

Legislative Assembly of Alberta

Title: **Tuesday, May 24, 1994**

1:30 p.m.

Date: 94/05/24

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Dear God, author of all wisdom, knowledge, and understanding, we ask Thy guidance in order that truth and justice may prevail in all our judgments.

Amen.

head: **Presenting Petitions**

MR. N. TAYLOR: Mr. Speaker, I have a petition here signed by 34 people that still believe democracy might work in the province asking the Minister of Health to move the Sturgeon general hospital back to where it's supposed to be: in the Sturgeon area.

Thank you.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, have the same petition signed by people mainly in the Busby and Alcomdale area asking that the Sturgeon general be taken out of the Edmonton health region.

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

MR. BRACKO: Thank you, Mr. Speaker. Carrying on, the same petition from residents of St. Albert and surrounding area who 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 Calgary-West.

MR. DALLA-LONGA: Thank you, Mr. Speaker. They just keep coming in. I have a petition here from 318 Albertans mostly from the Dover area of Calgary requesting that the Children's hospital be left in its present location as it currently exists.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I'd like to present 173 names from the southeast area of Edmonton in support of keeping the Grey Nuns hospital open as an active care hospital.

head: **Reading and Receiving Petitions**

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

MRS. SOETAERT: Thank you, Mr. Speaker. I request that the petition I presented on May 4 concerning the Sturgeon general hospital 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 Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. Hospitals seem to follow me around. I'd ask the Clerk to read the petition I filed on May 9 asking that the Sturgeon general hospital be moved back into the district north of Edmonton.

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 Legislature on May 9 regarding amending the Individual's Rights Protection Act to include sexual orientation now be read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government of Alberta to amend the Individual's Rights Protection Act (IRPA) to include "sexual orientation," thereby reflecting the Vriend decision and bringing the IRPA in line with Section 15 of the Canadian Charter of Rights and Freedoms.

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

DR. MASSEY: Thank you, Mr. Speaker. I would ask that the petition I presented on May 11 with regards to the Grey Nuns hospital now be read and received.

CLERK:

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

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I would ask that the petition which I presented on May 10 regarding the Children's hospital location be now read and received.

Thank you.

CLERK:

We the undersigned petition the Legislative Assembly of Alberta to urge the Government to maintain the existing Alberta Children's Hospital in Calgary as a full service, active hospital which will continue to serve the children of southern Alberta.

head: **Notices of Motions**

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I will be moving that written questions and motions for returns stand and retain their places on the Order Paper.

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

DR. L. TAYLOR: Thank you, Mr. Speaker. I wish to give oral notice that it is my intention to introduce the following Bill tomorrow: Bill 39, Alberta Health Care Insurance Amendment Act, 1994.

MR. DAY: Mr. Speaker, I give notice of the following motion:

Be it resolved that the debate on second reading of Bill 35, the Seniors Benefit Act, shall not be further adjourned.

Mr. Speaker, also I give notice to move the Bill as introduced by the Member for Cypress-Medicine Hat onto the Order Paper under Government Bills and Orders.

MR. SPEAKER: Order please. That would only be after it's actually introduced.

head: **Introduction of Bills**

Bill 38
Professional Statutes Amendment Act, 1994

MR. SMITH: Mr. Speaker, I'm pleased to introduce for first reading Bill 38, the Professional Statutes Amendment Act, 1994.

This Bill proposes amendments to the following seven professional Acts: the Legal Profession Act, the Dental Mechanics Act, the Health Disciplines Act, the Dental Disciplines Act, the Medical Profession Act, the Opticians Act, and the Psychology Profession Act.

In introducing this Bill, Mr. Speaker, I want to acknowledge and thank members of several professions who participated in discussions and advised this government. Particularly, I want to mention the Law Society of Alberta, the Alberta Dental Association, the Alberta Denturist Society, and the College of Physicians and Surgeons of Alberta.

Thank you.

[Leave granted; Bill 38 read a first time]

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

[Motion carried]

head: **Tabling Returns and Reports**

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

MR. THURBER: Thank you, Mr. Speaker. I'm pleased today to table the '93-94 annual report of the Consulting Engineers of Alberta.

MR. DINNING: Mr. Speaker, I rise today to table financial statements for the year ended December 31, '93, of the Alberta Resources Railway Corporation.

MR. KOWALSKI: Mr. Speaker, I table today some addendum information to Motion for a Return 176 as well as copies of the 10 communiqués that came out of the 1994 Western Premiers' Conference held in Gimli, Manitoba.

DR. WEST: Mr. Speaker, I'd like to file the annual report for organizations conducting charitable campaigns in Alberta during 1993. Hopefully a year from now I won't have to use as many trees to do this.

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

MR. WICKMAN: Thank you, Mr. Speaker. I'd like to table four copies of a letter from the Health Action Network Society. It's marked "urgent," and it requests that the Minister of Municipal Affairs table Bill 31 until the fall to allow sufficient public participation in the process.

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

MR. SAPERS: Thank you, Mr. Speaker. It's my pleasure to table in the Assembly today 112 coupons from Albertans who are telling the Premier that we cannot afford to cut education. They are saying, in fact: take education off the hit list.

head: **Introduction of Guests**

1:40

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

MRS. LAING: Thank you, Mr. Speaker. It's my privilege today to introduce through you to the Assembly 16 teachers and one bus driver from Terrace Road elementary school in Calgary-Bow: the principal, Bill Townsend, and Ian Hyslop, Melody Davies, Janice DeGeer, MiMi Irving, Peggy Murakami, Jackie Hilton, Garth Hilton, Nora-Lynn Schmidt, Jim Hoagaboam, Diane Monti, Bonnae Anderson, Donna Buehner, Cathy Dafoe, Cheryl Argento, Sheila Yuschynhn, and bus driver Janusz Grygorasz. I'd like them to rise at this point and receive the warm welcome of the Assembly.

Thank you.

MR. DALLA-LONGA: Mr. Speaker, the road from Calgary is not quite as treacherous as the road from Fort McMurray, but I have the pleasure today of introducing my first school. In attendance with us in the gallery are 86 visitors from A.E. Cross junior high school. They're accompanied by their teachers Ms June Hughes, Mr. Al MacDonald, Mr. Jim Schell, Mr. Jim Baldwin, and Mrs. Marguerite Boisjolie, and they're also accompanied by helper Mrs. Lynn Hawes. I'd ask the Assembly to give them a warm welcome and reception.

Thank you.

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

MR. ADY: Thank you, Mr. Speaker. It's an honour for me today to introduce to you and to the members of the Assembly two prominent members of our advanced education system: the chair of Mount Royal College, Anne Tingle, and the president, Mr. Tom Wood. They're seated in the members' gallery. I'd ask them to rise and receive the warm welcome of the Assembly.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two prominent members of the Grande Prairie business community. I'm referring to Brian, the general manager of the Grande Prairie Downtown Business Association, and Pearl Wilson. They're accompanied by legislative assistant Elsie Warawa. I'd ask them now to rise and receive the usual cordial welcome of this House.

MR. DINNING: Mr. Speaker, a gentleman seated in the members' gallery is visiting here from Calgary today. He's a resident of the constituency of Calgary-Glenmore. He's a man who always gives good advice, and the quality of the advice improves with the amount of brandy that he serves. His name is Hunter Wight. He's in the members' gallery. I'd ask him to rise and receive the warm welcome of the Assembly.

MR. KIRKLAND: Mr. Speaker, it's my pleasure to introduce to you and through you to the rest of the Assembly this afternoon a constituent of mine that was a very bright and involved individual through his student years in junior high school and high school in the city of Leduc. He has joined the hon. Member for Edmonton-Ellerslie for the summer, and I'm sure that hon. member will profit as a result of this young man's ability and talents. His name is David Muddle, and I would ask him to rise and receive the warm welcome of the Assembly this afternoon.

head:

Oral Question Period

Kindergarten Programs

MR. DECORE: Mr. Speaker, there is one thing that's certain about the Ministry of Education, and that is the uncertainty, the fumbling that goes on on every major issue involving education in Alberta. From a position of reducing ECS funding and forcing programs to be reduced from 400 hours to 200 hours and creating user fees for kindergarten, the minister has now started to talk about a compulsory kindergarten program. My first question, then, to the Minister of Education is this: would a mandatory program for kindergarten be based on what's best for children or what's best for your budget, Mr. Minister?

MR. JONSON: Well, Mr. Speaker, our overall plan in Education is based on what is best for students given the fiscal and financial realities of this province, and that applies to our decision with respect to early childhood services. We feel that a sound program which meets the current objectives of the early childhood program can be met with the funding that's available.

MR. DECORE: Well, would the minister admit that he made an error in how he has dealt with kindergarten programming and say that he should have taken the advice of his roundtables where 75 or 80 percent said, "Mr. Minister, leave the education program for kindergarten in place as it should be"? Will he admit that?

MR. JONSON: Mr. Speaker, no. Our direction is quite firmly set. It's based upon our judgment that the objectives of the current early childhood services program, which are general in nature, which are preparatory to grade 1, can be met with the funding available.

MR. DECORE: Mr. Minister, tell Albertans why you fumble around with this issue when you say that it's firmly set to reduce from 400 hours to 200 hours, firmly set to put user fees in place, and now you're talking about compulsory kindergarten programming. Those don't make sense, Mr. Minister. Explain that to Albertans.

MR. JONSON: Well, Mr. Speaker, it's kind of ironic that the hon. member across the way talks about on the one hand not listening and on the other hand listening. This government is a government that listens. The proposal, the suggestion, the question has come up: why not have mandatory early childhood services, or kindergarten, in this province? I indicated the other night when I was at a town hall meeting that, sure, that is something we will listen to, we will consider. But I also indicated that the philosophy of early childhood services, which was developed sometime ago and I've also heard a great deal of support for, is that it is very flexible. It is not a determined mandatory part of the school system. It is offered by community service agencies. It is offered in the school system. That has also got a great deal of support in the province.

MR. DECORE: But, but, but, fumble, fumble, fumble: that's all we see from that minister.

Children's Hospital

MR. DECORE: Mr. Speaker, in April the Liberal opposition brought to the government's attention the fact that if the Children's hospital in Calgary was moved, the costs would be extraordinarily high. We now have a second assessment of that same situation saying that it just doesn't make economic sense to move the Children's hospital. Extraordinary health care is given at the Children's hospital because of the critical mass of professionals that perform at that health centre. Will the Minister of Health admit that the quality of health care that's given to children, small children, at the Children's hospital in Calgary is so unique, so extraordinary that it could not be duplicated at any other centre in Alberta?

MRS. McCLELLAN: Mr. Speaker, we're very proud of the pediatric services that we have in this province for children, and to say that there is only one place that those services can be delivered in a high-quality way I think is very unfair to the rest of the province. There is a pediatric program in the city of Edmonton that I think offers an extremely high quality of services to children. We're very proud of that as well as the program that is offered in Calgary. I would remind the hon. member that the program and the people are the important part, and it is not only little children, small children, that are served at the Children's hospital. In fact, older adolescents are served there very well too. I think what we want to concentrate on and certainly what this minister and this government want to concentrate on is that we continue to offer the highest quality of services in health care to children in this province.

MR. DECORE: Mr. Speaker, will the minister agree now that we've had two assessments, one by the Children's hospital staff and by a working committee of people that are related and work with the hospital caregivers in Calgary, that this move simply doesn't make sense and stop the whole process now, stop people wasting time and simply say that the Children's hospital will not be cut?

1:50

MRS. McCLELLAN: Mr. Speaker, I don't think there was a discussion as to whether the Children's hospital would be cut. What I have said on many occasions in this House is that any decisions regarding the care and the delivery of care for pediatric services in this province will be made on the best advice and the best information that we can receive on medical and on cost. I have not received a recommendation from the working group in Calgary through the acute care planning group. When I do receive that information, we will consider that very carefully.

MR. DECORE: Madam Minister, 55,000 Albertans and more have now signed petitions saying: don't close the Children's hospital. Will the minister agree that what's really happening here is that there's a cruel and sneaky agenda to allow the Premier to come forward and to ride up on his horse and say, "I'm going to keep it open for you"? That's the way it's going to be resolved. Isn't that the agenda?

MRS. McCLELLAN: First of all, Mr. Speaker, there has never been a suggestion that the Children's hospital would be closed. There was a discussion as to whether it should be relocated. The working group that is presently doing the analysis is making that assessment: should it or should it not be. I think perhaps if there is a cruel agenda, it certainly isn't on this side of the House. This is not a government proposal. This is not a proposal by the Minister of Health, and I will continue to wait for the recommendations from the acute care planning group, which is comprised of the best medical people we have as well as very responsible community people, to give us advice as to how to deliver those health services in this province.

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

Special Waste Treatment Centre

MR. COLLINGWOOD: Thank you, Mr. Speaker. Last week the Minister of Environmental Protection said that he wouldn't speculate on how much taxpayers would have to pay in subsidies, even if toxic wastes were imported from outside Alberta, to the Swan Hills hazardous waste plant. According to the figures in the NRCB application by the plant operator, portions of which I'm now tabling with other documents on the issue, we will still subsidize Bovar to the tune of \$101 million over the next six years even if we do import hazardous waste. Under the new agreement signed by this minister Bovar can sell out its interest in the plant once \$100 million of the \$101 million of the taxpayers' subsidy has been paid. So my question is to the Minister of Environmental Protection. By bringing in toxic waste from all over Canada and by subsidizing Bovar for another \$100 million, explain again how the Swan Hills plant benefits Albertans.

MR. EVANS: Mr. Speaker, the member opposite is the environment critic for the Liberal Party. The Swan Hills facility benefits Albertans because it treats hazardous waste generated by this province. He should know that.

MR. SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. I do.
My supplementary question to the Minister of Environmental Protection: why would you sign an agreement that allows your

partner to walk away from the plant right after you've paid all of the subsidies?

MR. EVANS: Mr. Speaker, what the hon. member is not commenting on is the provision in the amended agreement that we signed that provides that once this facility begins to make money, from 1993 the people of the province of Alberta start to be paid back moneys that have been paid out to give them a return on their investment, which was the reason that they came into this project in the mid-80s in the first place.

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Also to the minister: will the minister change his mind and direct that the hazardous oil field wastes that are generated in this province must be disposed of at that plant so that at least we make some attempt to reduce the subsidy paid by Alberta taxpayers?

MR. EVANS: Clearly, Mr. Speaker, hazardous waste that is generated in this province regardless of the source should be treated at Swan Hills if it is of sufficient seriousness that it creates a substantial adverse effect on the environment. What we have is a process now in this province where oil field waste is really the responsibility of the Department of Energy, but they have to deal with it in the same way that we deal with other wastes in this province. We have tried very hard to ensure that we have a consistent definition in Canada of what amounts to hazardous waste, and we will continue to ensure that hazardous waste is treated in a reasonable and responsible manner and recognize that there are a number of different treatment possibilities available depending on the seriousness of the waste.

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

Arts Funding

MRS. BURGNER: Thank you, Mr. Speaker. It is well known that a strong arts community is a significant part of the Alberta advantage, but in light of recent controversial shows funded by the Alberta Foundation for the Arts, I understand the minister has taken steps to prevent some of these shows from being funded again. I would ask the Minister of Community Development to please advise this Assembly what action he has taken.

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

MR. MAR: Thank you, Mr. Speaker. The hon. member is correct. There have been some Alberta Foundation for the Arts supported shows recently which many Albertans have objected to seeing government dollars going towards funding. I've looked at the situation, reviewed it, and I've asked the AFA to end project-specific funding.

MR. SPEAKER: Supplemental question.

MRS. BURGNER: Thank you. Mr. Speaker, to the Minister of Community Development: is this not, then, a form of censorship?

MR. MAR: Well, no, Mr. Speaker, because frankly when you have a jury process to select funding for shows, you are already putting limiting parameters in place. The fact is that there are simply limits to the amount of money that we have, and, basically

stated, not everybody who wishes to receive funding will get it. But that is not the same thing as censorship.

MR. SPEAKER: Final supplemental.

MRS. BURGNER: Thank you, Mr. Speaker. Well, how will this affect the operation of the Alberta Foundation for the Arts?

MR. MAR: Mr. Speaker, the Alberta Foundation for the Arts has done a very good job in past years as the primary vehicle for funding the arts in the province of Alberta. It will continue in that role, and I'm pleased to say that the government has made a very firm commitment to the arts industry in the province by maintaining arts funding for the next three years at its current levels. People frequently forget the fact that arts are an important part of the Alberta advantage.

MR. SPEAKER: The Member for Edmonton-Rutherford.

Alberta School for the Deaf

MR. WICKMAN: Thank you, Mr. Speaker. Last year the Minister of Education threatened to turn the School for the Deaf over to the Edmonton public school board. Then he talked about turning it into a charter school. Now I get a letter from the president of the Edmonton Association of the Deaf, which I'll table, in which he informs us that he has learned that the government is now planning to renovate and lease out this facility. To the Minister of Education: as the minister fumbles along on this issue, can he tell us what kind of snow job he's trying to pull off on the deaf?

MR. JONSON: Mr. Speaker, for some time we have been working with the School for the Deaf in terms of a new governing structure, one in which the School for the Deaf would be more independent of government and would be able to assert its identity and be able to have the flexibility to deal with what is already a quality education program but certainly one that could be improved. In the course of that discussion the proposal was put forward of having the School for the Deaf move under the auspices of a school board. Now with the coming forward through legislation of the concept of a charter school, the School for the Deaf, as I understand, are interested or have already put in a proposal with respect to becoming a charter school and view that quite positively. Certainly the School for the Deaf will continue to operate, and it is an important part of the education structure of this province.

2:00

MR. WICKMAN: Mr. Speaker, in the letter from the president of the Edmonton Association of the Deaf that was tabled he informs us that there is no consultation taking place whatsoever. Is the minister prepared to halt the discussions that are going on now, to sit down with those involved and have some meaningful discussions so they're involved in the future of that facility?

MR. JONSON: Mr. Speaker, with respect to the continued existence of the School for the Deaf, that is a certainty. I have met with representatives of the School for the Deaf. I have met with the principal of the Alberta School for the Deaf in terms of the School for the Deaf continuing on.

Now, with respect to the building of the School for the Deaf, this is a very large building which has a certain amount of excess

capacity. No decision has been made with respect to the utilization of that capacity at all, but if the Minister for Public Works, Supply and Services wishes to elaborate, I would invite him to do so. The important thing here I think, Mr. Speaker, is that the program, the school, continues to exist in the future.

MR. WICKMAN: Mr. Speaker, I'll ask the minister again. My question wasn't answered. Is he prepared to sit down and discuss this issue and other issues as to the future of that facility with those involved?

MR. JONSON: Mr. Speaker, the minister has had discussion with people from the School for the Deaf. The Alberta Education's departmental staff have had discussion with the staff and the people from the School for the Deaf in terms of the school's operations. If the issue of dealing with excess space in the School for the Deaf is an issue, certainly we will meet on that.

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

MR. THURBER: Mr. Speaker, just in supplement to the Minister of Education's comments on the School for the Deaf. My department has become aware that there is some extra space in there, and the only negotiations that I know of that have taken place are about how to best handle that and still deal with all of the subjective needs of the School for the Deaf. As the minister has stated, there is no intention to shut it down or anything else.

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

Grain Transportation

MR. SMITH: Thank you, Mr. Speaker. Although there is very little arable land in Calgary-Varsity, there is great concern with complex regulations and monopolistic inefficiency in the allocation of grain cars through the Crowsnest Pass benefit rate and subsequently the Western Grain Transportation Act. This inefficiency leads to delays in delivery, shipping, and honouring export contracts thereby weakening global competitiveness. My constituent believes that there is a problem with the inefficient allocation through this freight rate mechanism. To the minister of agriculture: other than developing a competitive delivery system, how can the minister ensure that an adequate railcar fleet exists to meet customer needs?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. Indeed the hon. Member for Calgary-Varsity has identified a very critical and important issue in the agricultural community. The loss to farmers in the last three or four months is in the area of \$200 million, a very, very significant loss to the agricultural community. Today we have a fleet of approximately 25,000 hopper cars that are in the process of moving the grain. Unfortunately, it takes 20 days for a turnaround for each car. This turnaround time of 20 days is similar to what it was 80 years ago. So obviously it's not just a matter of the number of cars that are available; it's also a matter of streamlining the whole process and turning the cars around in a much more rapid fashion.

MR. SPEAKER: Supplemental question.

MR. SMITH: Thank you, Mr. Speaker. To the same minister: what action is being taken to help alleviate and ultimately resolve the problems associated with existing car allocations?

MR. PASZKOWSKI: The issue of car allocation is only a small part of the whole problem in that we have a multitude of problems that are coming together and will have to be dealt with at the same time. Further, this was the crux of the meeting that was held in Winnipeg a week ago this Monday where the discussions took place with the stakeholders. Again, as I mentioned before, we had some concern because the primary stakeholder, who is the Alberta producer, or the farmer, was not represented at this meeting, and we feel that it's very important that the farmer should be present at any discussions that take place. However, there were 12 points that were identified as being important issues that have to be dealt with. There were subcommittees structured to deal with each of these 12 points. Ultimately, they're to report within a matter of two or three weeks with some recommendations that are to come forward.

MR. SMITH: To the same minister, Mr. Speaker: in addition to this review, what authority does this government have to address these problems?

MR. PASZKOWSKI: We're considering the process not just as a car allocation problem. What we as the government of Alberta are doing is developing a holistic approach to all the issues and all the needs of the agricultural industry as far as the regulatory process is concerned. We are living in changing times and changing needs in the agricultural community. Our strength in our agricultural community is in our diversity. Our clients are changing in that where we used to market our grain to the U.S.S.R. in one huge-volume lump, we're now marketing to smaller clients and smaller bases. So the whole process has to change. It is our intention as a department and as a government to bring forward recommendations that will deal with all of the issues, because just tinkering with one issue won't solve the ongoing problems that exist. We're on the brink of making agriculture the dominant industry in this province and in this country, but we have to make some regulatory changes that will allow this to happen.

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

Magnetic Resonance Imaging

MR. MITCHELL: Thank you, Mr. Speaker. What the Minister of Health does not understand when she says that Alberta has more MRIs per capita than any other province is that these machines aren't very much good when they sit idle for as much as five days per week. So we get the case of Mr. Mac MacKay, whose doctor said that he needed an MRI scan immediately, couldn't get it for him without a six-month wait, so Mr. MacKay ended up massively handicapped as a result. Of course he had another choice. If he'd had \$1,200, he could have bought it for himself, but he didn't have \$1,200. What is the Minister of Health going to do to ensure that this kind of tragedy cannot happen again?

MRS. McCLELLAN: One thing I'm not going to do is diagnose from the Legislature, Mr. Speaker. I don't think that's appropriate.

Mr. Speaker, through funding that is available in this province through lottery funds for medical equipment, we have been able to provide a number of MRIs, four that are operating in this

province today for the use of Alberta citizens. We do have indeed, again I must say, the best access to MRI services per capita in Canada. I have suggested that hospitals certainly can dedicate more funding to MRI, and it would be my hope that MRI is replacing other tests that are currently being used and that there would be funding available from that area. It is certainly an important diagnostic tool, and I think Albertans should be very appreciative of the fact that we do have access in this province to the degree we do. However, I must reiterate that it is the physician that makes the case to the hospital or to the MRIs, which in Alberta are all located in hospitals in our publicly funded system, as to the urgency and the need for the use of that diagnostic tool.

MR. MITCHELL: How can the minister stand in this Legislature, Mr. Speaker, and say that somehow it's up to the physician to get a patient moved up the priority list when Mr. MacKay's own neurologist indicates that it's so tough to get people into public MRIs that he has sent his clients to private clinics for over a year?

MRS. McCLELLAN: Well, again, as I said, I am not going to diagnose from this Legislature, nor am I going to question the physician. However, I do believe that it is most appropriate that the physician does make the decision as to whether his or her patients require an MRI. Most, in fact I believe all of the hospitals have a prioritization for use of diagnostics. I think that is important, Mr. Speaker, and I do believe that those decisions are best left in the hands of the professions.

2:10

MR. MITCHELL: Why will the minister not accept the advice of experts in this field, experts like Dr. McEwan at the University of Alberta hospital, who state very clearly that if they could get adequate funding, they could reduce the waiting list to zero and they could do the kind of early diagnosis that will save costs in the long run and save a lot of human suffering as well, Mr. Speaker?

MRS. McCLELLAN: Mr. Speaker, I would certainly check my mail, but I do not believe that I have received a representation from that gentleman and from the University hospital.

Hospitals in this province are given a budget. In some cases we give them dedicated funding to ensure that the dollars are spent in certain areas, but we have asked hospitals to manage within those budgets. Certainly I would expect that if they had a difficulty in this area, they would communicate directly with the minister.

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

St. Michael's General Hospital

MR. DUNFORD: Thank you, Mr. Speaker. My question is to the minister of public works. Many constituents in my area remain concerned about the agreed mandate for St. Michael's health care centre in Lethbridge. It's not clear to me the processes that evolve to the regional health authorities. Could the minister clarify, then, the process with the regional health authorities regarding capital projects such as St. Michael's?

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

MR. THURBER: Thank you, Mr. Speaker. The St. Michael's project was one of many projects that were put on hold on October 4, 1993, to allow the regionalization of the health

delivery service in this province to complete itself and go through the process. I might ask the Minister of Health to complement my answers, but it would appear to me that once the regional health authorities are formed, these would be some of the first things on their agenda: to make recommendations back to the government on these capital projects.

MR. SPEAKER: Supplemental question.

MR. DUNFORD: Yes. Thank you, Mr. Speaker. Regarding recommendations, then, that the regional health authority may wish to make, what about all the work that has been done by your department to this date regarding that project?

MR. THURBER: Well, Mr. Speaker, I guess it depends at what stage of the game they were when we announced the holding of these projects on October 4. We tried to allow most of the ongoing planning and design to reach a certain stage of ownership before we put them in the hold position, and I'm sure that St. Michael's is in the same boat with the rest of the projects that we put on hold.

MR. SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. Are there any ongoing discussions currently between your department and the administration of St. Michael's?

MR. THURBER: Certainly, Mr. Speaker, there are ongoing discussions with most of the projects that were put on hold, because they like to keep us apprised of what's going on in their area and the continued needs. That will be further dealt with the minute that the regional boards are in place and they can take their proposals to them for recommendation back to the government.

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

Child Welfare Contracts

MS HANSON: Thank you, Mr. Speaker. Despite the minister's claim that he has corrected the disgraceful system of awarding child welfare contracts, the process still reeks with unfairness. A demand that contracts over \$500,000 be required to get ministerial approval is hardly how Albertans define an open and honest system. The issue is not who gives approval; it is the fact that million dollar contracts are awarded privately behind closed doors. My questions are to the minister. Mr. Minister, when you announced the changes to the contract process, why did you not demand that such contracts over, for example, \$25,000 go to tender?

MR. CARDINAL: Mr. Speaker, there is always an ongoing review of the contracts provided by this department. There are over 500 contracts that we provide to various agencies. At this time to jump up and say that I'm going to make changes immediately would not be fair to those 500 or so contractors, including major providers across Alberta, including organizations like Catholic Social Services, Edmonton City Centre Church Corporation, a \$2 million contract in that particular area. It is hard for this minister to jump up and say now that we are changing the rules.

There is an ongoing review of how projects are handled in my department. This particular project that the hon. member is addressing is a pilot project. I've explained to this Assembly before why it was designed that way, Mr. Speaker, and I intend to monitor it very closely and ensure at the end of that particular period that we do make changes that are required. We will consider at the time if that is the best way to deliver the service to those 71 families or so out there. If that is the best way to deliver the service, we'll package and contract it.

MR. SPEAKER: Supplemental question.

MS HANSON: Thank you. Mr. Minister, if you're still awarding contracts without going to tender, how many others are going to be getting the same kind of deal?

MR. CARDINAL: Mr. Speaker, like I say, this particular policy – you know, anything under \$250,000 is approved at the local level – we have 438 contracts under that category. I believe that because we are a provider of service in the high-needs area, we have to continue being involved in these contracts and continue the monitoring processes that are required so that we do provide a high quality of service to our clientele.

The welfare reform which was announced just awhile ago, April 15, '93, in fact, Mr. Speaker: that particular program was designed to be innovative and deliver a high quality of service for the high-needs area, keeping in mind that we were not going to deliver programs the way they were delivered in the past. You have to be innovative in this department to be successful, and I believe we have achieved that goal.

MS HANSON: So no tenders are going to be issued by the department of social services. How can you claim to have a fair and equitable process for contracting services when the only requirement is the approval of your deputy minister or the minister?

MR. CARDINAL: Mr. Speaker, I'm not saying that no contracts will be let out by this department. I'm just saying that we'll have to be innovative. We have to continue to be open to the best process we have in place to be able to deliver to our clients out there. In fact, when the welfare reforms were announced on April 15 of last year, the caseload at the time was 94,000 cases. Within one year we've reduced that to 59,400, or over 34 percent, or equivalent to \$350 million annually. The only reason we managed to do that is that we are very innovative. We are open in fact to the opposition to advise us on some good ideas they may have so we can continue reducing the caseload of employables that should be working and redirecting those dollars to the high-needs area, like we did in the past year. We've redirected over \$100 million to the high-needs area in '93-94 alone.

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

Alberta First Call

MRS. GORDON: Thank you, Mr. Speaker. My questions today are to the Minister of Transportation and Utilities. Rural gas co-ops have played a vital role in the delivery of natural gas to all Albertans throughout this province. The rural gas co-ops have proven to be responsible, cost-efficient natural gas infrastructure managers. Recently one of my constituents, a member of one such co-op, questioned me regarding the viability and role of

Alberta First Call. Mr. Minister, why would these groups of knowledgeable experts have to use Alberta First Call, a service to locate pipelines?

2:20

MR. TRYNCHY: Mr. Speaker, the first part of her question is right on. As a matter of fact, gas co-ops have played a vital role in the delivery of natural gas to Albertans.

I'm surprised at the second question because in my discussions with the gas co-ops in two successive years I don't recall ever making it mandatory that the gas co-ops call Alberta First. I think that when it was discussed that the gas co-ops – most of the gas co-ops belong to this organization because it does play a vital role in regards to safety. I just look at that newspaper ad. It says: make sure you're not digging up trouble. I'm sure that there are a number of gas co-ops that when they put in gas lines over other pipelines from other companies, whether they're pipelines, whether they're utility lines, I'm not so sure they know where they're at. So I think Alberta First Call is a great, great thing for rural Alberta in regards to gas co-ops.

MRS. GORDON: Are there costs associated with this service or savings accrued?

MR. TRYNCHY: Mr. Speaker, there is no cost to the government whatsoever. It's handled by the private sector. There are some 240-plus members that belong to this organization. As I said: no government funds. Members that belong to this pay an entry fee, and I think, as I've said before, that it's a vital component of safety in the province of Alberta. Sure, there's a cost saving. Should you hit one gas line, should you save one life, I think that's pretty important in regards to what Alberta First Call does.

MR. SPEAKER: Final supplemental?

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

Sturgeon General Hospital

MRS. SOETAERT: Thank you, Mr. Speaker. The Sturgeon general hospital is part of community health services that are supported and used by St. Albert and all the surrounding areas. You know, it's incomprehensible why the Sturgeon general hospital is no longer in the same health region as the municipal district of Sturgeon. My question is to the hon. Minister of Health. What evidence does the minister have to prove that it is cost-effective and -efficient to keep St. Albert in the Edmonton region?

MRS. McCLELLAN: Mr. Speaker, the Sturgeon general has been a part of the Edmonton planning area and a formal part of the Edmonton planning council for some time. It plays a very important role not only for the outlying areas, which it serves very capably, but also as included in the Edmonton region for services. I believe there is a misconception that the placement of it will in some way inhibit the use of that hospital by the surrounding areas. There is nothing in that that would change any of the utilization there is. The Sturgeon general has been in the Edmonton planning region for at least three years and very well serves the outlying area today and will into the future.

I should also mention that I have met with a number of people from that area. I have asked them to consider working with this arrangement in the development of the business plans. If there is some evidence that this is not in the best interests of delivering

health services, we would consider their thoughts very carefully at that time.

MRS. SOETAERT: This question is on their behalf. Why did the final regional boundaries not reflect the wishes of the mayors and reeves from St. Albert and outlying municipalities?

MRS. McCLELLAN: Mr. Speaker, again I have to come back to: the interest here is in the delivery of health services. The delivery of health services has worked very appropriately. One of the things that I think is very positive for the residents of St. Albert is the interaction with the other facilities in this area. It has allowed them, I believe, to provide more services, both for, in some cases, residents of the city of Edmonton as well as the residents of the surrounding area. I believe that the main objective here for the people of St. Albert and for the people of the surrounding areas is to ensure that they continue to have that high-quality access to medical services.

MR. SPEAKER: Final supplemental.

MRS. SOETAERT: Thank you, Mr. Speaker. My final supplemental: does this mean that when health boards requisition funds, Sturgeon residents will end up paying Westlock rather than their own hospital?

MRS. McCLELLAN: Mr. Speaker, I think that if the hon. member follows the debate on Bill 20 very carefully, she will understand that the requisitioning powers will be very narrow and are only looked at being used for things like improving parking, landscaping. Certainly none of those dollars – there is no requisitioning for operating or for major capital. The hon. member should become far more familiar with the present Bills that we live under, like the Hospitals Act, where requisitioning occurs. She would know that her question as to whether it would pay for any other hospital is totally ridiculous.

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

Western Heritage Centre

MR. AMERY: Thank you, Mr. Speaker. On the radio this morning was a feature story done by a national, publicly owned station which implied that the provincial government would take over the western heritage centre if it's not completed by July 1, 1996. To the Minister of Community Development: would the minister explain whether we are about to take over the centre?

MR. MAR: No, Mr. Speaker, I am not interested in operating a new museum in the province of Alberta. However, I am pleased with the continued success of the project. Heritage tourism, of course, as people are well aware, in this province is worth millions of dollars to local economies. As I pointed out in the course of that interview, all you have to do is ask the people in Cardston or in Wetaskiwin or in Drumheller what the impact is of the Remington carriage museum, the Reynolds transportation museum, or the Royal Tyrrell, and they will tell you what a great direct benefit it is to their local economies.

MR. SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. Mr. Minister, how is the government protecting its current \$5 million financial commitment to this project?

MR. SPEAKER: The hon. minister.

MR. MAR: Thank you, Mr. Speaker. The government of Alberta has agreed to contribute \$5 million to the project through Alberta Lotteries via the Alberta Historical Resources Foundation. To date \$1.7 million has been paid to the Western Heritage Centre Society. The funding agreement between the society and the foundation stipulates that the foundation will only disperse funds on the condition that the society has conducted fund-raising sufficient to cover 50 percent of the then current project costs.

MR. SPEAKER: Final supplemental.

MR. AMERY: Thank you, Mr. Speaker. Would the Minister of Community Development address the concerns of some of my constituents that the government is paying professional fund-raisers to find money for the western heritage centre?

MR. MAR: Mr. Speaker, the government's money is not for fund-raising. It almost exclusively goes to the construction project itself. All funding requests from the society must also be reviewed by officials from Alberta public works. It's simply not the case that this money is going to fund-raisers, and it really belittles the active support of the corporate community that has donated some \$3 million of the \$5 million funding campaign target. The involvement of Calgarians such as Gwyn Morgan, Bruce Simpson, and Doc Seaman shows renewed commitment of the local community to this project.

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

Heritage Savings Trust Fund

MR. CHADI: Thank you, Mr. Speaker. The Financial Review Commission concluded that the heritage fund gives Albertans a false sense of security. The Premier has said that he'll put together an all-party committee to review the future of this fund. My question is to the Provincial Treasurer. When can we expect the formation of this committee?

MR. DINNING: Mr. Speaker, I would hope that with the assistance of the hon. member and other members of the Alberta heritage savings trust fund select standing committee we would be able to bring that committee together sometime in 1994 to listen to the views of Albertans as to the future of the Alberta heritage savings trust fund.

MR. SPEAKER: Supplemental question.

MR. CHADI: Thank you. The Premier said it would be concluded by the end of June.

My question is again to the Provincial Treasurer. Other than Vencap, what negotiations are taking place with regard to repayment from the different companies that owe money to the fund?

MR. DINNING: Well, Mr. Speaker, the heritage savings trust fund has a number of investments. They were spelled out in the annual report, in the easy-to-read Just the Facts piece that several Albertans have expressed interest in and want more information on. Those investments I believe in this past year earned a total rate of return of about 9 to 9 and a half percent, a pretty good rate of return in this day and age and one that I know the hon. member would envy if he was able to get that from his own bank account.

2:30

MR. SPEAKER: Final supplemental.

MR. CHADI: Thank you, Mr. Speaker. Would the Treasurer then confirm that the bulk of the 9 percent money that is owed to the heritage savings trust fund is in fact money that is borrowed from Albertans through the GRF, the general revenue fund? What a joke.

MR. DINNING: I would think that in terms of about \$1.1 billion in loans to other members of the Canadian family through the Canada investment division, loans to some five provinces and their agencies, some \$1.1 billion at the last count: that earned a rate of return, Mr. Speaker, of a little over 11 percent, which again, when you contrast that with what members might get through GICs at their local banks or financial institutions, is a very good rate of return for the people of Alberta.

MR. SPEAKER: The hon. Member for Peace River.

Special Places 2000

MR. FRIEDEL: Thank you, Mr. Speaker. I have a question for the Minister of Environmental Protection. During the past three months I've received numerous letters and comments about the report Special Places 2000, and most of these are criticizing the document as being biased and overly protectionist. Today I received a letter advising that several environmental organizations have hired a co-ordinator for the start-up phase of the project. I wasn't even aware that it was anything more than a report to the government, yet we have groups actively working on start-up. I'm wondering if the minister can advise us: what is the present status of this report?

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

MR. EVANS: Thank you, Mr. Speaker. The report by the advisory committee was actually tabled by myself and the Minister of Economic Development and Tourism back in February. We opened the windows, if you will, for a 60-day review of that report and further comments. The report itself is an important part of the public input into a draft special places policy that was initiated by the then Minister of Economic Development and Tourism, our good friend Don Sparrow, and the then minister of the environment, Ralph Klein, along with the minister of forestry, lands and wildlife, Mr. Fjordbotten.

The report that the hon. member is concerned about, again, is one of a number of input processes into a review of a special places strategy for this province. All of the input, including that report, is being reviewed by government departments that have responsibility for natural resources management in this province. When all of that information is tabulated and the issues addressed, we'll be moving it forward through caucus and cabinet.

MR. SPEAKER: Supplemental question.

MR. FRIEDEL: Yes, Mr. Speaker. To the same minister: more specifically, when will the department be dealing with the report, and can you tell us what procedures will be followed in dealing with it?

MR. SPEAKER: The hon. minister.

MR. EVANS: Thank you again, Mr. Speaker. It's certainly a matter of policy, and as a consequence of that, it will be reviewed by the standing policy committee on natural resources and sustainable development. Again, we would not be bringing that forward – I say, we: the Minister of Economic Development and Tourism and myself – until such time as we have addressed, tabulated, and reviewed all of the very significant input that we've received from Albertans on this initiative.

MR. SPEAKER: Final supplemental.

MR. FRIEDEL: Yes. The minister talks about receiving significant input. I'm wondering: who will be compiling all the correspondence that is being received to ensure that these comments will be given due consideration relative to dealing with the report?

MR. EVANS: Certainly the Department of Economic Development and Tourism and the Department of Environmental Protection will be leading the tabulation of all of the information that has come in, but we are also involving in a very active way all of those departments that have natural resource responsibility, and I'll use a couple of examples: the Department of Energy, the Department of Agriculture, Food and Rural Development. This must be a comprehensive review and a comprehensive approach. Accordingly, it will not just be a matter dealt with by the two lead departments.

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

head: **Members' Statements**

MR. SPEAKER: The hon. Member for Redwater.

Downloading to Local Governments

MR. N. TAYLOR: Thank you, Mr. Speaker. I would say a word or two today about local government. You know, there's a philosophy abroad in the land that says that the decision that is made closest to the people is the best decision. I guess you'd call it the doctrine of subsidiarity, and this government has from time to time paid lip service towards it. But in order for local government to work, it has to have access to tax funds. It's one thing to tell them that they can make decisions locally, but the revenue isn't there. Traditionally this House has left only the property tax for the local government to take part in.

We take a look at the House in the last session in both Education and Health. In Education we've seen a direct raid on property taxes. In other words, the parent government has gone in and grabbed, or creamed off, varying from 35 to 50 percent of the property taxes in an area, and as a matter of fact in time it looks like they'll break off some more. So instead of local government and subsidiarity getting better, it's getting worse. From that aspect, they're getting less taxes.

Secondly, in the area of Health we've also attacked local government by passing on to local government some of the health costs. I know the minister says that it is only a little here and a little there, but a little here and a little there soon becomes a little everywhere down the road so that the local government then is expected to come up with more money. So what we have is not only a raid on their source of taxation but a downloading of what should be Edmonton's responsibility onto local government.

Now, I think it's time that we went back to the old Social Credit idea, Mr. Speaker, and realized that local governments are

partners. They're not the children of government, as this government would often like to think of it, not that any local government would want to consider that this government is in any way associated with their paternity. Nevertheless, the fact is that the calling of children is out, and what we have to do is get back to revenue sharing: sharing the income taxes, the corporation taxes, all the taxes.

Oldman River Dam

MR. COUTTS: Mr. Speaker, it has now been four years since the completion of the Oldman River dam project in my constituency. I am sure that I need not remind members of this Assembly that much of the development process in making this dam a reality was not without its controversy. There were environmental and aboriginal groups who were opposed to the construction, just as there were many farmers and local businesses who were very much in favour of the dam. I do not wish to resurrect that debate, but what I do wish to do is take this opportunity to briefly highlight one of the perhaps unexpected benefits that the Oldman dam has provided for Albertans.

Aside from providing a potential source of life-giving irrigation water for area farmers, the reservoir that the dam naturally created has quickly become an excellent recreation facility. Outdoor enthusiasts have recognized the beautiful setting that has been enhanced by the presence of this yet unnamed reservoir. They have been able to make good use of it by means of wind-surfing, swimming, waterskiing, canoeing, sailing, and fishing. These activities resulted not only in the development of provincial picnic and camping facilities but also community initiatives like the Canadian Wilderness Recreation Boat Club under the direction of Carl Lemke, president. Their objective is to provide a recreational area for camping and boating on the reservoir. They provide lots for use by club members on an annual membership fee. This is a nonprofit club that directs all revenues to the maintenance and enhancement of that facility. They have also provided a day-use picnic area as well as guest camping to promote membership, thereby allowing the general public access to this wonderful recreation site. The Canadian Wilderness Recreation Boat Club also seeks to environmentally cultivate the property by requiring members to plant a minimum of 12 to 15 trees on each lot.

I would like to conclude by applauding those who were able to recognize and act upon this secondary benefit that the Oldman River dam has provided to southern Alberta as well as to all those who would be so inclined to visit my absolutely breathtaking constituency this summer.

Thank you, Mr. Speaker.

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

2:40 Parliamentary Reform

MR. WICKMAN: Thank you, Mr. Speaker. I want to touch on parliamentary reform and the decorum within this Assembly. We saw at the beginning of this session some good attempts at trying to come to a resolution in terms of some parliamentary reform, and it did look positive. It did look like there was potential. But we also saw very recently within this Assembly what appeared to me to be manipulation on a so-called free vote by government members when we talked in terms of the whistle-blower legislation. It appeared to me that the government Whip stood up as the head puppeteer – you stand up; you sit down – and cleverly orchestrated or carefully orchestrated a very, very close vote, ensuring that that good piece of legislation would go down.

Mr. Speaker, we saw another Member of this Legislative Assembly stand up and remind us that it costs \$15,000 a day to run this Assembly. But stop and think. If it were not for the effective criticism, arguments, presentations that come from this side of the House, would the government have had the opportunity to bring forward those amendments to Bill 19, the amendments to Bill 20, which we are now debating, the amendments to Bill 18, the amendments that I expect to Bill 31, and the amendments probably to Bill 35, which the government has moved closure on?

Mr. Speaker, despite the fact that we give good solid argument, good solid supplement to legislation, the government callously moves closure, and the latest instance of that happened earlier in this House. With very few opportunities, very few hours of debate closure is being proposed on Bill 35. What does that say for the democracy of the province when debate is cut off before it even starts?

MR. SPEAKER: Order please. Hon. members, there are two points of order hanging over the Assembly from last Thursday's meeting.

Point of Order

Factual Accuracy

MR. SPEAKER: The first the Chair wishes to deal with is that raised by the hon. Member for Bow Valley. The Chair has examined the *Hansard* for Thursday and is of the view that there is no point of order here. This is a disagreement between hon. members. [interjection] Sorry, hon. Member for Cypress-Medicine Hat.

Point of Order

Length of Question Period

MR. SPEAKER: The second point of order was raised by the hon. Opposition House Leader, and the Chair is prepared to make a ruling thereon. On Thursday, May 19, 1994, the Chair recessed the proceedings of question period for three minutes. The Opposition House Leader requested an explanation for the ruling pursuant to Standing Order 13(1).

An Assembly is constituted by elected representatives for the purpose of orderly debate. The Assembly cannot do its business without order. Question period while not itself a process of debate operates within that context. *Beauchesne* says this about question period.

- (5). The primary purpose of the Question Period is the seeking of information and calling the Government to account.
- (6). The greatest possible freedom should be given to Members consistent with the other rules and practices.

See *Beauchesne* paragraphs 407 to 420. Nowhere does it state that question period is to be used for yelling, screaming, haranguing, or the carrying on of personal arguments between members. That is an abuse of the time.

Certainly, as the Opposition House Leader said, the opposition may call the government to account in question period, but the disorder witnessed on Thursday cannot be considered calling government to account. Furthermore, the behaviour witnessed on Thursday in the view of the Chair tends to call the whole House into disrepute.

Standing Order 13(1) states: "The Speaker shall preserve order and decorum and shall decide questions of order." *Beauchesne* 189 states:

A very important function of those persons in the Chair, either in the House, or in committees, is the maintenance of order. In doing so, those who preside must be mindful of the rights of Members to speak

freely, and the equally important right of the House to be free from obstruction and grave disorder.

Erskine May at page 249 refers to a specific Standing Order of the British House of Commons which allows the Chair to adjourn the House in cases of grave disorder. The Australian House of Representatives also has a Standing Order, 308, which allows the Speaker to adjourn or suspend proceedings in cases of grave disorder.

The Chair has to wonder whether it is better to spend three minutes of question period with the members regaining their composure or spend it having members yelling and catcalling and the Chair vainly trying to restore order. Perhaps the alternative is for the Chair to name members who will not come to order. That would deprive those members not only of the question period but of the whole day. The obvious solution, as far as the Chair is concerned, would be for hon. members to come to order when the Chair calls for order so that members may proceed with their business.

The Chair is fully aware of the extreme seriousness of recessing the Assembly. It is done as a last resort and should not be used to the disadvantage of either side. A recess is only resorted to when the following conditions apply: there is grave disorder; the disorder exists in a significant portion of the House, not just between one or two members; upon repeatedly being asked to do so by the Chair, the House will not come to order. This has been the case in the past when recesses have been declared.

After due consideration, therefore, the Chair remains of the opinion that it is in order for the Chair to call a brief recess when the Assembly is in disorder and the Chair feels it is unable to restore order. The Chair would add that it would be wrong and possibly a breach of the privileges of the Assembly for a recess to interfere with the order of business of the Assembly by lasting any more than a few minutes.

The other issue is whether, when a recess occurs during question period, the clock should be stopped during such recess. Precedent varies on this. Having given the matter a great deal of consideration, the Chair is of the view that since a recess only occurs when the whole House is in disorder, the whole House should lose the time, and the further business of the House, Orders of the Day, should not be prejudiced by a recess. Therefore, the clock should not be stopped if a recess is called during question period.

The Chair certainly appreciates the attitude of all hon. members today. After having a very nice long weekend it hopes that this attitude will continue during the remainder of the session.

head:

Orders of the Day

head:

Public Bills and Orders Other than Government Bills and Orders

head:

Second Reading

Bill 213

Loan Guarantees Statutes Amendment Act, 1994

[Debate adjourned May 17: Ms Carlson speaking]

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

MS CARLSON: Thank you, Mr. Speaker. It's with pleasure that I rise to conclude my remarks on Bill 213, the elimination of loan guarantees. When I last spoke to this issue in the House, I read out a partial list of loan guarantees entered into by this government which actually resulted in hundreds of millions of dollars lost to the people of this province. While I was doing so, the

Provincial Treasurer sat across the way and said to me: why don't you just rub your hands with glee while you read out that list? Well, I would like to remind the hon. Provincial Treasurer that we don't find the lost hundreds of millions of dollars on loan guarantees a gleeful situation and in fact – and I read the list out to point out the seriousness of the nature of this situation – it needs to be addressed by this House. In fact, we on this side have been very concerned and upset over the course of time to see the way the government handles loan guarantees, and it certainly at any point calls into question their business acumen and judgment in having given out so many loan guarantees that were clearly poorly laid out, awful choices in terms of business decisions and certainly need to be stopped, and that's exactly what this Bill addresses.

Before the debate goes over to the government side, I'm sure that someone from that side will state that this isn't a necessary Bill now because the Premier has said that he resolves not to get involved with loan guarantees again. Well, I'd like to take just a short walk back into the history of this Tory government and take a look at the record where previous ministers have said exactly the same thing.

2:50

The minister of economic development and trade, Larry Shaben, promised an end soon to grants and loan guarantees to private businesses after we reach a point where our economic base is broadened. Shaben predicted that this would be in 1990, when he also predicted that Alberta would also experience a balanced budget, a diversified economy, and less government intervention. This is a quote from the *Edmonton Journal*, March 13, 1988. Well, in fact, in that period of time the loan guarantees put out by the Tory government more than doubled. So that puts into a very questionable state the word of that minister in that particular situation. Again, the Treasurer: after huge losses were revealed due to the failure of 31 government-backed companies, Treasurer Dick Johnston reported that his government was rethinking its loan guarantee strategy; the *Calgary Herald*, April 13, 1991. To date no changes.

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

MR. SMITH: Well, thank you, Mr. Speaker. It's always a pleasure to rise and speak against opposition Bills.

MR. DAY: It's always a pleasure to listen.

MR. SMITH: That's right, and gosh, I'd like to just thank the hon. Member for Edmonton-Ellerslie for reading into my speech and saying that I will probably say that the Premier's already said that we're not going to do this, and we're not. We probably don't need to hear the opposition reinforcing this, because in effect they're supporting our existing policy. I'd just like to take this opportunity to thank them for supporting our policies. That's clearly a sign of an enlightened opposition and one that is working towards advancing not only the stature of this Legislature but indeed the process.

I'd like to just reaffirm that this government is against the use of loan guarantees and indemnities as a means to encourage economic development in the province of Alberta. [some applause] Certainly from Grande Prairie-Wapiti that support is always ongoing. Instead, Mr. Speaker, this government is looking at ways to change the environment in which Alberta business operates in order to facilitate a level playing field, eliminating the need for government incentives such as loan

guarantees and indemnities. I'm sure that those few remaining members over in the opposition benches have heard the famous statement that that was then and this is now.

Well, throughout the world, Mr. Speaker, the concept of government being a catalyst in economic development has changed dramatically, and in fact government now takes on more of a steering role. The private-sector and competitive market forces, which is the most efficient way of allocating scarce resources, will in fact stimulate economic development.

The Alberta Financial Review Commission in its Report to Albertans in March of '93 made some recommendations in relation to loans and loan guarantees. They recommended that the government de-emphasize the use of loans and guarantees as instruments of public policy, and where loans and guarantees must be given, they should be as a result of either legislative or all-party approval. The government in turn responded by stating that we'll get out of loan guarantees as a general instrument of government policy and that they would consider imposing legislative limits on the authorizations of these types of transactions.

Bill 213 proposes to remove section 10 from the Department of Technology, Research and Telecommunications Act and section 9 from both the Department of Tourism, Parks and Recreation Act and the Department of Economic Development and Trade Act. All of the above-mentioned sections deal specifically with regulations allowing the government to enter into guarantees and indemnities relating to economic development, trade, and tourism. The issue of loan guarantees and indemnities goes beyond the sections mentioned in Bill 213. There are at least 20 legislated provisions which allow this government to directly or indirectly through provincial corporations or other agencies and boards enter into loan guarantees and indemnities.

My concern over the issue of loan guarantees and indemnities does not stop at the Department of Economic Development and Tourism, as does the member opposite's. Of course, Mr. Speaker, we have to govern for all departments over here and not just selected ones. My concern lies with loan guarantees and indemnities throughout the government, including the Students Loan Guarantee Act, the Motion Picture Development Act, the Department of Culture and Multiculturalism Act, and the list goes on.

Perhaps a better way to approach the issue of loan guarantees and indemnities, Mr. Speaker, would have been to deal with all of the legislative provisions by bringing them together under one Act, an existing Act, the Financial Administration Act. In the interests of openness and transparencies and the issuing and reporting of loan guarantees as well as to create a linkage between the dispensing of funds and the auditing of funds, the Provincial Treasurer could assume the responsibility for all loan guarantees and indemnities issued by this government.

Mr. Speaker, it's quite easy to make a parallel statement between this and what occurs in the private sector. In fact, in the private sector if you're involved with any company, it is very rare indeed that you would be able to hand out money or guarantee a financial commitment from any division of your company without the express written approval and authority and knowledge of your controller or your treasurer or your secretary treasurer or the person who has been assigned ultimate financial responsibility and – here comes the dreaded word – accountability.

MR. DAY: That's the one.

MR. SMITH: That's the one. That's what we need to reinforce not only in government at the political level, Mr. Speaker, but in

the operational level at the bureaucracy. In fact, if you're going to take a stand and you're going to issue a guarantee or a loan or a business provision, you must be accountable for the results that occur from taking that action.

Unfortunately, Mr. Speaker, Bill 213's narrow-minded approach to the issue of loan guarantees and indemnities focuses only on those administered under the Department of Economic Development and Tourism. Perhaps it's for reason of its existing minister and his high political profile or perhaps the past track record of the department prior to this minister assuming that role. Perhaps this Assembly's time could be better spent debating a Bill with a little more substance than that which we presently have before us.

The fact remains, however, that the government has responded to the Financial Review Commission's recommendations and no longer uses loans or loan guarantees as instruments of economic development. In fact, the Alberta advantage, which clearly talks about creating the environment for the private sector to create economic development, and the job creation record of 42,000 jobs speak well to that strategy.

The issue of loan guarantees, Mr. Speaker, is too often reduced to a discussion about the failures of companies receiving government guarantees. The fact of the matter is that along with the failures there have been a number of successes. At the time many of the loan guarantees were issued by the Alberta government, there was a strong sense of optimism that the companies receiving the guarantees would prosper and create jobs in Alberta and help diversify our economy, which in fact was virtually a knee-jerk reaction to the imposition of the national energy program, which we had all thought we had left safely in the past of these long 10, 12 years. But now when we continue to hear these muted rumblings about a carbon tax and how it can be best administered at the wellhead, it makes one wonder if in fact we should not be erecting further defence mechanisms to help prevent any further destruction of the Alberta economy, which has taken 10 long years to recuperate.

Alongside the failures of MagCan, NovAtel, Gainers – gosh, a government member can even use those names, Mr. Speaker – stand successful companies like XL Foods, Weldwood of Canada, Vencap Equities, and Smoky River Coal. In fact, an annual report was just published two weeks ago by Syncrude Canada, producing its 700 millionth barrel of oil. In fact, Syncrude has produced more oil than all the reserves in Hibernia, which the federal government is putting somewhere between \$5 billion and \$6 billion together to do. So it's clearly evident that economic stimulus through the '70s and '80s through the provision of guarantees have had mixed results, some good, some bad.

3:00

Most Albertans believe that loan guarantees and other incentives were a valid means to encourage economic growth, and obviously, Mr. Speaker, not all loan guarantees issued by the government went bad. A fair number of Albertans still benefit from the full- and part-time employment that these guarantees helped to create. You know, the money does not disappear, leave Alberta, get legs, and never create an Alberta job, never create an Alberta man-year or person-year of employment. In fact, there were in those times benefits that accrued to Albertans from this theory of economic development. Unfortunately, one does not have the luxury of extra money in today's world. One must stimulate performance by results, by accountability, and by private-sector development.

Looking outside the provincial government, we can look to municipal governments in the province to see how they have used tax dollars to encourage economic growth. I'm sure that the

Member for Edmonton-Ellerslie would like to ask a member from her own caucus, the Member for Edmonton-Mayfield, gosh, why he supported a proposal involving loan guarantees by the city of Edmonton to the Capital City Events Foundation for the Dinosaur World Tour in August of 1990, as he was a member of city council. That event ended up costing the city of Edmonton hundreds of thousands of taxpayer dollars.

AN HON. MEMBER: He should resign.

MR. SMITH: I think he has. The city council . . .

AN HON. MEMBER: No, from here.

MR. SMITH: Oh.

Point of Order Relevance

MR. GERMAIN: A point of order, Mr. Speaker, on relevance.

MR. SPEAKER: Perhaps the hon. Member for Calgary-Varsity will establish the relevance to the Bill before us.

MR. SMITH: Gosh, Mr. Speaker, having not said loan guarantees or Bill 213 for two sentences, it's a pretty tight, relevant group we are on Tuesday afternoon. Of course, it's important and relevant to the matter that members of that side . . .

MR. N. TAYLOR: A point of order.

MR. SPEAKER: The hon. Member for Redwater is now rising on a point of order.

MR. N. TAYLOR: I wanted to apologize for my colleague from Fort McMurray, because the hon. gentleman was just reading from prepared text and he didn't really know what he was saying.

MR. SMITH: Of course, Mr. Speaker, only one who has not been associated with government would think that this was just a prepared and unread text.

Debate Continued

MR. SMITH: I'm sure the city of Edmonton, as the opposition has learned, as has the government of Alberta – we have acknowledged the mistakes of the past. In fact, we ran an election based on the mistakes, the change, the new direction, and in fact, Mr. Speaker, the people of Alberta responded by giving this government the mandate to continue. But we are looking to create an environment in which business can succeed on its own merits. Seizing Opportunity and the three-year business plans all lay out the framework in which this government will reduce taxes, eliminate duplication and overlap, and increase access by small business to capital and create a level playing field for all Alberta businesses. Again, the government steers; the private sector rows. Similar to what we've done in the Professional Statutes Amendment Act tabled today, we're creating a level playing field that allows individuals to create the economic growth in Alberta.

This government has recently announced another initiative, Mr. Speaker, the Alberta economic development authority, which will bring government and business together in order to set the direction for Alberta's continued growth in economic development. The government is taking the necessary steps in order to

allow Alberta business to be the masters of their own destiny. We will no longer pick the winners or the losers.

In closing, much to the happiness of the opposition, Mr. Speaker, Bill 213 is an unnecessary piece of legislation that need not be passed. It accomplishes little, and as I mentioned earlier in my remarks, perhaps the Bill should have dealt with the consolidation of all loan guarantee and indemnity provisions under one Act. Instead, it only deals with three provisions under the Department of Economic Development and Tourism, provisions which this government has already indicated it is not prepared to use in the future. For this and other reasons which I have already mentioned, I would encourage all members to vote against this Bill and in fact to continue to provide a legislative framework that will ensure accountability to the taxpayers of Alberta.

Thank you.

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

DR. PERCY: Thank you, Mr. Speaker. I rise to speak in favour of Bill 213. The Bill is very straightforward. It removes three provisions that allow the Department of Economic Development and Tourism, which is a consolidation of three distinct departments – it removes the ability of these departments to provide loans, loan guarantees. It's very straightforward. It's very simple. Yet despite the rhetoric from the other side, they are unwilling to support it.

Let me address a number of the issues that have been raised by the hon. Member for Calgary-Varsity. A worse apologia for government misspending I have never heard, Mr. Speaker, to say that some of the loans actually didn't fail. It nowhere addresses the issue that it is not the role of government to provide such loan guarantees; it is the role of the marketplace to provide such guarantees at commercial rates so that they bear the risk, not taxpayers. Historically from this department we have borne all of the risks and have had none of the benefits directly from them. Many of those dollars that were invested by government in other projects, either in education, health care, public works, would have yielded a far higher return than was actually returned by such projects.

Let me work through some of the specious reasoning that was in my hon. colleague's statements. The first point is that indeed there is a sense of priority built into this Bill. One of the departments that has caused this province significant loss is the Department of Economic Development and Tourism or its predecessors. This Bill was not directed because of a particular minister; it was directed because of a track record of that particular department. It is clear from questions that we have asked in Committee of Supply subcommittees, in Committee of Supply that there in fact are not within that department clear-cut cost/benefit mechanisms to assess whether or not a loan guarantee should be given. There is not any mechanism for assessing the risk of such investments. They don't draw upon the services of Treasury. In fact, historically these were done much more on seat-of-the-pants reasoning rather than any systematic evaluation of the benefits relative to the costs and the degree of risk and exposure that were set out for Alberta taxpayers. So the first point, Mr. Speaker, is that this department was singled out because of its track record, not because of its minister. This department was singled out because of the absence of any institutional mechanism within it to provide any clear assessment of the benefits and costs of such investments.

The second point, Mr. Speaker, is that the hon. member says: well, we've changed; we've said that we're not going to give out

any more loan guarantees. Well, the reality is: given the track record of this government and many other governments, one prefers in fact a legislative requirement as opposed to trust to ensure that additional loans and loan guarantees are not given out. Why just in the fall session when we looked at the Agriculture, Food and Rural Development Bill, it provided for loan guarantees. We've seen through a variety of cost-shared mechanisms with the programs of the federal government loan guarantees. The hon. member admitted that there's a whole array of mechanisms, both very direct and backdoor, by which this government can hand out and continue to hand out loan guarantees. He says: why not bring in an umbrella Bill to cover all such instances? Well, in some instances, such as student loans, we think those programs are justified because they are an investment in individual Albertans, students going ahead.

3:10

On the other hand, this Bill is very narrow. It focuses on the Department of Economic Development and Tourism and says: let's just remove those provisions of the Act that allow it to give guarantees. That doesn't preclude the government from giving guarantees. They can come forward in this House, bring forward a Bill, and ask straight out ex ante: "This is what we want to do. This is the guarantee that we want to give. Let's debate it in this House." As it now stands, Mr. Speaker, with this authority in place, they can give out such guarantees. We will not get access to any of the agreements because they will say, "Well, this is in fact a commercial transaction, and because we have to respect a third person interest here, we can't tell you what the loan is, how much it is, the exact provisions of the guarantee." We would like to see, then, the ability of government to do that eliminated, and we would like to start here with this particular department, which has had such a horrific track record. Again, if the government wants to extend a loan, all it need do is come forward to the House, bring in a Bill that allows them to do it. That allows the issue to be debated here before the fact. With these provisions in place there is no mechanism after the fact, except once we go through the public accounts or see what emerges a year or two down the road in the budget documents, for us to assess what has happened as a consequence of those loan guarantees.

So for us it's very simple. Let's in fact put it up front. If the government has gotten out of the business of being in business, let's take one of the worst offenders and its ability to extend such loan guarantees and remove it. That doesn't preclude government from extending such guarantees; it helps them. It brings it in here. They can debate it in the Legislature. All members can see the warts and the benefits of those types of guarantees. It can be freely debated, and then it would have the legitimacy of being debated ex ante within this House, and no one on either side of the House, then, could dare sling mud about a lack of accountability, backroom dealings, and cronyism.

So, Mr. Speaker, we think this Bill is in fact in the best interests of the government. It would remove any temptation, should it emerge, for this particular department to extend loans and loan guarantees. It does not preclude the government, then, from addressing that issue here in the Legislature before such a loan guarantee is extended. We think we're just taking the government at its word that it is out of the business of being in business, and this just ensures that it is the case.

Thank you, Mr. Speaker.

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

MR. DALLA-LONGA: Oh, another impromptu speech.

DR. L. TAYLOR: Another impromptu speech.

Thank you, Mr. Speaker. It's a pleasure to rise in this Assembly and speak to Bill 213 this afternoon. First and foremost, it has been the position of this government to reduce or eliminate financial assistance to business, which would include anything in the way of an indemnity or a guarantee. In fact, it's one of the promises that I personally campaigned on, as well as most members on this side. I am proud to say that the government, specifically the Department of Economic Development and Tourism, is in the process of eliminating all guarantees and indemnity activities. In fact, since June 15, since the election, this new government has not issued – I repeat, has not issued – a loan guarantee.

SOME HON. MEMBERS: Cookies, cookies.

DR. L. TAYLOR: As a party my colleagues and I campaigned on the basis of an open and accountable and honest government. Those members opposite that are constantly calling out don't understand what an honest government is. We have made a promise to Albertans that we . . .

**Point of Order
Questioning a Member**

MR. SPEAKER: Order please. The hon. Member for Redwater is rising on a point of order.

MR. N. TAYLOR: It's not a point of order. I wondered if the hon. member would permit a question.

DR. L. TAYLOR: No, thank you, Mr. Speaker. He can ask me a question in question period.

Debate Continued

DR. L. TAYLOR: As a party we campaigned on an open, honest, and accountable government. We made a promise to Albertans that we would no longer offer direct assistance to business, we would no longer offer guarantees to business, and we are fulfilling that promise, Mr. Speaker. We do not require the legislative provisions of Bill 213 to meet our promises.

I note with some concern, however, that members opposite ran a campaign based on brutal cuts, yet the only thing that is brutal about the opposition is the manner in which they succeed in talking out of both sides of their mouth at the same time. I find this particularly frustrating, Mr. Speaker. You know, they say that the key to acting is honesty, and once you learn to fake it, you've got it made. Well, the Liberals have learned to fake it, and it's obvious not only to the House but to the people of Alberta. The evidence for this is based on the results of a recently released public opinion poll.

MR. SMITH: What did that poll say?

DR. L. TAYLOR: I'll tell you what that poll said. Albertans know that we are living up to our promises. The same cannot be said for the Official Opposition, and that's where the question of honesty comes in.

Mr. Speaker, Bill 213 proposes to remove section 10 from the Department of Technology, Research and Telecommunications Act and section 9 from both the Department of Tourism, Parks

and Recreation Act and the Department of Economic Development and Trade Act. In speaking directly to the principle of Bill 213, that being the elimination of loan guarantees and indemnities by the government, I would like to mention that there are in fact many other legislated provisions which would allow this government to enter into loan guarantees. It is interesting that Bill 213 only deals with those relating to Economic Development and Tourism, and the member opposite chose deliberately, I believe, to ignore the other provisions, just another example of the narrow-minded approach to government that Albertans recognized all too quickly during the last election.

The government under the leadership of Premier Klein is in the process of creating an environment which will support business in Alberta. We do this by reducing the taxes. We do this by eliminating duplication. We do this by eliminating overlap. We do this by streamlining regulatory processes and creating a level playing field for Alberta businesses. In fact, we are getting inquiries and businesses moving into Alberta in a steady stream, creating jobs and opportunities for Albertans. I must say many of these inquiries and businesses are coming from socialistically dominated Ontario, the type of province that group opposite would have this province be if they ever have the misfortune to get into power.

MR. STELMACH: They even carry red books.

DR. L. TAYLOR: Yes, that's true. A good comment. They do carry red books.

Having said that, this government has to deal with the commitments made by previous governments in regards to guarantees and investments. The government has been very open with Alberta and Albertans and the members opposite during this process. The Minister of Economic Development and Tourism on March 1 of this year informed the Assembly and all Albertans of six outstanding loan guarantees. We didn't try and hide it, Mr. Speaker. We just let it all hang out, so to speak, and we continue to go on with this philosophy of openness and honesty, letting the people of Alberta and the members of the opposition know what we're doing.

Mr. Speaker, the opposition has been very outspoken in their position against the use of government funds to support and enhance economic development in Alberta. I would like again to say that my colleagues and I are against the use of taxpayer dollars to artificially support economic development in this province. However, there was a time in this province when Albertans expected the government to use its financial power to attract new business and support existing business. That time is over.

[Mr. Clegg in the Chair]

SOME HON. MEMBERS: Wrong. Wrong.

DR. L. TAYLOR: Whether this is right or wrong, hindsight is 20/20, and this government has had to fulfill commitments and obligations made by previous governments. If I might comment about hindsight, the members opposite during the discussion and building of the Oldman dam constantly opposed it. Constantly. Now we have a dam that's functioning and providing wealth, jobs, and opportunity for Albertans. Yet these people opposite leap on the bandwagon and say, "Oh, isn't that a wonderful project?" Hindsight, Mr. Speaker.

As far back as the 1930s when the eastern-led financial institutions were extremely wary of the fragile western economy – and we still have this central-Canadian bias in the federal

government and the federal banking system. We needed back then something that would respond directly to Albertans. As a result, with an initial cash contribution of \$200,000 from Premier William Aberhart they created an Alberta-based institution.

3:20

MR. SMITH: And there's never been any money since?

[Mr. Speaker in the Chair]

DR. L. TAYLOR: No, there's been money since.

Over the years the combined effects of the central-Canadian bias of the federal government, which continues today, which is a Liberal government, and the continuation of exploitive economic strategies designed to subsidize central Canada, brought on us by federal Liberal governments – the Alberta Treasury Branches have been there to assist Albertans. That was the focus of the Alberta Treasury Branches, Mr. Speaker: so that people in Alberta would have something that could relate to their needs as opposed to this central-Canadian bias that exists today. Had the government of the day not responded to the needs of Alberta by exercising its economic power, we would still be considered a hinterland of central Canada. Although the Liberals consider us a cash cow for central Canada, we are long past that stage, and we will not allow us to be milked again like we have been in the past by Liberal governments.

There are other instances where governments of the past felt compelled to exercise their financial resources to encourage and help economic prospects in Alberta. Alberta Government Telephones was created to link the province together. Nova, originally the Alberta Gas Trunk Line Company, was created to gather and transmit gas in Alberta. Over the years Nova has developed into one of Alberta's most dynamic resource-based companies. In 1973 the government began an innovative government/private-sector partnership in order to spark economic development. This resulted in the Alberta Energy Company, an equity partnership between the provincial government and Alberta investors. This provided the government with the unique mechanism to encourage economic development throughout the province. In fact, it was so good and so unique it allowed the Liberal federal government to come in and rape this province of about \$65 billion over six or seven years: nothing less than rape and pillage. That's Liberal philosophy: rape and pillage. The list goes on and includes Alberta . . .

**Point of Order
Relevance**

MR. SPEAKER: The hon. Member for Sherwood Park rising on a point of order.

MR. COLLINGWOOD: Thank you, Mr. Speaker. *Beauchesne* 459, relevancy. We've had this discussion before, and I don't see any point in continuing with the discussion about the poor quality of negotiation by a Conservative government dealing with a federal Liberal government over what this hon. member has chosen to call "rape and pillage." Well, it's not, and I think the words are inappropriate. We shouldn't continue with the discussion about how poor negotiators Conservatives are and what good negotiators Liberals are; we should get on with the debate.

MRS. BLACK: Mr. Speaker, on the point of order, I think the words "rape and pillage" are appropriate when \$80 billion was taken out of Alberta. [interjections]

MR. SPEAKER: Order please. The Chair . . . [interjections] Order. [interjections] Order.

The hon. Member for Sherwood Park questioned the relevancy, I believe was the main thrust of his point of order, but it appears that we have a debate proceeding before the Assembly.

The hon. Member for Cypress-Medicine Hat.

DR. L. TAYLOR: Well, Mr. Speaker, I'm glad you didn't rule that "rape and pillage" were out of order in this House. You realize, of course, that's exactly what they were.

Debate Continued

DR. L. TAYLOR: The list goes on, Mr. Speaker, and includes Alberta Opportunity Company, Vencap, and the Agriculture Financial Services Corporation, all examples of government putting its financial resources to work to assist Alberta businesses. In fact, this very day I'm sure the Alberta financial services corporation is putting money out into the hands of Albertans creating jobs, creating wealth. We are developing a western-based economy, one that does not depend on central Canada.

The opposition will continue to dwell on failures of the past governments, I am sure, because they like to live in the past. They don't realize that this is a new and different government with new and different ways of doing things. They're a party of the past, and they will continue to live in the past. For example, Mr. Speaker, they would have let hundreds – hundreds – of Edmonton workers lose their jobs when the government took control of Gainers instead of holding on to the company and returning it to the private sector as we have done. We have protected hundreds of jobs in Edmonton. They would rather this government to have allowed Canadian Airlines to be swallowed up by Air Canada, taking thousands of Alberta jobs to eastern Canada. That is their philosophy: send control to the east to their buddies in the federal government; take away a western company and let the eastern interests control us.

Bill 213 raises more than just the issue of loan guarantees to business. It raises the issue of loan guarantees in general. It is interesting to note that the government has indicated on many occasions its intention to get out of the loan guarantee business in respect to Alberta student loans. Beginning this fall private institutions will be assuming the risk for the majority of the student loans in the province of Alberta. I've never heard such crying and whining as opposite when we try and get out of this. You hear crying and whining, "What a terrible thing it is." We're getting out of loan guarantees. Do they congratulate us? No. Cry, cry, cry. Whine, whine, whine. I was actually quite surprised, Mr. Speaker, I could say shocked, that the opposition was against that program, shocked and appalled. The opposition obviously believes that the government should give and continue to guarantee these loans. I would be very interested in hearing the distinction between government interfering in the marketplace by way of extending loans and guarantees to business and the government interfering in the marketplace by extending loan guarantees to students.

This is another example of their total inconsistency. They don't know whether to balance on their left foot or their right foot. It would depend which member is speaking: left foot, right foot; right foot, left foot. We see the Leader of the Opposition in constant trouble because he never knows if he's standing on the left foot or on the right foot. So they are of course in difficulty, and this example I just gave is an example of the difficulty they find themselves in. [interjections] Well, Mr. Speaker, the hon.

leader does tend to fall on his face quite often balancing back and forth between left foot and right foot.

Bill 213, Mr. Speaker, doesn't address the real issue at hand. Perhaps a better idea would be to consolidate all the loan guarantee and indemnity provisions currently in force under the Financial Administration Act. As it stands, however, Bill 213, in my opinion, serves no purpose other than to try and get some press credit, some media highlights for the members opposite, who so desperately want some media coverage.

Mr. Speaker, in light of my remarks and those offered by my colleagues, I would encourage all members to vote against Bill 213.

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Order please. It being so close to 3:30, perhaps this might be an opportune time to move, pursuant to Standing Order 8(2)(b), to the next order of business.

head: **Motions Other than Government Motions**

Capital Punishment

515. Moved by Mr. Fischer:

Be it resolved that the Legislative Assembly urge the government to develop an Alberta position on capital punishment by holding a provincial referendum on the following question: do you support amendments to the Criminal Code of Canada allowing capital punishment as a penalty for violent crimes such as murder and rape?

MR. SPEAKER: The hon. Member for Wainwright.

MR. FISCHER: Thank you, Mr. Speaker. This afternoon I rise to speak about an issue that touches the hearts of all of us. I do respect the opinion of each member of this House regardless of what their thoughts are about the issue. This also is about the preservation of one of society's most precious freedoms, the freedom from living in fear. This motion is about the future safety of our kids and our grandkids. It's about morals and values and fairness and what the price of a human life is really worth. It is very sensitive in that it involves the harsh realities of life and death, the reality of the need for true discipline.

3:30

You may ask why I brought this motion forward at this time. Well, the answer is quite simple. Violent crimes and murders have increased dramatically since 1962 when the last execution was held in Canada. Many members here that are old enough will remember that the value of a human life has diminished considerably in the past 32 years. There are many reasons why, but, folks, that is the true reality that we must face.

Another reason for bringing this motion forward is that most Albertans have deeply felt opinions on whether or not to reinstate capital punishment. Because of the seriousness of the crime situation in this province I do not believe that the public will allow this issue to be swept under the table. It will not go away. I believe it is time that the public is given the right to express their opinion in a provincial forum.

During the debate I encourage you to keep in mind what Motion 515 is asking. It is not asking you to vote yes or no on your personal feelings on capital punishment, although I know that much of the debate will focus on this issue. It is asking you to support the right of Albertans to voice their opinions on this

sensitive moral issue. I support this motion because I believe that important moral issues such as capital punishment should not be decided entirely by politicians or influenced by people within our criminal justice system. They do have a lot of valued information and advice, but also because of their close working relationship to the system they may in some cases have a somewhat natural biased opinion. A public referendum would certainly give this a fair balance.

It is easy to see why the public needs to have more input into this matter. For decades opinion polls in Canada have shown that the majority of Canadians, at least 6 in 10, would vote to reinstate capital punishment if they were asked. In the prairie provinces support rises to almost 7 in 10. Yet despite this clear, strong public support politicians in the House of Commons abolished capital punishment in 1976. Since then Parliament has consistently resisted every attempt to reinstate capital punishment despite the wishes of the Canadian public.

I first sponsored a motion on capital punishment back in 1986. That motion passed. However, it was not carried out. It required the federal government to hold a plebiscite, which they have refused to do. Motion 515 is much stronger because it deals with what is within our provincial authority. Of course, we cannot pass the legislation with regards to capital punishment, but we can, however, hold a referendum, and by allowing the people of Alberta to voice their opinion, that will establish a clear position on the issue. This in turn will encourage other provinces as well to hold referendums and to develop their provincial positions. Having a clear and legitimate stance established, it would give us a lot more leverage in pressuring our government in Ottawa to take action. Certainly it would be harder for them to discount the strong message of the results of a referendum across this country and especially if all of the provinces joined in. I believe that now is the time to take the action and force these issues ahead. The public is fed up with the laws and the individual rights that protect criminals. I'm sure we share much of that anger as crime increases in this country. As conscientious members of our communities I believe that it is our elected responsibility to provide a legal environment that protects the safety of the citizens of this province. We must face the fact that the status quo is not working and make the necessary changes. Those changes should allow input from the public, and what better input could we have than through a referendum?

I don't wish to lead you to think that reinstating capital punishment will solve all of the concerns that people have with the justice system, but it is a start. It's a start towards a system where there are clearly defined boundaries laid out for all of society to see regarding what is and what is not acceptable to the public. Even if Albertans vote not to reinstate capital punishment, it will be a start towards opening up the discussion on how to solve our crime problem.

As many of you may have guessed, I am in favour of capital punishment because like many others I feel that the justice system is not working. People don't feel safe in their communities, nor do they feel that the punishment criminals receive fits the crimes that they have committed. Something has to be done about the lack of respect for basic values and for life itself. Changes are needed to the entire system and not just to the penalties. Some of the changes that must happen include changes to the Young Offenders Act, which our government is beginning to address. Changes need to be done to the parole system. Immigration policies probably should be looked at as well as deportation policies. We have to look at ways of getting parents to assume

their parental responsibility of instilling basic values in their children. We must have policies in place that encourage parents to teach their children right from wrong. Certainly capital punishment would be a clear example of the line between what is right and what is wrong and the consequences if someone crosses that line.

Some people argue that capital punishment does not serve as a deterrent to murder. I would like to point out that fear itself acts as a deterrent. It acts as a deterrent in all walks of life. You handle a knife carefully for fear you will cut your finger. You do not jaywalk for fear that you'll get run over. Fear is a deterrent with all of the laws that we have in place now. We do not speed because we're afraid we'll get a ticket. I'm sure, Mr. Speaker, you can relate to that. In general terms we do abide by the law because we fear the consequences. Even five to 10 years in prison can be somewhat of a deterrent for murder. However, the ultimate penalty of capital punishment certainly instills the maximum fear and significantly strengthens the deterrent factor.

Earlier I mentioned that polls have consistently indicated that six out of 10 Canadians would vote to reinstate capital punishment if they were asked. A Gallup poll recently released on March 10 of this year shows that 75 percent in favour of capital punishment would still be in support of it even if evidence showed that there was no deterrent value behind capital punishment. The poll results indicate that people want to see a just punishment. The recent demonstrations here over the Young Offenders Act certainly supports this contention. People are angry because they see that serious crimes such as murder receive almost ridiculously short sentences. Five years in jail is a short time to spend compared to the victim and the family who have lost a lifetime.

3:40

Some people may object to holding a referendum on capital punishment because of the expense. To deal with this concern, I propose that the referendum be held in conjunction with the next municipal elections, similar to the last referendum on the Constitution. It would increase public interest, and it would also increase the traditionally low turnout of voters. The cost of the referendum would be minimized in this way, but there still would be a cost. However, this cost must be weighed against the benefits of allowing Albertans to have a say on an issue that is obviously important to them. As politicians we must never underscore the wisdom of the public.

Another argument against holding referendums is that it's difficult to develop a question so that voters understand clearly what they are agreeing or disagreeing with. Motion 515 sets out the question to be asked in no uncertain terms: "Do you support amendments to the Criminal Code of Canada allowing capital punishment as a penalty for . . . murder?"

There is also a concern that referendums have the potential to be influenced by special interest groups who are well organized and have the resources to argue their position. Again, this would not be a major problem as a moral issue such as capital punishment is one that people generally have very strong and already decided feelings about. In this case special interest groups would have almost no impact on the outcome.

A final objection is that it would be useless to have a referendum because it's an issue under federal jurisdiction. The federal government is under no obligation to abide by the decision and could just ignore the results of the vote. I am sure that we all agree, however, that fighting crime is everybody's business. Individually, municipally, provincially, and federally we have to be determined and persevere in our fight against crime. The

results of a referendum are the strongest, clearest message that we could send to Ottawa about how we feel here in Alberta. It is a stronger message than opinion polls, it's stronger than petitions or letters, and definitely stronger than the suggestions of provincial politicians. A referendum on capital punishment will bring a great amount of public attention to this matter, and it will force the federal government to respond or be held accountable for their actions in the next polls.

Mr. Speaker, I've given many reasons why I think we should hold a referendum. I admit there are many weaknesses in our justice system today in how we deal with criminals. The greatest weakness of them all is the lack of respect for the law, the lack of respect for one another and for the lives of people. That respect must be strengthened before we become a country such as Bosnia or Rwanda that we read about every day in the newspapers. Strengthening these values can only be done by having true discipline in our system.

So, Mr. Speaker, I ask all members to give careful thought to the protection and the safety of the public in Canada. I ask them to support Motion 515.

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

MR. WICKMAN: Thank you, Mr. Speaker. I first of all want to say that I commend the member for bringing the motion forward because I'm sure his intention is well founded; his intention is honourable. However, there are always differences of opinion when we get into these types of issues that can become very, very emotional and too often can be based on emotion.

I'm going to speak in general on the intent that the member has brought forward. It's very, very important, I think, for all of us to reflect at times on our own individual values, and there are instances where it becomes extremely important to stand on principle. I think within us there are certain principles that guide our philosophy, that guide our way in life. I'm one of those that simply cannot take or condone taking one life for another life. I simply was not raised in that fashion. I've often held myself if I could not be the one to pull the switch, inject the needle, whatever, I couldn't ask somebody else to do that on my behalf.

Mr. Speaker, there are a number of arguments, however, dealing specifically with the motion. The member has addressed to a degree the cost of the plebiscite. Yeah, the cost of the plebiscite, if you get the agreement of the municipalities – and understand you've got to get their agreement. They don't simply say yes because the provincial government wants them to do it. There was a deal struck in the previous municipal elections when we talked in terms of the plebiscite for the selection of a Senator. Even at that, our costs for that portion of the plebiscite were close to \$3 million. Without that, it could run, based on the constitutional referendum in Alberta – it was allocated that the expense for Alberta, Alberta's share had we had to pay for it, was \$13 million. So we're talking in terms of a monetary factor that could range from \$3 million to \$13 million.

We're talking in terms of an issue that the very, very best that this government or this province can do is send a token message. It doesn't have the power to enact it. There have been some municipalities that have done exactly what the member has proposed. My original hometown of Thunder Bay, Ontario, a number of years ago held several plebiscites. Thunder Bay is now a nuclear-free city for one. Secondly, they had this question during a municipal election, and over 70 percent went and voted yes in support of it. It kind of surprised me that the figure at that

time – this was a number of years ago – was that high. It was interesting. I was in my sister's place, and we were having a great discussion on this. I polled the people in the room: my sister, yes, and so on, yes, which didn't surprise me. My mother, I asked her. She said: "Well, yeah. Of course I voted yes." I said: "Well, mom, how could you? You're a Christian, you're a Seventh-day Adventist that believes so strongly in the principles of the Bible. How can you advocate this?" Well, she made reference to a cheek for a cheek and so on and so forth. So from that point of view even those that are very strong in terms of Christian religious principles can find reason to justify or to vote in favour of what the member is saying. That, Mr. Speaker, gets to my point about a great deal of emotionalism can be involved in these types of things.

Nevertheless, it is a matter that has to be dealt with federally, and it cannot be dealt with provincially. At times these types of issues do emerge, not only with this government but we see it happen with other governments. I can even recall that when I was on city council, quite often an issue would come up and some of the aldermen would jokingly make reference to it being a red herring. "Yeah, let's use this; let's promote this." It gets the mind of the public, the taxpayer off the real issues: what's happening to the education system, for example; what's happening to the health care system; what's happening to the whole restructuring of this province. At times these are the types of issues that people can become very captivated by, and then they forget these more important things in terms of their everyday lives and as to how the province is going to effect the education of their children, how it's going to effect the health care standards that are being laid out. So let's not use these types of issues as a red herring to divert from other intentions. I'm not saying that the member is doing that, but I'm just saying that it is so easy to do those types of things. This is one of these issues that, I'll venture to say right now, is going to dominate the press to a very large degree tomorrow, because by and large Albertans are very, very interested, and there's no question about that.

We have seen particularly in recent times more and more a cry out there for tougher laws: too soft on the criminals and such. Yes, by and large a lot of the statements that are made out there I can agree with. On the other hand, we have statements being made – the Premier of our province, for example, gives a fairly clear message that he has no difficulty in seeing young offenders executed. That could apply to someone as young as 12 years old if a judge rules that they should be tried in adult court. So we've got to be a little cautious as to how we fan these types of arguments and play on people's emotionalism. We want to look at how the rest of Canada views us. What do we want to be seen as? Do we want to be seen as a bunch of rootin', tootin', gunslinging Wyatt Earp knockoffs who dream of an ideal vacation being two weeks in Dodge City, who feel that shows like *Tombstone*, *Maverick*, and *City Slickers* are children's matinees? No, we don't want that here in Alberta. I don't believe we want to promote that type of hard-line, brutal mentality.

3:50

I think what we've got to do, Mr. Speaker, is look at the system that is in place, and we have to say, yes, there are problems there, and we've got to work with the federal government to attempt to resolve those problems. We've got to somehow get the message across to criminals that certain behaviour is not appropriate. But I must ask the question: why kill people who kill people to show that killing is wrong? That simply does not make sense to me whatsoever.

The member quoted some stats, and I can quote some stats too. Let's look for a minute here at Canada. We are influenced to a great, great degree by what we see on the American television networks. A lot of those programs on the American television networks are carried on ours. Yes, there is a perception of this vast crime, brutal crime, violent crime occurring out there, but in cities like Los Angeles, New York, and Chicago their murder rate is at least three times higher or worse than any urban rate in Canada. The most recent stat I have shows that in Canada the homicide rate was 2.67 per 100,000; in the United States it was 9.8. That is dramatically higher. It also illustrates that in Canada one-third of those murders occur in domestic disputes where things get out of hand. In other words, tempers flare, and it's not like a planned, cold type murder. That's one-third. The other one-third are because of relationships that have gone improper, whether it be a love relationship, a business relationship, whatever. Then the other one-third are hard-core, blatant murders that are planned, and there is no doubt about it: the intent was to kill for the sake of killing that particular person.

We also have to look that once upon a time in Canada there was capital punishment. If we go back to 1976, violent crime, the murder rate, was 2.70 per 100,000 population. Now, that was 1976. The most recent stat, 1982, is 2.53. In other words, it has decreased somewhat since capital punishment has no longer occurred. The year I quoted goes back to the year that the last execution took place here in Canada.

Another myth that occurs out there, Mr. Speaker, is that it costs so much to keep people in prison as compared to capital punishment. Stats show that the cost of capital punishment, because of the appeals and such, is much more than the cost of imprisonment. I'm sure that no one is advocating that these appeal procedures be taken away from persons, because there are cases, such as the Donald Marshall case, where a person's in jail for a period of time and then cause comes that it's reviewed and the person is deemed to have been found not guilty and is let free. That becomes a question too: can innocent persons pay from that point of view?

Nevertheless, Mr. Speaker, there is one argument, there is one stat that the member has referred to, and it can't be denied. From a political point of view, it is, I guess, what Canadians want to say, because despite all the arguments that have been made that the death penalty doesn't work, 64 percent of all Canadians still believe that the death penalty does work. Despite all the stats – countries that don't have it, and in the United States, comparisons done with states that have the death penalty and ones that don't – despite all that, 64 percent still believe capital punishment is good. So certainly from a political point of view the member may be on the right track, on the proper track, but from the point of view of principle it becomes a different story.

I would say that what Members of this Legislative Assembly should be recommending is a system where we can work with the federal government and we can say: "Okay; sentences should be sentences. The parole board has to be reviewed." You can't have instances where somebody is found guilty of first-degree murder, is given a sentence of 25 years, yet is out on the streets in seven years, or is given a sentence of 10 years and is out in three years, or is found to be eligible for parole, gets back out there, and other violent crimes are committed. Certainly the system from the public's point of view – and I agree – has gone too soft. There are many, many instances where tougher penalties can be justified, and the public is crying out for those tougher penalties.

Mr. Speaker, I'm advocating that before we make a commitment to get ourselves involved in a plebiscite, before we get

ourselves involved in the expense, before we get ourselves involved in fanning the emotionalism around this issue, we look at these other alternatives. The minister responsible for Justice in this province has said it very, very clearly and very responsibly on many, many occasions in the past. I would think that members on the government side should pay heed to what he is saying and allow that opportunity for meaningful discussion to go on so that we in fact can come up with recommendations, so we can work jointly with the federal government, so we can ensure that there is a system in place so that proper penalties, sufficient penalties are given to those people who commit those types of crimes.

Again, to advocate to kill people who have killed people for the sake of showing that killing is right simply doesn't make sense, whether you hang the people, drug them, or whatever other means have been used in the past. I, myself, could not under any circumstances pull the switch, pull the rope, do whatever. I could not. I know there are some in this House – I don't know, but I'm saying there could be some in this House who could say, yes, they could do that. I'm one of those that can't, and I certainly can't ask somebody else to perform the same type of action that I'm not capable of doing myself.

To say that it's only the avenue for a plebiscite isn't sufficient, because it does, without question, allow to fan up considerably the whole question of capital punishment. I think that would become the real intent in Albertans' minds, that here's an opportunity to restore capital punishment. I think the timing is wrong. The member's intentions may be good, but the timing is wrong. There are other approaches that I think have to first be tried.

On that note I'll conclude, because I'm sure there are many others that want to speak on this particular motion.

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

MR. JACQUES: Thank you, Mr. Speaker. I am pleased to participate in Motion 515, being the call to hold a referendum on capital punishment.

The Member for Edmonton-Rutherford ended up with the words "the timing is wrong." Mr. Speaker, the timing is right. In his deliberations not once did he deal with the issue in terms of what motivates people for capital punishment. He dealt with reasons as to why we should not hold a referendum. He even accused people of giving in to their emotions. Imagine that: people living their lives by emotion. Well, that is what one of these issues is about: emotion. People are angry. People are frustrated.

He talked about costs. Somehow the relevancy seemed to escape me, because on the one hand that same group of people over there were all in favour of an earlier Bill that said that we should govern by plebiscite. Almost to the person they stood up and supported it. All of a sudden we get a referendum on a particular subject that most Albertans, if not all Albertans, are concerned about, and we shouldn't do it. Was there any talk about being innovative in terms of that referendum? None whatsoever. It was just a bad thing because it would be costly.

He spoke of the federal government responsibility. Everybody acknowledges that. It is the federal government, and the federal government will only act at such time that Canadians say: act upon it. This is one way that we as Albertans can express our voice.

The red herring diversion tactic that was put out, that this is somehow a plot to get off the education agenda, a plot to get off the health care agenda – I mean, ridiculous nonsense. When was this put on the table in terms of private Bills? Long before this session even started to sit.

4:00

MR. SAPERS: When did you change the wording?

DR. L. TAYLOR: Left foot, right foot syndrome again.

MR. JACQUES: The hell it is. You know, they can't debate the merits of an issue on the merits. They have to go back to something else. You want to talk about diversion? That's the biggest diversion we've ever seen. And lo and behold, we wouldn't want to be known as the rootin', tootin' something. I didn't get it all.

The Gallup poll, Mr. Speaker, back in March of 1994 quite clearly shows that 67 percent of Albertans are in favour of a referendum, 67 percent. Imagine. All of a sudden, if we do this, the nation's going to discover us. Well, heavens. They never would look at the Gallup poll. This would be a secret, and we would reveal it to them. Well, let us reveal the secret.

The point is that capital punishment has been the subject of controversy ever since the federal government took it off the books. Certainly, if we look at the outrage at the recent violent crimes in this city of Edmonton and throughout Alberta and indeed throughout Canada, it is particularly appropriate to debate the subject in our Legislature today.

[Mr. Deputy Speaker in the Chair]

In 1967 the federal government voted to abolish capital punishment for a five-year trial period. That period was extended in 1973, and then capital punishment was officially abolished in 1976, which was a free vote in the House of Parliament, and it was indeed narrowly passed. The move to abolish capital punishment reflected many factors, including the residual result of the peace movement, the hippies and the do-gooders of the '60s and '70s who genuinely and honestly believed we could solve all our problems with love and understanding and the peace sign and that capital punishment was incompatible with those ideals. A nice, wonderful sentiment, Mr. Speaker, but it does not reflect the reality and it does not reflect the public opinion of the 1990s and, more specifically, of 1994. While love and understanding will encourage us to be tolerant and respectful of one another, we also demand accountability and we demand responsibility. The attitudes prevalent in the 1960s and '70s are not applicable to the world we live in today.

The times have changed, and we must respond to this change. Child killers, police killers, indeed anyone guilty of first-degree murder must know that there is a supreme consequence for their actions. I don't support capital punishment because I want to see people die. On the contrary, I want people to live together in a society where they treat each other with respect and dignity. However, unfortunately hardly a day goes by that we don't see how little regard some people have for the value of human life. Reinstating capital punishment would clearly communicate to all Canadians, young and old, that premeditated murder will not be condoned or forgiven. It was a quick-witted Frenchman who once said: I am all for abolishing the death penalty if only the assassins would set the example.

Unfortunately, abolishing capital punishment does not abolish violent death; it just prevents us from punishing the child rapist and the murderer with the appropriate punishment. We are frightened and frustrated by the crime that we've been seeing committed in our communities today. We no longer feel safe walking down our own streets or even sleeping in our own homes.

We are demanding quick action to address our fears and our frustrations, but our demands appear to be ignored by Ottawa. The federal Minister of Justice would have us believe that crime rates are not increasing. Allan Rock has said that there is no law and order crisis in our country and that the murder rate in Canada has been relatively stable for 15 years. Other people say that he is wrong and point to statistics that show violent crime has increased by 61 percent in the past 10 years.

The same statistics show that in 1961, just six years before we stopped imposing the death penalty, there were 233 murders in this country, for an incidence rate of 1.28. In 1992 – not 1982, but in 1992 – there were 732 murders, for an incidence rate of 2.67. In that 31-year period the incidence rate for murder increased by 108 percent. I repeat, Mr. Speaker: it increased by 108 percent. But the Liberal do-gooders in Ottawa sniffed the air and said, "It ain't so, and even if it was true, it's no reason to reinstate capital punishment."

Mr. Speaker, statistics should not be the only factor supporting capital punishment or even in an argument because they can be manipulated and used in so many ways. However, there is no arguing with public opinion. The statements of Allan Rock and others who say that we don't have a murder and violent crime problem are the statements of those who are simply out of touch with public opinion, public perception, and, more importantly, they're out of touch with reality. It's no use sticking our heads in the proverbial sand like some people are trying to do in order to make this problem go away.

Holding a referendum on capital punishment would not only establish an Alberta position on the issue, but it would also stimulate public discussion on how we can address the problem of violent crime. Our constituents are telling us, and have been telling us for years, that they want to see criminals pay the appropriate price for their crimes. Capital punishment may be the supreme price, but it should be available as an option for retribution for the supreme crime: taking the life of another person. As Members of this Legislative Assembly it is our sworn duty to be responsive to the needs and the wants of Albertans. We must hear their concerns, take action to address their frustrations and anger. We must vote in favour of Motion 515 to support the holding of a referendum on the question of reinstating capital punishment as a penalty for murder.

If you had a choice in the subject, Mr. Speaker, would Clifford Olson, the multiple murderer of children, still be mocking us from his jail cell? Would he still be talking to the media, and would he still be fabricating publicity for the autobiography that he is writing? I somehow think that if we had the choice, that would not be occurring. Let Albertans have that opportunity to express their opinion. Let Albertans vote on this most important subject, and show that you care about their opinion by supporting this motion.

Thank you.

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

MR. N. TAYLOR: Thank you, Mr. Speaker. I always enjoy listening to the hon. Member for Grande Prairie-Wapiti because it saves my hearing aid batteries. I can turn them off and still hear him. I won't say the sense and the logic, although we could go on on that.

I do think this is an issue that's ideally suited for a free vote, and I hope it does go back and forth, although the issue of capital punishment by itself is not really what this Bill is about. The hon.

Member for Wainwright has consistently moved that since 1986, I think, and I recall him doing it. Also, his Bill has passed in the House, and it did no – he said that they didn't do anything in Ottawa. As I recall, if you look back since 1957, Ottawa has had a Tory government for 17 of the 36 years, roughly 50 percent of the time. The last 35, 40 years we've had a Tory government, and the western wing espoused hanging for murder. What a referendum in Alberta would do is beyond me.

4:10

I don't really understand the logic of the hon. members opposite if they want to vote for a referendum in Alberta. They had a referendum the last federal election, and the majority – all except I think about four MPs – were elected from the Reform Party, and the last time I looked, the Reform Party was dedicated to restoring capital punishment. As a matter of fact, I think they're going to take it as far as using it on pickpockets if they catch them. Certainly they will use it on anybody that suggests a carbon tax maybe. So they've sent to Ottawa the strongest possible message that they want capital punishment in there.

So a plebiscite in the province of Alberta seems to me nothing more than an effort to get headlines over the next while in the *Sun* publishing newspapers, who like to publish headlines on youth offenders and capital punishment and how to stop pickpockets and all the things that, according to them, are tearing society apart. I have a great deal of trouble thinking how violence is going to be stopped by hanging murderers when 75 percent of murders are done in the home and are done by people that are good friends to each other.

DR. WEST: It's called justice. It has nothing to do with . . .

MR. N. TAYLOR: There are not murderers stalking the streets like veterinarians looking for customers. Most murders are done in the home.

Well, violent crime is a problem; there's no question about that. Violent crime has to be looked at, but I've lived in many areas of the world where hanging not only was done for murders; arms were chopped off for pickpocketing, as you know, the right arm. The hon. Speaker was in Africa some too, and he recalls the death penalty being for other crimes too, and you didn't get any sort of feeling that society was any safer because of the death penalty across the boards. No. I'm afraid this is strictly a publicity gimmick.

DR. WEST: It's called justice.

MR. N. TAYLOR: I know the hon. gentleman from Wainwright is very sincere about it, not at all like some of the barking I hear from the front row now and again. If he would take a Valium and settle down, I'm sure that he would get a chance to speak a little later. As a matter of fact, he might make some sense, Mr. Speaker, if he waited a while. But I think this is nothing but a publicity gimmick or a method to get headlines, because we've had every opportunity and we elect people quite often that are for capital punishment.

In addition, to take something that would cost at least \$500,000 to a million dollars – that would be the cheapest referendum, and that would have to be attached to another election, a mayoralty and councillors election or a provincial election – to get the wishes of the public serves no need. So you get the wishes of a bunch of provincial voters on what the federal House of Commons should do. Well, the way to get the federal House of Commons

to do anything is in who you pick for your MP, and hopefully the member from Vermilion, who is growling away underneath the car there and barking at me as I walk by, elected an MP or campaigned for an MP that was in favour of capital punishment. I hope he did, just as I personally believe in no capital punishment and would certainly help any MP who would tell me that that was their standing.

I think it's wise to go on a bit, though, after saying that it's a publicity gimmick and that it's going to cost a lot of money to try to put in place an opinion that everybody knows that the Alberta MPs hold. The sense of that is beyond me, because if there's a Canadian alive now who does not think that the majority of Alberta MPs believe in hanging 'em high, he or she is not at all associated with politics, because that has been one of the mainstays of this province for some time. If the cows don't milk or the hens don't lay, you promise to bring in capital punishment. It's one way of taking attention off dozens of things, even things as simple as the education Act or health Act, to start screaming about capital punishment. Besides, the whole issue should be back and forth across the floor. I think it's a moral issue, and it should be up to the people to vote whatever way they want on capital punishment. But I wanted to make it clear that when I oppose this, I'm not only opposing it on a moral ground – I don't want to do that – but I want to oppose it from the very fact that we're asking for hundreds of thousands of dollars to be put forward to confirm something that the public is already aware of and that the federal government is already aware of, for something to be done by the federal government.

Now, as far as the issue itself. Maybe being a little older than most members here, I lived in Alberta when capital punishment was very much the method of operating, and it worked here. But I must confess that when I was first interested, as a young fellow coming back out of the navy after the last war, Mr. Speaker, it was quite a moral issue at that time, and I looked into it fairly carefully. Also, in my own experience I found out that capital punishment seemed to only be applied to those who were too poor to hire a good lawyer. As a matter of fact, in all the years I was living in Canada, I never heard of a rich person hanging. They were always able to get good enough lawyers to go on. So that was one of the first characteristics I learned about it.

The second area I learned about was from John George Diefenbaker. John George Diefenbaker, for the members opposite, would happen to be the Conservative that led the Conservative Party out of the wilderness and turned it into a populist party. For generations before that, all it was was a right-wing movement by the down-east Anglo-Saxon crowd to make sure that the union jack and the oath to the queen were preserved. John George Diefenbaker took it into the populist era and went across the west and cleaned up in the vote. One of the crucial points he had was that he was against capital punishment. Now, here was one of the greatest defence lawyers of the time, maybe of all times, saying that he found, as I had – and I've lived in a number of countries as a mining engineer – that capital punishment didn't seem to have anything at all to do with improvement of society. It seemed to be a vengeance motive. If you wanted to get up and argue, as John said, that you wanted to kill people because you wanted to get even with them, then of course that was a logical argument, but we never put that out. We argued that it was a moral thing; it worked as a deterrent.

Mr. Diefenbaker used to tell the argument about one of the early public hangings in Prince Albert, Saskatchewan. Prince Albert, for the uninitiated and if they go there some day, is the

home of John George Diefenbaker, although he's buried in Saskatoon. He used to tell a story about the public hanging of a pickpocket. That was back in the days when they hung pickpockets; I remember that at one time we used to hang a lot of people. The point, of course, was that the public hanging enthralled the whole audience, and they were all watching with their mouths open. As they went home that evening, there was hardly a solitary soul that had their wallet, because the pickpockets had circulated through the crowd at such a great event and picked all their pockets. So much for a deterrent is what Diefenbaker was trying to argue.

Consequently, when you go back through history, you'll see where capital punishment was used for many, many more things than we have today. For instance, it was used for rape, maybe justifiably for rape, yet the rape incidence it didn't seem to do much with.

DR. WEST: Tell that to a family that just got murdered.

MR. N. TAYLOR: I do have trouble with the Member for Vermilion-Lloydminster. It would be all right if he genetically could find a way of keeping his mouth open and his ears open at the same time, but it seems as if when the mouth opens, the ears close over there. I guess that's a good old veterinarian rule they learn very early: if a cow's got its mouth open, something else has got to be closed.

Nevertheless, Mr. Speaker, what I'm getting at here is that the whole issue of capital punishment is something that has to be looked at as a moral issue. I believe like the hon. member, my colleague on the left, that to kill people to show people they shouldn't be killing people is counterproductive.

4:20

There are no statistics worldwide. I remember the debates that have taken place on capital punishment in Denmark. They've taken place in England, taken place in much of the free world and in different U.S. states. I've read them all. I've always been very interested in them because I am one of those who believe that not only is it a question of morality but society itself. What I've learned as I've gone around the world is that society itself takes on the tenor of the type of discipline they use. If you use flogging in public places, if you use cutting off of arms and so on and so forth for pickpockets, if you use capital punishment, it's indicative of the type of person that's . . .

Point of Order Relevance

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

MR. DEPUTY SPEAKER: The hon. Government House Leader is rising on a point of order. Do you have a citation?

MR. DAY: Citing *Beauchesne* on relevance. The member opposite has made his position very clear. There are other members who'd like to talk. He's now talking about flogging and dismemberment, so I wish he would either stay on the issue or move off the topic altogether.

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

MR. N. TAYLOR: Thank you. Of all the bits of humour – and occasionally I have been accused of using humour in my debate – this is the best laugh I've ever heard: for the born-again democrat over there to suddenly start speaking for the rights of

others to speak. Isn't that something? Here is a gentleman that would use closure on whether or not to use the water fountain. He would use closure as to whether or not to keep the bathrooms open, and he's got the nerve to get up here and . . .

MR. DEPUTY SPEAKER: Hon. member, I think 459 deals with relevance and perhaps repetition. Although your earlier comments may or may not have been relevant in the eyes of others, certainly in your defence of it you were beginning to be less and less relevant to the point of order.

Now, on the point of order itself, I think a certain amount of leeway is involved. What we're talking about here is the urging of a plebiscite or a referendum about punishment. Inasmuch as the hon. Member for Redwater was talking about other forms of punishment, that's relevant to it, but it's on the far edge of relevance.

I'm sure that you, hon. member, have many other comments to make that would be relevant to the referendum.

MR. N. TAYLOR: Thank you very much, Mr. Speaker. As always, you are to the point, and you cut through the verbiage right to the real error. That's true; I may have wandered due to the heckling I'm hearing. I think what I'll do is promptly turn my hearing aid down on that side so that they won't be able to sidetrack me from the intellectual path that I was embarked upon.

By the way, Mr. Speaker, may I ask the Clerk how much more time I have left? [interjection] Three minutes?

MR. DAY: That's all he's interested in, time, not what he's saying. He just wants to stall debate.

MR. N. TAYLOR: Actually, Mr. Speaker, what I was trying to stuff into the character from Red Deer-North was a bale of hay one forkful at a time, and I didn't know in three minutes whether I could feed him the whole bale or not. I'm just going to have to be satisfied to give him a little taste of the roughage, a little taste of the intellectual horizon that lies out there. As Tennyson was fond of saying, "All experience is an arch wherethro' gleams that untravell'd world whose margin fades for ever and for ever when I move," and I know how far it is fading from the member there.

Debate Continued

MR. N. TAYLOR: The point is, when it comes to speaking on this issue, that to take millions of dollars out of the public treasury when we're short of schools and beds and hold a referendum on a subject that we have no authority on in order to show a bunch of people whom we've already elected, who are in favour of hanging anyhow, has to be the most flagrant misuse of funds that I think this House could do.

Thank you very much.

MR. DAY: Mr. Speaker, a number of issues have been raised, and because there are only a few minutes left, I just want to address some of the key ones.

Should this go to a referendum? Yes, it should, because Albertans are very frustrated. I think at this point they're willing to say that anything that can be done needs to be done to get the attention of the federal government on an issue that Albertans feel strongly about, being capital punishment.

Why do the majority of Albertans want to see capital punishment in some form for cold-blooded and premeditated murders? It's not a vengeful thing; it's not at all. It's because the majority

of Albertans understand basic fundamental justice. If I kidnap somebody and take away their freedoms, I forfeit my right to freedom, and therefore I would have to go to jail. That's a basic fundamental right of fundamental justice. If I cold-bloodedly and premeditatedly take someone's life, I then forfeit my right to have my life continue.

This is not a debate based on whether capital punishment means it's an actual deterrent or who can show which figures on where the murder rate has dropped. One thing we do know for sure is that if capital punishment is in place, that person will never kill again. The record is very clear in Canada. Figures were released not too long by the federal government. Hundreds of Canadians have been killed, have been murdered by criminals out on parole, in many cases criminals who, if we had had capital punishment, would not be with us today, and those people that they killed would be alive today. That's something that we know for sure: they would never kill again because they wouldn't be here to kill.

Point of Order

Questioning a Member

MR. DEPUTY SPEAKER: Point of order, the hon. Member for Redwater.

MR. N. TAYLOR: I was just wondering if the hon. member would permit a question.

MR. DAY: Certainly, I will, if there's time at the end of my remarks.

Debate Continued

MR. DAY: I want to go on to say that this is not a publicity stunt. This is something that Albertans feel very strongly about. Albertans are crying out for justice, and families of murder victims are crying out for justice.

MR. DEPUTY SPEAKER: I hesitate to interrupt the hon. Minister of Labour, but under Standing Order 8(4) I must put all questions to conclude debate on this motion that's under consideration at this time.

On the motion as proposed by the hon. Member for Wainwright, all members in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: The ayes have it. Call in the members.

[Several members rose calling for a division. The division bell was rung at 4:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Ady	Forsyth	Mirosh
Amery	Friedel	Paszkowski
Black	Fritz	Percy
Bracko	Gordon	Pham
Brassard	Haley	Renner

Bruseker	Havelock	Severtson
Burgener	Herard	Smith
Calahasen	Hlady	Sohal
Clegg	Jacques	Stelmach
Coutts	Kowalski	Taylor, L.
Dalla-Longa	Laing	Thurber
Day	Lund	Trynchy
Dinning	Magnus	Van Binsbergen
Dunford	McClellan	West
Evans	McFarland	Woloshyn
Fischer		

Against the motion:

Beniuk	Henry	Sapers
Carlson	Hewes	Taylor, N.
Collingwood	Kirkland	White
Decore	Mar	Wickman
Doerksen	Nicol	Zwozdesky
Germain	Rostad	
Totals:	For - 46	Against - 17

[Motion carried]

4:40

MR. DEPUTY SPEAKER: Might we have unanimous consent to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? Carried.
Stony Plain.

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

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very pleased to introduce two prominent people from both the Stony Plain and the Spruce Grove-Sturgeon-St. Albert constituencies. They are superintendents Jim Collins from the Stony Plain Roman Catholic school district and Larry Hluschak from the Spruce Grove Roman Catholic school district. They are pursuing a voluntary amalgamation, which hopefully will be approved by the minister forthwith. I'd ask the two gentlemen to rise and receive the warm welcome of the Assembly.

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

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

[Mr. Tannas in the Chair]

MR. CHAIRMAN: I'd call the committee to order.

Bill 31
Municipal Government Act

MR. CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I will submit some amendments to Bill 31 this afternoon here during the debate. I think out of courtesy to the hon. minister responsible I will give

him indication of where we intend to submit amendments so in fact he can prepare properly to debate, and I'll give our philosophy and our thoughts as to why.

There's no one in this House that's not aware that this is a rather large and extensive document. The hon. minister has indicated that he's quite anxious to get on with business, and I understand the municipalities were also of that opinion when it was first tabled. Since that day, we are starting to receive some feedback from community groups and municipal governments that have some concerns with the Bill. The minister himself is aware of some of those concerns. When we look at the effective date of this Bill, there would seem to be some time to deal with it, that effective date being January 1 of '95.

Now, I have submitted one amendment to date. It was defeated on good quality debate led by the hon. Member for Lacombe-Stettler, who did an admirable job in bringing forth the defeat of that amendment, Mr. Chairman. Some of the other amendments that we'll move here this afternoon will be to sections 50 to 53. There's a clause, 53, which indicates that the minister, after laying down some very clear definition, rules, and regulations as to how BRZs should actually function . . .

MR. CHAIRMAN: Hon. member, the Chair is having some difficulty following. In the amendments that we received earlier, entitled A-1, A-2, A-3, A-4, A-5, and A-6, I can't make out where section 53 is. Do we have a new set of amendments?

MR. KIRKLAND: No. We'll ride with those amendments that you have before you. For clarity, Mr. Chairman, those were submitted some 10 days ago, and I was just giving the hon. minister indication that there'll be others forthcoming in and of those. That was all I was attempting to do. If you look at those amendments - and they have been distributed. I have ample copies for those that don't have them; we can redistribute them. I will deal with some of those amendments today. I was just expounding a bit on the time delay.

So with clause 53, as I indicated, we'll put forth an amendment indicating that it should be deleted. The minister has gone to extra lengths to indicate exactly what sort of restraints and constraints the BRZs are operating under. It seems redundant, actually, to have an intrusion by him at that point.

Clause 76 is another clause that you can expect an amendment on, and that'll be forthcoming very shortly as well. When we look at 76, everything that impacts on dissolution or formation or annexation hinges on and relates directly back to this clause. Really what it amounts to is, again, decree or setting the rules by ministerial regulation. In essence, the clauses that follow 76 give some solid outline and guidance as to how formation or dissolution or annexation should actually occur. So this again would seem to be somewhat of a redundant clause.

There is also a concern that has been expressed to us when we look at those exemptions that aren't listed and we look at clause 362 in particular, which refers to exemptions. One of the exemptions that is lacking is an exemption to residential property and/or business property. When I say that, there has to be or should be some extenuating circumstances to deal with an exemption to residential property. The situation I would use to illustrate that is when Gainers and that surrounding area of the city of Edmonton had a BRZ attached to it. It did cause some residences in that particular area to be taxed at an extremely high rate, thereby putting the residential owners that fell into that BRZ into a situation of hardship. So that certainly is an area that has

to be looked at. Though the residential people did appeal to the court of revision, as it was known, they weren't empowered to actually give the exemption, so it had to go far and beyond that. I think we can address that and eliminate some of the potential paperwork or difficulty that would have. Likewise with businesses, and I think of the strip malls in Calgary that recently underwent a rather large tax increase. We should look at some phasing in.

The other aspect that has come to our attention. I think the hon. minister would have in his possession a letter from the city of Calgary indicating that they have a concern about the third level of assessment appeal that has been introduced, and that's arbitration. Now, they have a large backlog, and the initial thought was that the arbitration may in fact assist to eliminate that backlog. In rethinking their position, it seems that they now have a concern that it will only hamper their ability to get through that backlog, and I believe the city of Edmonton also has a concern in that sense.

We do address section 486, and we will have an amendment coming forth there as well. I think the amendment that presently sits will suffice in that case.

4:50

Expect an amended amendment to clause 454, and that is that court of revision, now known as the assessment appeal panel. Mr. Chairman, in the past, generally and traditionally in most communities, it has been formed by the council members that sit on those councils. There has been a concern expressed to us – I share that concern – that that in fact is a conflict of interest. I as a former alderman sat on that assessment appeal process, and I felt that I was in a bit of a conflict of interest in protecting the municipality's interests as well as attempting to satisfy the interests of the residents that came before the court of revision at that point.

So I offer those to the hon. Member for Lacombe-Stettler and the minister to indicate that we will be putting forth some amendments. We are moving through this Bill at a rather rapid pace. It is a large Bill. Generally speaking, I understand that the consultation process has been extensive. I was part of that many a year ago, sitting on city council in Leduc. Overall, I have not received an alarming opposition to it. So we will, as I indicated, move forward in a co-operative manner, but because there are a considerable number of residents in Alberta that are not represented by the existing government, I think it's very important that their voices should be conveyed and heard through the Liberal opposition.

So with that, Mr. Chairman, I would move that we proceed with the amendments as listed on the amendments that were distributed.

Under the second amendment, moved by Terry Kirkland, MLA, that Bill 31 be amended in the following provisions by striking out "may" wherever it occurs and substituting "must," that would apply, for clarification, only to clauses 87(1)(c) and (1)(d) as listed. Now, when I bring that forth, Mr. Chairman, this amendment deals with the formation of a municipality.

MR. CHAIRMAN: Hon. member, since there are many more sections than what you've named, are you proposing a sub-amendment to your amendment?

MR. KIRKLAND: No. I don't intend to move sections 78, 79, 80, 81, and 82. Those will fall by the wayside by virtue of the fact that I don't move them. That's my understanding.

MR. CHAIRMAN: Instead of A-2 being one amendment, you are making seven or eight amendments and deleting five of them. Is that what you're saying?

MR. KIRKLAND: That's correct. For the sake of expedience, I think that would be the quickest way to deal with it, Mr. Chairman.

MR. CHAIRMAN: Hon. members, the hon. Member for Leduc has made an altered motion from the printed motion. We are to delete 78, 79, 80, 81, and 82.

MR. KIRKLAND: That's correct.

MR. CHAIRMAN: Okay. So for those of you that are following on the script, you're now making that motion: 87, 131, and 171.

MR. KIRKLAND: That's correct.

MR. CHAIRMAN: Okay.

MR. KIRKLAND: In speaking to the amendment, Mr. Chairman, when we look at it, this 87 deals with public input in the formation of a municipality. When we look at the clauses as laid out and the responsibility of the minister as it's laid out, clauses (a) and (b) compel the minister to invite comment. They compel the minister to invite comment from the public as well as from affected individuals. Clause (c) and clause (d) move into a permissive state. When we look at the formation of a municipality, I don't think we can go too far in consulting on this matter. This is the government that listens and cares, as we understand it.

So when we look at (c), it presently reads, "may conduct one or more meetings with the public to discuss the probable effects of the formation." Mr. Chairman, what I'm suggesting here is that when we have formation, the people that live within the confines of that new municipality certainly should have the benefit of attending a public meeting with the minister or his representatives to ensure that all sides of the discussion are fairly and adequately put forth. Now, if we leave "may" in there, it takes on the permissive, and I have some difficulty with that. The public, in essence, at that point can be left out of the discussion. To add "must" to clause (c) compels the minister to hold that public meeting. I think it's in the interest not only of the minister and the department but also in the interest of the public to ensure that such a meeting takes place. There can be no harm come as a result of that.

Likewise, when we look at (d) – we're talking about the formation of a municipality – it states that they "may hold a vote of [the persons] who would be electors." The people that reside within that municipality have a vested interest in this particular discussion, and I would submit that in fact they should have a right to vote on it. It will impact on them. My amendment here takes the permissive "may" and substitutes again to have the minister compelled to hold a vote. To me, that is simple public consultation, which this government prides itself on and I would suggest is very appropriate in this situation. You will see that it comes up later in dissolution and others. The permissive aspect of it I do believe lends the clauses themselves to be somewhat open to subjective and perhaps abusive situations.

So I put the amendment forth knowing that it captures full well the government's walk in life today, and that is to consult. I would suggest that when we get down to important decisions such as formation, annexation, amalgamation, or dissolution, in fact the people there clearly have to have that opportunity, and the minister should not be able to deprive them of it. It's not a complicated amendment. It's not an amendment that will impact

largely financially. It simply ensures that the people who are impacted and who should have a say in the area they live have that opportunity.

So with that, Mr. Chairman, I'll turn the floor over.

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

MRS. GORDON: Thank you, Mr. Chairman. I would just like to make comment on sections 87(1)(c) and (1)(d).

Before a municipality is formed, the Minister

- (a) must invite comments on the proposed [incorporation] from all local authorities that the Minister considers would be affected by the formation of the proposed municipality and from any other person the Minister considers necessary.

Section 87(1)(b) requires the minister to "invite comments on the proposed [incorporation] from the public."

To make the requested change in 87(1)(c) and 1(d) as brought forth through the amendment as introduced by the Member for Leduc would require the minister to conduct public meetings and hold a vote. These sections were left less restrictive to allow the minister the discretion, as there may be situations when neither is necessary or applicable. To make it mandatory could add significant costs to the process. Why would we legislate a requirement that may not be needed? This amendment would make it mandatory to conduct public meetings and hold a vote. It contradicts the principles involved in Bill 31; namely, local autonomy, flexibility, and the deregulating and simplifying of process and legislation.

I cannot support this amendment.

MR. WICKMAN: Mr. Chairman, ironically, the Member for Lacombe-Stettler in her summation made comments that motivate me to say exactly what I had planned to say and reinforce what I had planned to say.

Speaking to the amendments, just bear in mind, Mr. Chairman, that as I speak to the amendments, at times it's difficult not to make reference to the Bill itself, as the previous speaker made reference to Bill 31. But one of the difficulties that I see in this whole Bill as we go through it and as we go through the number of amendments that are going to come forward: it spells out very, very clearly that there is a real flaw, a major, major flaw in Bill 31. That flaw has still gone unnoticed by the Minister of Municipal Affairs in that there is a feeling, a perception on the government side that sufficient public participation has taken place, that everybody out there is happy, that this whole thing is hunky-dory.

DR. WEST: No, the majority. Not everybody, the majority.

MR. WICKMAN: Mr. Chairman, what the minister is missing and what this amendment starts to pick up on . . .

DR. WEST: Not everybody. There's no such thing as everybody.

MR. WICKMAN: That guy just keeps turping away there. Twerping away?

5:00

AN HON. MEMBER: Twerping.

MR. WICKMAN: Yeah, exactly. That's it. Chirp, chirp, chirp, chirp.

Anyway, Mr. Chairman, the member's statements have reflected right on the nose the difficulty I find with it. We can

talk in terms of passing all this decision-making authority onto the municipalities, but in this whole process, in this whole zealotry to transfer this power to the municipalities, we're forgetting one very, very important body out there, and that is Albertans. That is the taxpayers. That is those that are affected by those decisions whether they're made by this government, whether they're made by the municipal government. That's what becomes so important to ensure: that every step is taken to enhance public participation, not to downgrade it. This downgrades it.

For example, when I look at the reference being made to increasing the numbers required for a plebiscite to 10 percent, you might as well just tell Albertans out there: "We no longer want public participation. We no longer want your input. We're going to make the decisions, and we're going to allow the municipalities to make the decisions, and let's forget about you the taxpayer because you don't count, because we're capable of making the decisions." That is going to cause - I venture to say it is starting out there. The minister may feel that he has the support of the majority of municipalities, and possibly he does, but what is being overlooked are the groups out there that are accustomed to being able to feed into the process to ensure that their mechanism of participating, of making government listen to them is being protected. This whole Bill takes that away. It not only takes away the power from the provincial government and transfers it to the municipalities; it diminishes considerably the power that the taxpayers had before. I don't know why they're being forgotten in this process. The minister is going to have some . . .

DR. WEST: Are you saying that nobody wants the Bill?

MR. WICKMAN: Not too many, Steve. Not too many.

Before we're finished with debate on this Bill, Mr. Chairman, the minister is going to start to realize that there's a little bushfire out there that's going to start to grow, and it's going to become a major forest fire. The minister is going to realize that there are people that want more time to make amendments to this Bill to ensure that their interests are being protected.

The start of that process is to first support these amendments that have been brought forward by the Member for Leduc. [interjection] Sh, sh, sh.

MR. DINNING: The phone's ringing, Percy. It's for you.

MR. WICKMAN: The phone's for me? [interjection] Don't let him on our side.

And then from there there are going to be other amendments that will come forward. If the members for Lacombe-Stettler, for - what is it? - Vermilion-Lloydminster can feel sufficient consideration to take those seriously, make them part of Bill 31, then we can have some meaningful legislation that the municipalities will support but not only that, to the minister, that the taxpayer out there that he's forgetting will also support, Mr. Chairman.

On that note, I'll conclude.

MR. GERMAIN: I'm happy to pick up the debate restricted to this amendment, if you don't mind, Mr. Chairman, a trend that we don't see here often. The Minister of Municipal Affairs became so agitated and so worked up when the last speaker was speaking that if he wants to get on his feet now, I'm prepared to sit down and wait my rotation from side to side. Otherwise, I'll speak to these particular amendments.

I do hope the minister will take a moment and the sponsor of this Bill will take a moment to open the Bill to the very page that we are debating in the amendment, because although I was not able to support the last amendment that was voted on in this matter, this amendment is a very good amendment, and there should be a long hard look taken at what this particular amendment does.

What we're trying to do in section 87 of this Bill is to change the word "may" to the word "must" in only two spots where it is found in this particular section. Now, what would they do? What would be the crime or the mischief in changing those two words? First of all, the minister would then have to conduct at least one public meeting.

Let me share this anecdote with you. Some of you may have cottages on a lake. You may be in a nonsubdivided area. You may be involved in a county or a municipality. You may have a chance to get out and watch the birds and mow the lawn and even maybe suntan on an Alberta beach. Now, you might be sitting there minding your business on the Alberta beach, maybe enjoying one of Alberta's many products, eating some of Alberta's food, maybe even drinking some of Alberta's beverages in peace and quiet, and all of a sudden some neighbours come to you and say: "Hey, we're going to form into a summer village. We're going to have a big governmental regime. We're going to collect our own taxes. We're going to have our own snowplow. By golly, we might even buy a bus to send our kids to school." All you want to do, ladies and gentlemen in this Assembly, is you just want to sit on the beach, maybe enjoy some good Alberta food, maybe roast up some Alberta beef, maybe have an Alberta beverage. That's all you wanted to do, Mr. Chairman, and now somebody is going to turn you into a summer village, as one example.

Should those people on the beach have the opportunity to go to at least one public meeting? Certainly they should. Is it too much of an intrusion into their private lives as they sit there on the beach for the Minister of Municipal Affairs to have one public meeting? Is that too much of an intrusion, too much to ask for Albertans? Is it too much to ask for Albertans that before that life-style is changed into a municipal restructuring they have a plebiscite?

Now, the minister and his draftsmen and the sponsor of this Bill were very clever, because the plebiscite itself gives the minister some opportunity to ensure that the cost of the plebiscite does not get out of hand. [interjections] If you read the section of the Bill, you'll see that

the vote must be conducted in accordance with the Local Authorities Election Act as modified by directions given by the Minister.

Excuse me, Mr. Chairman, I'm even starting to get some friendly fire over here now. I'm wondering if the Galvinator could lower his voice a bit so I can continue with my sterling comments.

MR. DINNING: Blue chip.

MR. GERMAIN: Blue chip comments; okay.

Chairman's Ruling Decorum

MR. CHAIRMAN: The hon. Member for Fort McMurray is experiencing some difficulty in speaking and even hearing himself. As you can imagine by that description, the noise must be quite considerable. We would wonder if it would be possible for hon. members to carry on their loud conversations out in the lounges after they have received clearance from their respective Whips. Otherwise, please keep it down to a whisper.

MR. GERMAIN: I was just trying to help. You know, the minister of transportation gave me some advice here the other day. He said to keep my voice down, drop it way down low much as the Provincial Treasurer does. When he doesn't like the sound of his own answer, he drops his voice way down low. I'm trying to do that. I'm trying to help the minister of transportation out, and here's what I get, Mr. Chairman, a hard time, as you said, even hearing myself think.

Debate Continued

MR. GERMAIN: So these two amendments proposed by the hon. Member for Leduc are good amendments. Let's not be selfish about this thing. Let's not stand on party lines here. Changing two words from "may" to "must" is not a big deal. It is not going to bring down the government. It is not going to add any money to the government's expenditure. We were very happy a moment ago to argue for participatory democracy for a costly referendum on an issue that we have no control over, and now we would deprive Albertans of the right to vote for their own future in terms of municipal amendments.

5:10

So I urge all members of this Assembly to vote for the substitution of those two simple words, "may" to "must." It's not a big amendment. It's not going to be viewed as a sign of weakness. It's not going to be viewed as lacking courage or foresight. It is simply going to send a message out there to Albertans that we do listen and we do care. Yes, we do listen, and we do care.

That concludes my comments.

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

DR. PERCY: Thank you, Mr. Chairman. I rise to speak in favour of the amendments introduced by the Member for Leduc. Certainly the issue here is really one of discretion. As we've seen with many Bills brought forward in this House, many of the Bills are replete with government by regulation as opposed to government by legislation. We would like to see in instances such as this the requirement for public consultation.

Sometimes democracy is expensive. It requires consultation. Just as in the previous motion, that was passed by an overwhelming majority – it's clear that this is a federal issue, that this will be costly, a referendum in that regard, but we would do it because we think we ought to hear what people have to say. Similarly, the amendments that have been introduced by my colleague require consultation, and again, as the hon. Member for Lacombe-Stettler said, there may be some instances where that may appear to be redundant, but that's an issue of discretion and choice. Once you allow significant discretion in this regard, who's to say at what point ministerial discretion is acceptable? So in this regard I'd much prefer to have no ministerial discretion even if it is somewhat costly, because I think people living in these districts do have a right to be heard.

The hon. Member for Lacombe-Stettler says that, well, they will have been heard in the process. The requirement of a specific hearing by the minister provides that one focal point by which a whole array of opinions can be heard. We're talking here about events that may not be that frequent. As I say, when push comes to shove, I'd much prefer that people be heard even if it's somewhat costly than that they not be heard and after the fact feel that they've been cheated from the opportunity to get their views put forward.

So having said that, I would stand wholeheartedly in support of the amendments as brought forward by my colleague simply on the grounds that I'd always prefer consultation and the requirement for consultation in this particular instance.

Thank you, Mr. Chairman.

MR. KIRKLAND: I have to respond to the hon. Member for Lacombe-Stettler. She hit on the exact reason why in fact I thought this amendment should go through, and that was local autonomy. These are people that live in that particular area. They do have a right to give input to government. They do have a right to determine their destiny ultimately. That really is local autonomy, as I see it, Mr. Chairman. So I think it's very important to keep that in mind. We should not deprive anybody of the opportunity to have their input when something impacts on the area that they live in.

The other area that she brought up and spoke of was the expense. This really amounts to perhaps one town hall meeting, so the expense is not a significant expense. I cannot understand why we would shy away from that. As I indicated, we're into the process of supposedly consulting by this government. This is minor consultation, and it's not a mustering of the troops by any stretch of the imagination. It's ensuring that those people that live within that area have a stage to ensure that the minister is aware of their thoughts or the department is aware of their thoughts.

As it is written presently – and it's not covered in section 87 when we look at it. The hon. Member for Lacombe-Stettler suggested that it was covered by 87(1). Not the case. That is very subjective in itself, that clause. That subjectivity is what these amendments are intended to remove from that particular clause. When we look at Bill 31 and we look at the health Bill and we look at the education Bill, we're walking a new trend as far as legislation is concerned. Legislation is becoming defined by regulation. This Bill has some 80-plus areas or situations in it that fall back to the minister's desk, and it is by regulation. The clarity and the definitiveness are not there.

That being the case, I think it's very important to give the people of Alberta due right to have their say and due right to control their destiny as far as their municipality is concerned. This does not hurt anyone. It does not bog down the minister or his department. It does not in any way hurt the residents of that particular community. It is not going to amount to a large expense, and I would suggest that the redundancy that the hon. Member for Lacombe-Stettler suggested may exist is a very small "may." So I would ask all to give it thought. It's a common-sense approach. It is not, as I say, an onerous undertaking that this amendment is asking of the department. It is simply a case to ensure that those people that are impacted – and it will have a resulting impact upon their properties probably and also their ultimate destiny. It will give them that say, and I think it's important to do that. I think it's important to ensure that the public has that benefit.

We will want to consult on such things as capital punishment. This is something that's very close to us, something that we can control and guide. All I'm asking here is that the minister be bound to consult. It's consulting in a very inexpensive way, so I really can't quite understand why we would be opposed to it. Why would we want to deprive somebody the opportunity to have their say in a public meeting? Why would we want to deprive somebody of the opportunity of a vote if in fact there was a municipality change that they should have some input on? That is simply an information exchange. We all become wiser as a

result of our information exchanges. We have all become wiser as a result of the information exchanges within this House, and they come from both sides of the House, whether we like to admit it or not. That is all that this amendment is striving to achieve: that exchange of information to ensure that all sides of the equation are heard. No one should be deprived of this particular aspect. A simple amendment, not a costly amendment. I would suggest and I would submit that if there's a redundancy to it, it is a redundancy that is very, very minuscule and, in my submission, likely won't be encountered.

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

MRS. GORDON: Thank you, Mr. Chairman. Again, just for the members of this Assembly I'd like to point out that the minister is required to invite comments from the public on a proposed formation or incorporation. If the public were in agreement with the change that was taking place, I again would like to ask: why would we legislate a requirement that may not be needed? And the cost of holding a public meeting or meetings as well as a vote.

With that, I'd ask for the question.

HON. MEMBERS: Question.

MR. CHAIRMAN: The question's been called. The committee has under consideration amendment A-2, which deals with sections 87, 131, and 171, as moved by the hon. Member for Leduc.

[Motion on amendment lost]

SOME HON. MEMBERS: Question.

MR. KIRKLAND: It always amuses me that we're afraid to engage in debate and we want the question. I mean this is a significant Bill. Maybe the hon. Minister of Energy has skimmed, read this thing and knows it extensively, but we are here to debate, and we're here to look after the interests of Albertans. That is what I'm charged to do, and that's certainly what I will do.

5:20

I have indicated before that, all in all, I'm confident, very confident that this Bill is a quality Bill, not unlike the Member for Cypress-Medicine Hat, but . . .

Chairman's Ruling Decorum

MR. CHAIRMAN: Hon. members, we're forgetting a rule: only one member should stand and speak at a time. We were gathering somewhere along the neighbourhood of six members standing and talking. The only member that's been recognized to speak aloud is the hon. Member for Leduc.

MR. KIRKLAND: Thank you. It pleases me that I don't have to raise my voice as if I'm talking to children that can't pay attention, so I appreciate your assistance in that matter.

Debate Continued

MR. KIRKLAND: The next amendment that will be proposed is the one that follows that, Mr. Chairman; and that is 131. Clause (b) reads much like 87(1)(c) and (d). Clause 131(b), again, as we read it, is a permissive clause, and we're speaking here about the dissolution study, when in fact a study is to be conducted. Now, the minister, again,

- (a) must contact all local authorities that the Minister considers would be affected by the dissolution of the municipality and invite them to comment.

Again, when we deal with an invitation that's limited, restricted, we can invite that opinion or that thought we want and ignore the other opinions. So I have a concern with that. Therein lies the reason I would make the amendment and suggest the amendment to 131(b).

If we look at clause 131 and compare it to some of the other clauses in this particular Bill – and I would draw the members' attention particularly to clause 103(1); when we're causing or initiating an amalgamation, the minister certainly must undertake a whole lot of activities that are compulsory. This situation here, when we're completing a dissolution study again, we look at (b) and it says that he

may conduct at least one public meeting that is advertised in accordance with section 606 to discuss the implications of the dissolution.

Now, if we are to extrapolate and think of the debate that came forth on the last amendment I submitted, I would suspect that again we're going to have expense thrown at us here. In my wildest dreams we're looking probably at maybe a \$300 or \$400 expense. I think that's a quality expense if we want to compare that to a \$3 million expense on something like capital punishment, that we have no impact on.

Point of Order Clarification

MR. CHAIRMAN: Is the Minister of Municipal Affairs rising on a point of order?

DR. WEST: Yes, for clarification on what amendment we're on, Mr. Chairman. I thought we'd voted on the second amendment on this paper and we should be on three. I didn't know we took an amendment and voted subsection by subsection.

MR. CHAIRMAN: The hon. Member for Leduc, before moving amendment A(2), withdrew 78, 79, 80, 81, and 82, and the Chair clarified for the Chair's own benefit as well as the members of the committee that indeed those five sections had been removed by the hon. member's motion. So in fact we're back on the Bill until such time as the hon. member or any other hon. member moves a third amendment. Okay?

DR. WEST: Oh, I see. All right.

MR. KIRKLAND: Thank you, Mr. Chairman. I was simply trying to expedite it. I know you're anxious to get on with it. I know you're anxious to pass it, so I'm not going to prolong the debate on some of those areas that perhaps are not going to win favour. I'll stick with those that I think have a little bit of common sense to them.

Debate Continued

MR. KIRKLAND: Again, just to go back to 131(b), Mr. Chairman, where in my amendment I'm attempting to remove the permissive "may." Now, you may suggest that in fact I'm overly suspicious about these matters. I think it's extremely important

to consult when we're dealing, as I say, with amalgamation or annexation or formation or in fact dissolution. This one here deals with a study. We cannot be afraid to wade forth into the masses of the Alberta public and ask them for their opinion. That's all that I'm attempting to do at this particular point. There should not be anybody recoil in horror that I'm asking and suggesting that we should consult with the public. I find it a bit of a contradiction here that in fact for the last nine months of my term I've heard that we are consulting, consulting, consulting. I'm attempting to have that consultation ongoing and not at great expense, yet we're running into resistance here.

As I indicated in my earlier debate, this Bill deals with some 80-plus situations whereby clarity or definitive criteria and guidelines will come forth by regulation. "By regulation" means by the minister's desk or through caucus. That to me, Mr. Chairman, gives us more reason to ensure that we do not leave the public out of this process. In the process in this Bill – and it's important – those areas that are the most impacting have left the most up to regulation. There is no one in this House that has not been aware of, privy to, or lived in a community probably that has gone through an annexation process through great expense and attempted to ensure that both sides of the coin are heard. So we have seen political interference in that process. I would just like to clean it; that's what I would like to do.

With that, Mr. Chairman, in light of the hour of the day I would move that we adjourn debate on this amendment.

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

HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no. Carried.
The hon. Government House Leader.

MR. DAY: Mr. Chairman, as we adjourn, I do move that you leave the Chair until the committee rises and reports.

MR. CHAIRMAN: The hon. Government House Leader's suggestion is worthy of consideration, but I am already in the Chair, and it is somewhat difficult to adjourn an Assembly from committee stage.

MR. DAY: How about if we move that we call it 5:30?

MR. CHAIRMAN: The hon. Government House Leader has moved that we call it 5:30. All those in favour, please say aye.

HON. MEMBERS: Aye.

MR. CHAIRMAN: Those opposed, please say no.

Now, at 5:30, under Standing Order 4(1), the Speaker will now leave the Chair and return at 8 p.m.

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

