

Legislative Assembly of Alberta

Title: **Thursday, May 19, 1994**

1:30 p.m.

Date: 94/05/19

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom.
Amen.

head: **Presenting Petitions**

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

MS HANSON: Thank you, Mr. Speaker. I'm pleased to present a petition from 73 Albertans in regard to family and community support services funding being moved to Municipal Affairs.

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

MR. HENRY: Thank you very much, Mr. Speaker. I have three petitions I would like to table today. The first is signed by 610 Albertans, and it urges the Legislative Assembly to urge the government to amend the Individual's Rights Protection Act to include the category of sexual orientation as a prohibited category of discrimination.

The second petition urges the government and asks the government to rethink appealing the Court of Queen's Bench ruling on April 12, 1994, which established that the Individual's Rights Protection Act violates section 15 of the Canadian Charter of Rights and Freedoms.

The third petition signed by 596 Albertans urges the Legislative Assembly to urge the government not to use the notwithstanding clause and to amend the IRPA to include sexual orientation.

Thank you.

head: **Reading and Receiving Petitions**

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Yes, Mr. Speaker. I ask that the petition I filed in this Legislature on May 4 be now 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 Ste. Anne, Parkland and Westlock.

MRS. ABDURAHMAN: Mr. Speaker, I would ask that the petition I tabled on May 10 dealing with the Grey Nuns hospital be received and read at this time.

CLERK:

We the undersigned petition the Legislative Assembly of Alberta to urge the government to maintain the Grey Nuns hospital in Mill

Woods as a full-service, active hospital and continue to serve the south-east end of Edmonton and surrounding area.

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

MR. BRACKO: Thank you, Mr. Speaker. I request that my petition of May 4 regarding removing 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 Ste. Anne, Parkland and Westlock.

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

MR. HENRY: Thank you, Mr. Speaker. I would ask that the petition I tabled in the Assembly on May 5 regarding prohibition of discrimination on the basis of sexual orientation now be read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government not to appeal the April 12, 1994 Court of Queen's Bench ruling which established that Alberta's Individual's Rights Protection Act (IRPA) violates Section 15 of the Canadian Charter of Rights and Freedoms, allowing "sexual orientation" to be read into the IRPA.

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

MR. GERMAIN: Thank you very much, Mr. Speaker. I would ask that the petition which I filed on May 12, 1994, relating to the Clearwater school in Fort McMurray now be read to the Assembly.

CLERK:

We, the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to approve the closing of Clearwater School in Fort McMurray, Alberta.

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

DR. NICOL: Thank you, Mr. Speaker. I'd like to have the petition I submitted on the 10th of May concerning the Children's hospital in Calgary read and received at this time, please.

CLERK:

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

head: **Introduction of Bills**

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

Bill 37

Credit Union Amendment Act, 1994

MR. RENNER: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Credit Union Amendment Act, 1994.

Mr. Speaker, these proposed changes will place credit unions on a more equal footing with other financial institutions in the province. The amendments will enhance the credit unions' ability to raise capital and establish new methods of calculating capital requirements. For over 50 years credit unions have served the financial needs of thousands of Albertans. I'm pleased that the proposed amendments will modernize the way credit unions will serve their customers in the future.

[Leave granted; Bill 37 read a first time]

MR. DAY: Mr. Speaker, I move that the Credit Union Amendment Act, 1994, as just introduced, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, I rise today to table two documents: one, the 1993 annual report of the Credit Union Deposit Guarantee Corporation; as well as a report prepared by western Canadian finance ministers presented to Premiers at Gimli, Manitoba, this morning and approved and adopted by the Premiers and released at their noon break today.

MR. DECORE: Mr. Speaker, I would like to table four copies of a list of 46 instances where regulations are needed to define, determine, and decipher legislation under Bill 19.

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

MR. HENRY: Thank you, Mr. Speaker. I have two items to table today. The first is entitled an "Open Letter to the Residents of Cypress School Division #4 on Education Funding" signed by the chairman of that division indicating that the government's plans are unacceptable and unfair.

The second tabling is a statement of concern regarding the ECS program signed by members of the ECS in Barrhead and the students attending ECS in Barrhead concerned about the future of ECS. I have four copies of that for filing.

MR. VAN BINSBERGEN: Mr. Speaker, with your permission I'd like to table four copies of all the amendments to Bill 19 that this opposition intended to place before the House in Committee of the Whole. Unfortunately, of course, the government invoked closure, so perhaps the minister will be able to peruse them at his leisure, and they might help his Bill somewhat.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I'd like to table a set of letters with a total of 142 different signatures on them, some of them signed individually, some of them signed multiply, that are concerned about Special Places 2000 and the possibility that some of the areas will be closed to their active use.

Thank you.

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Speaker, it's a pleasure for me today to introduce to you and through you two visitors who are visiting

the Legislature for the first time. Our first visitor from Barbados is Mrs. Yvonne Pinder. Mrs. Pinder is accompanied by a very special young man who happens to be the son of the Provincial Treasurer, Jackson Dinning. I would ask that they stand and receive the very warm welcome of this Legislature.

1:40

MR. DINNING: Mr. Speaker, this is a red-letter day to have members of my family here but of equal importance, of course, is to have constituents, whom I don't often have a chance to introduce in the Assembly. There are two groups. The first is the Glenmore Christian Academy. Their choir as well as their band performed in the rotunda today. They were met by the Lieutenant Governor, and the Lieutenant Governor asked that they come and perform when he next has a chance to hear them in Calgary. There are 69 students along with seven adults: Mr. Gary Fast, Mr. Ralph Carter, Mrs. Colleen Allan, Mr. Bruce Robertson, Mr. Dale Backlin. Two very important people along with the group are the two bus drivers: Mr. Heinz Klouth and Mr. MacDonald Young. I'd ask them all to rise in the Assembly and receive a very warm welcome.

The second person I'd like to introduce, if I may, Mr. Speaker, is a gentleman who is a resident of Calgary-Lougheed, a longtime friend and someone who is constantly giving me good advice: Mr. Pat Meehan. He's in the members' gallery. I ask him to rise and receive a warm welcome.

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

MR. BRACKO: Thank you, Mr. Speaker. I'm delighted to present to you and through you to the Members of the Legislative Assembly a young man: Jeff Kupsch. Jeff is a leader in St. Albert, and he's also working in my constituency office this summer. He is in the public gallery. I'd ask that he rise and receive the warm welcome of the Legislative Assembly.

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

MR. DECORE: Thank you, Mr. Speaker. I would like to introduce to members of the Assembly and to you a distinguished Albertan, an educator from Calgary, an individual who has been the former president of the Calgary local of the ATA and a former vice-president of the ATA: Mr. Jack Haggarty from Calgary. Would he stand and be welcomed.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. It is indeed my pleasure to rise and introduce to you and through you to members of this Assembly my constituency office staff. Seated in the members' gallery are my office manager, Viviane Theriault, and our STEP student for this summer, Shawna Zaplotinsky. Would they please rise and receive the very warm welcome of this House.

Thank you.

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

MS HANSON: Thank you, Mr. Speaker. I'm pleased to introduce a STEP student, a young woman who is working in our constituency office for the summer. She's a Grant MacEwan student. As a student placement and also as a STEP worker she's

just done a wonderful job. Her name is Sandra Howes. She's sitting in the public gallery. Please rise, Sandra, and receive the warm welcome of the Assembly.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I would like to introduce to you today and through you two individuals who are in the public gallery. They are Emily Barker, who had enjoyed working in the transcripts division of the Department of Education for 24 years and was dismissed in February; likewise, Harvey Deutschendorf, who had enjoyed working as a guide for visitor services at the Alberta Legislature until he was dismissed. These former employees are here today to try and find out the truth about their terminations. If they would please rise and receive the warm welcome of the House.

Thank you.

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

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and to all the members of the Assembly some dear friends of mine from St. Paul: Mrs. Jeannine Fodchuk and her two sons, Kyle and Bradley. They are accompanied today by my dear wife, Juliette. Even though Bradley is confined to a wheelchair, he's a very interesting young man. He's aggressive and energetic, and he often questions me on Alberta politics. His mother has told me that lately he's becoming very, very independent. [laughter] They're sitting in the visitors' gallery, and I'd like them to rise to receive the warm welcome of the Assembly.

MR. SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. It's a pleasure for me today to introduce to you and through you 33 children and 10 adults from the Spirit River elementary school. Not often do I get groups from my constituency, which is a long way away. It's certainly a pleasure to have them today. The children are accompanied by teachers Mrs. Kathy Rowe and Mr. Ralph Smith; parents and helpers Mrs. La Vern Burback, Mrs. Joan Yanishewski, Mr. Gordon Yanishewski, Mrs. Stella Zurack, Mr. Bill Zurack, Mrs. Sherry Campbell, and Mr. Dave Williamson. I ask them to rise and receive the warm welcome of the House.

head:

Oral Question Period

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

School Act Regulations

MR. DECORE: Thank you, Mr. Speaker. In most Legislatures when Bills are brought forward, they're usually accompanied by regulations that pertain to those Bills. But because of poor planning and because of fumbling and probably because they're not even done, Alberta develops regulations behind closed doors. The changes to the School Act necessitate some 46 different instances where regulations must be used to determine, decipher, and figure out what the legislation is all about. My first question is to the chairman of the Standing Committee on Law and Regulations, who incidentally is paid extra moneys for his responsibility in that position. [interjections] Wait for it. Wait for it. It's going to be good. It's going to be good. I know you're not going to like this one either. Will the chairman tell

Albertans why his committee has never demanded that regulations be brought forward, be reviewed, be debated, be dealt with by his committee since he's been chairman?

MR. HAVELOCK: Well, Mr. Speaker, it's indeed a pleasure and a surprise to respond. I would like to state at the outset that the extra remuneration is incurred only if the committee happens to meet, and being of a fiscally conservative nature, I'm trying to keep expenditures down.

In response to the question, Mr. Speaker, my understanding of the role of the committee is that it is not required to meet unless directed to do so by the Legislature. If this Legislative Assembly so wishes us to meet, I would be happy to call a meeting and get on with the task at hand.

MR. DECORE: Mr. Speaker, why wouldn't the chairman muster a little courage once in a while or even a lot of courage and say to members of Executive Council or to, I guess, the Whip or whoever is in charge over there: why can't we have a meeting of the committee to deal with the regulations that affect Albertans? The School Act requires regulations to define what a principal does, what school councils do, what this does, and what that does. Why don't you develop some courage and take some initiative?

MR. HAVELOCK: Well, Mr. Speaker, I think I have already answered that question, but simply to expand, I'm quite pleased to indicate to this House that I happen to be serving on one of the implementation team committees. We will be going throughout the province soliciting the views of Albertans with respect to implementing this Act, and I think it's important for us to actually hear what Albertans have to say on this as opposed to having the Legislature dictate what they would like to see in the regulations.

1:50

DR. OBERG: A point of order. [interjections]

MR. SPEAKER: Order. A point of order is raised after question period.

MR. DECORE: Well, then let me pursue that point. [interjections] Yours is coming too, Ty. Just wait. Will the Minister of Education assure Albertans that when these five implementation committees go through the province and hold their public meetings, they will be allowed to see the regulations that apply to Bill 19, they'll be able to review those regulations and debate those regulations? Will you assure us of that?

MR. JONSON: Mr. Speaker, it's kind of ironic that the hon. Leader of the Opposition wants to confine such an important activity as consulting with Albertans about the regulations to a committee within this Assembly. Certainly in this consultation process there will be the basis for developing the regulations that will carry forward on the directions of the School Act with respect to the roles and responsibilities of people within the system, particularly parent councils, and I could go down through the list. It's a very open process. We tabled two of the key documents that are being used in this process yesterday. Certainly the reports on the recommendations of these committees and so on are going to be very open, contrary to the approach being taken across the way.

MR. DECORE: The truth is that the meek . . .

MR. SPEAKER: Second main question.

Kindergarten Programs

MR. DECORE: Mr. Speaker, if a public school board wants to offer a full 400 hours of early childhood schooling using school fund dollars, the board needs to get the minister's approval. Otherwise, they break the law. But that doesn't apply to separate school boards. They can do it without ministerial approval. So poor planning and ministerial fumbling have created two sets of rules. Mr. Minister, since you do almost everything you want by regulation, why not make a regulation on this one?

MR. JONSON: Mr. Speaker, I am pleased to see that the hon. leader seems to have now read the legal opinion that he asked a question on last time. There is a provision, yes, for the authorization of the use of school board funds for grants or support of early childhood services. Now, evidently the hon. Leader of the Opposition has another legal opinion with respect to separate school boards, and it's based on some presumption about the future. I think that's more likely. My understanding does not agree with his assumption with respect to separate school boards.

MR. DECORE: It doesn't look like he did his homework again. Mr. Minister, will you assure all school boards that they don't have to come cap in hand, they don't have to come on their knees, they don't have to come and plead to you to get this approval, that as of today you're going to give that approval? Will you tell them that?

MR. JONSON: Mr. Speaker, I think there are two points to be made here, and if it takes a little bit of time to try and straighten out the hon. Leader of the Opposition, I would be pleased to do so. First of all, school boards have a number of unconditional grants or block grants. These can be applied to a wide range of programs at their discretion within the current grant structure. There are also certainly, yes, directed or specific grants, and quite correctly the minister's authorization is required to have them spent in another particular area. That is the way the system works. If a school board is not able to accommodate this type of request with their unconditional or block grants and the case could possibly be made for needing to draw from a particular specified grant to deal with ECS funding, certainly that would be considered.

MR. DECORE: Sounds like he's going to make them come and beg.

Will the minister do the appropriate thing and make a change to the School Act to include early childhood schooling as a program so that we don't have this difficulty?

MR. JONSON: The early childhood services program in this province was established with the philosophy – and it was supported by this government – that early childhood services would be somewhat independent in structure of the grades 1 to 12 system. I have indicated this to the hon. members across the way in response to previous questions. The program is a very flexible one. It has some very general goals, and that particular degree of flexibility and autonomy is preserved to this time. Now, the government, as I have indicated, is working at developing a type of curriculum which would target learning that is expected more clearly as far as early childhood services is concerned and would provide more structure for the program. But the policy of the government, Mr. Speaker, has been to follow the policy decisions that were made on early childhood services some years ago.

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

Loan Guarantees

MR. BRUSEKER: Thank you, Mr. Speaker. Losses on loan guarantees continue to haunt this government. The minister without purpose promised that by the end of March the North Saskatchewan riverboat would be seized and sold to recoup the taxpayers' investments.

Speaker's Ruling Parliamentary Titles

MR. SPEAKER: Order. The hon. member should refer to the hon. ministers by their proper title.

MR. BRUSEKER: Oh, did I get it wrong? My apologies, Mr. Speaker.

Loan Guarantees (continued)

MR. BRUSEKER: Similarly, we were promised a resolution to the ongoing losses with MagCan following a report from Burns Fry listing the many names of potential investors waiting to buy MagCan. My first question to the minister is: how much did we get back on our \$975,000 investment in this foolish riverboat scheme? [interjections]

Speaker's Ruling Parliamentary Titles

MR. SPEAKER: Perhaps the member can ask a supplemental question to the properly designated minister.

MR. BRUSEKER: Well, I think it's under *Beauchesne* that the government decides who answers the question. If they don't know who's supposed to answer, that's their problem. I guess it's just another broken promise.

MR. SPEAKER: Order please. For the benefit of the hon. member, the question should be directed to a specific member of the government. If that member is incorrect, somebody else will probably take it, but at least the question should be addressed to a specific member of the government.

Loan Guarantees (continued)

MR. BRUSEKER: Since we've already lost \$55 million on the MagCan flop and continue to lose \$40,000 a day, how much more money does the minister anticipate we will lose before we unload this money-losing proposition?

MR. SPEAKER: The hon. member has still not identified a member of the government that he wishes to answer the question.

MR. BRUSEKER: Well, I guess that means none of them over there are responsible for anything that's happening with respect to loan guarantees; doesn't it?

MR. SPEAKER: Order. Perhaps on the third occasion the hon. member may identify a minister he wishes to answer the question.

2:00

MR. BRUSEKER: Well, apparently none of them seem to be willing to do that.

My supplementary question to the Treasurer, to the minister without portfolio, to the minister of agriculture, whomever.

**Speaker's Ruling
Parliamentary Titles**

MR. SPEAKER: Order please. The hon. member has lost his question for again purposely misrepresenting the title of a minister.

The hon. Member for Pincher Creek-Macleod.

Teachers' Salary Rollback

MR. COUTTS: Thank you very much, Mr. Speaker. I definitely will identify my question going to the hon. Minister of Labour. This week the teachers in the Willow Creek school division voted 75 percent in favour of taking this government's initiative of a 5 percent voluntary rollback. My congratulations not only go to the staff but also to the boards who worked through this process not only for education but for health care workers as well. Do you have any information on how many other boards in both sectors have taken the 5 percent?

MR. DAY: I do have that information, Mr. Speaker. It's lengthy and detailed, and I don't know that you would entertain a lengthy response. I can say that thousands of teachers in both the public sector and the separate sector have indeed taken a 5 percent reduction. It's not an easy thing for people to do. They're to be congratulated for taking that initiative, and I can give an extensive list to the member at a later date.

MR. COUTTS: My supplementary question to the same minister: why is the minister not taking steps to ensure that all remaining teachers in other . . . [interjections]

**Speaker's Ruling
Decorum**

MR. SPEAKER: Order. [interjections] It's quite obvious it's Thursday. [interjections] The Assembly will recess for a period of three minutes.

[The Assembly adjourned from 2:02 p.m. to 2:05 p.m.]

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

**Teachers' Salary Rollback
(continued)**

MR. COUTTS: Thank you very much, Mr. Speaker. My first supplemental is also to the Minister of Labour. Why is the minister not taking steps to ensure that all remaining teachers in other jurisdictions also agree to the 5 percent reduction?

MR. DAY: Mr. Speaker, the government has indicated from the beginning in terms of the issue of 5 percent reductions that this would be something that we'd want to occur in a voluntary way. Actually, there's been considerable progress. Thousands of teachers have agreed to that particular process. We feel that we don't want to break collective agreements. We don't want to intrude on that process, so presenting it in a voluntary way seems to be working much more satisfactorily than if we had tried to bring it in a heavy-handed way that would have broken collective agreements.

MR. COUTTS: Has the minister, considering the amalgamation of school boards from 140 down to 60, requested changes in labour legislation which would lead to provincewide bargaining on salary issues?

MR. DAY: No, Mr. Speaker, I haven't requested those changes myself. It'll be left up to the boards on a regional basis and in some cases on a jurisdiction-by-jurisdiction basis to decide if they want to bargain collectively within their own smaller unit or in fact look at the broader provincial approach. We find that by leaving it between employer and employee, there seems to be a more satisfactory resolution. Another indication of that is in the health care sector. Of some 66,000 employees in the health care sector approximately 38,000 have agreed to 5 percent reductions, and that's been on a local basis between employee and employer. A recent example of that is the Staff Nurses Associations, some 1,700 of them with Alberta hospitals.

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

**2:10 Loan Guarantees
(continued)**

MR. CHADI: Thank you very much, Mr. Speaker. The minister without portfolio has told this government and told Albertans time and time again that she would seize the North Saskatchewan riverboat and sell it off by the end of March to recover taxpayer's investment. Similarly, we were promised resolution to the ongoing losses with MagCan following a report from Burns Fry listing the names of international investors waiting to buy MagCan. My question is to the minister without portfolio. How much of the \$975,000 investment did we recover from the foolish investment of the riverboat?

[Mr. Tannas in the Chair]

MRS. MIROSH: Mr. Speaker, I never made the statement that the member opposite alluded to. As a matter of fact, the loan is with the Treasury Branch. They hold the loan, and currently there is some negotiation with the private sector. It's a private-sector negotiation. The government's not involved at this time.

MR. DEPUTY SPEAKER: First supplemental.

MR. CHADI: Thank you very much, Mr. Speaker. We guaranteed it, and Albertans are on the hook for that money now. Since we've lost now \$55 million already on MagCan and we continue to lose \$40,000 a day . . .

MR. DEPUTY SPEAKER: Question, hon. member.

MR. CHADI: Thank you, Mr. Speaker. How much more money does the minister anticipate we will lose before we unload this money-sucking dog?

MRS. MIROSH: Mr. Speaker, again, there are some private negotiations ongoing, and it is a concern of the taxpayers. The government is negotiating with the private sector on this.

MR. CHADI: Mr. Speaker, I'm wondering if the minister can table a list of buyers, this long-awaited list of buyers that are willing to buy MagCan, table it in this House, particularly the ones that are chomping at the bit to buy it.

MRS. MIROSH: Mr. Speaker, the negotiations are continuing and ongoing. There are certainly investors who are interested, and when the time comes to table it, that will be done.

MR. DEPUTY 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. Responsible firearm owners are very concerned about the federal government's newly proposed gun control laws. In fact, that concern has initiated a large rally of responsible firearm owners from across western Canada in Wainwright on May 28. One of those concerns is the problem that they have in obtaining a firearms acquisition certificate. Is it true that the Attorney General of Saskatchewan has taken a position not to implement the Canadian firearms course and test in that province?

MR. ROSTAD: Mr. Speaker, I don't know that the Minister of Justice in Saskatchewan has decided not to do this. They did get agreement with the federal government to postpone it from March until September 1, 1994, but at that time will be proceeding. In fact, it was Saskatchewan and the Northwest Territories that were included in that. I don't know on what grounds they looked for that postponement but in fact will be going ahead with it September 1.

MR. FISCHER: Our former police officers and military personnel are required to take the Canadian firearms safety course when applying for a firearms acquisition certificate or renewing their certificate. Why are we requiring them to pay a \$150 to \$200 fee to acquire their new certificate?

MR. ROSTAD: Yes, Mr. Speaker, they are required to in fact take the test. They don't necessarily have to take the course. If they wish to pay their fee – and that depends on the examiner as to what the fee is – they can go ahead and just take the exam, get their certificate, and carry on. If they feel that the new regulations aren't up to what they learned in the police force or the military, then they would have to take the course. The firearms certificate, frankly, is \$50 for a new one and \$25 if you're renewing, not the \$200 fee he was mentioning.

MR. DEPUTY SPEAKER: Final supplemental, Wainwright.

MR. FISCHER: Thank you. Does Alberta allow for an individual to obtain a restricted weapons permit, like B.C. and Yukon do?

MR. ROSTAD: Yes, Mr. Speaker, but it's very conditional. The local firearms officer, which is usually a police force, would have to have the full details and under certain circumstances do allow it. Examples: a geologist that might be working out in the very remote part of the mountains might be permitted to carry the gun, or some people in a particular gun club might be permitted to carry it, but there are really strong restrictions on them that they can't carry it any other time than when they're at work and traveling to and from work.

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

Public Service Dismissals

MS LEBOVICI: Thank you, Mr. Speaker. This government sometimes uses the excuse of downsizing to fire staff in a callous and unfair manner and then incredibly turns around and hires replacement staff. Emily Barker, whom I introduced earlier, was given notice and 15 minutes later was hustled out to a waiting taxi like a criminal suspect. The only thing that was missing were the handcuffs. The person from visitor services, whom I introduced earlier, suspects that his political affiliations cost him his job. My question is to the Minister of Education. Why would this transcripts division fire eight staff after hiring four managerial positions and then turn around and hire replacement workers?

MR. JONSON: Mr. Speaker, first of all, in answer I would like to make a point. It is a point that we have made as a government, and that is that in the operation of our departments we are looking at efficiencies and downsizing. In Alberta Education we are reducing by 170 positions over the life of the business plan, and when we are through the process, the staffing levels of Alberta Education will be back at 1971-72 levels. So we are leading by example in the department by cutting down our overall presence, our overall size and expenditure.

Now, Mr. Speaker, in the process of doing this, and I fully recognize this, individuals' positions are involved. In this particular case, we are dealing with the area of student records, an area which involves many, many individual files and specific pieces of information over which there has to be absolute security with respect to this matter. Therefore, the procedures were followed. The follow-up procedures with respect to early retirement options were provided for as well. With respect to the alleged replacement worker, for another task with respect to student services a person was hired on a contract.

MS LEBOVICI: Students still need their transcripts, so someone has to do that work.

My supplemental is to the Minister of Labour. What procedures are in place to ensure that dismissed employees are treated in a humane way and not like criminals and that dismissals do not occur solely to replace more expensive, long-term employees with cheaper, temporary workers?

MR. DAY: Mr. Speaker, the record of this government over the last year, year and a half in terms of having to face the very difficult situation of informing some employees that their services are no longer required – that's a traumatic time for anybody. That's why this government has been noticed and remarked on favourably right across the country in terms of what it offers to people in such a situation, whether it be a voluntary severance agreement, whether it be severance packages, whether it be assistance in a work force adjustment situation to locate new work. Other jurisdictions actually have been looking at the model in which we have in as humane a manner as possible cared for employees whose services may no longer be required. It's not an easy time for an individual to be informed of that, and within all of that context over this last year and a half when the government has been reducing the size of the public service, it's still noted, Stats Canada figures, very clearly that there's been a net increase in jobs in the province. So it's not an easy situation, but people are managing it.

2:20

MR. DEPUTY SPEAKER: Okay. Final supplemental, Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. I don't need to go and ask across the country. All I need to do is ask some of the workers here.

My next question is to the Minister of Justice. Given that the government has voted down whistle-blowers legislation, what will the Minister of Justice do to ensure that political affiliation is not a cause for dismissal?

MR. ROSTAD: Mr. Speaker, it isn't a cause for dismissal. That may be an allegation that the hon. member wishes to make, and I don't know the instances of this particular job, but it's certainly not a government position that you cannot belong to any other political affiliation.

MR. DEPUTY SPEAKER: The hon. Member for Calgary-Cross.

Immunization of Health Care Workers

MRS. FRITZ: Thank you, Mr. Speaker. Ten years ago policies and procedures were developed for hospital staff that protected them from hepatitis B. These were staff members that worked in high-risk areas. As you know, the disease is contracted through blood and body fluids and can be fatal. I understand there's a concern for Albertans that hepatitis B is on the increase and that protection through immunization should be investigated. So my question today is to the Minister of Health. What is the present rate of hepatitis B infection in Alberta, and is it a problem?

MRS. McCLELLAN: Mr. Speaker, hepatitis B indeed is a serious disease. The incidence in Alberta is in fact dropping. Our latest statistics: in 1992 there were 154 cases; in 1993 there were 132 cases. The level in Alberta has been relatively stable over the last few years. However, we are continuing to monitor this because of the seriousness of the disease.

MR. DEPUTY SPEAKER: First supplemental, Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. A further question to the minister. I understand that Ontario has recently announced a provincewide immunization program for grade 7 students for hep B. Is Alberta considering the same policy?

MRS. McCLELLAN: Mr. Speaker, we are looking at our immunization programs, and we are discussing with our communicable disease experts this very issue. I rely on their expert advice, and we will continue to monitor the situation and certainly observe what is occurring in other parts of the province. British Columbia instituted a program I believe in 1992, and Ontario is introducing this program now. We have a policy and have had for some time in this province of ensuring that high-risk persons are immunized, or we recommend strongly that they be. We will continue to rely on the expert advice of our communicable disease experts.

MR. DEPUTY SPEAKER: Supplemental, Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. In regards to occupational risk, I understand from the College of Physicians and Surgeons that they recommend immunization of all health care workers, not just those that are in high-risk areas. My question is: what are you doing to ensure that health care workers are immunized to avoid risk not only to themselves but to their patients?

MRS. McCLELLAN: Mr. Speaker, national advisory committees both in the U.S. and in Canada do recommend immunization of workers. We strongly recommend that in this province as well. I think we have to pay attention to ensuring that those of high risk are protected. We encourage this in all areas. However, I would not want Albertans to be unduly concerned. I do believe it's important that they do take a personal responsibility and ensure that they are protected if they're in that category. We expect our institutions also to take responsibility for their workers.

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

Child Welfare Contracts

MS HANSON: Thank you, Mr. Speaker. We continue to hear disturbing information over the in-home support program awarded in the northeast region by Family and Social Services. Yesterday the minister announced a new process in place detailing when the deputy and the minister need to give approval for contracts. The minister also tried to slough off the whole issue by claiming that Keith Tredger's company is paid only on an hourly basis for every service required. According to the minister if the individual does not work, then there is no money involved. Mr. Minister, if that is true, why did Keith Tredger get a \$450,000 start-up fee to begin the agency? Was this a signing bonus?

MR. CARDINAL: Mr. Speaker, I'd just like to indicate I guess for about the third time in the last week or so that this is, number one, a pilot project, part of the three-year reform of welfare programs in Alberta. In order for us to develop innovative programs that provide a service to our clientele out there, we need to make sure that we have continued involvement in the process until we are sure that this is the type of program that is needed out there for the clientele. That is exactly why we have it set up that way. I indicated yesterday to this House and to this member that we have over 500 agency contracts. Most are for nonprofit, but some of those contracts are for profit also. The approval process as of yesterday has changed. Any contracts greater than \$500,000 the deputy minister has to approve and in turn consults with the minister prior to the approval process.

MS HANSON: A \$450,000 signing bonus. Why would you give out this kind of start-up money when all you have done is hand the entire in-home support program including staff and clients over to Keith Tredger?

MR. CARDINAL: Mr. Speaker, this is not the entire program that my department handles in relation to home support and various other programs in relation to family needs. I have 150 agencies. In the Edmonton area alone we spent \$500 million on various forms of programs to the clientele. This program is no different than the other contracts. In fact, over a year ago, February '93, I asked the Liberals to assist us in designing – we hoped to put the welfare reforms in place – how we would run these programs and design these programs. I'm still waiting for their plan. A year and a half later they haven't come up with a plan.

MS HANSON: Mr. Minister, your answer has nothing to do with the signing bonus.

Would you table the contract in the House so that Albertans can have a good look at this sweet deal? [interjections]

MR. CARDINAL: Mr. Speaker, I welcome the hon. member in fact to come and sit down and meet with me, with the contractor in northeastern Alberta where the contract is being held. In fact, I offered a member a tour of the project so they can learn why these projects are designed the way they are and how and why we continue to involve ourselves. [interjections]

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: Hon. members are reminded that continuous shouting will not motivate a minister to do what the minister is inclined not to do, although it does sound well.

We have now Calgary-Mountain View.

Equalization Payments

MR. HLADY: Thank you, Mr. Speaker. The federal government has to this point shown no leadership in being fiscally responsible by continuing to plan on deficit spending. Albertans are concerned that when we balance our books, the federal Liberals will try to balance their budget on the backs of Albertans again. Will the Provincial Treasurer make it well known publicly how much extra Albertans pay over other Canadians in the form of equalization payments already?

2:30

MR. DINNING: Well, Mr. Speaker, I share the hon. member's concern about the Liberal policy, the fiscal and economic policy that could best be summed up in one word: mañana. It's too bad. I would want to point out to the hon. member, however, that while British Columbia and Alberta and Ontario residents contribute a large amount of income tax and corporate tax revenue to Ottawa, it isn't the provincial government of Alberta as such that contributes to the equalization payments. It is the citizens of this country, and in the most part B.C. and Alberta and Ontario are net contributors. While I share the hon. member's angst, I must remind him that this morning in Gimli, the four western premiers and two territorial leaders released a statement saying that they "strongly support the Equalization program as a vital component of the federal-provincial fiscal arrangements."

MR. HLADY: I think the program that we have here, Mr. Speaker, is leading to good things.

If the federal government's plan is to increase taxes in any form on Albertans, will the Provincial Treasurer consider plans for a complete tax collection in this province to ensure Albertans pay their fair share but are not penalized for doing the right thing, balancing our budget?

MR. DINNING: Mr. Speaker, from a prima facie point of view, at first glance, I'm not inclined to recommend to my colleagues in government or in the Legislature that we move to collecting our own taxes. But the hon. member makes a very valid point. If governments in this country are unable to attack the fiscal financial problem that we have, then we will be faced with the problem that we've been faced with for the last 10 weeks in this country where because the federal government was unable to grasp the issue and begin to slice away at the problem, we've seen interest rates rise by 200 basis points. The Conference Board said yesterday that because interest rates have grown by almost 2 percent, almost 200 basis points, in the last eight to 10 weeks, 25,000 jobs have been lost in this country. It's because of the mañana-type policy that those 25,000 jobs have been lost.

MR. DEPUTY SPEAKER: Final supplemental, Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I think that more and more we're seeing that it's up to this government to help create accountability in this country.

Will the Provincial Treasurer agree to cut equalization payments to Ottawa to the exact dollar that they reduce our transfer payments, if we ever run into this problem?

MR. DINNING: Well, Mr. Speaker, I must admit that we are concerned. While I've tried to provide the information with respect to equalization to the hon. member, the government of Alberta is not a net contributor, but where we are in receipt of federal transfers is to pay for health care, to pay for postsecondary education, and to pay for our welfare programs. What we've said to Ottawa is: clean up your own backyard first; clean up your government spending such that you restructure, you reduce, you downsize, you focus on what needs to be done before you start picking off provinces and the transfers you make to provinces. We're looking to Ottawa for that fiscal responsibility in their backyard, and then we will share some of the burden in reducing the cost of the federal government.

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

Maintenance Enforcement

MRS. SOETAERT: Thank you, Mr. Speaker. The most recent provincial maintenance enforcement statistics prove what we and thousands of single parents have known all along: the system of collecting child support payments is not working. My questions are to the hon. Minister of Justice. How do you plan on collecting the 22,572 cases in arrears which amounts to a whopping \$85 million being denied Alberta children?

MR. ROSTAD: Mr. Speaker, since the maintenance enforcement program started in 1986, there's been over \$300 million that has been collected on behalf of spouses and children. The hon. member has to realize that this is a collection agency, not a social agency that she thinks it should be. In fact, when people have not been able to get the money and are in dire circumstances, they are helped by the government. The hon. Minister of Family and Social Services has numerous clients who are on this. In fact, the Bill before the House has components that are going to be more ammunition for collecting more money. We'll end up doing that, as long as the filibuster on the Act stops.

MRS. SOETAERT: What are you going to do to stop the disturbing trend where the number of files in arrears has increased 31 percent in the last three years alone? It's just getting worse.

MR. ROSTAD: Mr. Speaker, the easy answer would be to say: yes, pass the Bill and it gives us more ammunition. What we do need is absolutely more responsibility in the entire province for the people who have a court order that says they shall pay. We are looking for more ammunition to in fact pursue those people and collect more money.

MRS. SOETAERT: Well, then, why don't you encourage the courts to enforce all the penalty provisions in the Act rather than

putting forward a Bill that just threatens to take away drivers' licences? This is a bigger problem, and that's not addressing it.

MR. ROSTAD: Mr. Speaker, I've been looking forward to many, many of the recommendations of the hon. member, but if you would care to peruse *Hansard* and listen to the diatribe that came without concrete examples of how to improve this Act – and I welcome them to continue with concrete improvements to the Act.

Mr. Speaker, the actions before the court are not by the government. The actions before the court are by the two parties to the marriage dispute, and they put forward their equivalent positions. The court will in fact from that information make that order. Once that order is there, then we take it upon our duty to try and collect that money when it goes into arrears. If there's another dispute in terms of whether a person doesn't have enough money or does have enough money, that is again up to the parties to go back to court and get that changed. We will continue and with the passage of this Bill have more ammunition to in fact collect more money for those who need it.

Point of Order

Length of Question Period

MR. MITCHELL: Point of order, Mr. Speaker.

MR. DEPUTY SPEAKER: No. Not during question period. The custom is after question period. Thank you.

SOME HON. MEMBERS: Question period's expired.

MR. DEPUTY SPEAKER: Okay. Question period has now expired.

MR. MITCHELL: My point of order is about the length of question period. Question period has been diminished by three minutes. Nowhere in the Standing Orders does it say that a three-minute adjournment comes out of question period. We still have three minutes left in question period.

MR. DEPUTY SPEAKER: The hon. member has raised the question as to the length of time. The Chair would ask the Table whether or not that three minutes – was the clock stopped? [interjection] Okay.

MR. DAY: On the point of order, Mr. Speaker, Standing Orders are very clear. It says that question period shall not be more than 50 minutes.

MR. DEPUTY SPEAKER: Order. If you'll bear with us a moment.

Hon. members, as the Government House Leader has indicated, "not more than" is part of the decision. *Erskine May 250* indicates very clearly that the Speaker may suspend question period for cause. This certainly would seem to be reasonable under those circumstances.

The Chair would also like to apologize for not hearing the bell, which is, I guess, proof positive that either the noise level is too high, which is probably true, but also that it emits a noise on a frequency that my ears unaided have not been able to pick up.

Having said that, if the Clerk would call the next order of business.

CLERK: Members' Statements.

MR. DEPUTY SPEAKER: I wonder, before we begin Members' Statements, if we could get unanimous consent to revert to Introduction of Guests. All those in favour, please say aye.

HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Those opposed, please say no.
The hon. Minister of Family and Social Services.

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

2:40

MR. CARDINAL: Thank you very much, Mr. Speaker. It is my pleasure today to introduce to you and through you to the Assembly a group of students and parent-teachers from the Athabasca Home School Association. They are seated in the members' gallery, and I'd ask them to rise and receive the traditional warm welcome of the Assembly.

MR. DEPUTY 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 members of the Assembly a visitor to our province from Germany, Mr. Gangalf Zeller. He's accompanied by a good friend of many Members of the Leg. Assembly, Mr. Ralph Haeckel, a longtime community volunteer. They're in the public gallery, if they could rise and receive the warm welcome.

head: **Members' Statements**

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

Armed Forces

MR. DUNFORD: Thank you, Mr. Speaker. Last night I attended the combined annual mess dinner of the 742 and 745 communications squadrons. It was indeed a pleasure and a real honour to represent Premier Ralph Klein and the government of Alberta at this formal dinner. This was the first opportunity that I had to attend such a function, and the festivities were very new and exciting to me. I have to confess to a great deal of pride during the part of the program that is titled Marches for a Mess Dinner, when the band played the particular battle songs, I guess you would say, of each of the different units, how the servicemen and women stood at attention when their battle song was being played. I want to reiterate the pride that I felt at that time.

After my talk I stayed to of course be involved in the fellowship, and there were two issues that were raised last night that I felt were worthy of bringing to the attention of the House and of course to the people of Alberta. The first one was regarding base closures. There is a general feeling, I believe, amongst the military that in the closure of bases there is a potential positive and that is so more dollars can be directed toward good training and having a well-equipped service. The problem, however, is that some of those dollars might be getting spent as they're moving people around the province. But the big issue is that there has to be a public debate regarding the mission and the mandate of the military. If we want peacekeepers, we have to have strong armies, because that is the best peacekeeper, and if we want that, then we're going to have to pay for it.

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

Freedom of Information Legislation

MR. DICKSON: Thanks very much, Mr. Speaker. On June 15 many new MLAs were elected to this Chamber, and certainly members of this caucus were anxious when they came to the Legislature to do what they could to make government more accessible and more accountable, more open. I genuinely believe that many government members came with exactly the same motivation. Indeed, there were some early promising signs. What we saw: the Premier created an all-party panel on freedom of information. I think each one of the members of that panel from both sides were proud that we came up with a set of recommendations for a powerful new freedom of information law.

Mr. Speaker, I regret to report that somewhere between June of 1993 and May of 1994 as a Legislature we seem to have lost some of that initial momentum. Bill 18, to my regret, appears to have got stalled somewhere in the government caucus for a long number of weeks. We'd done everything we could as a responsible opposition in terms of advising the government some three weeks ago of the amendments that we thought were required to ensure that the Bill ultimately corresponded with the recommendations. We went short in terms of speaking briefly at second reading so that the Bill could come in, and we've encouraged the government to bring it in and expedite that Bill. We still continue to take that position.

This week government members voted to defeat the Whistleblower Protection Act. Only five government members, Mr. Speaker, voted to support the principles of the Bill. What were the principles? Well, firstly, if there was serious government wrongdoing, employees of government or government contractors could speak out against it. I think Albertans still want that kind of disclosure.

Thank you.

MR. DEPUTY SPEAKER: The hon. Member for Vegreville-Viking.

Agricultural Industry

MR. STELMACH: Thank you, Mr. Speaker. Alberta has one of the world's most productive agricultural economies. With less than 10 percent of Canada's population Alberta accounts for 21 percent of the value of total Canadian agricultural output. We produce one-quarter of the wheat and one-third of the canola in Canada. More impressive is the fact that we produce over half of the barley and oat crops in the entire country. As well, we account for about two-thirds of Canada's fed cattle production. In 1993 Alberta's farm cash receipts totaled \$4.92 billion.

Mr. Speaker, Alberta farmers are doing their part in balancing the provincial budget. Elimination of incentive quota programs such as the national tripartite stabilization, the Alberta Crow benefit offset, and the Alberta farm fuel distribution allowance have delivered savings of \$93 million to the provincial coffers. Despite the reduced direct support to agricultural industries, farm net cash receipts are far exceeding the 10-year provincial average.

Value adding or processing is the path to a prosperous future for agriculture. Alberta's agrifood processing base has grown to become an integral part of the Alberta farming economy and overall economic life. Revenues from the food and beverage industries at \$5.3 billion are higher than any other group of

industries, and that, Mr. Speaker, including petrochemicals. Often processing plants are located in or near urban communities, providing these communities direct benefits from adding value to Alberta's primary products. Value-added products create jobs in processing, manufacturing, marketing, and transportation, employing over 105,000 Albertans or one out of every three jobs.

Because of the commitment and success of Alberta's farmers and processors agriculture is Alberta's future, not its past.

Projected Government Business

MR. MITCHELL: Under Standing Order 7(5) I'd just like to request of the Government House Leader what he estimates business to be next week.

MR. DAY: Mr. Speaker, as we indicated last week, when we're at this point of the session where there are a number of Bills at all stages, we'll be looking at Bills in the committee stage and second reading and third reading. I'll be continuing to work on a daily basis with the Opposition House Leader to inform him as clearly as possible on which Bills per day we will be attempting to bring forward.

MR. DEPUTY SPEAKER: Thank you.

Now we have points of order. We had a number of points of order. First of all, I'll call on Bow Valley.

Point of Order Factual Accuracy

DR. OBERG: Thank you, Mr. Speaker. I rise under *Beauchesne* 317. Earlier on this afternoon the Member for Edmonton-Centre tabled a document that alleged that the Cypress school division was protesting the education funding with regards to Bill 19. I'd like to bring a couple of points on this.

First of all, the document is stamped clearly on the top "Nov 23 1993," which was before Bill 19 was even thought about.

Second of all, Mr. Speaker, the person's name which is on the top is a Dr. George Penrose, who is a colleague and friend of mine but unfortunately not a resident of Cypress school division. He is a Liberal organizer in the town of Redcliff, which is not in the Cypress school division.

2:50

The points which I must bring forward, Mr. Speaker, and if I may quote from this document:

If our society is spending twenty per cent more than it earns and the people decide that education must cut its expenditures by twenty per cent, then we will do so.

Mr. Speaker, since November 23 I have met with the Cypress school division five to six times, and they have been the leaders in board amalgamation. Earlier on today when this was tabled, it was with the insinuation that Cypress school division was against Bill 19. I have had numerous conversations with them, and this definitely is not so.

MR. DEPUTY SPEAKER: Hon. Member for Bow Valley, you're referring to a document filed by Edmonton-Centre. Inasmuch as it's awkward for the Member for Edmonton-Centre to reply to that comment, I wonder if we can refer to this on Tuesday when we meet again.

DR. OBERG: Yes, Mr. Speaker.

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

MR. DEPUTY SPEAKER: We had a second point of order. Edmonton-Mayfield.

MR. WHITE: Thank you, Mr. Speaker. I rise under *Beauchesne* 410(5), 418, 419, and 420. *Beauchesne* 410(5): "The primary purpose of the Question Period," and I quote, "is the seeking of information and calling the Government to account." In relation to that, the Member for Calgary-North West asked a question of the government and in fact asked for the information to come from the minister without portfolio. Well, in fact there may or may not be that person, but if you read 418 – this is as late as 1986 – and I quote:

The Speaker has stated, "Hon. Members may not realize it but questions are actually put to the Government. The Government decides who will answer."

If you go on, in 419 it's clear that the Prime Minister, in this case the leader in the House, can in fact delegate that responsibility. At 420 the Speaker even goes so far as to say that the member cannot insist there be an answer. In fact, for that particular question there didn't seem to be an answer, because there was a blank on the side of the government for whatever reason, that this member is not allowed to speculate. Sir, the advice of the Chair was in my view in error and in fact denied the final supplemental on the matter.

MR. DEPUTY SPEAKER: Hon. member, "The advice of the Chair was . . . in error" is a challenge to the Chair. Do you wish to reflect upon that comment?

MR. WHITE: Yes, sir. I'd like to . . .

MR. DEPUTY SPEAKER: Reflect?

MR. WHITE: Yes, sir. I'd like to reflect and in fact withdraw that statement. The advice was perhaps not given at the correct time or perhaps a little clarification is required. Unfortunately, the Speaker is unable – well, I can't say that either. The principle is . . . [interjections]

MR. DEPUTY SPEAKER: Order. Let the member state his point of order. Thank you.

MR. WHITE: In fact, sir, I would like clarification of the matter and some further statements, if it's possible, an explanation of what the Speaker meant by in fact cutting off the final supplementary of the matter. So I'd like some explanation, sir. Thank you.

MR. DAY: Well, rising on the no point of order, Mr. Speaker, the member opposite obviously was not listening. He was obviously not listening. The member opposite just stood in his place and said that his colleague stood and said: minister without portfolio. His colleague did not say that. I don't know if the Member for Edmonton-Mayfield was sleeping or had cups over his ears or whatever, but it was very clear. The Member for Calgary-North West stood and said: to "the minister without purpose." There is no minister here without purpose. Every minister here has a single-minded purpose: to serve the people of Alberta. There is no minister without purpose. If the Member for Calgary-North West had said something a little different, there may have been a response, but he said, "The minister without purpose." This man here for Edmonton-Mayfield was not

listening. He should have been. Someone will have to splash a little coffee on him next time to keep him awake in question period. There's no point of order whatsoever.

MR. DEPUTY SPEAKER: Well, there are several points to be covered here. First of all, the Chair would observe that there are some courtesies and customs that are to be upheld in the House: that we call each other by our proper titles, that habitual misnaming of a person, their constituency, or their title is not a useful tactic. In fact, it's an insulting tactic. The point is, hon. Member for Edmonton-Mayfield, that the government does not have to answer at all, and if you consult further with your book, *Beauchesne* 416, 420, it is not in order to comment upon a refusal to answer, again *Beauchesne* 416.

However, I think there are some other points to be made here. When in fact no minister was identified, that is a long-held courtesy of the House. It may not be mandatory, because sometimes it's obvious from the question. If you're asking a question perhaps to do with health and you use the word frequently in the preamble and in the question, it may be obvious. Nevertheless, it is a courtesy. There was no one to whom the question was put. Again then, and as the hon. Government House Leader has indicated, when the minister was identified, there was no such minister in the House, so no one could possibly answer that question. The Chair therefore did not see fit to allow that kind of question to stand.

The next point of order was the point of order raised by Redwater.

Point of Order**Factual Accuracy**

MR. N. TAYLOR: Thank you, Mr. Speaker, and before I start, I find trouble with that same hearing frequency too. I think it was made for dogs and new MLAs. So I think that in your job now as Deputy Speaker you could get a new type of bell that could come through.

This is under *Beauchesne* 495 and the question to the Treasurer by Calgary-Mountain View, where he gave a nice soft question, opened the gate, and the Treasurer true to fashion put his tail over his back and went dashing down the pasture quoting from the Conference Board of Canada. He left out a little bit of the quote, because the Conference Board of Canada in fact reduced Alberta's gross national product from 3.3 percent to 3 percent, which is a reduction of 11 percent, which is lower than the national average. It says: I think we're taking into account the downside risk due to the fiscal restraint of the provincial government. In other words, your policy is causing unemployment and depression.

MR. DEPUTY SPEAKER: The hon. Provincial Treasurer on this point of order.

MR. DINNING: On the point of order referring to documents cited, Mr. Speaker, 495. The hon. member is absolutely right that the Conference Board of Canada said that our estimated GDP growth had dropped from 3.3 to 3 percent. In our own Budget Address we acknowledged that our estimated growth this year would be 2.8 percent. So interestingly enough, the Conference Board thinks we're going to grow even faster than we said.

MR. DEPUTY SPEAKER: Order. I'm reluctant to interrupt the Acting Premier and Provincial Treasurer, but in fact there is no point of order. It appears to be getting into a point of debate,

which set of statistics and how you read them and that kind of thing. There may be other avenues.

It seemed to me there was one other point of order, but perhaps that was the one that . . .

MR. MITCHELL: I have one.

MR. DEPUTY SPEAKER: Okay; good.

**Point of Order
Length of Question Period**

MR. MITCHELL: Mr. Speaker, I would simply ask under Standing Order 13 for a detailed analysis – and I don't need it today; in fact, I would encourage some further consideration – of the issue of taking three minutes or whatever the Speaker might decide to take out of question period. My fear is this: that, one, Standing Order 7(1) has been misinterpreted. That is to say that question period cannot be longer than 50 minutes, but the reason it would be shorter than 50 minutes isn't some arbitrary decision. Rather it would be that there wouldn't be people left to ask questions. That, of course, has never happened in my experience in the House. So I would say that we have to be very careful how that's interpreted.

3:00

Secondly, you can see that there is a dangerous precedent set for a government that's beset by effective, aggressive, embarrassing questioning. They could simply create unruly behaviour amongst their members and provoke the Speaker into suspending question period. It could, of course, in the most extreme cases, in dangerous cases, become a situation where governments who were in difficult times, who were being held accountable by effective questioning would simply shut question period down by their own unruly behaviour. That, of course, is not contemplated by *Erskine May* 250, and it certainly isn't contemplated by Standing Order 7(1).

I would simply ask that the Speaker reflect upon those considerations before we entrench a precedent here which would be damaging to the democratic process.

MR. DEPUTY SPEAKER: The hon. Minister of Municipal Affairs on this point of order?

DR. WEST: Yes, to this point of order. I've been in this House eight years. During that time I think that if I look back – and perhaps you're reflecting on this point of order – we've seen the House adjourn during question period about three times. Each time the Speaker has to make a judgment call, and each time during those times the time that was allotted to the suspension came off of question period. This isn't a precedent at this time. This is a matter of House tradition that has been honoured here for years. It hasn't been used very much, and I would just say that what's going on here right now is a frivolous waste of the time of this House through a point of order that comes up rarely and has been dealt with before and is not a precedent.

MR. DEPUTY SPEAKER: The Chair would agree that this is an important point.

The hon. Member for Edmonton-Rutherford wishes to add to the point of order?

MR. WICKMAN: Yes, I did, Mr. Speaker. I beg to differ with the Member for Vermilion-Lloydminster.

MR. DEPUTY SPEAKER: Stick to the point of order rather than entering into a debate, hon. member.

MR. WICKMAN: Mr. Speaker, I can recall that in the last session on one occasion, on a Friday when the House got fairly noisy, somewhat out of control, the House did adjourn for 15 minutes. At that particular time, because I do time question period, I can recall very, very distinctly that the 15 minutes were added to the end of that question period. Instead of 45 minutes, that we had at that time, we had a question period that went for an hour. I've always visualized those types of adjournments, that haven't happened on that many occasions, as sort of a cooling-off period.

The member that spoke, our House leader, made a very, very valid point when he said that it leaves a great opening for intentional abuse on the part of government members, who don't have any real advantage to even having a question period, at our particular expense. Question period traditionally has been there as a tool for opposition to hold government accountable. So it's our loss every time we lose periods of time from question period.

I would hope that you would reflect on this one, Mr. Speaker, and reflect on it very, very carefully.

MR. DEPUTY SPEAKER: The Chair would take some of the advice. To the last member speaking, I would think that the government members who are not in cabinet would feel that it's equally their time as well. So that's something for consideration.

Having listened to the advice of both sides of the House, I think I will take the advice of the hon. Member for Edmonton-McClung, when he suggested that we defer this so that we might better look at it and do a proper, diligent contemplation of all of the references that we can get to.

head: **Orders of the Day**

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

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

[Mr. Tannas in the Chair]

MR. CHAIRMAN: Call the committee to order. [interjections] Order. Hon. members, order. [interjections] Order.

**Point of Order
Parliamentary Language**

MRS. HEWES: Did you hear that, Mr. Chairman? A point of order, sir, on 23(i).

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

MRS. HEWES: I understood the hon. Government House Leader in my hearing and yours too, sir, yelled at a member in the Liberal caucus, the Member for Edmonton-Glenora, and called him a coward. I would respectfully request that you ask him to withdraw the comment immediately.

MR. CHAIRMAN: Do we have anyone who wishes to respond to that point of order? In any event, the hon. member has

withdrawn from the Chamber, and when he returns we could perhaps raise the point again.

MRS. HEWES: Thank you, sir.

3:10

Bill 18
Freedom of Information
and Protection of Privacy Act

MR. CHAIRMAN: We have a series of amendments, and I believe we're on the fourth amendment, as proposed by the hon. Member for Calgary-Buffalo, called A-4.

Calgary-Buffalo.

MR. DICKSON: Thanks very much, Mr. Chairman. Just before turning to the specific subamendments, I want to spend a moment and indicate to all members that I'm going to make some representations on behalf of the opposition caucus. We had notice only this morning that Bill 18 would be in committee, but we're prepared to introduce a set of amendments this afternoon. We're prepared to keep our amendments down to one speaker for the opposition on many of these amendments. We're prepared to have the amendments come to a vote. We're prepared to vote on the subamendments and on the package of amendments introduced by the government on May 5.

I just wanted to indicate that we're anxious to complete committee stage of Bill 18. We're prepared to do it this afternoon, and the debate will be kept brief. Part of the reason for that, Mr. Chairman, is that Bill 18 was introduced a long time ago; it was introduced immediately before the Easter break on April 18. Again, on April 26 I submitted to the Member for Rocky Mountain House a set of amendments that the opposition wanted to see incorporated into the Bill. These were amendments to make the Bill consistent, congruent with the recommendations from the all-party panel. We've indicated to the Member for Rocky Mountain House that we're prepared to sit and discuss them or whatever, and we've been waiting for some time for a response. I haven't had an opportunity, and I haven't heard from the Member for Rocky Mountain House about this. I understood he was trying to get some approval or direction from his government caucus.

In any event, we're here now. I'm prepared to move that we vote on the four subamendments. Once we deal with that, I propose that we move immediately to the volume of amendments that were introduced by the government. All members have had ample time to review them. The Member for Rocky Mountain House has, I understand, briefed his caucus on them. This opposition caucus is familiar with the amendments. I think there's absolutely no reason, sir, why we can't conclude the committee stage on Bill 18 this afternoon, and I think with the co-operation of members we can do it in very short order.

So, Mr. Chairman, we'd be anxious that we proceed right away on that basis, if that's acceptable to members.

MR. CHAIRMAN: Okay. I missed the part on what you wish to do with the subamendments.

MR. DICKSON: What I propose is that we vote immediately on the four subamendments and in fact call the question. They were introduced as a block, and I think we're prepared to see the vote on the four subamendments collectively, in the aggregate, if that's satisfactory, so we can save time.

MR. LUND: Well, Mr. Chairman, I am prepared to recommend to the House that one of the subamendments be approved. If the hon. member wishes to go through singly, it won't take much time, and we could accomplish that.

MR. DICKSON: I'm delighted to hear that co-operation from the Member for Rocky Mountain House, and I'd like to then follow his suggestion and suggest that we deal with each of the four subamendments singly.

MR. CHAIRMAN: All right. If the Chair is understanding, we're now ready to . . .

The hon. Member for Calgary-Buffalo.

MR. DICKSON: Mr. Chairman, I'm not trying to make things more difficult, but if the hon. Member for Rocky Mountain House would indicate which of the four subamendments is accepted by the government, then we'd know exactly where we are in the scheme of things.

MR. CHAIRMAN: The hon. Member for Rocky Mountain House.

MR. LUND: Thank you, Mr. Chairman. The subamendments were introduced and numbered 1, 2, 3, 4. It's number 3 that I'd be prepared to recommend to this Assembly that we accept. That's the one dealing with the amendment to section 51(1)(a), by striking out clause (i) and substituting "any other enactment of Alberta."

MR. CHAIRMAN: Right. We have, then, for consideration the four votes. We're looking at the subamendment as proposed by the Member for Calgary-Buffalo, subamendment A-1, which is amending section 1(2).

[Motion on amendment lost]

MR. CHAIRMAN: We are now to consider on Bill 18 the subamendment, again proposed by the hon. Member for Calgary-Buffalo, known as A-2, the amendment to section 20(1)(a)(ii).

[Motion on amendment lost]

MR. CHAIRMAN: We now have under consideration the amendment known as A-3, that Rocky Mountain House has indicated he supports. This is the subamendment, moved by the hon. Member for Calgary-Buffalo, to section 51(1)(a).

[Motion on amendment carried]

MR. CHAIRMAN: We now have under consideration the fourth subamendment in the series, A-4, moved by the hon. Member for Calgary-Buffalo, amending section 87(2).

[Motion on amendment lost]

MR. CHAIRMAN: The hon. Member for Rocky Mountain House on the amendments as presented.

MR. LUND: Yes, Mr. Chairman. If I understand the process, we're going to vote on all of these at once.

SOME HON. MEMBERS: Sure.

MR. LUND: Okay. Thank you.

MR. CHAIRMAN: We have before us a series of amendments known plainly as A-1. It's a four-page document that has been moved by the hon. Member for Rocky Mountain House and subamended by the hon. Member for Calgary-Buffalo.

[Motion on amendments carried]

**Point of Order
Parliamentary Language**

MRS. HEWES: With respect, sir, is now the time to deal with my point of order?

3:20

MR. CHAIRMAN: All right. Yes.

MRS. HEWES: Mr. Chairman, just to reiterate, I raised a point of order under 23(j). When the hon. Government House Leader was leaving the House, he was heard very clearly to comment, saying it a number of times, coward, coward, coward to the hon. Member for Edmonton-Glenora. I would ask you, sir, to request that he withdraw such abusive language.

MR. DAY: Mr. Chairman, I did indeed use that terminology. It was entirely wrong for me to do that, and it was offensive to the proprieties of this House. I regret that I used the term, and I withdraw it.

MR. CHAIRMAN: Thank you, hon. member.

The hon. Member for Edmonton-Glenora wishes to speak on this matter.

MR. SAPERS: Yes. Thank you, Mr. Chairman. In the exchange of debate members on both sides of the House often say things that they normally wouldn't utter in civil conversation. I certainly appreciate the hon. Government House Leader withdrawing his remarks. I, too, withdraw any remarks which he many have found to be provocative earlier this afternoon.

MR. CHAIRMAN: The Chair thanks both members for recognizing that their comments may have been inappropriate and would take the opportunity to indicate that it would be appreciated if members would remember that in speaking in the House we have one at a time, and it's when they're standing in their place as opposed to when they're moving about or standing in some other place.

Thank you, hon. members.

Debate Continued

MR. CHAIRMAN: I think we need to have this matter requested for report.

The hon. Member for Calgary-Buffalo. Now we are on the Bill.

MR. DICKSON: No. Mr. Chairman, with respect, what I had indicated last time and again a few moments ago is that once we dealt with the subamendments, once we dealt with the package of amendments introduced by my friend from Rocky Mountain House, I had a series of, I think, nine additional amendments. So I wanted to deal with those. I wonder; I may have a colleague or two that wanted to make some observations at this point, and while another member's speaking, I can organize the amendments

in the way that we can economize on the valuable time of the Chamber this afternoon.

MR. CHAIRMAN: Okay. The only caveat I would put on that is that having spoken, we can't direct from our seats who will speak next. That's in another domain. While the organization is occurring, getting these further amendments out to us, are there any hon. members who wish to speak further on the Bill?

MR. DAY: Well, Mr. Chairman, I appreciate there's already been some debate on this, some subamendments. The Member for Rocky Mountain House has in fact agreed with one of the subamendments by the Member for Calgary-Buffalo and seen that as an improvement to the Bill. The Member for Calgary-Buffalo is appearing to want to get some things organized. In the interests of time and the ability to come back to this, I would now move that we adjourn debate on Bill 18.

MR. CHAIRMAN: All right.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Yeah. Mr. Chairman, I'm not sure . . .

MR. COLLINGWOOD: It's not a debatable motion.

MR. SAPERS: It's not a debatable motion? Is the effect of the Government House . . .

MR. CHAIRMAN: If we can just check that out. You're asking if it's a debatable motion?

MR. SAPERS: No. I'd like to enter the debate on the subamendments on Bill 18 at this point. I was standing at the same time the Government House Leader was.

MR. CHAIRMAN: The hon. Government House Leader has moved that the committee now adjourn debate on Bill 18. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: Carried. Call in the members.

[Several members rose calling for a division. The division bell was rung at 3:25 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Havelock	Pham
Burgener	Herard	Renner
Calahasen	Hierath	Rostad
Cardinal	Hlady	Severtson
Clegg	Jacques	Smith
Coutts	Jonson	Sohal
Day	Lund	Stelmach
Dinning	Magnus	Taylor, L.
Doerksen	Mar	Thurber

Fischer	McClellan	Trynchy
Friedel	Mirosh	West
Fritz	Oberg	Woloshyn
Haley		

Against the motion:

Beniuk	Hewes	Taylor, N.
Bruseker	Kirkland	Van Binsbergen
Chadi	Leibovici	Vasseur
Collingwood	Percy	White
Decore	Sapers	Wickman
Dickson	Sekulic	Yankowsky
Hanson	Soetaert	Zwozdesky
Henry		

Totals:	For - 37	Against - 22
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[Motion carried]

**Bill 20
Regional Health Authorities Act**

MR. CHAIRMAN: The hon. Member for Rocky Mountain House.

MR. LUND: Thank you, Mr. Chairman. I want to introduce a number of amendments today. They are very extensive, but we've had Bill 20 out in the public for quite some time now. We've been listening to what people have got to say about it, and we're trying to clarify a number of the issues that were raised relative to Bill 20, and we've added a few things that people have asked for. Since they are very lengthy, what I propose to do is just basically go through the whole package, and then we will come back.

MR. CHAIRMAN: Hon. members, everyone has . . .

HON. MEMBERS: Yes.

MR. CHAIRMAN: Good. All right.
Sorry, Rocky Mountain House.

3:40

MR. LUND: Well, thank you, Mr. Chairman. I'm going to just make some general comments rather than going through each section as they were introduced. Now, the first one I want to talk a bit about is the clarification of the responsibilities of the regional health authorities. This flowed out of a lot of comments we received from health units and the Health Unit Association. It's really to expand to include the promotion and protection of health, disease and injury prevention, and to provide services that respond to community needs. It clarifies that the regional health authorities have final authority in performing their duties subject to the Act and regulations. So we're going to be very specific where they do have the final authority.

Dealing, then, with the powers of the regional health authority. The one flag that was in the Bill that caused a lot of concern was the ability of a regional health authority to expropriate, so we have pulled that out of the Act. We're going to be much more explicit in what exactly a regional health authority can requisition for. The Bill currently says for capital, and we're going to lay out in regulation clearly what that means, what capital we're talking about. It's similar to what's currently in the Hospitals Act relative to requisitioning.

The area dealing with the health plan. The Auditor General has requested that the proposal for health plans must include information about the health services to be provided and the expected cost, so we are including that. We're also requiring that the regional health authorities will submit proposed amendments on a yearly basis to the minister.

Dealing with the meetings of the regional health authorities and the community health councils. We're going to clearly outline that there will be few exceptions where meetings can be held in private, and those will deal with issues that could be injurious to the authority or the community health council if they're acting as a corporation or of course on personal matters where they're dealing with personnel. So we need to protect that privacy.

Dealing with the audit requirements. We have clearly stated that the regional health authorities, subsidiary corporations of regional health authorities, and community health councils, if they're operating as a corporation, must have an auditor, and if the minister does not appoint the Auditor General to be that auditor, then in fact they will have to hire one.

The reports and returns. The regional health authorities will have to submit a report on an annual basis to the minister, and it must include all the subsidiaries, including the community health councils. It will have to include all of the financial statements, remuneration and benefits of members, officers, or senior staff, and other performance information. Those reports will have to be tabled in the Legislature, so they will be all made public.

Dealing with the municipalities' borrowing power to satisfy a requisition. Currently, of course, in the Municipal Government Act if in fact the municipality is going to borrow for those purposes, they have to advertise that, and the electorate can petition and require it to go to a vote. We are removing that requirement as it relates to the requisition from a regional health authority.

Dealing with agreements that the regional health authority can enter into. We're making sure that people see that, yes, they can enter into contracts with, for example, voluntary hospitals. If it's necessary for a regional health authority to enter into an agreement with another government or in fact with another regional authority, then the minister must approve that.

The Act did not allow for the establishment of a provincial health authority. If the government does decide that there is a need for like a provincial mental health board, then in fact we are going to allow that to happen through another provision in the legislation.

Dealing with the powers of inspection. We are making sure that the power is given in the legislation to allow an inspector to inspect any subsidiary health corporation or any health facility that is receiving funds through the regional health authorities.

We are making some changes dealing with the Lieutenant Governor in Council regulations. Some of these regulation powers that have been added are: the authorization or requirement for bylaws; allowance for new foundations to be established that would benefit specific facilities, making sure that people can see that in fact the existing foundations can continue; we are going to allow for regulations that would restrict the use of property or of assets that are transferred to regional health authorities from hospitals or health units. There was a lot of concern expressed about what would happen to land or dollars that might be held in a hospital and it was transferred to a regional health authority. We're going to make sure that that flows very cleanly. Also putting in a provision for penalties for offences.

There's a lot of verbiage in the amendments that I'm introducing today dealing with the winding-up provisions of the various hospitals and other facilities that we currently have in the province. This section would allow for or require agreements between regional health authorities and existing health authorities to wind up their affairs. Agreements of this nature would require ministerial approval, and also agreements would be required to contain any provision the minister considers necessary where agreements provided for compensation. For example, if the two municipally owned hospitals within the province were to get into an agreement with the regional health authority, then in fact that must have ministerial approval. If they cannot come up with a satisfactory arrangement for compensation, then there's the ability for an arbitration.

There is a whole host of consequential amendments. Really these amendments will require ministerial approval of certain financial commitments of hospitals and health units during the transitional period. You will find that there is a fair bit added in those sections, because people have pointed out where we weren't completely clear, and hopefully we have now satisfied that need. There also are consequential amendments dealing with the Public Service Employee Relations Act. If you study those closely and follow through them, you'll see that really what's happening there is that these amendments will transfer certain hospital staff governed by the Public Service Employee Relations Act to the Labour Relations Code. That's in a nutshell what is happening with all of that labour section in there.

With that, Mr. Chairman, I would suggest that perhaps since these are very extensive – I can appreciate that the members have just now received them and to really comment on them, they probably need some time. So with that, I would adjourn debate on Bill 20.

3:50

MR. CHAIRMAN: The hon. Member for Rocky Mountain House has moved that we now adjourn debate on the amendments that he has brought before us on Bill 20, the Regional Health Authorities Act. All those in favour of the adjournment, please say aye.

HON. MEMBERS: Aye.

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

Bill 18
Freedom of Information
and Protection of Privacy Act
(continued)

MR. DAY: Speaking to the Bill and possible amendments, it's too bad the way people react so quickly sometimes, Mr. Chairman, because in fact moments ago the Member for Calgary-Buffalo indicated that he wasn't ready with his amendments. Bill 18 has been available and out there for quite awhile, but still this side of the House is willing to give that consideration. He said that it was going to take a few minutes for him to get things distributed. To allow for that to happen and no time to be wasted, I moved that we adjourn debate to move to another Bill so that we could get back to this one, and that is in fact what has happened. It's too bad the members opposite reacted blindly and went with a standing vote, when what I had done was to do everything in our power to accommodate the fact that he was caught not quite ready. We're willing, because it's a very . . .

Point of Order
Relevance

MR. HENRY: Point of order, Mr. Chairman.

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

MR. HENRY: Relevance, 459. What does this have to do with the substance of Bill 18 that we're supposed to be debating?

MR. CHAIRMAN: *Beauchesne* 459 is the quotation for relevance.

Hon. Government House Leader, would you care to add your comments to the question of relevance?

MR. DAY: I'm being directly relevant to this Bill, to amendments that are forthcoming, as I have already indicated, to the adjourned debate. This is a hundred percent relevant. The member opposite doesn't like to hear. We have made special allowance and provision. That was the intent. Now that it's happened, just as I've said, it's regrettable that 10 minutes were wasted because the members opposite didn't either understand or want it to happen.

So I am looking to the Member for Calgary-Buffalo to continue the debate. I believe he's been given ample time. We're willing to give some time to look at that. We have responded to one subamendment already from the opposition, and we accommodated that. There may be more; I don't know.

On that point, I will take my seat.

MR. DICKSON: Mr. Chairman, there seems to be some misunderstanding. The indication I'd given to the House immediately before the adjournment and the standing vote was simply that to compress the time required to deal with all of the amendments, I was going to defer to one of the other members of my caucus who wanted to speak to this in committee. The amendments are here and ready to go, and I'm happy to deal with them. Just so we're clear, I hadn't sought an opportunity that debate be adjourned; it was simply a question of having another member who wished to speak address the House. I don't have an opportunity to monopolize the debate, and we had at least one member ready to speak. So the explanation proffered by the Government House Leader simply doesn't wash.

MR. CHAIRMAN: Further debate on this Bill? [interjections] Right. We're on the point of order of relevance. I had thought we were through that and obviously have lost track of where we're at.

The hon. Member for Sherwood Park.

MR. COLLINGWOOD: My apologies, Mr. Chairman. Are we on the point of order?

MR. CHAIRMAN: On the point of order.

MR. COLLINGWOOD: Thank you, Mr. Chairman.

Indeed, in terms of the explanation given by the hon. Government House Leader, there was in fact at least one member, Edmonton-Glenora, standing to speak to the Bill at that point in time. As is the situation with the Chair, the first one whom he sees standing to rise is recognized by the Chair. We had in fact members standing ready to speak to the Bill. Certainly, Mr. Chairman, there was absolutely no need to adjourn debate, and there was absolutely no need to waste the time of the Assembly

with an adjournment process simply to accommodate and allow for the distribution of amendments.

On that, Mr. Chairman, my submission would be that there was no point of order.

MR. CHAIRMAN: Thank you, hon. Member for Sherwood Park. I would agree with you. [interjections] Order. The hon. Member for Edmonton-Centre has offered us a point of order that has been carefully refuted by the hon. Member for Sherwood Park.

However, in the debate the Chair would say that one another saying who is wasting time is in fact exactly a self-fulfilling sort of exercise. To point out why we move from one side to the other, in normal debate when one member from one side sits down, you look to the other side. There was someone standing, even though, yes, there was a member there, but unlike in football, you're not allowed to hand off. It goes back to the Chair and the Chair moves forward.

We're still looking for someone who wishes to debate on this matter. We did have Calgary-Buffalo for a minute. Then we found no one here, so Edmonton-Glenora was standing when I observed first.

Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. We're all clear now.

Debate Continued

MR. SAPERS: Mr. Chairman, freedom of information goes hand in hand with freedom of speech, and it certainly is my pleasure to take the opportunity to talk in committee about the amendments that will be forthcoming and some of the amendments that have already been introduced.

One of the biggest problems that this Liberal caucus has with Bill 18 is once again the number of concerns that are left to be resolved by order in council. This government seems to be determined to govern by regulation, which of course is very unsatisfactory. We really expect something as fundamental as freedom of information and privacy to be dealt with in a very aboveboard, open manner. We would expect that the government would do everything in its power to ensure full and open debate about freedom of information. To do anything otherwise would be a contradiction that would be very hard to explain.

Now, the government amendments should limit the amount of regulation, but they don't really do that. The public has a right to be informed about not only the content of the amendments but the final form of the Bill, and one of the best ways, I submit, to inform the public is to have the debate flow and done in public. The subamendments that the Liberal caucus has put forward would help do that. They would help structure the regulations. They would help flesh out the Bill in a way that would truly reflect the intent of the all-party panel.

Now, in particular, I could draw the Assembly's attention to the issue of which institutions are covered by the Act. We could talk about the issue of paramountcy. We could talk about Executive Council discretion. The original Bill put forward by the government, Bill 1, was horribly flawed in regard to those three areas. The all-party panel heard concerns from Albertans in regard to those three areas and so many others.

[Mr. Clegg in the Chair]

We had hoped that Bill 18, of course, would address those three areas, but what we find is that section 1(p)(vii) of Bill 18 exempts

the offices of members or the Executive Council and fails to cover private contractors at all. Of course, there's a Liberal amendment that would address that. We note that Bill 18 does not make freedom of information legislation paramount but instead allows regulations to be crafted by some anonymous member of the civil service to overrule provisions of this Bill. Finally – finally, I say – I'll note, Mr. Chairman, that section 33(1)(a)(ii) and section 33(1)(f) are contrary to the panel's recommendations regarding Executive Council discretion. Section 33(2), in fact, also does not reflect the panel's recommendation at all in this regard. This concerns myself and my colleagues in the Liberal caucus.

I note that there are many other members that are anxious to enter the debate at this stage, Mr. Chairman, so for the time being I will take my seat.

Thank you.

4:00

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

MR. DICKSON: Mr. Chairman, thanks very much. What is now being circulated is a set of amendments. I propose to economize on the time of this Chamber to put in the block of amendments at one time. There are 18 of them in total. I just preface speaking to the amendments by advising all members that the 18 amendments that we're proposing to Bill 18 in effect reflect two things. They reflect an effort to ensure that Bill 18 is fully consistent – fully consistent – with the unanimous recommendations of the all-party panel. The second thing is that there are a number of interested groups, people who have different interests with freedom of information who have registered their concerns. They've indicated suggestions, and all of the suggestions are intended simply to achieve the objectives set out by the freedom of information panel and the principles set out at the beginning of Bill 18.

So what I propose to do – I think the copies have been distributed now – is very briefly go through each of the 18 amendments, give a brief explanation. I know that certainly for the caucus I'm part of, members are prepared to vote on them immediately, subject to whatever debate the government members may have. So I just say again that we're prepared and we're willing and we're ready to vote on the amendments and conclude the committee stage on Bill 18 straightaway.

Now, the first amendment – just going through the package everybody has – deals with section 3(a). All we wanted to do here is reflect a recommendation that the Member for Calgary-Shaw fought long and hard for with the all-party panel, which was to make sure that Bill 18 would replace any existing procedure for access to information unless that other provision in a different statute provided for broader disclosure, greater disclosure. So that's the first amendment.

The second amendment relates to an alternate means of dealing with destruction of documents. It's an attempt to incorporate some of the ideas that the province of British Columbia has in terms of destruction of documents and is for the most part self-explanatory.

The third amendment indicates that if there's conflict – the third amendment really makes Bill 18 supreme. It says that if there's conflict between freedom of information and any other legislation, this statute would prevail.

The fourth amendment is a clarification and simply indicates that there are some cases where records can be accessed without a fee, and it just acknowledges that in express wording.

The fifth amendment deals with non arm's length transactions with the province of Alberta Treasury Branches. It's an attempt, Mr. Chairman, to give some additional clarity to the non arm's length provision. To some extent it's been discussed before.

The next amendment deals with fleshing out 17(2) in a way that makes it clear.

The next amendment expressly adds "sexual preference" as one of the items of personal information that would be protected under the Act. I'd just take a moment and say here, Mr. Chairman, that it's been suggested by the hon. Minister of Justice that the government doesn't collect information about the sexual preference of Albertans. Well, I expect that wouldn't be the most important kind of information that the Department of Public Works, Supply and Services or the Provincial Treasurer would want to know, but certainly health records may have that information. It may be available through some of the other records in terms of personnel information and so on. I think it's important that the government say in a very specific way that this is a type of personal information that ought to uniquely be personal and not shared unless the individual Albertan wants to share it.

The next amendment takes out sections 87(1)(q) and (r). What we've got there is a provision that by regulation certain public bodies could be taken out of Bill 18, certain public bodies by regulation, not by a vote in this Chamber, not by a decision of the provincial Legislature, but simply by regulation. We suggest that that's not acceptable. Even more offensive, Mr. Chairman, is the provision at section 87(r) that "other Acts or regulations, or any provisions of them, [may] prevail despite this Act." Once again, if we believe this should be an Act that takes some priority, we think it's clear that this particular amendment should be included.

The next amendment would strike out section 3(e), which once again is a way of making sure that Bill 18 prevails over other legislation for prohibition, destruction of records.

The next amendment, to section 67(3), is that where there is a question about whether or not a transaction is a non arm's length transaction, the burden of proof would be borne by the province of Alberta Treasury Branches.

The next amendment simply provides – and this is one I think all members in this Assembly should and could be able to accept – that "an oral request may be made by a visually impaired person or a person who does not read or write the English language." In those cases that person wouldn't have to make a formal written application.

The next amendment is once again a basic element of fairness. If somebody goes in to look at a public directory to determine how to access information or make a request for information, in the public directory not only would it set out the kinds of records kept by each department but it would set out their destruction schedules. We think that's an important amendment as well.

The next amendment, Mr. Chairman, would be that there would be "no fee charged for research to determine whether the requested information is available."

The next amendment would make it clearer. This is to section 1(p)(ii), to add after "regulations." If you have for-profit contractors providing a service, like a motor vehicle registry office or something similar, that would be brought under Bill 18 and subject to it.

The next amendment to 3(b)(i) is simply to clean up the wording. I think it was sloppy drafting, and this simply makes it clearer by saying that it's records "deposited in the Provincial Archives," not the records of the Provincial Archives. I'd be

surprised if my friends from Rocky Mountain House or Calgary-Shaw would have a difficulty with that amendment.

4:10

The next one reduces the number of years from 50 years to 25 years in clause 15(3)(d).

Finally, this is in response to a request I've heard from people concerned about information being accessed. It simply provides, Mr. Chairman, that universities and colleges would have in their libraries – they would also be places where Albertans could go in and find a directory that had public information.

Now, Mr. Chairman, it's 10 minutes after 4. The House typically sits until 5:30. That is the sum of all 18 amendments that we're introducing on Bill 18. I think members should be inclined to vote not on the basis that they come from the Liberal opposition. I think in every one of the 18 instances these are amendments that are reasonable. They're defensible. They do two things. They make it easier for Albertans to get the information that the government told them, when the all-party panel was set up, they should be able to get. The second thing is that it makes the Act work better. So with that, I'll conclude my comments.

Thank you.

MR. DEPUTY CHAIRMAN: The hon. Member for Rocky Mountain House.

MR. LUND: Well, thank you, Mr. Chairman. I appreciate the extent of the amendments here. Since we haven't really had a lot of time to look at them, I would move that we adjourn debate on these amendments.

MR. DEPUTY CHAIRMAN: A motion by the Member for Rocky Mountain House that we adjourn debate on the amendments. All in favour of the motion by the Member for Rocky Mountain House?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY CHAIRMAN: Opposed, if any?

SOME HON. MEMBERS: No.

MR. DEPUTY CHAIRMAN: Carried. [interjections] Order. Division.

[Several members rose calling for a division. The division bell was rung at 4:12 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Havelock	Renner
Burgener	Herard	Rostad
Calahasen	Hierath	Severtson
Cardinal	Hlady	Smith
Coutts	Jacques	Sohal
Day	Jonson	Stelmach
Dinning	Lund	Tannas
Doerksen	Magnus	Taylor, L.
Dunford	Mar	Thurber
Fischer	Mirosh	Trynchy
Friedel	Oberg	West
Fritz	Pham	Woloshyn
Haley		

Against the motion:

Beniuk	Hewes	Soetaert
Bruseker	Kirkland	Taylor, N.
Chadi	Langevin	Van Binsbergen
Collingwood	Leibovici	Vasseur
Decore	Mitchell	White
Dickson	Percy	Yankowsky
Hanson	Sapers	Zwozdesky
Henry	Sekulic	

Totals: For - 37 Against - 23

[Motion carried]

Point of Order

Allegations against a Member

MR. DEPUTY CHAIRMAN: Before I go to you, Government House Leader, the hon. Member for Calgary-Buffalo on a point of order.

MR. DICKSON: Thanks very much, Mr. Chairman. Just immediately before the vote was called, the Member for Rocky Mountain House . . .

SOME HON. MEMBERS: Citation.

MR. DICKSON: Making allegations against another member, 23(h).

Immediately before the vote was called, the Member for Rocky Mountain House asserted that he had not seen these amendments. I want to be really clear, Mr. Chairman. I said this in my opening comments before I introduced the amendments before the first adjournment. I indicated that all of the amendments had been prepared, perhaps not in the form with the signature at the bottom, but the text of the amendments had gone to the hon. Member for Rocky Mountain House in two different batches. Amendments went to him on April 18; another batch of amendments went on April 26. He has had those amendments. Now, he has advised me that his difficulty was reviewing them with his caucus. [interjections]

MR. DEPUTY CHAIRMAN: Order. Order.

MR. DICKSON: Mr. Chairman, I'm going to sit patiently while the Member for Rocky Mountain House or the Government House Leader speaks to the point of order, but I expect he'd give me the opportunity to tell you why I think there's a valid point of order here.

So what we've got is a situation where, unlike many other pieces of legislation, we've packaged the amendments, we went to the government, we outlined all the amendments. We've been waiting for the government caucus to deal with them. Now, I have no control and members on this side have no control over when every member of the government caucus deals with a set of amendments. But, Mr. Chairman, we didn't know Bill 18 was coming up until about 10:30 this morning. I had still been waiting for the Member for Rocky Mountain House to get back to me and say, "My caucus has dealt with these amendments; we'll accept these 12; we'll reject those six," or "We want to modify this or that." I haven't received that kind of response.

I had written the member - I unfortunately don't have the letter, but I'm happy to table it as soon as I can locate it in my office.

I'd written him within the last six business days, saying to the hon. member: "When is your caucus going to deal with these amendments? We're ready to go." So it's absolutely preposterous and it's absolutely inaccurate for any member to stand in this Chamber and say that they're taken by surprise by these amendments. I can't vouch for whether every member in the government caucus has read them, but I've dealt with the member of the government caucus whose name appears on the title of the Bill and who in fact has been sponsoring this Bill at every stage. I assumed, Mr. Chairman, that when I dealt with the hon. Member for Rocky Mountain House, he represented his caucus. Now, if I'm wrong, others can tell me that, but I thought that was a reasonable representation.

So, Mr. Chairman, I just finish by saying that when I rose in my place to speak at the beginning on Bill 18, I indicated at that time that the amendments had gone over, and I heard no objection. So this party is ready to deal with Bill 18. There's no surprise here, and it's mischievous for anybody to suggest that we've tried to force a vote on amendments that are taking the government by surprise. It just is not so.

MR. DEPUTY CHAIRMAN: The hon. Member for Rocky Mountain House on the point of order.

MR. LUND: Well, thank you, Mr. Chairman. The one statement that the hon. member made relative to the name of the person that's on the Bill - well, he's just as accurate with that statement as he was with his earlier ones about the number of amendments that he gave to me.

The fact is, Mr. Chairman - and I'm sorry that I don't have them here before me - that there were about 11 amendments in the first bunch that he gave to me. We met with the hon. member. We talked about a number of them. I thought we had satisfied him that in fact either we were not going to accept them or they were already covered in the Bill. He came back to me with about eight. I don't have them right in front of me, so I can't say there were exactly eight; it might only be seven. But those I thought were the amendments that were coming in here today. Now we find a whole host of amendments that took me totally by surprise because I did not think those were the amendments that were coming in here today. I'm going to check and see if it was 18, because my records show it was about 11 the first time.

4:30

MR. DEPUTY CHAIRMAN: Thanks, hon. member. Order. [interjection] No, we're not going to have a debate on this point of order. The reason we're not going to have a debate on this point of order is because obviously what goes on outside this room - the Chair has no knowledge of what does go on between the hon. Member for Calgary-Buffalo and the hon. Member for Rocky Mountain House. It isn't his job and it isn't this Chair's job to in fact decide what Bills the Government House Leader brings in. So obviously, in my mind, there is absolutely no point of order, and we'll go on to the next business of the day.

MR. DAY: Mr. Chairman, I move the committee do rise and report.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. DEPUTY SPEAKER: Order.

The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain Bills. The committee reports progress on the following: Bill 20, Bill 18. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? So ordered.

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

23. Moved by Mr. Day:

Be it resolved that the debate on third reading of Bill 19, School Amendment Act, 1994, shall not be further adjourned.

MR. DEPUTY SPEAKER: The hon. Government House Leader has moved that Bill 19 not be further adjourned. All those in favour of this motion, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: Call in the members.

[Several members rose calling for a division. The division bell was rung at 4:34 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Burgener	Haley	Pham
Calahasen	Havelock	Renner
Cardinal	Herard	Rostad
Clegg	Hierath	Severtson
Coutts	Hlady	Smith
Day	Jacques	Sohal
Dinning	Jonson	Stelmach
Doerksen	Langevin	Taylor, L.
Dunford	Magnus	Thurber
Fischer	Mar	Trynchy
Friedel	Mirosh	West
Fritz	Oberg	Woloshyn

Against the motion:

Beniuk	Hewes	Taylor, N.
Bruseker	Leibovici	Van Binsbergen
Collingwood	Mitchell	Vasseur
Decore	Percy	White
Dickson	Sapers	Yankowsky
Hanson	Sekulic	Zwozdesky
Henry	Soetaert	

Totals: For – 36 Against – 20

[Motion carried]

**Point of Order
Division**

MR. DEPUTY SPEAKER: A point of order?

DR. WEST: Yes. Under Standing Order 32, as set by precedent before on division, I would ask for unanimous consent for the time limit between bells to be one minute before the vote.

MR. DEPUTY SPEAKER: Okay. The hon. Minister of Municipal Affairs has moved that the time limit between bells would be one minute. Do we have unanimous consent for that change of the Standing Orders? All those in favour, please say aye.

HON. MEMBERS: Aye.

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

**Bill 19
School Amendment Act, 1994**

[Adjourned debate May 18: Mrs. Burgener]

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

MRS. BURGNER: Thank you, Mr. Speaker. I appreciate the opportunity to continue the debate at third reading on Bill 19. I think in the comments that I made the other evening, I touched on some of my concerns at the level of debate that was coming from the opposition about issues that were really important to students. To conclude my remarks, I wanted to focus on the enhancement and development of the charter school concept.

Mr. Speaker, it is my opinion, based on discussions with a number of parents and teachers and also having had some experience in meeting with other school communities across North America, that there are occasions when the uniqueness of a school community requires specific solutions to enhance the education of the students that are in their charge. I refer specifically to an example in one of the inner-city communities in a city in the United States, wherein they had a significant amount of truancy and drug abuse and felt that they needed to have a little more hands-on involvement with the school community, but the regulations prohibited that kind of involvement. By developing a charter school contract with a serious obligation to be consistent with the focuses of the education community, they were able to bring in a number of innovative changes, some of them as simple as a nutritious meal program, some of them as complex as dealing with pregnancy and parenting teens in the school community, some to do with weapons control and those types of things that are not necessary for every school in that particular jurisdiction.

4:50

I think it's important that we don't lose sight of the fact that in putting into legislation the opportunity for charter schools, we are giving local communities an opportunity to enhance the education of the students in their jurisdiction. This has not been granted without thought and it is not something we should fear, because I think one of the most responsible issues that is in the charter school development is the issue of accountability and piloting. I have to say that this is a very positive step on behalf of the minister and the department in that I think in the past there was some concern that we'd gone with ideas that had educational merit but in practice may have come to some difficulty, but without the

opportunity to be accountable and to measure the outcomes and to have an opportunity for the success of those students to be tracked, we have perhaps lost sight of the original intent of that particular proposal.

The charter school concept is clearly in there with the understanding that there will be accountability so that the success of the students, with the goals of Alberta Education, remain a primary focus. I guess the reason I say this is because I'm very anxious about the negative comments about the charter school concept. I think it has a lot of strengths. I know in Calgary there were, under the public board, approximately four charter school concepts that they were looking at piloting before this even came into a legislative initiative. I think it's a discredit to the public board and to the parents and the teachers who worked on those various models to be so blatant about discrediting this particular initiative, because they worked very hard at looking at local solutions.

The key thing in this restructuring is that you don't grant the same thing to everybody and water it down. You find out what is significant and what will work. We have an opportunity in the charter school to deliver unique and special care to the students. We do have to change the rules. Some of those rules may be contractual obligations with the ATA, some of those may be contractual obligations with the parents, and some of them may be contractual obligations with the students themselves. I think it's significant that we have confidence in parents and teachers and the students to look at some of those local solutions.

I find it interesting that across Canada and North America the charter school concept is something that people want to have the opportunity to deal with. We can look at the simple issue of technology. Technology cannot, under our current circumstances, be utilized to its best advantage simply because of the PTR that we have in place in contracts; simple as that. We have students who have the knowledge to work with technology, but we cannot restructure hours, we cannot restructure classrooms because of the restrictions that are in place. They're there for good reasons, because the majority of students are working through a very well-planned system. But why would we be discouraged or why would we take away from the innovation that's available? Charter schools give us the chance to take some of those innovations, work with them, monitor them, and keep paramount the goals of Alberta Education: that our students will finish grade 12 and be the most enhanced students in the province and in the country.

I find it just unbelievable that we would sit back and say, "No. This is a bad idea." There's nothing to fear in the charter school concept. It takes hard work, and a number of parents and students and teachers are prepared to put in that work. There are boards across this province who have made a commitment to take some of those innovations. You take year-round schooling; they don't have the resources to continually build schools. We have to look at other ways, but we don't necessarily have to open it wide open and throw turmoil into every school district. Charter schools allow us to look at efficiencies, and we also allow parents and students to have a say in what those should be. So I am most excited, and I continue to say this about the innovations that exist in Bill 19.

I would ask the members opposite to go back and look at some of their comments, because it's absolutely unbelievable on behalf of education the slamming that has come out against the strengths of the ideas that are in this Bill. I know that when I talk to my parents, they are cautious, they are concerned, they are not prepared to risk the education of their students, be it at grade 1 or grade 12. They will be looking at us with a very, very thorough and critical eye to make sure that we commit to the accountability

that we have promised, and the boards will be looking at us to make sure that we don't go off and produce something that is ineffective or hampers their ability to respond to the mandate they have, which is to educate the students in their jurisdiction.

Mr. Speaker, time only permits a few comments, but I have said to my caucus and I say it again: I am delighted that we are through some of the legal wranglings on this Bill and we're on to the most fundamental concern, which is the achievement of a very fundamental change in education, and that we have the support of parents and teachers and students. We have a lot of work to do in order to bring the information down to the local level and have positive discussions, but I'm not prepared to sit back and be prepared to discredit the fine ideas in Bill 19 that have come through and are now on the table. I close my comments in that regard and look forward to the implementation of this Bill.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. First, I'd like to disabuse the Member for Calgary-Currie of a few notions that she has regarding charter schools. That's one of the few things in that Bill that we could live with, actually. The only thing we have continuously asked for in the restricted time that has been available to us is that we wanted to see the regulations. Furthermore, we wanted to specify the number of pilots, and we wanted to see a specific evaluation scheme: how was it going to be evaluated, over how long a time slot? We didn't like the powers granted to the minister whereby he could exempt any charter school he wished from any regulations, and we also didn't like the fact that schools or parents or groups could apply for a charter directly to the minister and avoid going to the local boards. Now, we never said we didn't like the concept of a charter. I think the Member for Calgary-Currie ought to read *Hansard*, and she will find out that I'm speaking the truth.

Next, Mr. Speaker, I'd like to make a few general remarks in that limited time available and then cede my place to other speakers, on this side anyway. After all, closure has been moved after six hours of debate on nine pages, I think it was, of amendments in Committee of the Whole. I find it particularly interesting to see the wrath of the House leader directed at this side for voting against their motion to adjourn debate on Bill 18, and the reason was, of course, that they hadn't seen the amendments. I'd like to remind him of the golden rule. As a former man of the cloth I think he ought to be familiar with it. On Monday evening at 8 o'clock the Minister of Education introduced nine pages of amendments to us in the House here, and when we moved adjournment in order to read and digest and reflect upon those amendments, the answer was no. There was in fact Homeric laughter directed at us. So perhaps we could consider this a dose of your own medicine, if you wish.

Now back to Bill 19 here, Mr. Speaker. The sword of closure is once again hanging over our heads, and I know that really not one iota of what I'm going to say here is going to have any bearing on Bill 19 or on its passage, but I'm going to say it anyway.

5:00

I'd like to start off by quoting what the Premier was supposed to have said in Gimli. He said: I beg the public school boards to get out of this whole business of governance and buy into the program; let's start talking about kids and not the administration of the system. I found that very interesting coming from the man

who initiated this whole messy struggle about governance in the first place. Mr. Speaker, no one at the educational roundtable discussions suggested that the government should take over the levying of school taxes. No one insisted that the superintendent should be hired by the minister and, if need be, fired. No. The governance was introduced, this whole matter was introduced by the Premier.

What about the Premier's comment: let's start talking about kids, which implies clearly that if you oppose this Bill, then you don't have the interests of the . . .

Point of Order Relevance

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

MR. HERARD: Yes, thank you, Mr. Speaker. It's with respect to relevance, *Beauchesne* 459. I think the hon. member must have telegraphed that he was not going to be speaking to the amendments, and I wish that the Chair would so order.

MR. DEPUTY SPEAKER: Do you wish to speak to the point of order, West Yellowhead?

MR. VAN BINSBERGEN: Yeah. I'd like to remind the member that we're in third reading, and we're not speaking about any amendments. I realize that it went a little quickly.

MR. DEPUTY SPEAKER: Thank you, hon. members. We are indeed on third reading. However, the Chair would say that when we have a time certain, then the Chair generally allows a little more leeway providing that they are in fact on the Bill.

The hon. Member for West Yellowhead is invited to continue.

Debate Continued

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. I wish we were still at the Committee of the Whole stage.

Now, clearly the Premier was implying that if you oppose this Bill, then you don't have the interests of the students at heart. Now, Mr. Speaker, I find that really the epitome of nonsense, if I may say so, quite frankly. Isn't it the duty of an opposition to scrutinize and to look at the legislation? Let's look at the facts as well now. Who cut the education budget by 12.4 percent and counting? Is that good for kids? Who cut the kindergarten program in half? Is that good for kids? Who cut out ESL, and who cut out community schools? I don't understand his comments quite frankly. Who is responsible for Bill 19 to begin with? You opened up this whole can of worms – it wasn't us – the whole can of worms of governance, pitting one group against another and one sector against another sector. This is going on and on. Who is now responsible for slamming the lid back onto the can when the stench of all the worms is getting a little bit too much?

Mr. Speaker, closure has been invoked not once, not twice but three times. It was this Premier, the Premier of this province, who authorized all this, the opening of the can of worms and the closing, unless of course the Minister of Education or the government caucus acted as the tail that wagged the dog. I'm not sure. All of this was done ostensibly for the good of the kids. Apparently it doesn't matter that those same kids and parents have written to and called and petitioned this government to not introduce these changes. Obviously the Klein government thinks that it knows what's good for Albertans, and Bill 19 is forced

upon us. It includes major changes which will be brought about but which nobody knows about. After all, the regulations will ultimately be forced upon us as well, and they will have been arrived at in darkness, in the bowels of this government. I'm sorry to hear that, because I think that they could and should stand the test of scrutiny in this Legislature.

Anyway, Mr. Speaker, let's face it. The Klein government is really no different from its predecessor. It avoids public scrutiny at all costs. This government displays the same insufferable arrogance of a party that has been in power for far too long, and I suggest that the rot has set in.

Thank you.

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

MR. HENRY: Thank you, Mr. Speaker. I have a few brief comments I'd like to make at third reading of this Bill. This is a sad day for education in our province, and history will show that. [interjections] I know some members of the government side laugh, but very clearly this Bill has dealt with some major issues in education in our province. Number one, it's dealt with the taxation structure, the decision-making structure, the issue, as Calgary-Currie has mentioned, of charter schools. I would like to point out to the hon. Member for Calgary-Currie that members on this side have said that while there may be value in charter schools, there are some things missing in this legislation if we're going to have a pilot project. This deals with the governance issues. It deals with the structure of education and the delivery of education in our province.

Mr. Speaker, the government spent much of the fall and earlier this year in what they call consultation, and then the government proceeded to bring in a Bill that had absolutely nothing to do with anything they heard in the consultation. The government using their majority has forced closure on third reading of this Bill, which gives approximately 75 minutes debate on this Bill, less than one minute per member.

I'd like to contrast this very briefly with what happened the last time we had significant changes in this Bill. This time we have a Bill that is fraught with problems, that has minimal debate in the public sphere with regard to the direction it's taking us in education. It hasn't got the details. The minister can't tell us what the formula will be, cannot tell us what the regulations will be or what direction, and in fact there are five committees running around trying to figure out how to make this Bill work because it has not been well thought out, well planned, and in fact extensive consultation has not happened.

In 1988 the then Minister of Education, the hon. Nancy Betkowski, brought in Bill 27, if I'm not mistaken. Bill 27 had some major changes in it for the direction of education in our province, for the structure of education in our province. Bill 27 had extensive consultations. Prior to my involvement in this level of public life, Mr. Speaker, I remember Bill 27 and being involved in the Canadian Mental Health Association and getting a call from a person associated with a trustee at that time saying: "The School Act is being reviewed. There are some changes being contemplated. The minister has put together some packages and has asked trustees to call meetings in their various areas. Would you like to come to a meeting?" I went to a meeting, and I got some information and went back to my association and consulted with the people that I work with and was able to provide some input at that level and again with the regulations being

developed. We saw several drafts of the Bill. We saw drafts of the regulations, and we saw public meetings that cut across the sectors. There weren't simply just educators there but other human service people, ratepayers who were not directly involved in education.

One of the things that happened was that when that Bill came to this Legislature, there was a very clear understanding out there in the community about what that Bill meant, about how it would be implemented, and what the consequences would be. You could agree or disagree on the issues and on the direction, but at least there was a full discussion. I think it's a sad day in history when we take this major change, that everybody in this House has acknowledged is a major change in structure and direction in our education system, and we have the public out there who have not had an opportunity for full consultation, when we don't even know what the regulations – and this Bill has more regulation in it, more power centralized in the hands of the minister than any other Bill in the history of education in this province. That's a sad, sad point of history for our education system.

If we were really interested in doing what's good for our children, in doing what's good for the future of this province, what we would do is say – and I will acknowledge that I've said to the minister publicly and privately that we will have agreements on certain items; we will have disagreements on other items. There are some times that because of our roles we need to stand up and articulate those differences.

The record will show very clearly that as education spokesperson for our party – and our party has very clearly supported some of the moves that have come in since last June 15 – when the minister amalgamated the nonoperating school boards, I said: rah, a good move, a difficult decision; it was an important move to make. When Bill 8 came in giving Francophones governance over their own schools allowing a process of voluntary amalgamation, we said: good show; we've got some things that we can do to try to make it better. We went out and we consulted with people. Some of those suggestions, I think, were heard in terms of home schooling and the regulations, but some of the suggestions, because of differences of philosophy or of opinion, were disagreed with. But we voted for that Bill in the end because we said that overall it's a good direction. There's been a good hearing, and the Bill is a product of some extensive consultation around this province. It was our sense around this province and our feedback from people that people understood what the Bill meant and we could get on with business.

5:10

The government has used the measure of closure in this instance very inappropriately. I would acknowledge, Mr. Speaker, that there are times where closure perhaps and the measure for closure needs to be in the Standing Orders. But let the record show very, very clearly that the opposition has not engaged in a filibuster on this side regardless of what some members of the front bench might say. The opposition has tried to bring to this table, has tried to bring to debate here some of the differences and some rationale. I would like to point out that some of that has had at least a small part in making the government reconsider the separate school issue, and I think that was a measure that helped improve the Bill slightly.

In addition to having very minimal debate on this Bill, Mr. Speaker, what we're seeing here is a dramatic, dramatic shift away from local communities. We have a difference in philosophy, and it needs to be pointed out very, very clearly that the members on this side of the House believe – and this is where we've been coming from, and I've articulated that in the Legisla-

ture – that the best decisions are those decisions that are made closest to the people affected by those decisions. This Bill moves in the opposite direction, in my view.

We have heard claims from the other side that the school councils will help achieve that objective, but nobody on the other side can tell us what role the school council will have, what the regulations will be.

DR. L. TAYLOR: That's what we're going out to find out about, Mike.

MR. HENRY: Regardless of the Member for Cypress-Medicine Hat, my constituents hope to have an opportunity for input into those regulations that will define that over a few weeks from now.

This is a shameful use of closure. We have had one set, the record will show, of amendments with approximately three hours of debate in committee on this Bill. This is not the way to operate. We need to . . .

MRS. BURGNER: You supported the amendments, Mike.

MR. HENRY: We supported that one amendment. As the hon. Member for Calgary-Currie has said, we supported that amendment because it was a step, albeit a small step, in the right direction, and I complimented the minister for that. But now what we have – the hon. Member for Calgary-Currie stood in her place and refused to allow any other amendments to come to the floor because she voted for closure on committee stage of the Bill, and let the record show that really clearly.

The hon. Member for Calgary-Currie has spoken about charter schools, and let's be very clear that the amendments that the Liberal opposition was prepared to bring would have said not to take out the issue of charter schools, but if we're really going to have a pilot project here, we're going to look at it. [interjections] Let's define the number of pilots. [interjections] Let's define the evaluation procedure. [interjections]

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: Order. The hon. members from the nether region are reminded that we have a very limited amount of time and that the hon. Member for Edmonton-Centre is wanting to make his points. Whether you agree with them or disagree with them is not relevant. This is a place to debate. So I would ask that we give him the time to have his say without drowning him out with comments. I might also say that attempting to counteract whatever he is saying also invites comments from the supporters of Edmonton-Centre. Could we all go by the rules and let Edmonton-Centre say his piece.

Edmonton-Centre.

Debate Continued

MR. HENRY: Thank you, Mr. Speaker, for that wise ruling.

With respect to charter schools, our amendments would have defined the number of pilots, would have defined the evaluation procedure or would call for an evaluation procedure. Also, because as legislators we get busy and we have to realize as well that we will move on, we would have put a sunset clause in. In a number of years we would have had to come back to this Legislature and say: "Gee, did charter schools work? Let's expand it even more, or let's get rid of it completely," depending on the results of the evaluation. But the Member for Calgary-

Currie wouldn't let that come to the floor. I think that the Member for Calgary-Currie, if she'd been willing to give a bit more time and allow some debate, would have had a better section on charter schools in this Bill, not just a barely adequate, maybe passable section of the Bill.

Mr. Speaker, when we're talking about education, there is nothing more important than the future of our children in this province. There are members on the other side who I know have had a long history of involvement in advocating for quality education. The Member for Calgary-Currie has often spoken of her involvement. The Member for Calgary-Cross has a very strong, positive record with regard to her involvement in public education. The Member for Highwood, other members from Calgary and other places have had a strong history of advocating for quality education. It is a sad day when those members would stand in the House and cut off debate and not allow rational amendments to even come to the floor to make sure this Bill is the best Bill that it can be.

Again, putting aside disagreements of philosophy, the process here of closure has been abused by this government. This Premier has allowed this government to cut off, to not be able to listen, to not be able to care about Albertans. I regret that sincerely, and I hope that the hon. Premier reads *Hansard* and is aware of that.

Mr. Speaker, the members on the other side will push this Bill through. The members on the other side will go back to their constituencies, and I want to leave them with one parting comment on this Bill, which is that many members on the other side have intimated that we need to get through this Bill because of the provisions of this Bill. We're getting into June and the tax year and all of that sort of thing with municipal taxation. I challenge that if this Bill is the most important Bill, as some members say, for the future of our education, maybe it deserves a bit more consideration, and maybe we need to sit a bit longer to consider it. Number two, if there is a magic date of June 1, then the Department of Education and the Minister of Education should have had this Bill on the table so that we could have had a full and clear debate.

If the opposition was truly blocking progress – and the record will show that in the last week we have passed over a dozen, close to 15 to 20 Bills in this Legislature, and we have co-operated on many items. Many items we didn't agree with, but we allowed them to go through. If this was a filibuster, not one thing would have gone through this Legislature without closure over the last week. This has not been a filibuster. It has been an attempt to try to represent our constituents and ensure that the other 55 percent of the people who did not vote for the government in the election have their voices heard.

Thank you, Mr. Speaker.

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

MR. HERARD: Thank you, Mr. Speaker. I wasn't going to get up and speak on third reading, but the hon. Member for Edmonton-Centre sort of . . .

MR. HENRY: Inspired.

MR. HERARD: Yes, I think you could use that word.

He said it was a sad, sad day for education. Mr. Speaker, I think that the sad day for education was the day that the Liberals introduced a motion at second reading that Bill 19 not be read a

second time. That was the sad day for education. That action by the Liberals forced closure, not this government. It was that action that forced that to take place. The filibuster that the Liberals planned backfired on them, and that's what's sad about all of this.

5:20

The hon. member talks about a dramatic shift from decision-making at the community level, and I think the record needs to be set straight. There is nothing further from the truth. Everything that this government is doing is moving the decision-making to the community, where you agree it should be. In terms of education, the only thing that the Liberals could consider in terms of being able to accuse centralization is the collection and distribution of taxes in a fair and equitable manner in this Bill. [interjections] The reason for doing that is very clear. The tax mechanisms that were available, all of the debate that has taken place over the last eight years, none of the solutions worked. The school boards themselves were against fiscal equity. [interjections] So we had to fix the funding problem before you could even expect to begin to see amalgamations of school boards. How can you amalgamate 147 school boards, that are have and have-nots, without fixing the funding problem first. [interjections]

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: It's been a long week, and we are still having a bit of a problem letting the other side speak. We would ask all hon. members on both sides of the House to please let the hon. Member for Calgary-Egmont, in this case, continue to make his points on this most important Bill, Bill 19.

The hon. Member for Calgary-Egmont.

Debate Continued

MR. HERARD: Thank you, Mr. Speaker. Now, the hon. members on the other side, when they were shouting their interjections, mentioned the superintendency issue. Essentially, I think the record will show with respect to the amendments that there were a lot of questions and opposition with respect to the superintendency issue. We listened and we fixed it. There was a lot of debate also with respect to Catholic education, and as a Catholic and as a Catholic school supporter in the city of Calgary you can bet that my phone and my mailbox were very busy with respect to that issue. Now, negotiations have taken place, and I don't hear too much opposition to the amendments that were brought into the Bill. So we listened and we fixed that as well.

Now, again the hon. members talked about the fact that there's no knowledge with respect to roles and responsibilities. Well, where have they been? This government goes out and consults with stakeholders, with people who believe, as we do, that education is the most important thing that we're doing in this province. The roles and responsibilities will be defined based on what the people want them to be, not what some committee in this Legislature thinks it should be.

The hon. member indicated that there's been very little debate. Well, I think the record shows, Mr. Speaker, that on some of the debates on Bill 19 they had up to five speakers in one evening. There was a lot of debate until the Liberals decided . . .

MR. DAY: Only five people here. Only five Liberals here.

MR. HERARD: Five people here, but they all spoke.

MR. DAY: They tried.

MR. HERARD: Yes. Five people here.

**Point of Order
Relevance**

MR. DEPUTY SPEAKER: The hon. Member for Sherwood Park is rising on a point of order. You have the citation for us?

MR. COLLINGWOOD: Yes, *Beauchesne* 459, Mr. Speaker, on relevance. The issue at hand of course, as all hon. members know, is the substance of the Bill, not how many speakers spoke to the Bill at what point in time. We're not dealing with that issue here. In fact, what the hon. member is suggesting is that hon. members on this side were given sufficient time to have a debate, but as we have always said: debate goes both sides. The reason that we had speakers speaking on this side is because nobody was speaking on that side. In any event, that's not the issue, Mr. Speaker. We're dealing with Bill 19 in third reading, and it would be incumbent upon the hon. member to proceed with his debate on that issue.

Thank you.

MR. DEPUTY SPEAKER: On the point of order, Calgary-Egmont.

MR. HERARD: Yes, on the point of order, Mr. Speaker. I think that earlier we heard a number of comments from the hon. Member for West Yellowhead who brought in all sorts of debate with respect to the Premier and so on, and I don't know that that was any more relevant. Maybe I didn't cite the point of order correctly, but certainly the latitude has been given, and I think that I need some latitude to make my points as well.

MR. DEPUTY SPEAKER: Déjà vu. The Chair made a judgment on this issue not so very long ago in which there was perhaps a gratuitous remark on the part of the Chair, but nevertheless it was made and was appropriate for the moment; that is, we now are in a compressed time, so the Chair has given a fair amount of latitude. We had at the time, if I remember correctly, people who were talking at length about the whole imposition of closure and were not on the Bill, and we went in that fashion. So I would just remind hon. members that we are here to debate Bill 19. Because the time is limited, we give it to each member to do the best they can.

The hon. Member for Calgary-Egmont.

Debate Continued

MR. HERARD: Thank you, Mr. Speaker, for that ruling.

Mr. Speaker, I think, you know, that when all the rhetoric is said and done, you have to look at: what are we accomplishing with respect to Bill 19? Bill 19 takes care of a long-standing problem that has been worked over by several ministers before the current minister. No solution was ever arrived at, and that is a solution called fiscal equity. So if we want these newly formed school boards to succeed, then for goodness' sake let's make sure that they have a chance of succeeding by getting the appropriate funds based on the number of kids that they need to educate.

Mr. Speaker, let's see what else we've done with respect to Bill 19. In terms of Bill 19, we've had some talk about charter schools. Yes. You know, I got into a lot of debate with my

constituents with respect to charter schools in the earlier days, but in terms of charter schools, what we have here is an opportunity for excellence, an opportunity for teachers to be allowed to do what they know how to do, and that's teach without being encumbered by a huge bureaucracy and a huge system.

MR. DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Calgary-Egmont, but due notice having been given by the hon. Government House Leader under Standing Order 21 and 21(2), which states that all questions must be decided in order to conclude the debate, and pursuant to Government Motion 23 agreed to this date, I must now put the following question: on the motion for third reading of Bill 19, School Amendment Act, 1994, as moved by the hon. Minister of Education, does the Assembly agree?

SOME HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed?

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: Carried. Call in the members.

[Several members rose calling for a division. The division bell was rung at 5:29 p.m.]

[One minute having elapsed, the Assembly divided]

For the motion:

Burgener	Havelock	Pham
Calahasen	Herard	Renner
Cardinal	Hierath	Rostad
Clegg	Hlady	Severtson
Coutts	Jacques	Smith
Day	Jonson	Sohal
Dinning	Langevin	Stelmach
Doerksen	Lund	Taylor, L.
Dunford	Magnus	Thurber
Fischer	Mar	Trynchy
Friedel	McClellan	West
Fritz	Mirosh	Woloshyn
Haley	Oberg	

Against the motion:

Beniuk	Henry	Soetaert
Bracko	Hewes	Taylor, N.
Bruseker	Kirkland	Van Binsbergen
Chadi	Leibovici	Vasseur
Collingwood	Mitchell	White
Decore	Percy	Wickman
Dickson	Sapers	Yankowsky
Hanson	Sekulic	Zwozdesky

Totals: For – 38 Against – 24

[Motion carried; Bill 19 read a third time]

[At 5:35 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

