Municipal Government Act.

I might just go back for a few minutes here and repeat myself. Bill 31 consolidates 21 Acts and their attendant regulations. So as a result, if you are going to compare the special tax provisions that are in Bill 31 to what is currently legislated, you will see a difference, because six of the taxes – the waterworks tax, the sewer tax, the boulevard tax, the dust treatment tax, the paving tax, and the maintenance tax – were part of the Municipal Taxation Act, while the ambulance service tax, the health professionals tax, the fire protection area, the drainage ditch tax, the water in hamlets, and the recreation services tax are part of the current Municipal Government Act. So some of these taxes that were only available to rurals and used for specific purposes can now be picked up by urbans as a result of the consolidation. So I hope that clarifies that.

The next area I would like to talk about is that several members during debate questioned what a specialized municipality was. A specialized municipality is now in the current legislation, and originally it was thought to accommodate the evolution of improvement districts to municipal districts over time. It's an option that could be used now to incorporate resort areas, and an example of that would be Whistler, B.C. They certainly don't fit under the parameters of village, summer village, town, et cetera. This option allows flexibility in the future to change municipal structure based on the needs of the day without amending the legislation.

Another area that was questioned was petitioning. In the current legislation electors can petition for a new bylaw or the repeal of an existing bylaw. The number of signatures required in municipalities other than summer villages is 5 percent where the population is greater than a thousand, 10 percent if the population is less than a thousand. Currently when a petition results in a vote, council must set the date of the vote within 30 days of giving first reading to the bylaw. We have changed this in the proposed legislation. Electors can still petition for a new bylaw or to amend or repeal an existing one, but the minimum number of required signatures has been standardized at 10 percent of the population for municipalities other than summer villages, and the minimum number of signatures required in a summer village is 10 percent of the electors. This has the effect of treating all municipalities equally, and it is something that the cities endorse, namely the major cities, Edmonton and Calgary. Although 10 percent is more difficult to achieve and twice as many signatures are now required for citizens to influence their local government by petition in municipalities with a population over a thousand, the public's ability to petition is expanded to

include any issue within the municipality's jurisdiction. So I hope that clarifies that particular section.

Another question had to do with the time frame which a municipal council would have to deal with a public vote. It was suggested, I believe, by one of the members opposite that three years was too long and that we should possibly look at two years. I would just like to go over this for the members of this House. If a council decides to change a public vote bylaw – and that is a bylaw that council was required to pass as a result of a yes vote – within one to three years of the passing of the bylaw they must put the change to another vote. If a council decides to change a public vote bylaw after three years but not before 10 years of the passing of the bylaw, they can make the change but must advertise the change. If a council decides to change a public vote bylaw and 10 years have passed, they can make the change. This is certainly very important, because as we've talked about before, one thing that is very important in the new Municipal Government Act is public involvement and participation. So after review of a public bylaw council can go back, revisit it, but they do have this certain criterion they must follow, which does protect the public.

Several times the Member for Calgary-*Buffalo* has brought up access to information, and I would just like to go over that. The proposed Municipal Government Act in principle encourages public participation in the municipal government process. This is planned through access to information, the right to be heard at public hearings, and petitioning. Also, again I would say that council meetings and council committee meetings are required to be open to the public. The proposed Act promotes the general principle that every person should be able to obtain information held by a municipality. It lists types of information that must be withheld. It also contains right of appeal of decision. The intent is to guide the municipality and to open up the process. This is an interim provision that remains in effect until the province passes the proposed freedom of information and protection of privacy legislation and applies it to the municipalities.

Again, Mr. Chairman, I will listen intently as we continue with the debate. If the members opposite care to bring any more amendments forward, I certainly would very early be glad to clarify any of the proposed amendments.

Thank you.

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

MR. KIRKLAND: Thanks very much, Mr. Chairman. I appreciate the clarification that the Member for *Lacombe-Stettler* has brought forth to the discussion here. I think that when we're dealing with 266 pages, certainly it takes a tremendous amount of research to get through them and to connect the subclauses to the subclauses and the clauses back to the other subclauses. So all the assistance that is offered is certainly welcomed.

As I indicated in my opening comments on Bill 31, as we reviewed it, certainly we were very supportive of it. Certainly we see nothing in the Bill that we find tremendously difficult to accept. Having come from the municipal government side myself, I certainly see that there is some positive undertaking in the Bill. I would suggest that you'll see that we do support the better percentage of the Bill itself, and we would like to clean it up here, probably within the next three or four days if we could.

I appreciate the explanation we received for a specialized municipality and understand that in this particular explanation given it was intended to deal with resort areas and it was intended to bring some flexibility to the process. I wondered if in fact we

would look at – I would refer to it as a bit of an anomaly in this province – the hamlet of Sherwood Park, whether that would fall into that specialized municipality as well. I have shared with the hon. Member for Lacombe-Stettler – and it's only my personal thought – that when we reach a specific population, we should move on to the next status in this community without concern.

I will be bringing forth an amendment, and perhaps this evening you will see that amendment. It pertains to that percentage required to actually validate a petition. That 10 percent, as I indicated, when we look at cities such as Edmonton and Calgary is between 50,000 and 60,000 signatures. That I had indicated was onerous. In chatting with the City of Edmonton in the last week, 5 percent – they certainly have had some experience with that as of late – is not a figure that they're unhappy with. We cannot freeze the public out of the democratic process by making it too onerous or discouraging before we start. So I will submit that amendment this evening, Mr. Chairman, and hope that we can convince those that are involved with supporting a document from cities such as Edmonton and Calgary that it would be a wise undertaking.

5:20

I would ask the hon. Member for Lacombe-Stettler to just reiterate her comments in regard to the binding aspect of that petition. I understood her to say that within one to three years after it actually had taken the shape of a bylaw it would have to be revisited by council. I didn't find that in the Bill, so I was a little surprised by that. It would be positive. For my comments, again, in the opening where three years may bind the hands of a council too long – and I understand that three years is a reduction from the previous five. If there is a detrimental impact as a result of a plebiscite that has tied the hands of council, then we should not be tied to that too long. There should be a good opportunity to review it before we slide too far into an irreversible situation if it's detrimental.

I would also give forewarning that the other amendments coming forth – I'll just quickly identify them. I think the hon. member has received them. I was of the opinion that sections 87(1)(c) and (d) – that's consultation by the minister in regards to, I believe, formation or amalgamation. I'll just quickly clarify that for one and all. It actually falls under the formation. In that situation the minister himself is given the permissive ability that he

- (c) may conduct one or more meetings with the public to discuss the probable effects of the formation, and
- (d) may hold a vote of those people who would be electors of the proposed municipality.

I'm very large myself on involvement of the public. When we propose an amendment – and I'll use this as an example. It's not a difficult amendment. It's not an amendment that costs a lot of money, but it ensures that one and all have the opportunity to have their say or their participation. So those are the sorts of amendments you'll see coming forth. They will not take long to debate in the House. It'll be very simply put forth as making sure that we include the public. I don't think there's anyone that's an elected official here that would have a large concern with including the public. We cannot be afraid of the public's opinion or thought.

Just taking you back to the access to information. It was my own view when I sat on city council that we were too restrictive

with that information. I abided by what came forth of the decision of the day on the Leduc city council, but I often thought that we were being too secretive with the information and too secretive with our decisions. Now, in my travels around the province and my networking at the Alberta Urban Municipalities Association and the likes, that particular thought was solidified. I'm glad to hear that it will fall in concert with the freedom of information Bill when we actually endorse and embrace that. Hand in hand with that and the other side of that is the need to disclose from an alderman or an aldermanic or a councillor's position, and I'll touch base on that later tonight.

With those comments, Mr. Chairman, I would move that we adjourn debate this afternoon.

MR. ACTING CHAIRMAN: The hon. Member for Leduc has moved that we adjourn debate on Bill 31. All in favour, please say aye.

HON. MEMBERS: Aye.

MR. ACTING CHAIRMAN: Opposed? Carried.
Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Chairman. I now move that the committee rise and report progress and request leave to sit again.

[Motion carried]

[Mr. Clegg in the Chair]

MR. ACTING SPEAKER: 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: Bills Pr. 1, Pr. 4, Pr. 7, Pr. 12, and Pr. 14. The committee reports progress on the following: Bills 22, 30, and 31.

MR. ACTING SPEAKER: Thank you, hon. member. All in favour of the report?

HON. MEMBERS: Aye.

MR. ACTING SPEAKER: Opposed, if any? Carried.
The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. I now move that when we reconvene at 8 o'clock this evening, we do so as Committee of the Whole.

MR. ACTING SPEAKER: Thank you, hon. member. All in favour of that motion?

HON. MEMBERS: Aye.

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

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