

Legislative Assembly of Alberta

Title: **Thursday, May 26, 1994**

1:30 p.m.

Date: 94/05/26

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy.

As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country.

Amen.

head: **Presenting Petitions**

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

DR. NICOL: Thank you, Mr. Speaker. I'd like to present a petition from people in southern Alberta concerning the Alberta Children's hospital. They'd like to see this hospital continued as a full-service hospital. The petition contains 485 new signatures.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I beg leave today to introduce a petition signed by 1,442 residents of Calgary and other communities in Alberta urging the government to not allow the excavation and development of Horseshoe Canyon into a golf course and to designate Horseshoe Canyon as a provincial park in Alberta.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I, too, have the pleasure of presenting a petition asking the government to put the Sturgeon hospital back into the district north of St. Albert. I don't know how many; it's in the thousands, but this today is only about 35.

Thank you.

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

MR. LANGEVIN: Thank you, Mr. Speaker. I beg leave today to present a petition signed by 1,013 residents of the Plamondon, Wandering River, Grassland, and Lac La Biche area urging the government to rename the Plamondon cutoff as a secondary highway and to pave the road.

Thank you.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I'd like to present a petition with 48 names from people mostly in the Calgary area urging the Assembly of Alberta to keep the Children's hospital in its current location and as it currently exists providing pediatric service.

Thank you.

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

MR. BRACKO: Thank you, Mr. Speaker. I am presenting a 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 . . .

MR. SPEAKER: Order please. We do not have to read the entire petition, hon. member.

MR. BRACKO: Thank you, Mr. Speaker.

. . . and the others that are on the list.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, have a petition signed by people in St. Albert and surrounding areas urging this government to take the Sturgeon general hospital out of the Edmonton region.

Thank you.

head: **Reading and Receiving Petitions**

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

MS CARLSON: Thank you, Mr. Speaker. I would ask that the petition I presented on May 11 with regard to keeping the Grey Nuns hospital open as an active care treatment centre now be read and received.

CLERK ASSISTANT:

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 Edmonton-Meadowlark.

MS LEBOVICI: Thank you, Mr. Speaker. I now request that the petition I presented on May 16 be read and received.

CLERK ASSISTANT:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to continue funding kindergarten at the current level, allowing each and every child in Alberta the opportunity to receive 400 hours of kindergarten instruction, without placing undue financial stress on Alberta families by the imposition of user fees.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to request that the petition I presented on May 16 regarding seniors' issues be now read and received.

CLERK ASSISTANT:

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

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

DR. MASSEY: Thank you, Mr. Speaker. May I please request that the petition I presented on May 16 with regards to the Grey Nuns hospital now be read and received.

CLERK ASSISTANT:

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 request that the petition I presented on May 16 concerning the Children's hospital be now read and received.

CLERK ASSISTANT:

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

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

DR. NICOL: Thank you, Mr. Speaker. I'd ask that the petition I submitted on May 17 concerning the Children's hospital be now read and received.

Thank you.

CLERK ASSISTANT:

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: **Tabling Returns and Reports**

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

MR. EVANS: Thank you very much, Mr. Speaker. I'm pleased to table copies of responses to written questions 178, 179, and 185 and motions for returns 181 and 193.

head: **Introduction of Guests**

MR. SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Well, thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to Members of the Legislative Assembly a bright group of 31 students from St. Anthony's school in Drumheller, the dinosaur capital of the world in your constituency, Mr. Speaker. Accompanying them are five parent helpers, Mr. Terry Beaupré, Mrs. Sharon Donais, Mrs. Dani Dooley, Mrs. Cathy Jo Peters, and Mrs. Mary Greene, along with schoolteacher Mr. Gerry Hamilton and bus driver Mr. Scott Patterson. They are seated in the members' gallery, and I ask that they rise and receive the warm welcome of the Assembly.

MR. VAN BINSBERGEN: Mr. Speaker, I'm delighted to introduce to you and to all members a small select group of grade 10 social studies students from Hinton, Harry Collinge high school. They're here accompanied by their teacher Murray Zwickel and parent Alain Turbide. It's a bit of a role reversal.

I used to check up on them, and now they're here to check up on me. I'd like them to rise in the public gallery and receive a warm welcome from this House.

MR. KLEIN: It is my pleasure to introduce to you and to members of the Assembly a very, very special guest. I would like to introduce Mr. Jorge Sobisch, a governor of the province of Neuquen in Argentina. Governor Sobisch, who is in your gallery, Mr. Speaker, is visiting Alberta to meet with companies in the energy and agriculture sectors, and we will be meeting tomorrow in Calgary to sign a memorandum of understanding to facilitate closer economic co-operation between Alberta and Neuquen. A significant number of companies have identified Argentina and Neuquen in particular as a growth market for Alberta's expertise in oil and gas equipment and services, livestock management, genetics, and power generation. Many companies are already active there.

I would ask the hon. governor to stand with his delegation and receive the traditional warm welcome of this Assembly.

1:40

MR. DECORE: Mr. Speaker, I would like to take this opportunity to introduce a community activist, a woman who is particularly active in promoting the issues involving family and women's issues, a woman who resides in Olds. I'd ask Lorna Frere to stand and to be welcomed by the members of this Assembly.

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

MR. DOERKSEN: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of this Assembly two visitors from the province of Manitoba living in the city of Winnipeg. They are seated in the members' gallery. Their names are Peter and Tina Doerksen. They are distant relatives of mine but only in terms of age: my mom and dad.

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 a very prominent person working on behalf of not only people in the constituency of Grande Prairie-Smoky but also the entire province. She's a person that's involved in town council activities as a councillor. She's on a hospital board, but she also is co-chair of the northern river basins study. It's my pleasure to introduce to you Lucille Partington, and she is accompanied by her son Michael Partington. If they would both rise and receive the usual response of the House.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of this Assembly five people who are the poster people for their group which speaks for the frail and dependent elderly. Now, when I say poster people, their pictures appeared on a poster that they had made. Their motto is: "Elderly deserve dignity and respect. They built our country." They are seated in the visitors' gallery, and they are Elizabeth Hinkel, Corrie Sinclair, Ruth Adria, Louis Adria, Robert Giorgini. I would like to ask them to stand and receive the very warm welcome of this House.

head: **Ministerial Statements**

MR. SPEAKER: The hon. minister without portfolio.

Synsorb Biotech Inc.

MRS. MIROSH: Thank you, Mr. Speaker. As minister responsible for the Alberta Research Council I participated this morning in the announcement of a licensing agreement between the council and a new company called Synsorb Biotech Inc. This agreement allows Synsorb Biotech to underwrite the next round of clinical trials for products called Synsorb Pk, the promising treatment for hamburger disease.

Synsorb Biotech is an Alberta-based biotechnology company focusing on the development of products derived from Synsorb immuno-adsorbant technology. Under the agreement with the Alberta Research Council the Synsorb Biotech company acquires exclusive marketing, distribution, and proprietary rights to various commercial products. The terms of the agreement give the Alberta Research Council fees, milestone payments, and royalties on gross sales for certain Synsorb products.

In laboratory studies Synsorb Pk has been found to effectively neutralize the effects of the bacterial toxin which can cause hemolytic uremic syndrome following exposure to this E coli bacterium. This disease is contracted by up to 10 percent of children exposed to the bacterium, usually through ingesting partially cooked meat, unpasteurized milk and milk products. The infection can also be transmitted through person-to-person contact, and clearly hygiene is important.

The severe symptoms of hamburger disease, Mr. Speaker, in children are rare but tragic when they occur. The syndrome attacks the kidneys. It can lead to kidney failure or death, and some victims who have survived may suffer permanent kidney or brain damage. In Alberta there were 350 reported cases of hamburger disease, and in North America alone there were literally thousands of children and adults affected.

Mr. Speaker, the hospitals in Calgary and Edmonton will be taking part in a study to test the efficiency of the Synsorb Pk treatment in children. Synsorb Biotech will donate a portion of the proceeds from the commercial sales of Synsorb Pk to the Lois Joy Galler Foundation, a child who died of this disease.

This is yet another example of how the Alberta Research Council is able to work in partnership with the private sector on medical and technology developments, and the people of Alberta will benefit from the development of this drug through revenues of potentially hundreds of thousands of jobs in Alberta in the biotech industry as a result.

Thank you.

MR. DECORE: Mr. Speaker, my first note is to inform the minister, because she probably doesn't know – she's probably too busy – that this notice was just handed to me as I walked in the door of the Assembly. I would hope that the minister's office could give a little more time.

Mr. Speaker, our party welcomes the news that an arrangement has been reached. We hope for great success for this company in their clinical trials. Most of all, we hope that the concerns we noted with respect to the conflict of interest related to the technology on this matter have been fully and completely resolved at ARC.

Thank you, sir.

head: **Oral Question Period**

Party Leadership Campaign

MR. DECORE: Mr. Speaker, this Assembly now knows that lottery lists were used to solicit support for the Premier's leadership bid. The lottery lists included people awaiting – awaiting – decisions on grants. That information was not public information. That information in fact is confidential. When we attempt to get that information, we're always told by the government that that is confidential information. The Deputy Premier told this House, told Albertans yesterday that he had no knowledge of the events that were taking place under his nose. Mr. Deputy Premier, tell Albertans as the minister who doled out millions of dollars to thousands of Albertans that you have now investigated this matter and that you can report to this Assembly that the allegations, the statements made on the affidavit are correct.

MR. KOWALSKI: Mr. Speaker, please allow me to supplement my answers to questions raised yesterday by the Leader of the Opposition and to the question raised today. Yesterday the Leader of the Opposition raised questions intended to malign my character and potentially the integrity of those who work for me. Serious allegations would imply that I had further and personal knowledge of improper use of government resources in the furtherance of a political campaign. These allegations and innuendo have given rise to prominent news coverage throughout this province.

Mr. Speaker, allow me to say that this is a sorry and sordid tale. It involves a spurned lover, an individual who has a troubled past, and an all too eager opposition willing to seize on squalid little details to score petty political points in the name of righteous indignation.

I do not know – I do not know – a Michael Edwards. Not one of my staff knows a Mr. Michael Edwards.

**Speaker's Ruling
Supplementary Responses**

MR. SPEAKER: Order please. The hon. minister could probably use a point of order or a point of something outside of question period. The purpose of question period is to respond to the questions, and if there are other factors arising out of it, the rules of the House would afford the hon. minister the opportunity to clarify the record.

1:50

MR. KOWALSKI: Mr. Speaker, may I raise a point of order, then, and deal with it and whatever questions there are in this matter at the conclusion of question period? Whatever question will come from the Leader of the Opposition, I'll just say point of order and deal with it at the end then?

MR. DECORE: Mr. Speaker, I didn't see anything about a spurned lover in the affidavit. [interjections] It would appear we've got some raw nerves unnerved there. We've got some raw nerves sticking out here.

**Party Leadership Campaign
(continued)**

MR. DECORE: Mr. Deputy Premier, I would like you to tell Albertans that nothing – nothing – occurred in your office, then, that related to the use of lottery lists and telephone calls being made on the Premier's behalf.

MR. KOWALSKI: Mr. Speaker, I've raised a point of order. I would like to provide a full explanation of this. I tried to start doing that. I will await the point of order at the conclusion of question period to deal with this matter.

**Speaker's Ruling
Supplementary Responses**

MR. SPEAKER: Order please. The Chair feels that there are two issues here and that the hon. minister could well respond to the specific questions. If there are other things that still are hanging over, then other time at the end of question period can be used for those things. But the Chair has allowed the question to be put. The hon. minister may or may not wish to respond to the question put.

MR. KOWALSKI: Mr. Speaker, when I give my explanation of the point of order at the end of question period, it will all be clear to everybody in Alberta.

MR. DECORE: I think silence is telling us a lot here, Mr. Speaker.

**Party Leadership Campaign
(continued)**

MR. DECORE: Mr. Minister, will you agree that the use of lottery lists, particularly those lists that deal with applicants who are applying to your office for grants of thousands, hundreds, hundreds of thousands of dollars, for a leadership bid is morally and ethically wrong?

MR. KOWALSKI: Well, Mr. Speaker, no such lists were used. The hon. member has been suckered in a big play. When I rise on my point of order at the end of question period, it'll become very apparent to this research-oriented Leader of the Opposition.

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

MR. GERMAIN: Some very long answers to some very short questions, Mr. Speaker.

Yesterday in this Legislative Assembly the Deputy Premier reviewed out loud parts of a sworn affidavit, and he reviewed:

I was also told that if anyone on the list of lottery fund grant applicants asked how I got their name or telephone number, I was told not to divulge the fact that I was using the list of applicants.

At which point, Mr. Speaker, the Deputy Premier paused and said, "Okay; fair game." My question today, therefore, is to the Premier. Is it fair game or indeed government policy to use confidential lottery application information for political purposes?

MR. KLEIN: Mr. Speaker, the answer is no.

MR. SPEAKER: Supplemental question.

MR. GERMAIN: Thank you. Are you aware, then, Mr. Premier, of any arrangement whereby this minister or any other minister or their staff solicited lottery fund applicants for your leadership campaign?

MR. KLEIN: Mr. Speaker, no. I'm not aware of any such activity.

MR. GERMAIN: Well, then, Mr. Premier, will you conduct a sufficient investigation to satisfy yourself that no abuse of your own standards occurred in this particular case?

MR. KLEIN: Mr. Speaker, relative to the situation, I think that the hon. Deputy Premier has indicated, at least if what I read is correct, that he will get to the bottom of this situation. He does indeed have a report that he's prepared to deliver. The hon. Deputy Premier has said that this will come in the form of a point of order, and I look forward, as I'm sure the opposition does, to his explanation.

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

School Taxes

DR. NICOL: Thank you, Mr. Speaker. April 30 was the deadline for the government to notify local jurisdictions of their level of requisition under the Alberta school foundation fund. On April 28 the city of Lethbridge was given notice of their provincial tax requisition for educational purposes. On May 11 the city confirmed the level of their requisition and subsequently sent out their property tax notices. On May 19 the city was notified the requisition level was being changed, in fact being increased. My question is to the Premier. Is the government prepared to honour their April 28 requisition agreement with the city of Lethbridge given that the second requisition was sent out after the April 30 deadline?

MR. KLEIN: Mr. Speaker, if you'll allow me, I would like to defer to the hon. Minister of Municipal Affairs. This is directly under his portfolio.

MR. SPEAKER: The hon. Minister of Municipal Affairs.

DR. WEST: Yes, Mr. Speaker. There have been several jurisdictions that had sent out notices previous to the statement made through my department and the Department of Education in regards to changes that we would make to taxation for the following year. That has been relayed to us. Yesterday I got a fax from Mayor Carpenter in Lethbridge acknowledging that. We're working with our department of assessment and taxation along with Treasury and the Department of Education to straighten this out. Certainly we'll have answers forthwith to those municipalities.

MR. SPEAKER: Supplemental question.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: if the city is forced to collect this added requisition, is the government prepared to cover the additional cost to the city resulting from this government blunder?

DR. WEST: As I stated before, Mr. Speaker – this is a follow-up to the same question, and I gave that answer just a minute ago – we're working, and we'll be dealing with them forthwith.

MR. SPEAKER: Final supplemental.

DR. NICOL: Thank you, Mr. Speaker. My final supplemental is to the Premier. Is this appropriate treatment for local property tax payers from a Premier who cares and who promises no tax increases?

DR. WEST: Mr. Speaker, again, it's a taxation issue. To answer that one directly, yes, it is a consideration of the local taxpayers, because this change was made in order to protect the

taxpayer, the property owner, and a commitment that we made that there would be no new taxes on existing assessment. Therefore, the changes were made so that only the new growth would be considered for taxation in the following year.

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

Premier's Trip to British Columbia

MR. McFARLAND: Thank you, Mr. Speaker. My question today is to the Premier. Many of the constituents in my riding of Little Bow and throughout Alberta have been following media reports of your meetings this past week in Manitoba and British Columbia. There was a great deal of interest in your meetings, especially with the Vancouver Board of Trade and the Hong Kong businessmen's association. Will you explain to this Assembly and to our fellow Albertans the advantages and benefits of your discussions this past week in B.C.?

MR. KLEIN: I thank you for the question. I didn't even know it was going to come, and that's the honest truth. I do thank the hon. member for his question, because I believe that the mission to British Columbia and indeed previous missions to central Canada and Quebec have been beneficial. I can tell you that those in the business community certainly outside of this province and inside of this province like what we are doing. Notwithstanding some of the side issues that I was drawn into relative to the Quebec situation, the focus was really on the economy and what is happening here and selling the Alberta advantage.

Stories like this, Mr. Speaker, appeared through the B.C. press: "Klein capitalizes." [interjections] He ends up saying: The Alberta Premier made a good impression on the Board of Trade audience; mind you, it's been awhile since they've heard a Premier who shoots straight. You know, it's this kind of publicity that will draw investors to this province to participate in our economic growth and prosperity. [interjections]

2:00

MR. SPEAKER: Supplemental question.

MR. McFARLAND: Thank you. My supplementary is to the Premier, and I'm sorry I couldn't hear all the answer to my first question. As a result of your meetings, Mr. Premier, what investment and trade opportunities do you feel there will be for Alberta in the next two to three years?

MR. KLEIN: Mr. Speaker, we're already seeing the evidence of it, and I can tell you that I certainly spoke to the Board of Trade, the second largest crowd in the history of the B.C. Board of Trade – in its history the second largest crowd – because these people wanted to hear of the very unique programs that were taking place in this province to balance the budget and to create and maintain the most competitive tax regime of any jurisdiction in this country, perhaps even in North America.

In addition, I met with small investment groups, meetings sponsored by Burns Fry, by Ernst & Young, by the Hongkong Bank of Canada, small meetings but bringing together probably some of the most influential people on the west coast, all of whom indicated a tremendous interest in investing in Alberta simply because of what we're doing to get our fiscal house in order and maintain that highly competitive tax regime.

MR. SPEAKER: Final supplemental.

MR. McFARLAND: Thank you. My final supplemental to the Premier: what is your assessment of the responses to the initiatives you've taken in meeting with these groups in B.C., particularly the average British Columbian, who I understand took part in an open-line talk show with you?

MR. KLEIN: The talk show was particularly good. There wasn't one person who phoned in to complain about what we were doing here. As a matter of fact, there were numerous compliments.

Relative to what is happening on the economic side – and I'm certain the Minister of Economic Development and Tourism at an appropriate time can further elaborate – there was an excellent example today of what has happened just recently relative to companies looking favourably on Alberta. Ronalds Printing, a subsidiary of Quebecor, one of the largest printing companies in North America, deliberately decided to do a major expansion, a brand-new plant employing 250 people, and made that decision solely on the basis of a secure and financially sound Alberta. The chairman of the board stood up and said that publicly.

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

Election of School Trustees

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to table four copies of a document submitted by Peter Woloshyn, the reeve of the county of Parkland, to the Education Regionalization/Amalgamation Committee. This outrageous document asks this government to allow county councillors to appoint school trustees rather than elect trustees. To the hon. Premier: will the Premier assure citizens that there is still some democracy in this province and that he will not wipe out elected school trustees, as is suggested by this document?

MR. KLEIN: Well, first of all, Mr. Speaker, I would request of the hon. member that she at least have the decency of supplying me with the information and giving me some of the background. I have no idea what document she is talking about, and really I would like to have the opportunity to discuss with the MLA the activities that have been taking place relative to his constituents.

MRS. SOETAERT: The chairman had this May 24.

My supplemental: would the Premier consider replacing the Member for Stony Plain on this implementation committee as this could be a conflict of interest since the reeve of the county of Parkland is his brother?

MR. KLEIN: On the surface of it, Mr. Speaker, and I think even as we get further into it, I don't think so. No. The answer is no.

MRS. SOETAERT: My final supplemental: why does this government continually undermine the role of school trustees?

MR. KLEIN: Mr. Speaker, we don't.

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

Interprovincial Trade

MR. DUNFORD: Thank you, Mr. Speaker. My question is to the Deputy Premier. Yesterday the Deputy Premier indicated some agreement at the Western Premiers' Conference for a

barrier-free Canada, and I understand that negotiations are under way. Given the importance of agriculture to the Lethbridge area and indeed to this province, was there support for agriculture being included in this agreement?

MR. KOWALSKI: Mr. Speaker, yes. The Premiers and the territorial leaders agreed that there was support in western Canada for a whole farm safety net and in fact instructed all of us involved to be pursuing this matter. The minister of agriculture and rural development will shortly be meeting with his counterparts, and I believe the meeting will be held in Winnipeg in the next couple of weeks. They'll be pursuing that matter and tying it in again with the furtherance of a barrier-free trade system in Canada.

MR. SPEAKER: Supplemental question.

MR. DUNFORD: Yes, and again to the Deputy Premier. You've described the parameters perhaps of the agreement. Was Alberta pleased with the extent of coverage agreed to at the Western Premiers' Conference?

MR. KOWALSKI: Well, Mr. Speaker, the position of the government of Alberta is that we want progress made and we want to accelerate this progress. If nine provinces in Canada can agree to a system and one wants to be a little slower in it, there was consensus that the nine should go forward. So our position is that we should move forward.

MR. SPEAKER: Final supplemental.

MR. DUNFORD: Okay; thank you. Again to the Deputy Premier: where are we in terms of co-operation amongst the western provinces in economic development?

MR. KOWALSKI: Mr. Speaker, the four western provinces and the two territorial governments recently did an inventory of examples of co-operation in the Canadian west. There are some 170-plus examples on the list. At Canmore in December of 1993 our Premier, the Premier of Alberta, released that document to the other western Premiers. If the hon. member does not have a copy of the document, I'd be pleased to provide him with one.

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

Plebiscites

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. Last Tuesday this Assembly voted in favour of holding a referendum on capital punishment, and I voted for that motion. I voted for that motion because I believe in the principle of holding a referendum, or a plebiscite, but I would like us to do that on provincial issues over which we do have control. Now, the Alberta Election Act and the Hospitals Act allow the government to hold plebiscites. My question is directed to the Premier here. Since the most recent poll indicates that almost two-thirds of Albertans think that the government has cut too fast and too deep in education, will he commit to holding a plebiscite on his educational agenda?

MR. KLEIN: As I understand it, Mr. Speaker, this was a motion that was duly put forward, properly put forward in this Legislative Assembly. It was debated and, as I understand, was supported by a number of members across the way. It was a properly put motion. It was properly voted on. As I understand it, the motion

was passed. We will now have to decide, I guess, as a caucus and a cabinet the route that we're going to take relative to this referendum.

MR. VAN BINSBERGEN: Mr. Speaker, I was asking the Premier if he would do that on education. We've received thousands and thousands of letters here and petitions opposing changes to health care. Doesn't that move him to hold a plebiscite on the issue?

MR. KLEIN: I'm going to remind these people once again. I'm going to remind them of the really big petition that was held on June 15, and we won and they lost.

2:10

MR. VAN BINSBERGEN: Mr. Speaker, I'd like to ask the Premier then: what's the point of having these provisions to hold plebiscites if they're only used on federal issues, on which we can't do anything?

MR. KLEIN: Mr. Speaker, I wasn't in the House when it was debated. I was away doing government business. If the hon. member was in the House – and I understand he voted for it, as a matter of fact; not only was he in the House – why wouldn't he question the validity of the motion at that particular time? Why would he be bringing it up after the fact?

MR. WOLOSHYN: I'd like a point of order at the end of question period, Mr. Speaker, please.

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

Casinos on Indian Reserves

MS CALAHASEN: Thank you, Mr. Speaker. My question is to the Deputy Premier. The issue of native gaming and casinos on reserves has again become prominent in Alberta. This has been an ongoing issue for some time. In fact the Swan River band in my constituency of Lesser Slave Lake is interested in working with the government of Alberta to introduce casino gaming on the Swan River reserve. The Swan River band has been attempting to get this project going for a considerable period of time in order to reap the economic benefits of casino gaming and improve conditions on the reserve, and they have met with several government officials and ministers. Will the minister commit to allowing the Swan River band to open a for-profit casino owned by the Swan River band on the Swan River reserve?

MR. KOWALSKI: Mr. Speaker, gaming on a national level is in fact covered by the Criminal Code of Canada, but then there's a provision to have the regulation of it on an ongoing basis dealt with by the provinces. One of the key conditions is that the only group or entity that can own such a facility is a government. The question here is very complicated, because it involves the perceived, purported rights of First Nations to act as independent countries of their own, to have their own laws, and to have their own activities.

Over the last several years I've had an opportunity to meet with numerous chiefs in the province of Alberta. We've discussed such opportunities as, one, a native gaming commission in the province of Alberta, or failing that, Mr. Speaker, we've talked about the possibility of having a native representative on the Alberta Gaming Commission to basically advance the purported views of the Indian people in this province. I did, however, ask

the chiefs to give me the name, give the province a name that they would want to have on the Alberta Gaming Commission. Three years have gone by, and I've not received such a name. It's very important that it would have to be a decision made by the chiefs, all 44 of them in the province of Alberta, on behalf of presumably the Indian Association of Alberta.

Mr. Speaker, it is not something that the province is looking at now to allow, a private ownership of a casino in the province of Alberta. It would violate every policy and principle that we have in this province.

MR. SPEAKER: Supplemental question.

MS CALAHASEN: Thank you, Mr. Speaker. There's been assertion that private ownership of casinos is legal under the Criminal Code, but the fact is that *Maclean's* magazine in this week's issue reported that Ontario's new casino in Windsor is owned by Las Vegas-based interests and that Ontario has promised to approve an application from a First Nation. Why then would we not do the same thing?

MR. KOWALSKI: Well, Mr. Speaker, we have a variety of arrangements throughout the country of Canada. Alberta is the only province in the country that has all of the bands in this province save one with treaties with a government in this province. In the case of Ontario, they've delegated gaming responsibilities to each and every one of their municipalities throughout the province of Ontario. So what you have is several hundred different forms of rules in all the various municipalities. Thirdly, the government of Ontario owns the casino in Windsor; it is not owned by anyone else. It's by way of licence from the government, and it's very questionable whether or not that casino in fact will even be profitable in the future.

MS CALAHASEN: Will the minister then commit to meeting in the very near future with the Swan River band, as they've been requesting for a while now?

MR. KOWALSKI: Mr. Speaker, there have been ongoing meetings with representatives of the Swan River band. In fact, a meeting was held rather recently when the chief of the band used some rather colourful language in talking to some civil servants from the province of Alberta. He basically said that he didn't want to be bothered talking to civil servants, and he would kick their blank off the reserves if they came near him. I'm looking forward to having a discussion with the chief shortly.

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

Arts Funding

MR. ZWOZDESKY: Thank you, Mr. Speaker. The Minister of Community Development recently threatened Alberta artists by saying that he would not fund those groups whose art does not conform to his own set of, quote, community standards, unquote. Alberta artists and arts consumers view the minister's comments as a form of censorship, but the essence and value of art must allow for full freedom of expression without the threat of censorship. To the Minister of Community Development: will the minister clear up the confusion and just explain what these community standards are that he will be forcing on Alberta artists?

MR. SPEAKER: The Minister of Community Development.

MR. MAR: Thank you, Mr. Speaker. To clarify, as requested by the hon. Member for Edmonton-Avonmore, the fact is that in the province of Alberta for the last 15 years we have had a policy with respect to theatrical performance groups: that we would not be funding them on the basis of specific projects but that we would be providing them with operating grants to operate their facilities. The only change in the policy is that now that same policy, which is applied very well to theatre groups, will also be applying to the visual arts.

So it's a very modest change, and it is a change that is greeted by the groups involved, because it gives them the responsibility of determining what is the community standard that is appropriate at their particular time and place. The community standard cannot be set by an individual and cannot be set so that it is applicable to the entire province, but it will differ from time to time and from place to place. The community standard which exists in the city of Edmonton may be very different from what may exist in Cardston.

MR. ZWOZDESKY: Will the minister explain then why it is important for Alberta artists to have unthreatened freedom of artistic expression here?

MR. MAR: Well, Mr. Speaker, they do have unfettered discretion within the confines of the criminal law to exercise their artistic expression as freely as they wish. The only question is whether or not public money should be applied towards all theatrical and visual arts performances.

MR. ZWOZDESKY: So it is a form of censorship. Perhaps he shouldn't have interfered in the first place.

Will the minister be suggesting new guidelines at the Alberta Foundation for the Arts, or will he allow that board to continue making its own decisions in a true arm's-length fashion?

MR. MAR: Mr. Speaker, the Alberta Foundation for the Arts has done a very good job of exercising its discretion with respect to theatres, and I don't see any reason why they wouldn't also exercise good discretion with respect to the visual arts area.

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

Child Welfare

MRS. LAING: Thank you, Mr. Speaker. My question is for the Minister of Family and Social Services. [interjection]

MR. SPEAKER: Order, hon. Minister of Municipal Affairs. Your colleague is trying to ask some questions.

MRS. LAING: Mr. Speaker, last fall the Minister of Family and Social Services announced a new program to improve child welfare services. One aspect of this reshaping was the appointment of a Commissioner of Services for Children. Could the minister please tell the Assembly what the current status is of the commissioner's report?

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

MR. CARDINAL: Thank you very much, Mr. Speaker. As you're aware, we announced a major reform of the welfare system in Alberta just over a year ago. The first phase of the welfare reform was to make sure that employables and trainables and

young, healthy Albertans were put back into the work force. I have to say that we've been very successful in the past year: we've reduced our caseload by 34 percent and managed to transfer around a hundred million dollars to the high-needs area of our department.

The second phase of that strategy of course deals with the review of the child welfare issue, Mr. Speaker. For children's services in my department we spend over \$200 million, so it's a major activity. I do, on an ongoing basis, meet with the commissioner that was appointed. The plan is on schedule. He'll be producing a plan very shortly, Mr. Speaker, along with implementation time lines involving, of course, a number of government departments, agencies, and even the opposition in the discussions.

2:20

MR. SPEAKER: Supplemental question.

MRS. LAING: Thank you, Mr. Speaker. Many organizations in Calgary have been interested in meeting the commissioner. Could the minister please tell us how many organizations Mr. Lazanik has consulted with across Alberta?

MR. CARDINAL: The plan, of course, is to consult with Albertans, and to date the commissioner has held over a hundred meetings and also had over 150 submissions from communities, aboriginal communities, and individuals throughout the province, Mr. Speaker. The indications seem to be that the general direction the recommendations are going is to make sure that in the future we make the families take more responsibility wherever possible and also involve the communities more in the delivery of child welfare programs.

MR. SPEAKER: Final supplemental.

MRS. LAING: Thank you, Mr. Speaker. Could the minister also tell us what's happening in the field of children's services for native children?

MR. CARDINAL: This is an issue that needs to be dealt with very carefully, because it's unfortunate, but we end up with close to 8,000 children in care under my department and, in fact, over 2,300 in foster homes. I believe over 50 percent of the children in care are of aboriginal ancestry, Mr. Speaker. So part of the plan is to make sure that wherever possible the leaders of the aboriginal community take over the delivery of that portion of the program. To date, out of 44 Indian bands in Alberta, 21 of the bands have already taken over the delivery of child welfare services. In fact, we used to have 15 percent of the foster homes aboriginal. In the past year we've increased that to 21 percent. So things are going along really well.

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

Child Welfare Contracts

MS HANSON: Thank you, Mr. Speaker. There's no doubt that Keith Tredger was handed the multimillion dollar contract to privatize the child welfare program in order to scuttle the Labour Relations Board ruling which reclassified the contract workers as government employees entitled to benefits and wages. Sources confirmed to us that immediately following the labour board's decision, Tredger was told by a frantic deputy minister to put

together a proposal so the department could avoid paying benefits to those workers. Keith Tredger was given two days to submit his proposal. My questions are to the Minister of Family and Social Services. Mr. Minister, why was Keith Tredger given just two days to throw together a proposal for privatizing such an important child welfare program?

MR. CARDINAL: I don't know about the two days issue. I can look into that further. Mr. Speaker, I have mentioned to this Assembly at least a half a dozen times in the past two weeks about the project. The project is a pilot project, and the person delivering the program is very capable. The reason we develop this type of a plan as a pilot project is to make sure that we continue monitoring the process and make sure we continue directing the individual that's running the project, based on needs and based on our overall welfare reforms. As you are aware, the welfare reforms are successful. A recent poll taken showed that 64 percent of Albertans support the strategies we are doing in relation to the welfare system in Alberta. In order to achieve that success rate and provide the service where it's needed most, we have to be innovative. We cannot use the old systems that are in place.

In relation to the issue of employee benefits and the direction of the employees in the future, they have every opportunity to join whomever they want to represent them, Mr. Speaker. They're there; they're working. If someone's interested in representing those employees, the doors are open.

MS HANSON: Mr. Minister, back to the project we're talking about. Why is this contractor still considered a government employee on unofficial leave, as he reportedly told some of his colleagues at the time?

MR. CARDINAL: As far as I know, Mr. Speaker, this person resigned from his position without any benefits. You know, in my department I have over 5,000 employees. Any employee that is interested in working in private industry – I'm sure they're capable – should have every opportunity like any other Albertan to participate in private industry.

MS HANSON: My final supplemental is in regard to the project again. What are the savings to be made in this area when you gave Tredger close to half a million dollars for supposed start-up costs alone?

MR. CARDINAL: Mr. Speaker, when you're dealing with issues as complicated as services to families and children out there, we don't not look at cost savings. The reason for the welfare strategies was that our caseload was over 94,000 when I took over the program just over a year ago. We've reduced that now by 34 percent by employing or getting people into training programs and employment opportunities that are employable, and that allowed us to reduce the caseload so we could transfer a hundred million dollars last year alone to the high-needs area. The three-year plan is to reduce the cost by over \$300 million. That will also allow us to redirect dollars to the high-needs area.

MR. SPEAKER: The hon. Member for Dunvegan.

Agricultural Trade Dispute

MR. CLEGG: Thank you, Mr. Speaker. In the last few days there have been a number of disturbing comments made by a high-ranking American official about sales of Canadian grains

offshore. The United States agricultural secretary, Mike Espey, has received wide coverage of his claim that Canada through the Canadian Wheat Board has been selling grain to Brazil at prices below the cost of production. Can the Minister of Agriculture, Food and Rural Development advise this House as to whether or not there is any truth to these allegations?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker, and thank you to the hon. Member for Dunvegan. Yes, I can advise the House that indeed these allegations are not true. Indeed, the creative bookkeeping that the Americans are using is hardly what we would call conventional bookkeeping. What they're doing is comparing apples to oranges. What the Americans are doing is using FOB prices in comparison to landed prices. What they're doing is including the tariffs, which on Canadian wheat are 10 percent relative to 2 percent on Argentinian wheat that's landed in Brazil. What they're doing is using numbers of the marine tariff tax, which Canadians have to pay, which the Argentinians do not have to pay. What the Americans are very conveniently overlooking is the fact that they spend in excess of a billion dollars through EEP in subsidizing their own producers and their own wheat exports. All the wheat that's exported out of the United States is subsidized through EEP. The Americans make no mention of that, and consequently what they're targeting is indeed our Wheat Board and our method of payment. These are issues, of course, that we are addressing and issues that we are talking about.

MR. CLEGG: There are always two sides to a story, but have these recent outbursts impacted negotiations towards reaching a deal on wheat and barley exports to the United States?

MR. SPEAKER: The hon. minister.

MR. PASZKOWSKI: Thank you, Mr. Speaker. First of all, I should point out that it's not just wheat and barley that are impacted here. We're talking things like softwood. We're talking hardwood lumber. We're talking salmon. We're talking steel, and we are also talking wheat. The issue of wheat, of course, is the one that concerns Alberta agriculture in a very profound way because we are a major exporter of durum wheat. As recently as two days ago, Mr. Kantor had indicated that perhaps we should come together and have an intensive two-day discussion regarding the trade negotiations that are taking place with the United States. He's proposed that perhaps these discussions should take place in the area of approximately June 20, and it is our hope that indeed these will come to some fruition. He's also indicated that the ministers of agriculture should be invited to this discussion, as well.

2:30

MR. CLEGG: My final supplementary question, Mr. Speaker: has the federal government given any indication that it will move towards a reform of the Canadian selling and transportation systems in order to remove any basis for these kinds of American trade allegations?

MR. SPEAKER: The hon. minister.

MR. PASZKOWSKI: Thank you. Yes, Mr. MacLaren has alluded to the fact that perhaps Canada could make certain

changes to their method of marketing the product. This ties in very closely with what we are doing in Alberta. We are bringing forward a proposal . . .

MR. N. TAYLOR: Speech.

MR. PASZKOWSKI: It's unfortunate that the hon. member who represents a rural constituency is not interested in what the proposals are. It's very unfortunate.

The department is putting together a process that we feel will allow for deregulation of the grains industry and the agricultural industry in Alberta. We will now be coming forward to consult with the agricultural producers in this province. We will be doing that during the month of June, and we'll be taking that information with us to the agricultural meetings in Winnipeg in July.

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

Hospital Services in Calgary

MR. DICKSON: Mr. Speaker, thank you. This government says it is reorganizing our health care system in order to save money, yet we continue to see obvious examples of poor planning leading to a complete waste of taxpayer dollars. In Calgary we had a \$3 million MRI machine and new computer equipment worth \$600,000 in both cases installed at a hospital that may soon close. Now we find out that, in addition, another \$34 million of taxpayers' money has been wasted renovating the Holy Cross hospital when its future is uncertain. My question is to the hon. Premier. How can this government continue to waste money on renovations in hospital buildings that may not continue in the future?

MR. KLEIN: Well, first of all, there are some assumptions being made here. No decisions have been made yet. Yes, Mr. Speaker, there has been a report prepared by the Calgary regional acute care planning group made up of administrators and chairmen and various members of the medical disciplines to determine how we rationalize health care in that city. Certainly their findings have been brought together in a report prepared by Mr. Hyndman. Certain recommendations have been made; those recommendations are now under consideration. So the government – and I stress this: the government – has made no decision relative to any hospital in the city of Calgary. The only people trying to whip it up are the Liberals.

MR. SPEAKER: Supplemental question.

MR. DICKSON: Well, thank you, Mr. Speaker. What Albertans want to know: is it the plan of this government to invest tax dollars to fix buildings up to make them more attractive to private purchasers?

MR. KLEIN: Mr. Speaker, I imagine the hon. member has been having late night meetings with Ms Teslenko, because it seems to me that I read the suggestion from her that this was just some kind of another Conservative scheme to dress these things up so we can get maximum value. The statement on behalf of Ms Teslenko is an absolutely ridiculous statement, and it's even more ridiculous for the hon. member to repeat it.

MR. SPEAKER: Final supplemental.

MR. DICKSON: Mr. Speaker, thank you. What is not so ridiculous is the legitimate concern of Albertans who want to know what this government's plan . . . [interjections]

MR. SPEAKER: Order. Supplemental question without preamble.

MR. DICKSON: I appreciate so much interest in the follow-up, Mr. Speaker.

What Albertans want to know: what's the plan to make sure that we don't continue to waste precious tax dollars in facilities that aren't going to be used as hospitals?

MR. KLEIN: Again there is an assumption on the part of the hon. member that a decision has been made. In fact, no decision has been made relative to the Holy Cross, the Bow Valley centre, the Lougheed, the Foothills, the Grace, the Children's. No decision has been made. Yes, there are some recommendations out there. They are not the government's recommendations. They will be considered in due course. But, Mr. Speaker, I can tell you this. Through the basic and fundamental reorganization and restructuring of the health system in this province, we will have something like 183 fewer administrations than we have right now. We will have the opportunity for community-based health, and we will have a marvelous opportunity to make sure that we save money, which will go toward helping us eliminate the deficit and also get more dollars to the hospital beds where they are needed.

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

Social Assistance Policy

MR. SEKULIC: Thank you, Mr. Speaker. Being poor doesn't mean you will fail in school, be screened out of high-paying jobs, live in second-rate housing, or that you will be either a perpetrator or a victim of crime. Being poor simply places many more obstacles in your path and dramatically increases your risk. This government has become the biggest and most severe obstacle for Albertans living in poverty, in particular for the 124,000 children who live in poverty in Alberta. To the Minister of Family and Social Services: can the minister explain how cutting back the benefits to single parents and families on assistance was intended to reduce child poverty in Alberta?

MR. CARDINAL: Again, Mr. Speaker, the strategy of this minister in relation to the welfare reforms and the question – the way the existing system was designed, I didn't know of anyone in Alberta that was on welfare that was happy being on welfare. We moved forward with the strategy to make sure that the dollars that were being spent, which were \$1.6 billion last year, were spent properly and that the high-needs area of our department was looked after. In fact, we launched the program to make sure that any of my clients in the department that were interested in upgrading themselves so they can become independent and self-sufficient would have the opportunities to do so. We launched the portion of the program that did that, that allowed us to fund 11,000 individuals to attend various forms of training programs that were under my department previously. It allowed them 30 percent more benefits than the welfare rates prior to the welfare reforms while they are doing this. It also allowed us to transfer \$60 billion or so to other job training and job creation programs that would assist these families to reach that objective. We will continue – and this is part of the commissioner's job – to come up with a way of providing more services for the real high-needs area

of our department, and that report will be filed in the very near future.

MR. SPEAKER: Supplemental question.

MR. SEKULIC: Thanks, Mr. Speaker. It's not a question about happiness of clients; it's a question about children going to school hungry.

Did the minister consider and find acceptable the harm that his welfare reforms would do the children prior to implementing them?

MR. CARDINAL: Mr. Speaker, I think the most harm we can do to people is to create a dependency for them. This minister, this government is working very hard to put in processes that will allow people to become independent and proud again, and that is why we're making the changes.

MR. SPEAKER: Final supplemental.

2:40

MR. SEKULIC: Thank you, Mr. Speaker. We're all dependent on food, Mr. Minister.

Will the minister commit to immediately reinstate the school supply benefits to cover the actual cost and thereby remove at least one of the obstacles that his government has put in front of the children?

MR. CARDINAL: Mr. Speaker, when we announced the welfare reforms just over a year ago, our target was to get the employables and the healthy single Albertans back into the work force, because that is where they want to be. We indicated at the time that this will allow us, then, to review the high-needs area of our department, and I've indicated in this House before that last year alone we transferred close to a hundred million dollars into the high-needs area. We do have an ongoing review of what the needs are out there. We continue to meet with groups to determine where changes need to be made, and you can be assured that if there is an area that we are not covering, we will do that, because we do have the dollars to do it. We have the young healthy Albertans training or back into the work force like we had planned to do.

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

head: **Members' Statements**

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

Injuries to Children

MR. STELMACH: Thank you, Mr. Speaker. I rise to address the need for government leadership in injury prevention and making Alberta a safe place for our children to grow up in. Injury is the leading cause of death for Albertans under the age of 44. It has often been referred to as the silent epidemic. Annually in Alberta injury accounts for 70,000 hospital admissions and 800,000 hospital days. What is devastating is that a vast number of these injuries are preventable. We have got to do more. This is affecting our citizens physically, emotionally, and financially, and it's costing our health care system too much. Injury accounts for more potential years of life lost than cancer and heart disease combined because of the toll on our children and youth. We should not be standing by as young people in our province are

being killed and disabled because of injuries that could have been prevented.

Think about children under 15. Every five days a child dies in Alberta and 123 are sent to hospital because of injuries. We can start with our children and target the severe and frequent injuries. Traffic injuries and falls are leading causes of death and hospital admissions. A recent survey in Sherwood Park revealed that only 11 percent of preschool children were buckled up correctly. Clearly a lot of work still needs to be done in this area. Let's get our kids to buckle up and wear bicycle helmets. The Alberta safe kids campaign recently surveyed parents of children in this province; 80 percent want mandatory bicycle helmet legislation for children under 15. They want children to get the protection they need. We also need a concentrated provincewide approach which involves health, education, law enforcement, and recreation to tackle this problem. Alberta Health needs to take the lead. As a government we must develop effective strategies to look at leading causes of injury and reduce them.

Mr. Speaker, I propose that this Assembly take the first step by proclaiming June 11, 1994, as safe kids day and following it up, making children's safety a priority health goal for Albertans.

Thank you.

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

Senior Citizens' Programs

MR. WHITE: Thank you. Today, Mr. Speaker, I rise to speak to the plight of some 30 to 40 percent of our seniors in this province. These are the seniors that rely to a greater or lesser extent on this government for their income, some of them for the reduction of the municipal tax and some of them for housing. These people are affected a great deal by how this government deals with them on a daily basis. These people, I should remind you, sir, and the House have saved a great deal through their time on this earth and have taken great care to plan for their future.

There are two things that a government can do to make it much easier for these people to deal with their lives as they are now. One of them is to consult with them. One of them is to simply talk to them well in advance of any contemplated changes to the myriad of Acts. There are some 15 to 25 Acts or parts thereof that affect them directly. The other thing to do is to not implement anything that is going to change their income dramatically in a hurry, recognizing that the planning horizon for these people is a great deal longer than for those of us that have some disposable income.

The cruelest thing that one can do to Alberta seniors is to enact legislation without consultation and, secondly, to hurry it. Surely this government – and this side would co-operate, I'm sure – could implement some of these changes in a staged and understood manner to save the emotional distress on these people.

Thank you, Mr. Speaker.

Education Restructuring

MR. DUNFORD: Mr. Speaker, not all students can handle the normal process of schooling. Their backgrounds are incredibly diverse, their current state of maturity and socialization vary greatly, their interests are wide ranging, and their hormones are very active. It therefore seems ludicrous that we should want a one-model education system where one size fits all.

This kind of a system was doomed for failure, as we are now experiencing in the 1990s. Students are frustrated, and they are

not prepared for real life or the world of work. Teachers are frustrated. Parents are unhappy. School boards throw money at symptoms, and the problems carry on. That is until now, Mr. Speaker. This government says: enough is enough. Schools will become consumer driven, and the consumer is the student. With a focus on excellence that flows from site-based management, the opportunity exists for students to be involved not only in good basic education but in optional programs that will meet their needs: meet the needs of becoming good citizens with spiritual wellness, productive employees, entrepreneurs, and all the other ingredients that a wholesome society needs in order to exist, grow, and flourish.

Even then, Mr. Speaker, there will still be children that will need other kinds of attention. We must never forget this. We must be on guard for these children who fall through the cracks of the system. We must go back and pick them up and bring them with us. They will need special care. It is imperative that all children be given the opportunity to become valuable citizens in a world heading into the next millennium.

Projected Government Business

MR. SPEAKER: The hon. Deputy Whip, the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Pursuant to Standing Order 7(5), I ask that the deputy House leader stand and share with us the order of business for next week.

MR. SPEAKER: The hon. Deputy Government House Leader.

MR. EVANS: Thank you very much, Mr. Speaker. I'm delighted to stand and to share. We have, as hon. members would be aware by reviewing Orders of the Day, some 12 government Bills on the Order Paper under second reading, Committee of the Whole, and third reading. We will be proceeding next week with those Bills in second reading, Committee of the Whole, and third reading. I could take additional time in the House to describe afternoons and evenings, but I'm sure that if hon. members refer to Standing Orders, they'll be well aware of the days in which those government business matters will be attended to. Again we will move from second reading through Committee of the Whole to third reading.

MR. SPEAKER: There are two matters that have arisen out of question period.

Point of Order Allegations against a Member

MR. SPEAKER: The Chair suggested to the hon. Deputy Premier, the minister responsible for lotteries, that a point he wanted to raise could more properly be dealt with after question period. The Chair feels that was required because of the proximity in time to when this should be dealt with. The Chair does not want this to be considered a precedent for the future. In this particular case the Chair feels that the vehicle of a ministerial statement – the hon. Deputy Premier is minister responsible for lotteries. This had to do with things that that vehicle could have been considered for, because the time for the minister was available under that heading of our routine. So we will deal with that matter first because there's no sense waiting until next week. This should be dealt with today.

2:50

MR. KOWALSKI: Mr. Speaker, I rise under Standing Orders 23(h), (i), and (l). I appreciate your words with respect to a ministerial statement, but I chose not to do that only in the sense that this matter has nothing to do with me as the minister of lotteries. I couldn't understand in my own head how that would have fitted in under it, but perhaps it'll become more apparent after I make the comments that I do.

Mr. Speaker, under this point of order and as a follow-through to questions raised yesterday and today I'd like to make the following statement. It's by way of supplement to answers given to questions raised yesterday by the Leader of the Opposition and to a degree further today as well.

Yesterday the Leader of the Opposition raised questions intended to malign my character and potentially the integrity of those who work for me, serious allegations that would imply that I had personal knowledge of improper use of government resources in the furtherance of a political campaign. These allegations and innuendo have given rise to prominent news coverage throughout this province. Mr. Speaker, allow me to say that this is a sorry and sordid tale. It involves a spurned lover, an individual who has a troubled past, and an all too eager opposition willing to seize on squalid little details to score petty political points in the name of righteous indignation.

Mr. Speaker, I do not know a Mr. Michael Edwards. Not one of my staff know a Mr. Michael Edwards. This is a fact. What has come to light as a result of the investigations that have been conducted is the story of a man who by happenstance was enamored of one of my staff and who was rebuffed.

Allow me, Mr. Speaker, the opportunity to read from a personal letter sent from a certain Mr. Michael McMahon, a spurned suitor. Please note, I have altered this letter in one way and one way only, by deleting the name of the staff member to whom it has been addressed. I believe members of this Assembly will believe this to be the chivalrous and proper thing to do in saving this lady from any undue embarrassment.

Let me quote from the letter, Mr. Speaker, which I will table. "Hi," and the name is blanked out.

I have a confession to make.

Your physical presence and demeanour received my undivided attention while in your office yesterday.

I broached the subject briefly and admitted as much to Grace in yet another of our lengthy phone conversations last night and she was willing to disclose the fact that your status is presently single and that you would most certainly not be offended by an invitation to join me for lunch.

I also got the impression that you are indeed a busy person and would like to suggest that perhaps you invite me out to lunch at your convenience with the understanding that it would be both my treat and a pleasure to do so.

Sincerely,

Michael McMahon

With a PS:

Although a lunch date during the week was the only scenario discussed with Grace, please don't think that any restrictions apply. I am also available on weekends for breakfast, brunch, dinner and midnight snacks and have been known to spend an hour or two in conversation over a cafe latte at a variety of establishments in my Old Strathcona neighbourhood.

Now, Mr. Speaker, that letter is available to be tabled. Copies are available here.

This gentleman at the time he was smitten was a visitor to my office, a personal friend of a clerical assistant who now no longer works in this building. His business in my office was not known

to me then, and it is not known to me now. I have also been assured by my senior staff that in fact Michael Edwards or alias Michael McMahon or alias Michael Vusich or perhaps another alias Steven Michael Vusich or whatever this faceless individual chooses to use at any given moment, Mr. Speaker - I have been assured by all of my staff that such an individual, no matter what aliases were used, did not use my offices to conduct any business of a political nature or otherwise. He was a personal visitor to one of my former staff, and whatever he may or may not have done was not conducted within the confines of my office.

Mr. Speaker, it is, I suggest, an ignoble and foolish gesture for the Leader of the Opposition to drag me into a love story gone wrong. I cannot guess at the motives of Mr. Edwards or Mr. McMahon or Mr. Vusich or whoever is behind this affidavit. The retelling of events as sworn before the young and inexperienced articling student is sorely wrong. I trust his principals at the firm of Duncan & Craig will review the matter in due course.

Mr. Speaker, as well, for my learned friend opposite, the hon. leader of the Liberals, who is also an officer of the court, to rely weightily on the words of an individual who may be acting out in some unexplained and inexplicable way, I believe is contemptible.

Mr. Speaker, this Assembly should not have to be the cradle of such odious behaviour.

MR. DECORE: Mr. Speaker, I rely on *Beauchesne* 410(5), "the primary purpose of the Question Period is the seeking of information and calling the Government to account." This is a serious matter, and it becomes more serious every moment.

Mr. Speaker, a gentleman came to a member of our caucus and indicated that he felt that there was wrongdoing during the course of him volunteering his time and his services to have the now Premier of Alberta elected as leader of the Progressive Conservative Party. The allegations we felt were so serious because there was the implication that confidential lists relating to lottery funds were being used.

Now, we wanted to make sure that we didn't come into this Legislature with a letter or some kind of a newspaper report. We wanted a document that had the full force and effect of law. That's an affidavit. That's a statement made under oath. One of the things that articling students learn very quickly, Mr. Deputy Premier, is the seriousness of a statement made under oath. So I thought it most unkind of your comments about the articling student. Every law student from the first year of law to the third and every articling student knows that a statement made under oath in an affidavit is so serious that it has the full effect and force of the law behind it. Conversely, it ensures accountability that if somebody feels that they're aggrieved, they can take the appropriate action and hold people accountable. That's the effect of a statement made under oath.

Now, to read a letter that relates to some spurned lover, I don't understand where that fits in the debate. I don't know where that fits in the debate when we have an affidavit under oath. If the Deputy Premier says that that affidavit is not correct, if there are misstatements in that affidavit, the Deputy Premier has been around this Assembly long enough to know what he can do about it and how he can hold somebody accountable for those statements, and you don't need a love letter to do that.

Now, Mr. Speaker, the questions that I crafted and that my colleague today crafted were questions intended to seek information. [interjections] Crafted, crafted, crafted. The questions were pursuant to an affidavit that was tabled in this Assembly. If you think the facts are incorrect, Deputy Premier, there is the full

force and effect of the law to hold people accountable. On the basis of a statement made under oath, questions were put to the Deputy Premier to seek information. Are these statements in the affidavit correct? If they're incorrect, stand up and say that they're not correct and appropriate action can be taken by whomever. By whomever.

Now, Mr. Speaker, this is hardly a question of a point of order. This is matter where a document has been placed before this Assembly. A person can be held accountable for that document and questions asked on the basis of that document. It is not a point of order.

Thank you.

3:00

MR. SPEAKER: The beauty of points of order is that they allow people to get things off their chest, because the Chair can find whether there is a point or not a point after the ventilation of the situation. That's what's happened here. There certainly is a disagreement between the facts as pointed out on one hand and received by the other. So we will leave it at that.

The hon. Member for Stony Plain indicated that he had a point of order.

Point of Order

Allegations against a Member

MR. WOLOSHTYN: Thank you, Mr. Speaker. My point of order is to do with the questions raised by Spruce Grove-Sturgeon-St. Albert and directed to the Premier. The practice of tabling a document and pursuing a line of questions that is totally irrelevant to the contents of the document tabled is what has happened here. I would take you to the document that I had . . .

AN HON. MEMBER: Citation, Mr. Speaker.

MR. WOLOSHTYN: The citation is 23(h) and (i), and read it for yourself. You've been around here long enough to know what it is.

The letter, Mr. Speaker, was addressed to Judy Gordon, MLA, chairperson, Education Regionalization/Amalgamation Committee, with a very broad public distribution, including the Minister of Education, myself, and the board of education. That letter came from the county council – and I stress that, the county council – signed by the reeve, who is the person who speaks on behalf of the council. That's the first error that was made in the preamble: the contents of the letter were attributed to the reeve, who happens to be my brother and who happens to be a person whom I'm very proud of.

I would like to point out that the contents – and there are 13 pages of them, and I'll only quote from a couple of sections, Mr. Speaker, because I don't want to take more time than is necessary. One quote there says, "A stronger link between municipal and education areas of responsibility may be desirable." It goes on a little further to say:

A characteristic of the County system has been the opportunity for councils to appoint from their number those individuals they wish to represent their interests on the Board of Education. We in the County of Parkland feel this has served us well both municipally and educationally and can continue to do so.

That's under current legislation. "[This] being said, it should be noted that what has worked for us may not necessarily work for someone else nor should this be expected." It was not an effort to influence this government to change the method of appointing members to school boards. This was input, consultation to deal

with a very specific area which the county council's totally responsible for.

The letter in another section – and I will only have two short sections, Mr. Speaker – goes on to say, "Therefore, in the light of the above, I would like to offer the following suggestion." I stress "suggestion."

As the County of Parkland includes within its boundaries incorporated urban centres of significant populations (Spruce Grove and Stony Plain) that in the past have been represented by trustees-at-large and will continue to be afforded representation at the Board table, rather than hold special trustee elections, consider, and I stress again "consider,"

giving these locally-elected urban municipal councils the same opportunity as County Council to appoint from their number the trustee or trustees they would like to represent their interests on a new regional School Board.

Mr. Speaker, how this can be twisted to be construed as undemocratic and something ulterior either by the reeve or myself is totally beyond me. Further in the document, if the hon. member had chosen to read it before using it for question period, she would have found:

I have discussed this proposal with the mayors of Stony Plain and Spruce Grove. A detailed rationale for [the] position is [enclosed].

Mr. Speaker, to ask the Premier to remove me from the committee based on that letter is totally inappropriate, and it does in fact, according to Standing Order 23(h), make allegations not only against myself but against an individual who cannot defend himself in this Assembly, and that is my brother the reeve. To suggest that selecting people, as has been done for boards of health, school boards, for many, many years in this province, from amongst elected people is somehow undemocratic escapes me. I would say in terms of 23(h) that false allegations have been impugned upon me by a line of questioning to the Premier that was totally contrary to the document that was tabled in this Legislature, and I would like your support on that being a point of order.

Thank you, Mr. Speaker.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to clarify a few things as well. A preamble is only allowed three sentences. When I talked about the county of Parkland and the reeve and the fact that it's on county of Parkland paper, I assumed that everyone would realize that it is the county of Parkland whom the reeve speaks for. I apologize for that misunderstanding on the part of the member.

The other thing that the hon. Member for Stony Plain has chosen to pick and choose from this rather lengthy document is in the second paragraph. This is a very biased view from this county. It says:

No one needs reminding of the shortcomings of School Boards and ratepayer disenchantment with them and their elected trustees.

Rather than being seen as facilitators of education reform, more often than not they have been viewed as obstacles to it.

Well, I find that a very insulting statement about trustees, and the fact is that I didn't get to say in my preamble that none of the elected school trustees on that council had any knowledge of this proposal and document going out at all. They found out via the press. So it is a misrepresentation of the whole county of Parkland education system. That's why I brought it up.

The point that the hon. member is on that committee; I was only protecting him. I'm just so kind, Mr. Speaker. If he has

integrity, he might not want to be on that committee. It could be a conflict of interest. This reeve is representing only half of his county in this submission, and his brother is on that committee. It was a suggestion on my part to protect the hon. Member for Stony Plain. However, he didn't see it that way.

I really don't see this as a point of order, Mr. Speaker.

MR. SPEAKER: Well, the Chair is going to also find that in this case there is certainly a disagreement between the members as to the interpretation of a rather lengthy document. The Chair is going to find that this matter will have to play itself out in the county of Parkland.

head: Orders of the Day

3:10

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

head: Government Bills and Orders

head: Committee of the Whole

[Mr. Clegg in the Chair]

MR. DEPUTY CHAIRMAN: Okay. Would the committee come to order.

Bill 31

Municipal Government Act

MR. DEPUTY CHAIRMAN: We have just defeated an amendment by the hon. Member for Leduc. Any questions?

SOME HON. MEMBERS: Question.

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

MR. KIRKLAND: Thank you, Mr. Chairman. Again we hear the calls for the question. Heaven forbid we have to debate something in this House. [interjection] Well, if I said something intelligent, I'm sure the hon. minister from Whitecourt wouldn't understand it anyway, so if we want to start the afternoon on that note, let's do it. [interjections] Well, get used to it, because there are many, many more hours of it coming.

AN HON. MEMBER: No, it'll just seem that way.

MR. KIRKLAND: Well, it may seem that way, but you could always invoke closure, seeing as you don't want to discuss anything.

MR. McFARLAND: If it was worth listening to, we wouldn't have to.

MR. KIRKLAND: Well, probably you wouldn't recognize anything that was halfway intelligent either, hon. member. So let's carry on.

MR. DEPUTY CHAIRMAN: Order. Let's not have any yelling across the room. We'll get right to the business of the House.

The hon. Member for Leduc.

MR. KIRKLAND: Okay, Mr. Chairman. Thank you. I left the debate at the last discussion of Bill 31 on section 131. The

essence of that debate was that when we deal with – and we've heard the statement made many times in this House from the side opposite that in fact they have the utmost of confidence in municipal politicians. I, too, have that confidence, having sat in that particular chair for a while. These amendments really are intended to give the hon. Minister of Municipal Affairs the opportunity to follow through with his claim that in fact he has confidence in the municipal politicians of this province.

When we speak of 131 – and we will go back to refresh the memories of one and all. It was speaking of the dissolution of any municipality, and in that particular section clause (b) reads that the minister, before a dissolution study is completed,

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

Now, we have, as I have indicated earlier, heard the comment many times over that they have great confidence in municipal politicians. They have hung their hat, Mr. Chairman, on the fact that they are the consultants of the 1990s, and I would suggest that this is just another step of consultation that should occur. We are talking about the dissolution of a municipality. As I indicated earlier, it would impact in some cases on the value of property within that municipality. It would impact on the ability of the citizens of that municipality to conduct their business in terms and conditions they have been accustomed to and have enjoyed in the past. In some instances it may deprive them of some of the democratic process that they have employed for years. Rather than give the minister the option of consulting, this amendment is simply suggesting that he should consult. It should not be incumbent on me as an opposition member to insist that the minister consult. When we're dealing with the public and we're dealing with the citizens of Alberta and we're dealing with something that impacts on them and their daily lives, the minister should show that initiative himself. There should not be a fear of consultation under this particular clause or many of the other clauses that we have dealt with.

As I indicated earlier, supposedly this Bill, the MGA or Bill 31, has been put forth under the auspices of giving local autonomy to municipal politicians. The Bill is riddled with very permissive statements that really only tease municipalities. They give on one hand, and they take away on the other. If you count up in this Bill the number of times that the minister will rule by regulation, we exceed 100. That does not give clear definition, and it does not give clear guidelines as to municipalities and the way they will conduct their business.

So 131(b), much as was the case with 87(1)(c) and (d), asked that this Assembly give consideration to the people of the municipalities so they can ensure and have an opportunity to consult on the destination or the ultimate dissolution of their municipality. That is not a large charge, and it is not an expensive charge. The Member for Lacombe-Stettler alluded that it was one of the reasons that they were reluctant to support it. If in fact it is one public meeting, at the outside it probably would be about \$200 for rental of a hall. I can't factor in the minister's salary, and that may escalate it considerably, but it certainly is not the expense that we encounter when we look at referendums on federal matters in this province, like we passed the other day, and that will cost the taxpayers in the vicinity of \$3 million.

So with that, Mr. Chairman, I will conclude my comments. I ask all members of this House to give due respect to the residents of the municipalities. They themselves would not care to be deprived of the right to consult and provide direction to government if it impacted upon their future, and I would ask that you

keep that in mind. I'm not introducing a large expense here. I'm simply introducing a stage so the residents of any municipality have an opportunity to ensure their voice is heard. I would suggest that this adequately covers it without a considerable expense.

With those comments, Mr. Chairman, I will conclude on that note.

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

MRS. GORDON: Thank you, Mr. Chairman. Before completing a dissolution study, the minister is required to contact all local authorities that the minister considers would be affected by the dissolution of the municipality and invite them to comment on the proposal. In section 131(b) the minister

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

In section 132(1) the minister, after completing the study, may hold a vote on the proposal.

The Member for Leduc wants the word "may" deleted from section 131(b) and the word "must" substituted, thus legislating the requirement that a duly advertised public meeting must be held. Yet oddly the member opposite has not followed his thought or rationale through as he has not brought forth an amendment that would see section 132(1) changed to legislate the requirement of holding a vote.

Current practice is to hold information meetings and hold a vote even if the dissolution was initiated by a public petition. Section 131(b) was left permissive regarding the vote, as was section 132(1), to allow ministerial discretion as there again may be situations when neither is necessary. I reiterate: why would we legislate what could indeed be an unnecessary requirement?

Chairman's Ruling Clarification

MR. DEPUTY CHAIRMAN: Before I ask the hon. Member for Edmonton-Rutherford, I am a little bit confused, which is not unusual for me. However, seemingly the discussion has focused on an amendment made by the hon. Member for Leduc, and that amendment has been defeated. So until I have another amendment on the floor, we are talking specifically about the Bill. It's not that the members for Leduc or Lacombe-Stettler were out of order at all, but the truth is that that amendment by the hon. Member for Leduc was defeated, so that is off the table now. Until we have another amendment, the discussion is on the Bill. Now, can I have clarification from the Member for Leduc?

3:20

MR. KIRKLAND: Sure. Mr. Chairman, I'd be pleased to present that clarification. Prior to adjourning the debate in the last Committee of the Whole meeting, I had submitted 131(b) as the second amendment to be discussed. We were in the process of discussing that particular amendment when I adjourned debate. So obviously the record that you're following there has not been updated for your benefit. For that I apologize. I should have provided clarification when I started my debate. I thought that you were able to follow it. So we are really continuing debate on 131(b). The hon. Member for Lacombe-Stettler and I have spoken to it at this particular point. If that assists you with the clarity, I would take direction from there.

MR. DEPUTY CHAIRMAN: Excuse me. Maybe the minister would . . .

DR. WEST: Well, my understanding was that we didn't allow subleasing of an amendment into portions and then start again. This was one amendment. We voted on it, and it was defeated. So then we move on to the next amendment, which I think was number 3 on his list. This talking about 131(b) is a subsection of the amendment that was defeated.

MR. WICKMAN: Mr. Chairman, on that point. It is so clear what happened the last go-round: the Member for Leduc adjourned debate of that second portion. It's in there in the record. It's in *Hansard*. God. Judy understands; she's nodding.

MR. DEPUTY CHAIRMAN: We'll get it straightened out here in a minute.

MR. KIRKLAND: Mr. Chairman, if we were to quickly consult the *Hansard* from the last meeting, you will see that the hon. Member for Highwood in fact permitted the separation of those particular clauses under amendment 2 for discussion purposes. The hon. Member for Lacombe-Stettler will confirm that we debated 87(1)(c) and (1)(d) as a stand-alone amendment. Through her oratory skills that particular amendment was defeated, so we moved on to 131(b). If the hon. Minister of Municipal Affairs will recall, we did clarify this last time we were into it, and I believe you asked the same question at that point. The hon. Member for Highwood, who was in the Chair at that point, provided that direction and clarity.

MRS. GORDON: Mr. Chairman, the Member for Leduc is correct.

MR. DEPUTY CHAIRMAN: Well, I don't want to have an argument here, but if he is correct, then I don't know what the hon. Member for Highwood did here. What we had was an A-2 amendment by the hon. Member for Leduc, and we had several sections in that. Our records clearly state that that amendment was defeated. However, if in fact your understanding, hon. Member for Leduc – and I haven't got any quarrels with it – is that we now go to 131(b), our records don't show that. It shows that A-2 in a vote was defeated, and that's what we are going by. But we'll go with that.

Hon. Member for Edmonton-Rutherford, do you want to speak specifically on that amendment?

MR. WICKMAN: I'm speaking on the amendment on 131(b); right.

MR. DEPUTY CHAIRMAN: Okay. Then we'll go it again.

Debate Continued

MR. WICKMAN: Thank you, Mr. Chairman. As I speak to this amendment which addresses the question of permissiveness to, let's say, a requirement, I want to express a bit of frustration, but I also want to say at the same time that I'm delighted that the Minister of Municipal Affairs is here to be able to participate and listen, I would hope, to the words that we're going to attempt to communicate, because I think it's very, very important. We're dealing here with an amendment that pertains to a Bill that has such massive changes, such massive restructuring in the whole

freedoms and the whole style of operations of municipalities that it is just a horrendous task that the municipalities have to deal with, have to analyze as they look at these types of amendments, as they look at the overall Bill.

DR. WEST: Seven years, seven years.

MR. WICKMAN: Mr. Chairman, the minister is saying "seven years, seven years." Yes, seven years ago a process was started, and it continued, and then just in recent times a major, major redirection took that saw Bill 31 came forward.

Mr. Chairman, let me go back. We're talking here really about participation of people being affected by decision-making. Let me quote. January 5, 1994, this was said: the government ought not to be muzzling anyone. Do you know who said that? It was Ralph Klein, the Premier of the province. The government ought not to be muzzling anyone. As we debate this amendment, let's keep that in mind. Government members are so quick to constantly holler "question, question, question" and so quick to move closure, closure, closure. In other words, muzzle, muzzle, muzzle. But your leader is not advocating that type of style. Your leader is saying that the government ought not to muzzle.

Mr. Chairman, when we talk in terms of consultation, the very first thought that the Member for Lacombe-Stettler and the minister responsible for Municipal Affairs I would hope would keep in mind is that consultation means a great, great deal. It means more than sitting here for a few hours debating an amendment or debating a Bill, moving closure, whatever. It means allowing those that are affected to fully participate, to voice their opinions. The minister may not want to hear this, but there are growing numbers of municipalities, there are growing numbers of community groups out there that are saying: "Don't ram this Bill through. Slow down; we need time to study it." We have legal departments throughout the province that are analyzing the Bill, analyzing the amendments. They want more time. I don't have it in writing, but I gather even now within the Alberta Urban Municipalities Association there may be some second thought as to how quick this Bill in fact should go through.

DR. WEST: False.

MR. WICKMAN: There may be. I said, "There may be." I didn't say for sure.

I would hope that the minister would take a period of time to go back and ask them again. Ask them again, "Are you sure you want the Bill as intended?" I challenge the minister to table a current letter in this House from the AUMA, from the AAMDC saying: "We fully support Bill 31 with no amendments. We require no further consultation. It's a green light. Go ahead." I would like to see that in writing. As we go through this amendment, which calls for consultation, I would hope that there is consideration given to it. I would hope as we finish the series of amendments that will be forthcoming that the member and the minister will realize there is ample ammunition, there is ample cause to lay this Bill over till the fall to allow these types of amendments, to allow other portions of the Bill to be reconsidered.

On that note, I'll conclude on this particular amendment.

DR. WEST: Question.

MR. WICKMAN: Question. There we go again: question, question, question.

MR. DEPUTY CHAIRMAN: Ready for the question? I gather it's a subamendment to the amendment. We'll call it A-2 S(1), amendment to section 131(b).

[Motion on amendment lost]

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

MR. KIRKLAND: Okay, Mr. Chairman. I understand that amendment is lost and am asking for your indulgence to carry on with the practice set. The next amendment we would move on to in that amendment 2, as the hon. Minister of Municipal Affairs describes it, would be 171, that specific clause.

Point of Order Clarification

DR. WEST: Clarification, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Yes.

DR. WEST: I'd like to know whether we have to continue this precedent set the other day. I find that this is quite a precedent, to take an amendment and then break it down in every section. With due respect to time and this Legislature - I mean, you'd think that the person submitting the amendments would have done the homework and the research in order to have them cleaned up so that we wouldn't have to do this. I think the onus is on the submitter of the amendment, not this Assembly.

3:30

MR. DEPUTY CHAIRMAN: Thank you, hon. member, for that clarification. The only problem we have is that I was not in the Chair and neither was the Clerk Assistant. However, it's come to somewhat of an agreement that what was voted on was down to 87(1)(c) and (1)(d). We have now dealt with 131(b), and on A-2 we just now have one more, which is section 171. Let me assure you that if I'm in the Chair, we will follow the amendments as proposed from that time on. Sorry for the confusion, but, hon. Member for Leduc, would you just speak to 171 please?

MR. KIRKLAND: Right. Thank you, Mr. Chairman. With due respect to the Minister of Municipal Affairs, I removed many of those amendments in that section for the sake of expediency, and when I did that, I thought I would be afforded the courtesy of course to carry on and try to expedite the rest of the process. I understand his desire to get through this just as much as he understands my desire to see that it's a quality Bill.

Debate Continued

MR. KIRKLAND: Section 171, Mr. Chairman, speaks to what disclosure a council member must give when he or she assumes his or her position. It presently reads:

A council may by bylaw

- (a) require that each councillor file with a designated officer a statement of the name or names of,

and it goes through a list of items that in fact a councillor may submit as a means of ensuring public information is available of those councillors' interests and those councillors' connections as far as family is concerned. The intent of course is to ensure that councillors do not run into a situation of conflict of interest.

Now, we have looked at the freedom of information Bill. We have all had to as MLAs submit to the Ethics Commissioner our real holdings, our family members', and those interests we have

in different companies and real estate and the likes thereof. It is to provide clarity. It is to assist this Legislature in determining whether we're into a situation of conflict. A council member, in my estimation, I respectfully submit should follow the example that we ourselves have set.

Having sat on city council in Leduc, Leduc in my experience has been not unlike a lot of councils. It is a very secretive group. I am very much a proponent of open government. You've heard me state before that if it's worth doing business as a council, it's worth doing it in public. I understand there are exceptions that certainly are qualified and justified to do such.

This amendment is simply tying the hands of the councils and ensuring that their interests will in fact be made public. It is one more example of open government. It is an example of ensuring that we are forthright about conducting business.

Point of Order Clarification

MR. DEPUTY CHAIRMAN: Excuse me, hon. member.

Hon. Member for Vegreville-Viking, have you got a point of order?

MR. STELMACH: Well, perhaps more a point of clarification. I just heard the hon. member mention that the city of Leduc council is a secretive group. Would he have evidence to present to substantiate that in the House?

MR. DEPUTY CHAIRMAN: Hon. member.

MR. KIRKLAND: Thank you, Mr. Chairman. I will address it. I indicated that my personal view of my time on Leduc city council was that we were not as open as we should have been with government that the public should have. Having sat on that council for one term and bringing, I would suggest, some credibility to that job as well as this job, I find it somewhat unnecessary to provide documentation. As I accept the hon. Member for Vegreville-Viking at face value when he stands up in this House, I like to think that respect would also be offered to me and my thoughts on that matter.

Debate Continued

MR. KIRKLAND: Governments have a tendency to be very secretive, and that is just the norm. All my amendment here is attempting to do is open the process up. We cannot be afraid of that openness. So that is the intent of this amendment. It is not an onerous undertaking. Council may presently do it. It's permissive. You've heard me speak about the permissive aspect of the legislation here. If we have that confidence in our local politicians, if we are truly attempting to give some autonomy to them, I would suggest that in fact we have to remove the permissiveness and remove the minister from a lot of that decision-making process. If that confidence is there, he will do that. There is no need to have the power collected at the bureaucratic or the minister's level. This again is not a large expense to anyone. This is a simple case of filing papers for the benefit and the perusal of the public. I would be somewhat perplexed as to why we would want to prevent people from having view of that information. If we as MLAs are forthright to provide it and give it, I have some difficulty understanding why we wouldn't expect councillors to do the same. We are, in essence, both working for the public, and the public certainly should have a handle on whether we are in a position of conflict. Open government again. [interjections]

Chairman's Ruling Clarification

MR. DEPUTY CHAIRMAN: Order. Hon. member, for the third time I'm confused. Again I say it's not unlike me to be confused. However, what I have in front of me is 171, and it is an amendment. You haven't told me anything. Do you want that section removed? You haven't told me.

MR. WHITE: It says exchange.

MR. DEPUTY CHAIRMAN: Well, I haven't got that information.

MR. KIRKLAND: My sincere apologies. Just as I looked at the amendment - you have to take 171 back to the opening clause there:

Moved by [T.] Kirkland, MLA, that [the Bill] be amended in the following provisions by striking out "may" wherever it occurs and substituting "must."

So "may" does occur in 171 just after "council." The intent was to change it, so my apologies.

Don't be so hard on yourself. I don't think it's entirely your fault.

MR. DEPUTY CHAIRMAN: This is exactly what happens when we start breaking them down. If we have subamendments then . . .

Okay.

MR. KIRKLAND: I see the folly of that approach. I appreciate the Chair's discretion in letting me complete that section and that area, Mr. Chairman. I'd like to think we're flexible, and certainly we have proven that.

Debate Continued

MR. KIRKLAND: So the essence of it, Mr. Chairman, is that I'm attempting one more time to ensure that government is open. We attempt to do business at an open level here in this Legislature by submitting the information that is being identified that councillors should identify as well. It is in concert with what is expected of us as elected officials. As I indicated earlier, I think it's completely and totally in order that we should ask our councillors also to be forthright with their interests, their family members' so in fact the public that has elected them has the opportunity to evaluate their actions against a conflict.

DR. WEST: You just called 2,085 elected representatives dishonest.

MR. KIRKLAND: Oh, I don't think I called any representative . . .

DR. WEST: You did use "secretive."

MR. KIRKLAND: Well, the minister will have his opportunity to debate that, Mr. Chairman. I've indicated that the members of this Legislature certainly come forth with that information. If the hon. Minister of Municipal Affairs is suggesting that we were dishonest before we did that, then I think that he can explain his comments there.

I am suggesting that we're simply moving into open government, Mr. Chairman. I have no fear of moving into open government. There seems to a little fear from the hon. Minister

of Municipal Affairs. So if in fact that is a fear, I'll let him live with that.

With those comments, Mr. Chairman, it's not an onerous undertaking. It's simply in concert with what has been asked of you as a member and me as a member. I would suggest that council members themselves would not object to this. We are elected officials, and the public has the right to know exactly where we walk in life. This gives them that benefit.

With that, I will conclude my comments.

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

3:40

MRS. GORDON: Thank you, Mr. Chairman. This section says council may pass a bylaw requiring councillors to disclose business and certain investment interests. Many municipalities, mostly larger ones, now pass such bylaws. To make the change suggested would require all municipalities to pass this type of bylaw. That would include the 120 villages, the 54 summer villages.

The new legislation that we have set out in Bill 31 sets a general framework within which a council can make laws and regulate with greater flexibility. If they need this type of bylaw, then they should make that decision. It is mandatory to disclose a pecuniary interest. Section 172(1) states:

When a councillor has a pecuniary interest in a matter before the council, a council committee or any other body to which the councillor is appointed as a representative of the council, the councillor must, if present,

- (a) disclose the general nature of the . . . interest prior to any discussion of the matter, [and]
- (b) abstain from voting on any question relating to the matter.

That is legislated. I would also like to say that the Municipal Statutes Review Committee, who consulted extensively throughout the province, recommended that this remain as it is in the proposed legislation.

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

MRS. ABDURAHMAN: Yes, Mr. Chairman. I rise to speak in favour of this amendment. I firmly believe that what is clearly stated in 172(1), indicating the "must," should also be reflected in 171. It has been indicated that the elected representatives at the municipal level around this province have supported 171 as it's presently stated in Bill 31. After serving nine years in municipal government, I had a grave concern that unless the person was willing to share business investments that indeed could result in pecuniary interest, it was very difficult as a mayor at that time to clearly identify when we were at risk of being in conflict of interest by myself or an alderman. Often what we saw happening was this public debate going on in the council chambers. Indeed, the mayor ended up not having any power, in essence, when you saw the potential for conflict of interest.

I firmly believe it's in keeping with the spirit of what's happened provincially, where we declare through the Ethics Commissioner our assets not only of ourselves but our immediate families. I don't think we're asking anything more of the municipally elected officials than we're doing at the provincial level. If there's one thing that continues to be communicated by Albertans, it is that they want their governments to be open and fully accountable and demonstrate integrity. This is one way that we can ensure that this indeed does happen at the municipal level.

It wasn't the only area, Mr. Chairman, where I had a concern that there was a perception of conflict of interest when it came to the role of municipal councillors. We saw, as I recall, 12 years ago councils in many municipalities in the province of Alberta being both judge and jury. It was on the development appeal board where the mayor and the councillors all sat and listened to the appeals from their constituents on legislation that they had put in place. Now, that indeed is being judge and jury.

I would suggest that once again we're being judge and jury when we're going to determine we may have a bylaw. That's not open government by any stretch of the imagination, and I believe it makes 172(1) more difficult to enforce. How indeed do you know that when somebody is sitting there - I'll use an example. When you're approving municipal budgets, unless you know what the interests of that alderman and mayor are, you may indeed be approving moneys that ultimately reach back to a family or to one of the members of council. I'll use an example that happened in my circumstances. I always was sure that I abstained from voting on this particular budget. Family and community support services, the counseling service, actually had an arrangement with the Fort Saskatchewan Medical Clinic where they leased space. Now, my husband had a direct benefit from that lease. Unless there was a way of disclosing that, my peers sitting beside me wouldn't have known that indeed when I voted on that portion of the family and community support services budget, I was actually voting for moneys that ultimately reached the Abdurahman family. That, Mr. Chairman, cannot be known unless you have full disclosure.

To suggest that it would require all municipalities, be it villages, towns, cities, MDs, or counties, to have a bylaw: what's wrong with that? I mean, surely they should be required to have a bylaw. So I would say that this is a step in the right direction. If we support this amendment, it shows leadership, it shows openness, and it shows integrity.

I would urge the members of this Assembly to support this amendment, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Before I call on the hon. Member for St. Albert, could we have unanimous consent for Introduction of Guests?

HON. MEMBERS: Agreed.

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

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

MR. KIRKLAND: Thank you, Mr. Chairman. It's my pleasure to introduce to you and through you to the rest of the Chamber members a young man of boundless energy and challenging thought. He's a constituent of mine, a University of Alberta student, and he's a good friend. I would ask Mr. Chris Floden to stand up and receive the warm welcome of the crowd this afternoon.

Bill 31
Municipal Government Act
(*continued*)

MR. DEPUTY CHAIRMAN: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Chairman. I rise and speak in favour of this amendment. I know during my three years on city council it cost me money. There was confusion. I still don't

know. I would go to different people, the people designated by Municipal Affairs, to get their advice. I'd get advice from them. Then I'd get advice from someone else if I could vote for this or I couldn't. I think it's an important step forward that we have this bylaw in place, that everyone knows it's open to public scrutiny. There are no questions asked. It's a government that gives leadership in this area. We all know that the public's opinion of politicians is at a new low because of the distrust of what has happened over the last few years. It would be a big step to eliminate that and regain the public trust.

I just give you some examples. When I was on council, as a teacher in the education system did I get to vote on the municipal budget? I was receiving money from the school board. Taxes raised by St. Albert had to be voted on. I was given advice from both: yes, you can vote on it; no, you can't. I was confused. What do I do? One year I voted. The next year I did not vote because of the advice I was given from Municipal Affairs or their lawyers or their group that you got information from. It's very confusing. It still is for many people there. If your son works as a member of the MD, do you get to vote on their wages? There's got to be set guidelines. There's got to be information.

What happens now, Mr. Chairman, is if you feel the law is broken, it goes to court and then it's determined. That's not good enough. When you're on council, there are enough responsibilities. You don't want to have to worry about being in conflict of interest. It should be clear cut. There's a need to make for clarity and examples so people know exactly what they can vote on, what they are not allowed to vote on from the council perspective. This varied from MD to county to cities on what people voted on, different members. There was no clear-cut information.

So this would be very important, that we go forward, bring it in, and encourage. This is one of the reasons people may not run for council: they're not sure; it's not clear. Allowing this to happen sets the guidelines. It could be used by others and not only the municipal councils – school boards, other committees – if there are guidelines that can be followed. So I think this is a very important amendment which needs to be supported by all members of the House, giving leadership, as we have started here in the Legislative Assembly, so there are no questions asked. It's there in black and white, the information that's needed to proceed.

With that, I will conclude, Mr. Chairman.

3:50

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

MR. WHITE: Thank you, Mr. Chairman. I, too, rise in support of this particular amendment, speaking from some experience, from nine years as a municipal councillor, and understanding the difficulties that arise in any municipality when you're not sure as to whether there is a fiduciary interest in a particular matter or not. It is not to say that it happens with the knowledge of a member. Oftentimes, particularly in a smaller community, a member may not be aware that a close relative owns a piece of property, and it can be quite embarrassing thereafter when they find out. There has been many a time that a piece of legislation in fact has been overturned because of that very reason.

It seems to me just eminently reasonable to expect, as one of the requirements of public life, that everything be disclosed of your interests in holdings and other potential gain that one may get by holding office, or members of the family. That does two things. It clears the air clearly and completely. One does not then thereafter have to be concerned that some interest – or that

the public might say: "Oh, no. You could be gaining from this and that or 10 other ways." It would clearly be set down in legislation. It would be clear what the extent of the rules are. You'll notice that in other parts of the Bill there are clear provisions on how a member of a council may be disqualified, and one of the disqualifications is a fiduciary interest, gaining from a particular motion or inside knowledge, which is wrong. It's clearly wrong. It's set out in the Act. It has been in the Act since as far back as I can remember, certainly, and it's a reasonable one. The difficulty that comes is: how does one actually know whether one does have that interest? If you have laid out – as it is in many cities, as the Member for Lacombe-Stettler pointed out – what your interests are and there therefore can be no conflict if you vote on a matter that is beyond that limit, it makes it very, very easy to do.

This legislation should not be elective in municipal service. It certainly isn't elective for any member of this Legislature. It is not elective for any member that sits in the federal Parliament, nor should it be elective for the members on municipal councils. There may be some point at which this provision should be cut off, and my suggestion would be at summer villages. Where in a number of areas in this Bill the rules do change for standard municipalities that have an ongoing interest, in summer villages it's oftentimes an honorary and a very part-time position, and you cannot help but have an interest in that community when the interest in that community, that summer village, has nothing to do with your other holdings and therefore cannot be construed even remotely as having interest as to your position. It may arbitrarily hold back some members from serving, but that provision should not and cannot be in any way with this particular provision. This particular provision should and could be laid down . . .

MR. DEPUTY CHAIRMAN: Hon. member, excuse me.

Point of Order Questioning a Member

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

MR. HERARD: Thank you, Mr. Chairman. I was just wondering if the hon. member would entertain a question in debate.

MR. WHITE: Why, certainly, sir. I would entertain a reasonable question so long as I'm afforded the same opportunity to answer or not answer as the members on the front bench are in question period.

MR. HERARD: I'm trying to understand this particular problem that you're talking about with respect to conflicts of interest. I'm wondering: if it's such an important thing, why wouldn't the municipality itself pass their own bylaws, which they have in this Act the ability to do, to protect against that kind of thing? Why do you want to enshrine it in legislation instead of letting them do their own bylaws?

MR. WHITE: Well, sir, it is a very good question, and in fact I'll endeavour to answer. There are difficulties. When one becomes elected, the laws are already set. One should not expect to run and then later find out that the rules have changed. Certainly one should have the opportunity to have those rules set in place prior to becoming a member. Now, after one becomes a member – and certainly it's not been said just by myself but many, many others – there are some things to be gained by being

a municipal councillor, particularly if there are no rules set as to what is and what is not a conflict and how much is and how much is not a fiduciary interest in any particular piece of business. So I would think that just in the way of wanting what that side clearly professes to have, a clear and open government, then this provision would be eminently reasonable to put into effect.

Thank you, Mr. Chairman.

Debate Continued

MR. DEPUTY CHAIRMAN: Are you ready for the question on the amendment to section 171?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. DEPUTY CHAIRMAN: Amendment A-3, the hon. Member for Leduc.

MR. KIRKLAND: Mr. Chairman, again thanks for your patience in proceeding through amendment 2 and the subsections as I separated them out.

We will now simplify it for the benefit of one and all. We're dealing with amendment 3, which reads:

Moved by Terry Kirkland, MLA, that Section 223(2)(a) of Bill 31 be amended by striking out "10%" and substituting "5%".

Now, when we're looking at that particular clause, it deals with the amount or number of petitioners that are required to enact a legally binding petition. I know the initial thought originally was – and as I understood it, it was precipitated and originated as a result of Edmonton's experience with the Municipal Airport – that the 10 percent would satisfy and ensure that there was a quality number of residents in the city of Edmonton on a petition to demand something as impacting as the airport issue. Since this Bill has come forth, I have been in contact with one of the individuals from the city of Calgary, Bev Facey, who works in their legal department and has expressed concerns with that 10 percent. We have also seen some news articles since the Bill has been tabled that the 10 percent is also a concern to some city aldermen. The concern is that if we demand 10 percent of the signatures for the city of Edmonton, as an example, we would be in the vicinity of 60,000 signatures.

Now, since the repeal of the last Municipal Government Act, that 10 percent has also been further complicated by a 60-day period within which those signatures have to be collected. I would suggest that that number of signatures in Edmonton or Calgary or, for that matter, even Red Deer becomes a very onerous and arduous task to achieve. That being the case, we are freezing the citizens of those communities, I would submit, from the political process.

As I have indicated earlier, the purest form of consultation is the citizen-initiated petition. When we deal with numbers as large as 60,000 to 70,000 for Edmonton and Calgary, if I could use that example, it is very difficult to achieve, particularly in light of the fact that there's a 60-day time frame. I think the 60-day time frame is a very positive introduction to this Bill. I would suggest that if it was in place in the old Bill, it would have probably precluded the problem we ran into last time in the city of Edmonton. So the 10 percent reduction down to 5 percent is simply an attempt to give the people an opportunity to participate in it and participate in the democratic process. At no time should we freeze them out.

4:00

I think it follows through with the philosophy that has come forth from this side that we do have to have openness; we do have to have very much the opportunity for all citizens to participate in government. I would suggest that this amendment achieves that. This amendment also does not make it so easy that we can be bothered by frivolous petitions to collect, in the case of Edmonton, 5 percent of the signatures. I'll use very round figures; we would be dealing with somewhere in the vicinity of 25,000 to 30,000 signatures. That in itself is a large undertaking, and the issue that would precipitate such a petition would have to be one of sincerity if a person was to be successful.

I'm asking all members to look very closely at it. I've asked members and charged members in this House in the past, particularly those from Calgary and those from Edmonton, who mostly sit on this side, to consult with their municipal politicians, to consult with the administrations within their municipalities and determine how they feel about this. Initially, I know, when the discussion process was ongoing, 10 percent seemed to be the solution. Since that time there has been a change of mind-set, I would suggest. It is extremely important as representatives of those communities that we consult with our fellow colleagues at the municipal level to ensure they're comfortable with this. I would state from the feedback I have received and which the researchers in the Liberal caucus have received that there is a request that this be reduced. If somebody has got contrary information, I certainly would like to hear it, and I would ask all to keep in mind that we certainly would like the opinion of the people and we would like the grassroots, democratic process to continue. Apathy does pose a problem in this country, and it poses a problem in this province. I would hate to think that we are going to precipitate more apathy by presenting a challenge to the people of the municipalities that is almost insurmountable or cannot be met.

So with those comments, Mr. Chairman, I'll open up the debate on amendment 3, the reduction from 10 percent to 5 percent for a legalized petition.

SOME HON. MEMBERS: Question.

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

MR. WICKMAN: Thank you, Mr. Chairman. There we go again: question, question.

Mr. Chairman, to the Member for Lacombe-Stettler, possibly there is communication coming to our caucus and different communication going to the government caucus. But if the member can, when she responds, stand up and say that as the members guiding this through on the government side, they're not hearing any opposition to the Bill, whether it be from grassroots groups or from city councillors, whether it be from Edmonton or Calgary or any other municipality, or if there's an impression that the total Alberta Urban Municipalities Association, for example, is solidly behind it. Certainly the president, with all respect to the president, favours it. I realize that, but I must say, again with due respect to the individual, that he does have a very, very close relationship with the government. There are others on the board of the AUMA that I think reflect a different philosophy.

In view of the comments made by the mayor of Calgary, for example, I have a hard time understanding that his council is solidly behind Bill 31. I look at the city of Edmonton with Mayor

Jan Reimer, whom most of us know, and Mayor Reimer certainly is not one to avoid citizen participation. I just cannot picture Mayor Reimer standing up and saying, "Yes, I support a requirement that would call for 64,000 people – whatever – to sign a document to have a question go to a plebiscite." It just doesn't ring to me. Again, I really feel sincerely that the government is making a mistake by trying to ram this Bill through in its present form without any amendments, without further consultation.

I think, Mr. Chairman, that it's going to come back to haunt them in years to come. As municipalities go through the Bill in full detail, they're going to realize that the implications are a lot more serious. Grassroots groups out there, when they oppose something and find out they're going to have to get 10 percent of the population, not of the eligible electorate or the voters but of the population – that's 10 percent of the population, and that's not the adult population. That's 10 percent of the total population within that municipality.

When I look at Edmonton, for example, and my experiences with Edmonton, I can recall plebiscites. The first one I recall – in fact, I did a major report on it when I took civic government at the University of Alberta. There was a document, a report I did on the seven stages of omniplex, from birth to burial. There I studied plebiscites that had occurred in the past. But even for that particular plebiscite on the omniplex, at that particular time it was a requirement that two-thirds of the voters who went out to vote had to vote in favour. I can recall sitting in the council chambers as an interested person then, with people around there like Bill Hunter and others who had really spearheaded this omniplex, and their disappointment when something like 63 percent was achieved, not the required two-thirds. I could understand at that time the change that was made to 50 percent, because that made for a much more democratic process: a simple majority making the determination.

I can recall a plebiscite shortly after on facilities for the future. That meant the staging of the Commonwealth Games and the facilities that would be required. That one was approved, Mr. Chairman, yet those who were concerned had the opportunity to vent their frustration, to express their view. Then the Convention Centre fiasco, where many of us, including myself, at that time didn't buy the bill of goods the city administration were giving us, and it turned out that we were right. The final product was \$84 million instead of \$32 million. That one was forced to a plebiscite. That one was approved on the basis of the \$32 million, which didn't hold. Then the civic building; again, another plebiscite. That one was about 52 percent who were in favour of it. It just barely, barely squeaked by. And the airport; many of us will look back and say that the result of the airport plebiscite was a mistake. Nevertheless, it gave the opportunity for people to voice their opinion.

Here, in this very House, just the other day we had a vote: should a question that doesn't even fall within our jurisdiction go out to the public in the form of a plebiscite? Most government members, with the exception of three, stood up and said yes, yes, yes, we want the plebiscite; we want Albertans to have the opportunity to express their opinion on that issue. It was a federal issue, and there wasn't even a petition signed asking for it . . .

DR. WEST: Government by plebiscite.

MR. WICKMAN: "Government by plebiscite," the minister responds. Well, it's his government that proposed that particular plebiscite. So to the minister: you can't have it both ways. You can't just take the best of what you see here and ignore this.

Mr. Chairman, I say in all sincerity to the Member for Lacombe-Stettler, to the minister: listen to what we're telling you. We're not just sitting here or standing here trying to score some political points. We're reflecting what's being heard out there in the community. Again, if the minister can document, can file in this House recent correspondence from the AUMA – not just from the president; I mean the board members. The board members . . .

DR. WEST: Well, he was representing them.

MR. WICKMAN: Recent, recent. I mean recent, after having fully studied. The member will have the opportunity to stand up and say that you're not aware of any opposition to Bill 31. I would be somewhat dumbfounded if the government has not heard of any opposition or any desire to see certain parts of Bill 31 changed. That would stun me. Something out there would be wrong. Why would they only be communicating with our caucus and not communicating with the government caucus?

So again, Mr. Chairman, of the different amendments that are being proposed, this particular amendment is the one that has the most lasting effect. In fact, if I was the member guiding this through, I would have reduced the 5 percent to 3 percent, because I believe in democracy. I believe in grassroots participation when it falls within provincial jurisdiction, when it falls within the areas that we're responsible for. During my nine years as a member of city council, I never hesitated in going along with a plebiscite when the citizens demonstrated that they wanted that plebiscite. Again, from a provincial point of view, for us to make a requirement that would make citizens and municipalities bound so tightly that they would not have the opportunity to make the municipal governments accountable is just so wrong, just so wrong.

Mr. Chairman, I plead on behalf of those municipalities and grassroots organizations: reconsider that particular section. Even if you want to bring it back as a government amendment, that's fine. That's no problem. We'll support it. It can come forward as a government amendment reducing it from 10 percent to 5 percent, and we can support it.

Mr. Chairman, on that note I'm going to conclude and let others speak on the matter.

4:10

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

MRS. GORDON: Thank you, Mr. Chairman. I have two documents that I'd like to table and read this afternoon. I have a letter dated February 8, 1994, written by Mayor Bill Purdy, president of the Alberta Urban Municipalities Association. The Alberta Urban Municipalities Association worked very closely with us on this legislation.

For all the members present, I would like to tell you a little bit about the AUMA's membership. The AUMA represents 295 out of a possible 300 municipalities in this province. There's only one village and four summer villages who are not members. The AUMA's membership includes the city of Calgary, the city of Edmonton, all 14 cities other than Calgary and Edmonton, all 110 towns, 119 villages, and 50 summer villages. The AUMA's board of directors is represented by three people from the city of Edmonton; two people from the city of Calgary; cities other than Edmonton and Calgary, three; towns, four; villages, five; and summer villages, one. The letter states, and I quote:

Further to my earlier discussions with you, I would like to confirm . . .

and "with you" is to the hon. Minister of Municipal Affairs, . . . the AUMA's support for increasing the percentage required in the Municipal Government Act for those persons interested in presenting a petition to local governments.

It would appear that an increase to 10% of electors would be more appropriate and perhaps reduce the opportunities to have frivolous petitions being brought forth.

We would ask for your support.

It should be noted that a CC of this letter was sent to Mayor Jan Reimer.

This morning at a quarter to 11 I talked to Mayor Jan Reimer, and I would like to table in this House a copy of the city of Edmonton council meeting minutes of May 24, 1994, where Alderman Mason requested the permission of council to introduce a motion without notice on the proposed changes to the Municipal Government Act being considered at the provincial Legislature. That motion was defeated. Mayor Reimer is in favour of 10 percent, as is the city of Edmonton council.

Something that I would like to say for all members present is that the public's ability to petition has been expanded to include any issue within the municipality's jurisdiction in the proposed legislation. Certainly 10 percent is more difficult to achieve, but if the issue is significant, people will sign it.

When the petition results in a vote, council must set a date for the public vote within 90 days of giving first reading to the bylaw. This is a new provision in the legislation. It was previously 30 days. This increase in time will provide both the municipality and the public ample opportunity to become informed on the issue before the vote.

If we were to consider reverting to 5 percent and keeping section 231 as broad as it is, then I do believe the breadth of issues that are now allowed to be petitioned in the proposed legislation would certainly have to be changed.

Once again I would say that 295 municipalities in this province can accept 10 percent. And as of this morning I did talk to Mayor Reimer and have tabled a copy of their council minutes.

Thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Hon. Member for Lacombe-Stettler, next time you do some tabling, try to keep your hand – because you had a page on each side of you trying to reach for it.

The hon. Member for Edmonton-Strathcona.

MR. ZARIWNY: Thank you, Mr. Chairman. I don't speak on behalf of the municipal governments or their councillors or mayors. I speak on behalf of the people that have approached me, and these are the people at the grassroots level. I also don't have experience on council, as many of my colleagues do, but I should point out, for what it's worth here, that I do have a master's degree in municipal administration, and that includes international and local government. Now, that will help me converse with the minister and the speaker; all right? Now, if the Chairman will indulge me a little bit, I'd like to present some facts first and then my argument.

We all know that a municipality is a statutory corporation that's been created, in this case by the government of Alberta, and it has the authority given to it by this government. The city of Edmonton, for example, has powers that have been conferred on it by the government of Alberta through delegation, and those duties which flow from this delegation are performed for the benefit of the citizens in the cities and the municipalities. So the city of Edmonton upon the grant of statutory powers makes decisions by passing bylaws and resolutions that are binding on all

of its citizens, including transients, those people that come in and out.

The powers of the government of Alberta are based on the Constitution Act. Section 92(7) allows it to make laws and establish maintenance of hospitals, for example. Property and civil rights: section 92(13). Section 92(15) allows it to make some laws in certain matters of crime, fines, and penalties.

Now, these facts that I've presented, Mr. Chairman, are based on constitutional, democratic principles. Apart from what the other side has just said about the councils, the amendment does ensure a democratic principle. It encourages democracy. It encourages a certain portion of citizens of a municipality to be allowed to participate in the decision-making of that community.

[Mr. Herard in the Chair]

So what is the purpose of a petition? A petition is simply a document which lists a specific number of electors requesting that a proposed action be taken, and that's submitted, in this case, to the municipal government for a decision. It is one of the means by which citizens at the local level take an active part in the decisions of that government. Now, in Canada a petition is constitutional as long as it does not take power or attempt to take power in the final run from one level of government to the other or from another authority. It also is constitutional if it's not discriminatory. Petitions raise specific issues which affect people. A petition is constitutional – and I repeat that – if it doesn't discriminate against one particular group as opposed to another.

I believe the reduction of the 10 percent to the 5 percent would allow groups within communities to challenge certain issues on a more democratic basis than 10 percent. Section 223(2)(a) as it stands presents a difficult challenge to citizens. Perhaps the minister can answer this question: how in fact can a city deal with an emergency, if there's an emergency that requires a petition, in a short time? It would seem to me that 5 percent is easier to get than 10 percent.

For that matter, how can municipal residents, like residents in big cities such as Edmonton and Calgary, exercise their powers, their rights without a reasonable – and I'd like to repeat that – a reasonable number of the population being allowed to put their names on a petition?

In conclusion, I support this amendment because it is a matter of a principle of democracy rather than matters related to size and matters related to issues raised, as the other side has.

4:20

MR. ACTING CHAIRMAN: The hon. Minister of Municipal Affairs.

DR. WEST: Yes. Just a few comments on this petition issue and this amendment. Historically, as I pointed out before, there have been no set percentages that ever lasted over time. For every so many decades the administration or the public wanted it changed for one reason or the other. Originally, we had a percentage set in legislation that said it was 10 percent for cities, large urban centres, and 5 percent for rural Alberta. That lasted for a few years, until they said: "No. We'll go to 5 percent across the board, but let's narrow the types of petitions that can be dealt with under this." So although we expanded the perceived democratic principle, we closed down the democratic principle by putting parameters on what you could petition. And now we came back and went to the establishment and talked for seven years on different things and percentages and came up with 10 percent

across the board but broadened what you could apply the petition to. In fact, we closed the loopholes for the city of Edmonton, such as the Keillor Road incident where they took a petition but then said that it was under a different department, the department of transportation. In this Act, if you'll notice, we open that up and say you can't do that. A petition that's taken applies to whatever department it is, and the municipality must address that. So, really, we gave better co-ordination to democracy by doing that.

Now, the issue that it's hard to raise 10 percent in a large city such as Edmonton and that the days, the 60 days versus 90 or versus whatever it is, is a problem – not so. History has proven that if the issue is a majority issue that concerns citizens and they want attention to it, the petition will gather much more than 10 percent of the population and they'll do it in a very quick fashion.

Mr. Danelesko, after his wife was killed, asked for a petition to state changes to the Young Offenders Act, and within seven days he had 80,000 names. Seven days in the city of Edmonton: living proof that you can raise a petition that has the awareness and the informed opinion of citizens, and they will put their name to paper and do it in a time frame like this.

Now another example. In the city of Calgary, with no time frame put on a petition and for 5 percent, there are individuals down there who have been trying to raise 45,000 names on the fluoridation system and can't do it in five to six months.

What would we do? Just allow an open end on a petition so that you could slowly, by attrition of people – "Oh, I'll sign that" – get a petition in that would change what indeed is not what the majority interest is in a society? I call it the supermarket syndrome. You can go down any day and put up: "Do you dislike government? Would you sign this petition? Do you like politicians?" You can get people to sign that every afternoon. We should not allow frivolous and vexatious petitions. We should not allow a society to be run by petitions.

The examples given by the individual from Edmonton-Rutherford literally were fiascos of petitions. Indeed, when they went to the public to try to get common sense put into building a convention centre at \$32 million, the petition didn't stop it. It still spent \$84 million. You named all types of petitions that didn't work in the best interest of society after they had been performed. The democratic right was there, but the end result didn't function.

So I say that it's not a matter of democracy. Democracy is the major voice of the public, and that is elections. Every three years the municipalities have an election. If people would focus on this Bill and take their democratic right to town, we would have better democracy, because instead of having 10 percent vote in a ward in Edmonton here in a by-election, we'd have 85 percent, and we would literally have true democracy.

People cannot use petitions and other avenues because they're frustrated with government. They must use the democratic process in this country. They must stand up on election day, go to the polls, and make their voices known. They must talk to the people that are running and tell them that they don't like this, that, or the other thing, find out their opinions, and then vote, rather than taking a petition down to a supermarket to have a lot of people sign it who won't even go on election day to the polls. You can't govern, again as I say, by referendum or petition.

This is a consensus, this percentage today. I don't know where we'll go in the future on petitions and that sort of thing, but as I pointed out, in history there is no consistent demonstration of opinion, whether it's 10 percent, 5 percent, or what it should be applied to. Let's hope that we don't abrogate our responsibility to the democratic process, the democratic process that is enhanced

by Bill 31. Let's not put in something that will take on governments in the street by petition.

MR. ACTING CHAIRMAN: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Chairman. I want to thank the minister for the history of petitions and referendums in the past. It is from his perspective a very important part and probably paves the way for the decision made in the Bill.

However, Mr. Chairman, I have traveled to 15,000 homes, and the perspective is different. With respect to the AUMA, that is what the majority wants, but the citizens also are looking for something different. I went house to house talking to people – 15,000 homes – spent many hours, from two or three minutes to two or three hours at different homes. They want to be heard in this process. They want to be part of the democratic process. There is a concern that you hear from politicians at election time only. So what we have is the fact that they want to have more input into the decision-making, and this is one way.

We're not living in the 19th century. We're still in the 20th, but we're moving into the 21st century, Mr. Chairman. Do you know what's happening? We have technology now that will allow every person to be able to vote on certain issues if they wish. This is the direction that the citizens of St. Albert want to move. They say, "If it's an important issue to me, I want to have a say; I want to have a vote on it." We can hook up – the technology is there – to our constituency offices the issues that come up. We can get the input from our residents, and then we can vote accordingly.

They want the same process at the municipal level. They've elected their members for three years, and many have gone out and looked at each person, especially now with the cutbacks and the downloading from the province and the federal government to the municipalities. They are concerned. They want to be heard. They want a say. So if the opportunity arises on some issue that they disagree with where they want the input, it's important that they have that opportunity to have a referendum on it. In our own city of St. Albert, in the election process every three years we have up to 50 questions that can be asked, if we want to use that, the latest technology. People want that input.

On one hand we have the government saying, "Let us hand down the decision-making to parents at the school level." On the other hand they say, "No, you can't have a referendum." So there's confusion here. What do they really want? Control and power? Or do they want decisions and input from the grassroots level, where it should come from? It's important that we look at that aspect. Use the technology. Use the democratic process. As I come into the building every day, I see on the plaque there those who have given the ultimate sacrifice for democracy in our province: their lives. They want that continued. They want the input of the grassroots people at the grassroots level.

Taxes is another one they want a say on. It's important. They want to know and they want to be able to determine the tax level. If a referendum is needed, then they should have that right. Ten percent may be a high number for certain areas. To say that they won't make the right decision is saying that they never will. Sure, mistakes can be made. They may spend money on a referendum, but at the grassroots level that is their opportunity. They can live with that expense if that's what it is, if it's a mistake. But, again, if you make one mistake, you usually don't make a second one. The wiser heads, the people who saw what happened will get involved and say: "Just a minute here. Let's not proceed with this. It doesn't make sense."

4:30

Also, it gives the opportunity for people to bring up the issues and see the input of others. It's easy to get a group involved, but it dies out quickly. This can happen. So people who put forward a referendum will know that they have to have an issue that will require a large number of people's support and also have the capability of being passed. Otherwise, it would be a waste of taxpayers' money, and they probably won't have another referendum for a long time if that happens. So the 10 percent, again, should be reduced, as the amendment says, to 5 percent to allow this opportunity at the grassroots level, democracy at its best, not here where decisions are made.

It also allows people to be involved in what's happening. If there's an issue, a referendum, everyone's talking about it throughout the whole community. There's a petition in St. Albert about the Sturgeon general. The whole community is talking. At the church level, at the community level, right across the whole community there is interest. They want the facts, the information. So this will involve more people in this area in democracy. This is what this country needs. When you have ownership of democracy, you take a greater interest, you make sure of your tax dollars and that decisions are wisely made.

With that, Mr. Chairman, I conclude.

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

MR. KIRKLAND: Thank you, Mr. Chairman. I'll just attempt to conclude the debate here, if I might. I'm encouraged by the hon. minister from Vermilion-Lloydminster, who indicated that there was flexibility in the past, and I'm encouraged that there be some flexibility in this situation. He himself gave us the history of petitions as such, and in the examples he used, I think it clearly indicated to us that this is not a process or an undertaking that is used frequently in society.

I compliment the drafters of the Bill because they tied the 60-day time limit to it. That's positive, and I think that's a step in the right direction. I also would commend the drafters of the Bill for defining the process and for ensuring that something like the Keillor Road petition actually had to be heard and addressed by the proper channels. That again is positive. I don't have a problem with that.

I would suggest that when we look at 5 percent as a figure – and we are actually the originators of a petition – we have to exceed that 5 percent to ensure that if there's an error factor there, the petition remains valid. The 5 percent is not an easy figure to achieve. The hon. minister has made comments as far as the Danelesko petition. That was driven by a motion at that particular point, and we have a tendency often to get more involved in those situations.

I also do not want to be involved in government that simply is government by petition, but we certainly should not freeze the citizens of any municipality out of the process and not enable them to participate. It's my suggestion that 10 percent can be an onerous and arduous number to achieve. We in this country do have, in my estimation, an apathy problem that is too large. I would not want to be part of a process that actually increases that apathy. I would not want people to think they couldn't achieve or obtain their objectives, and I suspect this 10 percent will actually increase that apathy.

The other comment that was made was that we have the ultimate authority and we have the ultimate vote when we go to election. That's very true, but we can all recall that as Canadians

our memories on politics very frequently are very short. If we have the opportunity to deal with the situation at hand that day, I think people have a tendency certainly to give more thought to it, and certainly their voice should be heard. This is a simple case of attempting to ensure that the citizens of any municipality are not discouraged from pursuing some sort of issue that is very hot and burning in their community.

I would suggest that it is an excellent democratic tool that has not been overused and abused in Canada today. I would suggest that we should not be afraid of the grassroots movement. We should not be afraid to give citizens a good opportunity to bring their concerns to the forefront with their elected officials. I would suggest that 5 percent – as the minister has indicated, through history we've bounced around on some of those figures over the years. If we were to bounce once more to 5 percent, to me it is a positive undertaking, such as the positive undertakings that already have been addressed with the 60 days and the process being better defined and the fact that the process ensures some action has to be taken with the petition.

So I would ask all members to support it. Most who have lived in this province probably could count on one hand the number of petitions that actually ever originated or existed, regardless of what percentage was involved – I myself can't recall any frivolous or vexatious petitions ever succeeding or amounting to anything in this province. I would suggest that 5 percent will not encourage that type of petition, so I would ask all to support the amendment to reduce it to 5 percent.

MR. CLEGG: Well, I'm only going to speak for a minute because I'm against this amendment. I sat on the municipal statutes review. We sat and we sent out – and the hon. Member for Rocky Mountain House can clarify this if he wants to – papers after papers on every item that's in this Bill. Keep in mind that we're dealing with the smallest village in the province and summer villages and the cities of this province. Yes, we could have made different rules for villages and summer villages and towns and cities and municipal districts and counties. We didn't really feel that was what the people of Alberta or the elected people of Alberta wanted.

Both the last two amendments – you've got to keep in consideration that this is truly a balancing act. When you talk about a village that's maybe got 50 or 60 residents who are eligible to vote and you ask for 5 percent, you're asking for roughly – 5 percent of 60 – about 3 or 4 people. Ten is a very limited amount. Always keep in mind that this Act is meant for every jurisdiction in the province. When we go to the larger jurisdictions, you understand the cost to that municipality for in fact having a plebiscite on any item. I mean, it can run into half a million dollars.

So this 10 percent is a fair percentage, as far as I'm concerned. Certainly I agree with many of the opposition members that we don't want to stop the residents of a municipality from having a plebiscite, but we also want to be realistic and not make a frivolous plebiscite. So that is the reason that we went – because we felt that it was fair for the people of Alberta. Certainly all municipalities – the majority of them anyway, for sure – recommend exactly what's in that Bill.

MR. WICKMAN: Mr. Chairman, just to respond for a couple of minutes. I appreciate the Member for Lacombe-Stettler's statements clearing up the point with Mayor Jan Reimer. I've since read a newspaper clipping, and, yes, that is accurate

information that she gave the House. I'm somewhat surprised. I'm very, very surprised. Nevertheless, for whatever reason, the mayor clearly indicated that she does support the 10 percent.

Mr. Chairman, one of the difficulties, I think, in the whole participation process on Bill 31 – we all know there was consultation with the AUMA. No question about that; none of us deny that. But the consultation has not taken place, the opportunity has not taken place with the grass roots, with the groups that are going to be affected. Maybe some municipalities regard plebiscites as a nuisance; I don't know. When I was a councillor, I never did. I thought they were an expression of democracy. If you were to go out there and poll the various groups that speak out for the areas of interest that they do have, preservation of neighbourhoods and other items that affect life-style, I think they would do it differently.

4:40

Mr. Chairman, the Member for Dunvegan spoke about the cost. Certainly there is a cost attached. There's a cost attached to a plebiscite throughout the province that may be conducted. Even if it is done in conjunction with municipalities, there still is an additional cost. Yes, at times the economics can become a factor; they can become a discouragement. Nevertheless, democracy is too precious to start weighing in terms of dollars and cents. Democracy has to prevail, and respect for the democratic process has to overcome any economic arguments.

I still maintain, despite Mayor Reimer's statements, that 10 percent is too much. As an individual, as I said earlier, even I was one of those that would be prepared to go down to 3 percent, but I feel 5 percent as a maximum allows the opportunity for citizens to become further involved in the democratic process.

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

MR. LUND: Well, thanks, Mr. Chairman. I wasn't going to get into this, but when I hear the Member for Edmonton-Rutherford making comments like there wasn't enough consultation, I find that just absolutely amazing. This Bill has been all through the province on many occasions for seven years. I happened to sit on the statutes review committee. We heard from many of the so-called grass roots, the people that are so-called affected, and you know what they said? We had many of them say that they thought 20 percent was a more realistic number, not even 5 percent. Hardly without exception they said that 5 percent was unrealistic.

And, members, what on earth is the difference? Why should a city have the opportunity to be much lower than another area? If you're talking percentage, they have that many more people to draw from. I don't see where the big issue is. As far as cost is concerned, a member that has sat on a city council, if he's looked at what it does cost, particularly a large municipality, they have to go through every one of those names and check and make sure that it's legitimate, that that person is eligible to sign the petition. If you think that isn't a major cost, well, maybe that's exactly why the mayor of this major city is talking about 10 percent as a reasonable number. So I would hope that some sanity would prevail and that we would get on with voting on this amendment.

MR. WHITE: Mr. Chairman, speaking to sanity, this member speaks of knowledge of some large municipality. If he's speaking from some base of knowledge, I'd like to hear him cite that base of knowledge, because he absolutely does not know what it takes to put a petition together in a city. Now, what's happened here

is that it's plain that the AUMA – the Member for Dunvegan had some experience in this – represents from small communities to the very, very large communities, and it is clear by this amendment that this particular provision should have been in three or four parts.

Now, there is a substantial difference between collecting names in some smaller centre and in a major centre. There is no question about it.

SOME HON. MEMBERS: What's the difference?

MR. WHITE: There is a great deal of difference, and I needn't be interrupted by fools on either side. There is no need for it.

The fact is that there has been one successful petition in X number of years in the city that I'm most familiar with, the city of Edmonton, and that had a great deal of effect on how this city dealt with a particular airport situation. Had that petition had the 60-day provision, which is a wise provision, that petition would have had a great deal of difficulty being passed or getting the correct numbers put together to do it. There is no question about it; it is onerous.

I can say to you, without fear of any contradiction, that there is not likely ever, ever to be a case of a petition brought under these provisions that are here in the major cities of this province. If that's the desire of this government, then say so. Just say so. Just say that you cannot have any of this kind of participation. The minister says: yeah, there's a big petition every three years; that's how it's done. What I'm saying is: why didn't you take these provisions out entirely and completely? If that's what you believe, you should have done it. Why not just call a spade a spade and do it? I mean, if you don't have the gumption to do it, well, I'm sorry.

To put in a provision that protects a lot of people – particularly speaking, the mayor of the city of Edmonton does not represent all of the citizens of Edmonton. I can point out to you that at least half her council says the same thing: she does not represent all of what their views are either. From the experience that I've had, this is an error in the major centres. In Wetaskiwin it may in fact be representative. In Drayton it may be the right number and probably is from his experience. But from my experience in the city of Edmonton, it's not the right number.

Thank you, Mr. Chairman. I'll call the question.

[Motion on amendment lost]

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

MR. KIRKLAND: Thank you, Mr. Chairman. Referring to the sheet of amendments you have before you – that was amendment 3 on that sheet – I would now move amendment 5. Amendment 5 indicates:

Moved by Terry Kirkland, MLA, that Section 486 of Bill 31 be amended by adding the following after subsection (1):

(1.1) The persons recommended by the Minister shall be selected for recommendation by competition conducted in accordance with the rules and procedures prescribed by the Commissioner pursuant to section 16(3) of the Public Service Act.

Mr. Chairman, the municipal government board, for those that haven't had the opportunity to review the Bill in depth, is a board that is struck to deal with annexation, amalgamation, formation, and dissolution of different municipalities. All of those can be very adversarial type undertakings.

I think it's extremely important, when we look at annexation – and we've had many in this province such that when final

resolution was ultimately sent to the table, it did not appease or please any party, not because the evidence wasn't heard in a lot of cases but because there was interference from a political level too often, and that had a tendency to skew the final decision.

We have in this Bill set aside some very general guidelines as to how amalgamations or annexations or dissolutions should be conducted and should be dealt with. We have many people in this province that have lengthy and extensive experience in these matters. If we are to accept the Bill at its face and the minister at his face, we really want to hand the autonomy or remove the decision-making from the provincial level to the municipal level.

If in fact we are to select the people that sit on the municipal government board by election, conducted in accordance with the Public Service Act, we will have very quality people apply. We will have quality people, I would suggest, selected for that particular board based on their merits, their knowledge, and their skills. They at that point are divorced from government interference itself. As it is, the minister retains the ultimate power in this matter, simply by appointing those that he may consider friendly to his philosophy or his thought.

4:50

This is another case, as I view it, of attempting to keep the government or the political interference out of the municipalities' business. They, as the hon. minister has indicated many times, are competent individuals. He has great confidence in them. When we get into undertakings such as annexations, they take these very seriously. There are many meetings involved, and if they can do it on a co-operative basis, it is done. When it cannot be done on a co-operative basis, it becomes adversarial, and at that stage we have to involve other people.

The municipal government board is the board that ultimately would weigh all evidence, both sides of the argument, and would in some cases be awarding financial sharing agreements and arrangements. It is incumbent, in my estimation, that if we are going to put municipalities in a situation where they spend a considerable length of time and considerable money to ensure that both sides of the argument are well heard, it should fall on a nonpartisan board to hear that evidence. The minister really has no need to intervene. If that confidence, as I indicated, exists in those councils, in the people they hire to arrive at a decision, I would take it back, particularly the annexation process. If in fact those people have undertaken the expense and paid the people that they require to get their point across, all that evidence in this quasi-judicial arrangement and setting will be weighed and evaluated for its merits, and the decision will be made for its merits. Now, if that decision is to be made without interference, it would be my suggestion that the municipal government board, which has a tendency to play a very large role in this Bill, should be nonpartisan.

As I indicated, a provincewide competition should be conducted. I would think the minister would welcome this. He again will not be squeezed from one side of the discussion or the other side of the discussion. He at that point can leave it to the municipal government board. They can be the scapegoat for the decisions that they make. I think that's desirable. I think if we want to embrace that autonomy of the local municipalities, then we should give them full range and full opportunity to maximize that autonomy. By electing the people to this municipal government board, we will achieve that.

So with that as a background I would open the discussion up. Again, you've heard me comment previously that this Bill does include over 100 areas where the Bill will be directed by govern-

ment regulation. I would suggest that that is very loose ended. It will not provide the consistency that's required for municipalities to do quality planning and to know exactly what regulations or guidelines they will have to follow. It will hamper their situations when they are preparing their cases. If they have confidence in a board that is not aligned with government itself and they know that those people selected for that board are competent and selected as a result of their abilities, I would suggest that they would be in a much better position to ultimately resolve their issues and resolve them with confidence.

I'm sure the hon. Member for Clover Bar-Fort Saskatchewan can speak at length about the annexation process that her constituency was involved with recently, and the end result was tainted as a result of perceived political interference. I would suggest that the annexation process that occurred in Leduc prior to my arrival on city council in that community also took on a bit of a political flavour that was not required. If we are to select this municipal government board on the basis of merit, when the decision comes in, we have full confidence at that point that those individuals who made that decision brought their expertise to the decision process. The decision, I would suggest, would be received with confidence, perhaps not always as acceptable as one municipality would like. Nevertheless, it would bring that air of confidence.

This amendment intends to remove it from the minister's desk. You'll find that most of the amendments that I bring forth are an attempt to cleanse the Bill from the political walk. I think it's overkill in this particular Bill. I think the hon. minister, certainly if we are again to accept him at face value, has confidence in the municipal politicians, so there's no need for him to have the ultimate hammer in these situations.

So, Mr. Chairman, with those comments, I'll open the debate on amendment 5 as moved.

HON. MEMBERS: Question.

MR. ACTING CHAIRMAN: The question has been called on amendment 5 as moved by the hon. Member for Leduc.

[Motion on amendment lost]

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

MR. KIRKLAND: Thank you, Mr. Chairman. One would think you'd get discouraged at this, knowing full well that the amendments are not going to pass, but I think the process and I think the voice have to be heard. That has been conveyed to me. I think it stands this Assembly in good stead if in fact we are forced to think about some of the issues that are brought forth through amendments.

I at this time, Mr. Chairman, staying on the same page of amendments, would move amendment 6. Amendment 6 states:

Moved by Terry Kirkland, MLA, that Section 515 of Bill 31 be amended by adding the following after sub-section (3):

(4) The Minister shall be bound by the recommendations of the Board. Now, this really is an adjunct to the previous amendment. The intent here of course – as I indicated, we go to great lengths as municipalities, particularly in the annexation process, to ensure that all sides of the story are heard. The process is somewhat outlined in the Municipal Government Act. It gives direction as to how we should arrive at those decisions, and when the board makes its final recommendation to the minister, it is after a great deal of deliberation. As I indicated, the municipalities generally pay people some healthy dollars to ensure that their side is put

forth. So I have confidence that the municipalities look after their aspect of their argument very well.

When that argument comes forth to the board, the board at that point makes a recommendation. That was the board that I thought should be nonpolitical and should be selected by merit. As the Bill presently reads, Mr. Chairman, the minister is not bound by that recommendation. I have to ask myself, when we're looking at this and we go through the expense and we tap the expertise of so many people to arrive at that position – handing it to a board is another process of cleansing or further evaluating the information that has been submitted. It behooves us to ask why at that point the minister would not be bound by those recommendations. I would suggest, even though I thought it was a cleaner process to have these people selected by merit, even a ministerial appointment to that particular board – I would like to think they are appointed for their skills. At this point, when they evaluate and they cover all sides of the point that have been put forth by the municipalities, this board will bring its expertise to it, and that expertise should by way of recommendation to the minister be one that is readily accepted.

Again, what we're seeing here is the minister having the ultimate authority, if in fact we're looking for that autonomy. I am perplexed by the often quoted statement that we have confidence. When you look at the Bill, the Bill belies that claim and statement because the buck stops at the minister's desk constantly throughout this Bill. One would think that if that confidence that we often have heard expressed to those councillors or those elected municipal politicians is in fact a true statement, we would give them free rein to operate and make those decisions with confidence. That's not the case here, Mr. Chairman.

Again, by having it stop at the minister's desk so he can have final say, that tells me that we've undertaken an entirely moot exercise: having two municipalities go through a great deal of expense to have two sides of an argument put forth. We bring that to the municipal government board. That expertise and the expense associated with it is then further taxed at that particular point, but, really, it could all be for naught. You have to ask yourself: why would that be the case? Why are we afraid to give the decision-making process to those people that have been close to the issue? Why should we leave it sit on the minister's desk where in fact it can be subjected to some manipulation or some lobby? There's no one in this House, as I've said before, that has not been subject to lobbying efforts. They can be intense. We are to have a clean process here. This would give us that clean process. It would give us clear blue sky to ensure that in fact the decision that comes forth is one that would be satisfactory to one and all.

5:00

If I was in an annexation process in the Leduc constituency, as is the case, I would suggest that in the future give us that clear mandate to deal with it at that particular level. If in fact all sides have been heard and the municipal government brings its, and I'll call it at this point, objective viewpoint to it, hands down the final decision, why is that not satisfactory? Why do we at that particular point have to give the minister the hammer, Mr. Chairman?

So I'm looking to cleanse the process. I'm looking to remove the minister from it. There is no need for him to be there. There are quality people in this province that put forth the points of views. They will be weighed on several different areas, and several different viewpoints will come into it. The decision should be a sound one, should be one that's readily accepted by the minister.

So with those comments, Mr. Chairman, I'll conclude my support of amendment 6.

MR. ACTING CHAIRMAN: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Chairman. I want to take the opportunity to speak briefly in support of the amendment as proposed by the Member for Leduc. The amendment is straightforward. It adds the subsection, "The Minister shall be bound by the recommendations of the Board." If we go to the proposed Municipal Government Act, Bill 31, and we look at the jurisdiction of that particular board that section 515 is making reference to, we can look at section 488(1) and question the jurisdiction, the complaints about assessment appeals, the annexation question.

Obviously annexation is one that becomes very, very complex. It can become a lengthy process, and it can become a very, very costly process, and it can become a process where there is a great deal of deliberation involved and presentation and arguments and on and on. We've witnessed that in the past. One of the most noticeable ones in the province was the one that had been submitted by the city of Edmonton some time ago that involved St. Albert, that involved the county of Strathcona. But we've seen others since, that time in the city of Calgary, for example, in the county of Strathcona and Fort Saskatchewan. They do become very, very complex, and they do involve a great deal of participation by possibly a great number of people.

Now, to have the Municipal Government Act then read in section 515 – let me just refer to the exact wording here in section 515, *Inquiries by the Board*.

- (1) On concluding an inquiry, the Board must prepare a report that includes its recommendations.
- (2) The Board may make any recommendations it considers appropriate.
- (3) The report must be delivered to the Minister.

Then at that particular point, what is the option that the minister has? Well, of course, the minister then has the option that he can concur with those recommendations or he could reject those recommendations and make whatever decision based on whatever. In other words, that whole process that would have gone on to that particular point could become totally meaningless.

To have that in the Act really I think again just emphasizes what is a common thread or theme throughout the Act, that the retention of power by the minister in many, many instances becomes very apparent. This is another one of those that municipalities can be under the arm of the minister responsible for Municipal Affairs.

This amendment as proposed is very straightforward, simply that "the Minister shall be bound by the recommendations of the Board." That goes in after subsection (3), and that makes the matter final. Those recommendations are dealt with, bang, and that's the way it should be.

So, Mr. Chairman, I would think there wouldn't be that much difficulty for government members to accept that amendment, but as the Member for Leduc said earlier, it seems like an exercise where we propose these amendments knowing ahead of time that the amendments are going to be defeated. However, one tries to remain optimistic that government members may see something worthy in some amendment, and even though they may not support it here, they may after the day concludes go back into their offices and draft some government amendments that can address the points we're trying to make. That happened, for example, in Bill 20. It happened in Bill 18. It happened in Bill 19. I don't understand why Bill 31 should be that different.

I know the Minister of Municipal Affairs tends to be a bit harder lined than, say, the Minister of Health, but if there is something worthy here, there is no shame in the minister coming forward on Monday with government amendments that address some of these concerns and make the Bill more workable. I would ask that. As we speak to these, even though there's a feeling that we're not getting anyplace, I would certainly hope we are and that somebody is jotting some notes on some of these comments. On Monday we could very well be surprised, and the minister could plunk down a piece of paper, and lo and behold, we've accomplished something good.

MR. ACTING CHAIRMAN: Hon. member from Edmonton . . .

MRS. ABDURAHMAN: Clover Bar-Fort Saskatchewan.

MR. ACTING CHAIRMAN: Sorry; wrong row.

MRS. ABDURAHMAN: That's all right, Mr. Chairman. I rise to speak in favour of this amendment. I think it's imperative that we learn from the errors of our past. My colleagues have acknowledged the costly processes that annexations have gone through previously. The result was that the Local Authorities Board indeed made a decision based on the evidence that was brought before them. What happened after that indeed was intriguing. We had expert witnesses, we had what we thought was an independent panel, we saw millions of dollars being expended on lawyers and consultants, and at the end of the day . . . [interjections]

Chairman's Ruling Decorum

MR. ACTING CHAIRMAN: Hon. members, it's about 8 minutes after 5. I think we've had a fairly productive discussion, but I wish it would continue for a few more minutes and we could listen to the hon. Member for Clover Bar-Fort Saskatchewan.

Debate Continued

MRS. ABDURAHMAN: Mr. Chairman, when people appeared before the Local Authorities Board in the past, it was indeed a court. The evidence that was brought forward was done under oath. It was presented by consultants, it was presented by elected officials, and it was presented by lawyers at a great cost to Albertans, in particular the constituents of the municipalities appearing before the Local Authorities Board. Why I feel it's imperative for this amendment to go forward is that at the end of the day Local Authorities Board recommendations were overturned by the cabinet of the government of the day. To me that makes a hypocrisy of a legal process under legislation. I would say that it's imperative under Bill 31 that we don't allow the same thing to continue to happen where we see tax dollars, in essence, being wasted. What should have happened was that the evidence should have gone straight to cabinet, and they would have had the final decision.

Now, what we're seeing without this amendment is the ability once again for the recommendations of this board to be overturned by the minister or indeed by cabinet. I would suggest, Mr. Chairman, that it's even more imperative. What I have great concern about in Bill 31 is that we cannot tell from this Bill what is going to happen to planning within the province of Alberta. For example, what is going to happen to the regional planning commissions? What is going to happen to local planning? How is the planning going to be used in annexations? How is it going

to be used in amalgamations? Are we going to see such things as joint general municipal plans? I believe municipalities under Bill 51 did recommend that we see a strengthening of that process. Indeed, that was the mechanism that the Minister of Municipal Affairs at the time of the Fort Saskatchewan-county of Strathcona annexation was asked to bring forward, what was within that document, and indeed it became the issue. That document came into being because a previous Minister of Municipal Affairs requested it, yet it didn't have any legislative clout.

5:10

Once again, under Bill 31 we're seeing an open-ended document that does not address where planning is going over the next decade in this province. I would say it's so open ended that indeed at the end of the day the minister and the cabinet have the same extensive powers that they had under previous Conservative governments, which has not served annexations or amalgamations in the past well, because it was an abuse of the democratic process. It was costly, and the only people that benefited from it, Mr. Chairman, were indeed lawyers and the consultants that came together to act on behalf of the municipalities or all other interested parties, whether they be landowners or whether they be land developers with options on the lands.

Now, Mr. Chairman, touching on the fact that here we have a board that hopefully would have some powers, without the previous amendment being carried and now this amendment before us, it really has no power, because once again the minister can override the decisions of this board. I would say that if this government is serious about ensuring the best utilization of the tax dollars municipally, indeed they would allow this board to have the powers. Their recommendations would indeed become law. So I would ask through the Chair to the Minister of Municipal Affairs: is he serious about amalgamations and the independency of annexations through this board, or is it tokenism at its worst once again, that we've seen for the past 10, 15 years? I'd also ask: where does planning fit in when it comes to annexations? Where within Bill 31 are we going to ensure that we don't end up with horrendous conflicts of land uses? We have seen this across this province already when we've dealt with intensive livestock, and that's just one area which has caused lots of emotional problems between neighbours, that need never have happened if indeed we'd had the correct planning in place and the correct municipal bylaws.

So, Mr. Chairman, I'd ask that we support this amendment at this time.

I would move adjournment at this time and call it 5:30, Mr. Chairman.

MR. ACTING CHAIRMAN: Hon. member, I think the appropriate motion should be that the committee rise and report.

MRS. ABDURAHMAN: Mr. Chairman, I'd move that the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

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

MR. HERARD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain Bill. I wish to table copies of all amendments considered by the Committee of

the Whole on Bill 31 on this date for the official records of the Assembly.

MR. SPEAKER: Having heard the report by the hon. Member for Calgary-Egmont, does the Assembly concur?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. I now move that we call it 5:30.

MR. SPEAKER: Before putting the vote, the Chair would like to mention to all members of the Assembly that the hon. Deputy Government House Leader, dressed in yellow today, is celebrating her birthday. [applause]

On this happy note, the Assembly might also make some sort of demonstration wishing the hon. Member for Calgary-Mountain View all the best this weekend when he is entering into a new estate. [applause]

Best wishes for a good weekend.

[At 5:18 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

